


## 5.6 Coastal management

### *Interpretation*

If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource, rather than a more general rule. Where a proposal includes a number of activities which trigger separate specific rules, all of the relevant rules are considered when assessing the proposal. An activity needs to comply with all relevant rules in the Plan, including those in the **whaitua** Chapters 7 – 11.

For the purposes of these rules, ‘water’ means both fresh water and coastal water.

As noted in Section 2.1 provisions relevant to the coastal marine area are identified by this icon .

~~Under section 86B of the Resource Management Act 1991 all rules have immediate legal effect from 31 July 2015. The associated definitions, schedules and maps applicable to those rules also have immediate legal effect.~~

Many activities relating to the operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 14 January 2010 are controlled by the *Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009* (NESETA), separate to this Plan. Where the provisions of this Plan conflict with the requirements of the NESETA, the provisions of the NESETA apply.

The following table is intended as a guide only and does not form part of the Plan. Refer to specified rules for detailed requirements.

Code	Activity status
P	Permitted
C	Controlled
RD	Restricted discretionary
D	Discretionary
NC	Non-complying
Pr	Prohibited

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### 5.6.1 Coastal management other methods



The Wellington Regional Council will promote sustainable management of the coastal marine area through Methods M1, M2, M3, M4, M6, M8, M12, M17, M23, M26, M27, M28, M30, M32, M33, M34 and M35.

### 5.6.2 Coastal management general conditions



Coastal management general conditions

Coastal management general conditions for activities in the coastal marine area that apply when specified in a rule.

#### *Disturbance*

- (a) the coastal marine area, including river mouths shall not be disturbed to an extent greater than that required to undertake the activity, and
- (b) there is no disturbance of the foreshore or seabed to a depth greater than 0.5m below the seabed or foreshore within the Hutt Valley Aquifer Zone shown on Map 46, unless the activity is for the replacement of an existing submarine telecommunications cable, in which case the depth of disturbance must be no greater than 2.0m, and
- (c) all machinery, equipment and materials used for the activity shall be removed from the foreshore or seabed at the completion of the activity, and

#### *Discharges*

- (d) There shall be no discharge of contaminants (excluding sediment which is addressed by clause (f)) to water or the foreshore or seabed,

except where the minor discharge is permitted by another rule in this Plan, and

- (e) The discharge of sediment to water from an activity in, on, over or under the foreshore or seabed in the coastal marine area shall meet the following:
  - (i) the release of sediment associated with the activity shall not be undertaken for more than five consecutive days, and for more than 12 hours per day, and
  - (ii) it shall not, after reasonable mixing, cause any conspicuous change in the colour of the water in the receiving water or any change in horizontal visibility greater than 30% more than 24 hours after the completion of the activity, and

*Erosion and scouring*

- (f) The activity shall not result in erosion or scouring of river banks (that are part of the coastal marine area) and shall not result in flooding of a neighbouring **property**, and

*Diversion*

- (g) No structure shall alter the natural course of a river (that is part of the coastal marine area), including any diversion of open coastal water during flood events, and

*Note*

Tree planting or **vegetative bank edge protection** works that are limited to the banks of a river and do not extend into the active channel are not considered to alter the course of the river for the purpose of this condition.

- (h) Any diversion of open coastal water undertaken as part of an activity shall only be temporary and for a period no longer than that required to complete the activity. ~~All work shall be contained within the coastal marine area, and~~ Any diversion channel required must have sufficient capacity to carry the same flow as the original channel, so as not to cause flooding or erosion of any neighbouring **property**, and

*Dumping*

- (i) Demolition materials shall not be used for any purpose in the coastal marine area, and

*Fish passage*

- (j) Any structure constructed in the coastal marine area shall ~~not impede~~ be carried out in a manner to ensure that fish passage between coastal and fresh water habitat is maintained at all times, except:

- (i) as required for the operation of backflow devices during heavy rainfall events, or
- (ii) a temporary restriction of no more than 48 hours required for construction or maintenance activities, provided any full obstruction is outside the months of August to December inclusive, and

*Note*

Any activity that results in fish passage being impeded may require approval from the Director General of Conservation under the *Freshwater Fisheries Regulations 1983*.

*Inanga spawning*

- (k) In any part of the coastal marine area (including any part of a river in the coastal marine area) identified as inanga spawning habitat in Schedule F1b (inanga spawning habitat), no disturbance of or deposition in, on or under the foreshore or seabed shall occur and no diversion of open coastal water or sediment discharge shall occur between 1 January and 31 May, except that material accumulated at the outlet of a **stormwater** discharge pipe may be removed between 1 January and 1 March, so long as there is no associated trimming or removal of vegetation (including weeds) on the bed or banks, and

*Design and maintenance of structures*

- (l) Any structure (other than **stormwater network** structures) shall be designed and maintained so that it does not reduce the ability of the river (that is part of the coastal marine area) to convey flood flows, including the management of **flood debris** accumulated against the structure, and

*Refuelling*

- (m) No refuelling or cleaning of equipment shall take place on the foreshore or seabed in the coastal marine area (excluding vessels in the **Commercial Port Area**), and fuel storage shall not occur at a location where fuel can enter coastal water, and

*Lighting and glare*

- (n) All exterior lighting shall be managed to avoid the spill of light or glare that is:
  - (i) a hazard to traffic safety on streets outside the coastal marine area, and
  - (ii) a hazard to navigation in the coastal marine area,
 unless the lighting is necessary for public safety reasons or **operational requirements**, and



*Noise in the coastal marine area*

- (o) Noise from activities located outside the **Commercial Port Area** shown on Map 51, Map 52 and Map 53 and the **Lambton Harbour Area** (Northern Zone) shown on Map 51 in the coastal marine area shall meet the following noise standards:
- (i) the activity shall not cause excessive noise (defined in section 326 of the RMA) outside the coastal marine area, and
  - (ii) between the hours of 7.00am and 11.00pm, the noise level (Leq) measured at any point on the nearest Residential Area boundary shall not exceed 55dB(A), and
  - (iii) between the hours of 11.00pm and 7.00am, the noise level (Leq) measured at any point on the nearest Residential Area boundary shall not exceed 45dB(A), and
  - (iv) single events of noise shall not exceed an Lmax sound level of 75dB(A), and
  - (v) noise shall be measured and assessed in accordance with *NZS 6802:2008 Acoustics – Environmental Noise*, and
  - (vi) any construction activities shall meet standards specified in Table 1 of *NZS 6803:1999 Acoustics – Construction Noise*, and
  - (vii) helicopter landing areas shall meet the standards specified for residential areas in Table 1 of *NZS 6807:1994 Noise management and land use planning for helicopter landing areas*, and

conditions (i) to (iv) shall not apply to the following:

- (viii) noise generated by navigational aids, safety signals, warning devices, or emergency pressure relief valves, or
- (ix) noise generated by emergency work arising from the need to protect life or limb or prevent loss or serious damage to **property** or **minimise** or prevent environmental damage, or
- (x) commercial firework displays, or
- (xi) noise generated by overflying aircraft, and

conditions (ii) to (iv) shall not apply to temporary military training activities undertaken for defence purposes. Noise emission as a result of temporary military training measured on a line 20m from and parallel to the facade of any dwelling used for accommodation or the

legal boundary where this is closer to the dwelling or building shall meet the following:

(xii) for all activities excluding the use of explosives:

Time (any day)	Limits (dB(A))	
	L <sub>eq</sub>	L <sub>max</sub>
0000 – 0630	45	75
0630 – 0730	60	75
0730 – 1800	75	90
1800 – 2000	70	85
2000 – 2400	45	75

(xiii) for activities involving the use of explosives: 122dB(C) during daylight hours, and

(p) Noise from **port-related activities** located within the **Commercial Port Area** shown on Map 51, Map 52 and Map 53 and the **Lambton Harbour Area** (Northern Zone) shown on Map 51 shall comply with the following noise standards:

(i) the activity shall not cause excessive noise (defined in section 326 of the RMA) outside the coastal marine area, and

(ii) noise shall be measured in accordance with the requirements of *NZS 6801:2008 Acoustics – Measurement of environmental sound* and *NZS 6809:1999 Port noise management and land use planning*, and

(iii) noise from **port-related activities** in a **Commercial Port Area** and the part of the **Lambton Harbour Area** shown on Map 51 shall not exceed the following at or beyond the **Port Noise Control Line** as shown on Map 51, Map 52 and Map 53, and

Time (any day)	Limits (dB(A))		
	L <sub>dn</sub>	L <sub>max</sub>	L <sub>eq</sub>
Any 5 consecutive 24 hour periods	65	-	-
Any 24 hour period	68	-	-
10pm – 7am		85	60 (9hr) 65 (15mins)

- (iv) CentrePort shall undertake a noise monitoring programme to ensure that noise from **port-related activities** comply with limits in (p)(iii) at the **Port Noise Control Line** as shown on Map 51, Map 52 and Map 53. This monitoring will be undertaken in accordance with the Port Noise Management Plan for CentrePort Limited (Dec 2008) and the information shall be reported to the Wellington Regional Council, and

conditions (p)(i), (p)(iii) and (p)(iv) shall not apply to the following:

- (v) noise generated by navigational aids, safety signals, warning devices or emergency pressure relief valves, and
- (vi) noise generated by emergency work arising from the need to protect life or limb or prevent loss or serious damage to **property** or **minimise** or prevent environmental damage, and
- (vii) noise generated by construction activities which shall meet the standards specified in Table 1 of *NZS 6803:1999 Acoustics – Construction Noise*, and
- (viii) noise generated by helicopter landing areas which shall meet the standards specified for commercial areas in Table 1 of *NZS 6807:1994 Noise management and land use planning for helicopter landing areas*, and

- (q) The following noise standards shall only apply to activities in the **Commercial Port Area** at Seaview Wharf shown on Map 53 that are controlled by a rule in this Plan, are located in the coastal marine area and refer to the coastal marine area general conditions within the rule:

- (i) the activity shall not cause excessive noise (defined in section 326 of the RMA) outside the coastal marine area at the nearest residential area boundary, and
- (ii) the noise level measured at any point on the nearest residential area boundary shall not exceed:

Time (any day)	Limits	
	$L_{eq}$	$L_{max}$
7am – 11pm	60 dB(A)	-
11pm – 7am	45 dB(A)	75 dB(A)

- (iii) noise shall be measured in accordance with *NZS 6801:2008 Acoustics – Measurement of environmental sound*. Corrected

levels shall be determined in accordance with *NZS 6802:2008 Acoustics – Environmental Noise*, and

conditions (q)(i) and (q)(ii) shall not apply to the following:

- (iv) noise generated by navigational aids, safety signals, warning devices, or emergency pressure relief valves, and
- (v) noise generated by emergency work arising from the need to protect life or limb or prevent loss or serious damage to **property** or **minimise** or prevent environmental damage, and
- (vi) noise generated by construction activities which shall meet the standards specified in Table 1 of *NZS 6803:1999 Acoustics – Construction Noise*, and
- (vii) noise generated by helicopter landing areas which shall meet the standards specified for Commercial areas in Table 1 of *NZS 6807:1994 Noise management and land use planning for helicopter landing areas*, and

- (r) Habitable rooms in buildings containing **noise sensitive activities** in a **Commercial Port Area**, the **Lambton Harbour Area** and the **Lambton Harbour Area (Northern Zone)**, shown on Map 51, Map 52 and Map 53, shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standards:

Area	Planning Map	Performance standard
<b>Commercial Port Area</b>	Map 51, Map 52, Map 53	$D_{nT,w} + C_{tr} > 35$ dB
<b>Lambton Harbour Area (Northern Zone)</b>	Map 51	$D_{nT,w} + C_{tr} > 35$ dB
<b>Lambton Harbour Area</b>	Map 51 (excluding northern zone)	$D_{nT,w} + C_{tr} > 30$ dB

- (s) Where bedrooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5L/s per person. The required airflow level is based on the minimum standard for habitable spaces set out in *NZS 4303:1990 Ventilation for Acceptable Indoor Air Quality*, and

*Port Noise Management Plan*

- (t) ~~CentrePort shall at all times operate in accordance with the *Port Noise Management Plan for CentrePort Ltd (December 2008)*. CentrePort shall at all times have a port noise management plan in place.~~

### 5.6.3 Maintenance, repair, additions and alterations to existing structures

#### Rule R169: Maintenance or repair of structures – permitted activity



The maintenance or repair of a structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) the maintenance and repair of the structure is contained within the form of the existing structure and there is no increase in length, width, or height of the existing structure (except for increases for the purposes of replacement, removal and alterations of existing utility services, electric or aerial telecommunications cables/conductors/pipelines where these activities will not result in increases in design voltage and the new or altered cables/conductors/pipelines will not be lower in height above the foreshore or seabed), and
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Note*

Repainting is permitted by this rule.

This rule applies to all existing coastal marine area structures, including **seawalls**, navigation aids and port structures, except those heritage structures identified in Schedules E1-E3 (in which case Rule R190 applies), and structures in the **Commercial Port Area** (in which case Rule R195 applies).

### Rule R170: Minor additions or alterations to structures – permitted activity



The addition or alteration to a structure and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) there is no change in the use of the structure, and
- (g) the structure is not a **seawall**, and
- (h) the structure is not in the **Commercial Port Area**, and
- (i) the minor addition or alteration shall add no more than 5m in horizontal projection and 1m in vertical projection to the structure as it existed on the date of 31 July 2015 in the coastal marine area, and
- (j) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

#### *Note*

Rule R195 and Rule R196 apply to additions and alterations in the **Commercial Port Area**.

Rules R190 to R193 apply to additions and alterations to heritage structures identified in Schedules E1 to E3.

### Rule R171: Additions or alterations to structures – controlled activity



The addition or alteration to a structure and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and

(e) diversion of open coastal water

that are not permitted by Rule R169 or Rule R170, is a controlled activity, provided the following conditions are met:

- (f) the structure is not located within a **navigation protection area** shown on Map 68, or in an airport height restriction area shown on Maps 69 and 70, and
- (g) there is no change in the use of the structure, and
- (h) the structure is not a **seawall**, and
- (i) the structure is not in the **Commercial Port Area**, and
- (j) the addition shall add no more than 10m horizontal projection and 3m vertical projection to the structure as it existed on the date of 31 July 2015, and
- (k) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Matters of control*

1. The use and design life of the structure
2. Effects on public access
3. Effects on public open space and visual amenity
4. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
5. Effects of coastal erosion and inundation (storm surge) on the structure
6. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features)

*Notification*

In respect of Rule R171 applications are precluded from public notification (unless special circumstances exist).

*Note*

Rules R195 and Rule R196 ~~applies~~ apply to additions and alterations in the **Commercial Port Area**.

Rules R190 to R193 apply to additions and alterations to heritage structures identified in Schedules E1 to E3.

Permission may be required from the relevant city or district council in respect of the Building Act 1991 or other legislation or bylaws.

#### 5.6.4 Removal or demolition of structures

Rule R172: Removal or demolition of structures or part of a structure – permitted activity



The removal or demolition of a structure or part of a structure in the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) deposition in, on or under the foreshore or seabed, and
- (c) discharge of contaminants, and
- (d) diversion of open coastal water


is a permitted activity, provided the following conditions are met:

- (e) the structure is not inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats), and
- (f) the removal or demolition shall not disturb more than 10m<sup>3</sup> of the foreshore or seabed, and
- (g) the structure or part of the structure, is completely removed from the coastal marine area, except for structures within the **Commercial Port Area**, and
- (h) no explosives shall be used in the removal or demolition, and
- (i) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to:
  - (i) the Wellington Regional Council Harbourmaster, and
  - (ii) Maritime New Zealand, and
- (j) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

Note

This rule applies to existing coastal marine area structures except those heritage structures identified in Schedules E1 to E3 (in which case Rule R194 applies).



Rule R173: Removal or demolition of a structure or part of a structure – restricted discretionary activity 

The removal or demolition of a structure or part of a structure in the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) deposition in, on or under the foreshore or seabed, and
- (c) discharge of contaminants, and
- (d) diversion of open coastal water

that is not permitted by Rule R172 and is not a discretionary activity under Rule R194 or Rule R187, or non-complying under Rule R182 is a restricted discretionary activity.

*Matters for discretion*

- 1. Effects on public access
- 2. Effects on public open space and visual amenity
- 3. Effects of disturbance, deposition, discharge and diversion associated with the removal
- 4. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats)
- 5. Lighting and noise
- 6. Navigational safety including the notification of the Wellington Regional Council Harbourmaster and Maritime New Zealand

**5.6.5 New and replacement structures (including temporary structures)**

Rule R174: New temporary structures outside Schedule C, Schedule F4, Schedule F5 or Schedule J sites of significance – permitted activity 

The placement of a new **temporary structure** and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) the structure is outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), and
- (g) the structure is outside a **navigation protection area** shown on Map 68, or airport height restriction areas shown on Maps 69 and 70, and
- (h) the structure shall be maintained in a safe condition at all times, and
- (i) the entire structure shall be removed after use, and
- (j) if the structure is on a wharf identified in Schedule E2 (wharves and boatsheds), the **temporary structure** shall not cause permanent physical damage to the wharf, and
- (k) the structure shall not include advertising or marketing signage, and
- (l) the structure shall not cause a hazard to navigation, and
- (m) the structure shall not be in place for a period exceeding a total of 31 days or part days during a 12 month period, inclusive of the placement and removal, and
- (n) the structure shall not prevent public access to and along the foreshore, and
- (o) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to:
  - (i) the Wellington Regional Council Harbourmaster, and
  - (ii) Maritime New Zealand,
- (p) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

#### Rule R175: New temporary structures – restricted discretionary activity



The placement of a new **temporary structure** and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and

- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by Rule R174 is a restricted discretionary activity.

*Matters for discretion*

1. Use of the structure
2. Effects on public access
3. Effects on public open space and visual amenity
4. Effects of disturbance, deposition, discharge and diversion associated with the activity
5. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
6. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features)
7. Effects on the heritage values of structures identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds)
8. Lighting and noise
9. The structural integrity and condition of the structure
10. Navigational safety including the notification of the Wellington Regional Council Harbourmaster and Maritime New Zealand

**Rule R176: New or replacement navigation aids – permitted activity**



The placement of a new or replacement navigational aid and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to:
  - (i) the Wellington Regional Council Harbourmaster, and
  - (ii) Maritime New Zealand, and
  - (iii) Land Information New Zealand, and
- (g) the navigational aid shall be maintained in a structurally safe condition at all times, and
- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

Note

This rule applies to coastal marine area navigation aids except those heritage structures identified in Schedules E1 to E3 (in which case Rules R190, R192 to R194 apply).

Rule R177: New or replacement structures for special purposes – controlled activity



The placement of a new structure or the replacement of a structure for scientific, research, monitoring and education purposes and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a controlled activity, provided the following conditions are met:

- (f) the activity is not inside a site identified in Schedule E4 (archaeological sites) or Schedule J (geological features), and
- (g) the structure is outside a **navigation protection area** identified on Map 68, and
- (h) there is no change in use of the structure, and
- (i) the structure does not exceed an area of 2m<sup>2</sup> or a vertical projection of 2m, and

- (j) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Matters of control*

1. Use of the structure
2. Effects on public access
3. Effects of disturbance, deposition, discharge and diversion associated with construction
4. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
5. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats)
6. Lighting and noise mitigation methods

*Notification*

In respect of Rule R177, applications are precluded from public notification (unless special circumstances exist).

**Rule R178: Structures in airport height restriction areas or navigation protection areas for airport/navigation purposes – discretionary activity**



The placement of a new structure including a **temporary structure** or addition or alteration to a structure and the associated use of the structure:

- (a) in a **navigation protection area** shown on Map 68, or
- (b) within an airport height restriction area shown on Map 69 or Map 70,

including any associated:

- (c) occupation of space in the **common marine and coastal area**, and
- (d) disturbance of the foreshore or seabed, and
- (e) deposition in, on or under the foreshore or seabed, and
- (f) discharge of contaminants, and
- (g) diversion of open coastal water

is a discretionary activity, provided the following conditions are met:

- (h) in respect of condition (b), written approval is given by the relevant airport authority, and

- (i) in respect of condition (a), written approval is given by the Wellington Regional Council Harbourmaster.

**Rule R179: Structures in airport height restriction areas or navigation protection areas – prohibited activity**



The placement of a new structure including a **temporary structure** or addition or alteration to a structure (excluding navigation aids, cables and pipelines fixed to the seabed) and the associated use of the structure in a **navigation protection area** shown on Map 68 or within an airport height restriction area shown on Map 69 or Map 70, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not a discretionary activity under Rule R178, is a prohibited activity.

**Rule R180: New structures and disturbance associated with motor vehicles inside the Cook Strait Cable Protection Zone and adjacent foreshore, and inside a mana whenua site of significance – discretionary activity**




The placement of a new structure and the associated use of the structure and disturbance associated with **motor vehicles** in the coastal marine area:

- (a) specific to the **National gGrid**, and
- (b) inside the Cook Strait Cable Protection Zone shown on Map 71, and adjacent foreshore, and
- (c) inside a site of significance identified in Schedule C (mana whenua),

including any associated:

- (d) occupation of the **common marine and coastal area**, and
- (e) disturbance of the foreshore or seabed, and
- (f) deposition in, on or under the foreshore or seabed, and
- (g) discharge of contaminants, and
- (h) diversion of open coastal water


that is not permitted by Rule R177 is a discretionary activity.

**Rule R181: New structures, additions or alterations to structures outside Schedule C, Schedule F4, Schedule F5 or Schedule J sites of significance – discretionary activity** 

The placement of a new structure, addition or alteration to a structure and the associated use of the structure 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:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by R176, Rule R197, Rule R198, or controlled by R171 or Rule R177 or Rule R196 or restricted discretionary under Rule R175 or prohibited under Rule R179 is a discretionary activity.

**Rule R182: New structures, additions or alterations to structures inside Schedule C, Schedule F4, Schedule F5 or Schedule J sites of significance – non-complying activity** 

The placement of a new structure, addition or alteration to a structure and the associated use of the structure 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:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by R176, Rule R197, Rule R198, or a controlled by Rule R171 or Rule R177 or Rule R196 or a restricted discretionary under Rule R175 or a discretionary activity under Rule R180 or Rule R189, or prohibited under Rule R179 is a non-complying activity.

### Rule R183: Replacement of structures or parts of structures – permitted activity



The replacement of a structure or part of a structure and the associated use of the structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water


is a permitted activity, provided the following conditions are met:

- (f) the replacement structure has a **functional need** or **operational requirement** to be located in the coastal marine area, and
- (g) the structure is not a **seawall** (excluding revetments or those **seawalls** protecting wharves within a **Commercial Port Area**), and
- (h) there is no change in the use of the structure, and
- (i) the replacement structure is built in the same or similar location as the original structure, and
- (j) the replacement structure has the same or lesser footprint as the original structure, and
- (k) the replacement structure maintains the form of the original structure and there is no increase in the length, width or height, and
- (l) the replacement structure is not inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) excluding those structures for scientific, research or education purposes that will enhance the understanding and long term protection of the coastal marine area, and
- (m) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

#### Note

This rule applies to existing coastal marine area structures except those heritage structures identified in Schedules E1 to E3 (in which case Rule R194 applies).



Rule R184: Replacement of structures or parts of structures – restricted discretionary activity 

The replacement of a structure or part of a structure and the associated use of the structure in the coastal marine area, including any associated:


- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by Rule R169, Rule R172, Rule R176 or Rule R183 or a controlled activity by Rule R177, is a restricted discretionary activity.

*Matters for discretion*

1. The use of the structure
2. Effects on public access
3. Effects on public open space and visual amenity
4. Effects of disturbance, deposition, discharge and diversion associated with the activity
5. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features)
6. Light and noise
7. Effects on shoreline stability in the vicinity and nearby areas

### 5.6.6 Seawalls

Rule R185: Additions or alterations to, or replacements of, existing seawalls outside Schedule C, Schedule F4 and Schedule F5 sites (excluding scheduled kelp beds\* and subtidal rocky reefs to the west and south of Wellington International Airport) – controlled activity 

The addition or alteration to, or replacements of, an existing **seawall** and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and

- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a controlled activity, provided the following conditions are met:


- (f) any addition shall add no more than 5m in horizontal projection at the ends of the existing structure parallel to the shoreline and 1m in vertical projection to the structure as it existed on the date of 31 July 2015,
- (g) the structure is not inside a site or habitat identified in Schedule F5 (coastal habitats) (other than those scheduled kelp beds\* and subtidal rocky reefs to the west and south of Wellington International Airport, Schedule C (mana whenua), or Schedule F4 (coastal sites),
- (h) the addition shall not extend any further seaward than the existing **seawall**, and
- (i) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Matters of control*

1. Effects on public access
2. Design, design life and construction
3. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
4. Effects on a site or habitat identified in Schedule F2(c) (indigenous birds), or those scheduled kelp beds\* and subtidal rocky reefs to the west and south of Wellington International Airport, or on an adjacent site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features)
5. Effects of coastal erosion and inundation (storm surge) on the seawall
6. Effects on the heritage values of structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigational aids)

Note

\*This exclusion does not apply to Giant kelp *Macrocystis* beds

Rule R186: Additions or alterations to, or replacements of, existing seawalls inside Schedule C, Schedule F4 and Schedule F5 sites (excluding scheduled kelp beds\* and subtidal rocky reefs to the west and south of Wellington International Airport) – restricted discretionary activity 

The addition or alteration to, or replacements of, an existing **seawall** inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) (excluding scheduled kelp beds\* and subtidal rocky reefs to the west and south of Wellington International Airport, and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not controlled by Rule R185, discretionary under Rule R187 or non-complying under Rule R188, is a restricted discretionary activity, provided the following conditions are met:


- (f) any addition shall add no more than 5m in horizontal projection at the ends of the existing structure parallel to the shoreline and 1m in vertical projection to the structure as it existed on the date of 31 July 2015,
- (g) the addition shall not extend any further seaward than the existing **seawall**, and
- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Matters of discretion*

1. Effects on public access
2. Design, design life and construction
3. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
4. Effects of coastal erosion and inundation (**storm surge**) on the **seawall**
5. Effects on a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features)

Note


\*This exclusion does not apply to Giant kelp *Macrocystis* beds

Rule R187: Seawalls outside Schedule C, Schedule F4, Schedule F5 or Schedule J sites of significance— discretionary activity 

The placement of a new **seawall**, or the addition to or alteration or replacement of an existing **seawall**, and the associated use of the structure 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:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not a controlled activity under Rule R185 or restricted discretionary under Rule R186 is a discretionary activity.

Rule R188: Seawalls inside Schedule C, Schedule F4, Schedule F5 or Schedule J sites of significance— non-complying activity 

The placement of a new **seawall**, or the addition to or alteration or replacement of an existing **seawall**, and the associated use of the structure 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:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not a controlled activity under Rule R185, restricted discretionary under R186, or a discretionary activity under Rule R187 or R189, is a non-complying activity.

Rule R189: Existing regionally significant infrastructure and renewable energy generation activities within a site that meets any of the criteria

in Policy P38(a)(i) – (v) or (b) within the Coastal Environment -  
Discretionary Activity




Any destruction, damage, disturbance, deposition or **reclamation**, or the placement of a new structure or **seawall**, or addition or alteration to a structure or a **seawall** and the associated use of the structure or **seawall**, associated with the operation, maintenance, **upgrade** and/or **extension** of existing **regionally significant infrastructure** and **renewable energy generation activities** within a site that meets any of the criteria in Policy P38(a) or (b) or included in Schedule F5, in the coastal environment including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by Rules R169, R170, R174, R183, R195, or controlled under Rules R185 and R196 or restricted discretionary under Rules R184 and R186 or a discretionary activity under Rule R178 is a discretionary activity, provided the following conditions are met:

- (f) there is a **functional need** or **operational requirement** for the activity to locate in the area, and
- (g) there is no practicable alternative on land or elsewhere in the coastal marine area for the activity to be located, and
- (h) the resource consent application includes a biodiversity management plan setting out how the significant indigenous biodiversity values and attributes at and in proximity to the ecosystem or habitat or area that will be affected by the activity are to be maintained and restored or enhanced, and
- (i) where the **extension** relates to altering the alignment of existing infrastructure, a rehabilitation plan is included in a resource consent application that demonstrates how any areas vacated as a result of the **extension** will be rehabilitated to restore or enhance the significant values of the site.

### 5.6.7 Heritage structures

Rule R190: Maintenance or repair or alteration of structures in Schedule E1, Schedule E2, and Schedule E3 – permitted activity 

The maintenance or repair or alteration of a structure identified in Schedule E1 (heritage structures), E2 (wharves and boatsheds) or E3 (navigation aids) in the coastal marine area, including any associated:


- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (e) for structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds except for Glasgow Wharf) and Schedule E3 (navigation aids), the materials used for maintenance or repair or alteration of the structure shall use the same materials, or the altered components should be of similar materials as the original it replaces in texture, form profile, design and appearance, and
- (f) except for Glasgow Wharf any alteration is contained within the form of the existing structure and there is no increase in length, width, height of the existing structure, and
- (g) for Glasgow Wharf:
  - (i) for maintenance or repair, or additions and alterations that add no more than 5m horizontal projection and 10m vertical projection to the structure as it existed on the date of 31 July 2015, the altered or repaired components should be of the same or similar materials to the existing structure in texture, form, profile, design and appearance;
  - (ii) a new or replacement structure for the transfer of passengers, crews and other persons or cargo handling shall not exceed a height of 27m.
- (h) the number of components altered should be substantially less than existing number of components, and
- (i) the alteration does not include the removal, relocation, partial or total demolition of any structure, and
- (j) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Note*

Repainting is permitted by this rule.

Rule R191: Additions or alterations to structures identified in Schedule E1 or Schedule E2 – restricted discretionary activity 

The addition or alteration to a structure identified in Schedule E1 (heritage structures), or Schedule E2 (wharves and boatsheds), and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

that is not permitted by Rule R190, is a restricted discretionary activity, provided the following conditions are met:


- (e) the structure is not a **seawall**, and
- (f) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Matters for discretion*

1. Use of the structure
2. Effects on public access
3. Effects on public open space and visual amenity
4. Effects of disturbance, deposition and discharge associated with construction
5. Effects on the historic heritage values of structures identified in Schedule E1 (heritage structures) or Schedule E2 (wharves and boatsheds)
6. Lighting and noise
7. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas

*Note*

Additions or alterations to **seawalls** are either a controlled activity under Rule R185, a discretionary activity under Rule R187 or a non-complying activity under Rule R188.


Rule R192: Additions to structures identified in Schedule E3 – permitted activity 

The addition to a structure identified in Schedule E3 (navigation aids), and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a permitted activity, provided the following conditions are met:


- (e) the addition is for navigation safety or the efficiency of its operation, and
- (f) the addition shall add no more than 3m in horizontal projection and 2m in vertical projection to the structure as it existed on the date of 31 July 2015, and
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

Rule R193: Additions or alterations to structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity 

The addition or alteration to a structure identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), or Schedule E3 (navigation aids) and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

that is not permitted by Rule R190 or Rule R192, or restricted discretionary activity under Rule R191, is a discretionary activity.

Rule R194: Removal, demolition or replacement of structures or parts of structures identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity 

The removal, demolition or replacement of a structure or part of a structure identified in Schedule E1 (heritage structures), Schedule E2 (wharves and



boatsheds) or Schedule E3 (navigation aids) ~~or Schedule E6 (Lambton Harbour Heritage Area)~~ and the associated use of a structure in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

that is not permitted by Rule R172, ~~Rule R165~~, Rule R190, ~~Rule R149~~, Rule R192 or Rule R195, or controlled under Rule R177 or Rule R185, or restricted discretionary under Rule ~~R153~~, R191, ~~or R173~~ is a discretionary activity.

### 5.6.8 Structures in the Commercial Port Area

Rule R195: Maintenance or repair or additions or alterations to structures inside a Commercial Port Area – permitted activity



The maintenance or repair or addition or alteration to a structure inside a **Commercial Port Area** shown on Map 51, Map 52 and Map 53 and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) the structure is not inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats), and
- (g) the maintenance or repair or addition and alteration shall add no more than 30m horizontal projection and 10m vertical projection to the structure, as it existed on the date of 31 July 2015,
- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

### Note

This rule applies to structures in ~~the~~ a **Commercial Port Area**, except those heritage structures identified in Schedules E1 to E3 (in which case Rules R190 to R194 apply).

### Rule R196: Maintenance or repair or additions or alterations to structures inside a Commercial Port Area – controlled activity



The maintenance or repair or addition or alteration to a structure inside a **Commercial Port Area** shown on Map 51, Map 52 and Map 53 and the associated use of the addition in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

that is not permitted by ~~Rule R149~~ or Rule R195 is a controlled activity, provided the following conditions are met:

- (f) the addition and alteration shall add no more than 50m horizontal projection and 20m vertical projection to the structure as it existed on the date of 31 July 2015, and
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

### *Matters of control*

1. Use of the structure
2. Lighting and noise mitigation methods
3. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
4. Effects of disturbance, deposition, discharge and diversion associated with the activity

### *Notification*

In respect of Rule R196, applications are precluded from public notification (unless special circumstances exist).

Note

This rule applies to structures in ~~the~~ a **Commercial Port Area**, except those heritage structures identified in Schedules E1 to E3 (in which case Rules R190 to R194 apply).

Rule R197: New structures associated with passenger and cargo handling inside the Commercial Port Area – permitted activity



The placement of a new structure associated with passenger handling (for the transfer of passengers, crews and other persons) or cargo handling and the associated use of the structure inside a **Commercial Port Area** shown on Map 51, Map 52 and Map 53 in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants, and
- (e) diversion of open coastal water

is a permitted activity, provided the following conditions are met:

- (f) the structure shall not exceed a height of 27m, and
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

Note

This rule applies to structures in ~~the~~ a **Commercial Port Area**, except those heritage structures identified in Schedules E1 to E3 (in which case Rules R190 to R194 apply).

### 5.6.9 Boatsheds and swing moorings

Rule R198: Use of boatsheds – permitted activity



The use of a boatshed in the coastal marine area, for water based activities that require a coastal location, is a permitted activity, provided the following condition is met:

- (a) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

Rule R199: Change of use of boatsheds – non-complying activity



The change in use of a boatshed in the coastal marine area to an activity that does not have a **functional need** to be in the coastal marine area, after the date of 31 July 2015, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a non-complying activity.

#### *Notification*

In respect of Rule R199, applications must be publicly notified.

#### Rule R200: New boatsheds inside Boatshed Management Areas – discretionary activity

The placement of a new boatshed inside a Boatshed Management Area shown on Map 50 and the associated use of the boatshed in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a discretionary activity.

#### Rule R201: New boatsheds outside Boatshed Management Areas – non-complying activity

The placement of a new boatshed outside a Boatshed Management Area shown on Map 50 and the associated use of the boatshed in the coastal marine area that is not a discretionary activity under Rule R200, is a non-complying activity.

#### Rule R202: Swing moorings inside Mooring Areas – permitted activity

The placement of a swing mooring inside a Mooring Area shown on Map 55, Map 56, Map 57, Map 58, Map 59 or Map 60 and the associated use of the swing mooring in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (e) the mooring area has available mooring space, and
- (f) a mooring licence has been obtained from the Wellington Regional Council Harbourmaster, or a resource consent is held, and
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

#### Rule R203: New swing moorings outside Mooring Areas – non-complying activity



The placement of a new swing mooring outside a Mooring Area shown on Map 55, Map 56, Map 57, Map 58, Map 59 and Map 60 and the associated use of the swing mooring in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a non-complying activity.

#### *Notification*

In respect of Rule R203, applications are precluded from public notification (unless special circumstances exist).

### 5.6.10 Occupation

#### Rule R204: Occupation of space by regionally significant infrastructure or a structure owned by a network utility operator – permitted activity



The occupation of space in the **common marine and coastal area** by a structure existing prior to ~~before~~ the date of 31 July 2015 which is **regionally significant infrastructure** or owned by a network utility operator is a permitted activity.

#### Rule R205: Renewal of existing resource consents for occupation of space by structures – controlled activity



The first renewal of an **existing resource consent** for the occupation of space by a structure in the **common marine and coastal area**, after the date of 31 July 2015 is a controlled activity.

#### *Matters of control*

1. Effects on public access
2. Effects on public open space and visual amenity

### *Notification*

In respect of Rule R205, applications are precluded from public notification (unless special circumstances exist).

### Rule R206: Occupation of space – discretionary activity



The occupation of space in the **common marine and coastal area** that is not permitted, controlled, restricted discretionary, non-complying or prohibited is a discretionary activity.

#### 5.6.11 Surface water and foreshore activities

### Rule R207: General surface water and foreshore activities – permitted activity



General surface water and foreshore activities and the associated use in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (e) the activity is not inside the **Lambton Harbour Area** (including Northern Zone) shown on Map 51, and
- (f) if the activity includes occupation of space in the **common marine and coastal area** that excludes public access or navigation of ships:
  - (i) the area of occupation shall be less than 1ha, and
  - (ii) the activity shall comply with the Wellington Regional Council Navigation and Safety Bylaws Wellington Region 2009, and
  - (iii) the occupation shall not affect the **operational requirement** of emergency services including the coastguard, police and surf lifesaving, and
  - (iv) written notice shall be given five working days before work commences to:
    - a. the Wellington Regional Council Harbourmaster, and
    - b. Maritime New Zealand, and
    - c. the relevant territorial authority, and

- (v) the duration of the activity in a 12 month period must not exceed:
  - a. for temporary military training activities, 30 days, and
  - b. for all other activities, seven days, and
- (g) if the activity will exclude public access or navigation of ships in the **common marine and coastal area** for more than 24 hours:
  - (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
  - (ii) signs shall be placed at the location of the activity notifying the public of the event with dates, times, the activity proposed, any restrictions imposed on the use of the area and contact information of the organiser at least seven working days prior to the occupation commencing, and
- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Note*

Permission may be required from the relevant city or district council.

Any activities which disturb the foreshore or seabed within the Cook Strait Cable Protection Zone (shown in Map 71), including anchoring and fishing, has the potential to damage the Cook Strait Cables, and is required to comply with the Submarine Cables and Pipeline Protection Order 2009.

**Rule R208: General surface water and foreshore activities – restricted discretionary**



General surface water and foreshore activities and the associated use in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) disturbance of the foreshore or seabed, and
- (c) deposition in, on or under the foreshore or seabed, and
- (d) discharge of contaminants

that is not permitted by Rule R207 is a restricted discretionary activity, provided the following conditions are met:

- (e) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Matters for discretion*

1. Effects on public access
2. Effects on public open space and visual amenity
3. Use of the structure
4. Extent and exclusivity of the occupation of the **common marine and coastal area**
5. Navigation safety
6. Lighting and noise
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)
8. Effects on the heritage values of structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigational aids)

**Rule R209: General surface water and foreshore activities – discretionary activity**



General surface water and foreshore activities in and the associated use of the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (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 R207 or restricted discretionary under Rule R208 is a discretionary activity.

**5.6.12 General disturbance activities**

**Rule R210: 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 **common marine and coastal area**, 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
- (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
- (f) the removed natural material shall not be used for commercial gain, and
- (g) the area of excavation shall be smoothed over after the completion of the activity (e.g. no holes left on the foreshore), and
- (h) the extent of the foreshore or seabed disturbance is limited to that required to undertake the activity, and
- (i) no motorised excavation machinery shall be used to disturb or remove sand, shingle, shell or other natural material.

*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.

**Rule R211: Clearance of stormwater pipes – permitted activity**



The disturbance of the foreshore or seabed from the clearance of a **stormwater** pipe in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, 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 disturbance is undertaken by or for a local authority or a road controlling authority or is required for port maintenance, and

- (e) the extent of the foreshore or seabed disturbance is limited to that required to create a free-draining path from the **stormwater** outlet to the sea, and
- (f) the disturbance shall not prevent public access to or along the foreshore, and
- (g) all material excavated is retained within the **active beach** system except for visibly contaminated material. Any visibly contaminated material shall be removed from the beach system and disposed of appropriately, and
- (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
- (i) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

#### Rule R212: Disturbance associated with beach grooming – permitted activity



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:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants

on the following beaches:

Ōtaki, Te Horo, Peka Peka, Waikanae, Paraparaumu, Raumati, Paekakariki, Titahi Bay (excluding the area of fossil forest shown on Map 54), Karehana Bay, Plimmerton, Browns Bay, Bradley Point, Motukaraka Point, Mana Foreshore, Onehunga Bay, Dolly Varden Beach, Pukerua Bay, Lyall Bay, Island Bay, Princess Bay, Worser 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:

- (c) the beach grooming shall be carried out for the purpose of grooming and the removal of marine debris and litter, and
- (d) the activity shall be undertaken by or for a local authority, and
- (e) the activity shall not occur when shellfish beds are exposed, and
- (f) the activity shall not be within a site identified in Schedule C (mana whenua) or Schedule E4 (archaeological sites) or Schedule F4

(significant indigenous biodiversity values in the coastal marine area), except on Island Bay beach, and

- (g) the activity shall not be within the Tītahi Bay fossil forest shown on Map 54, and
- (h) the activity shall comply with the coastal management general conditions specified above in section 5.6.2.

*Note*

While the removal of natural materials from a marine reserve (unless authorised for research purposes) is prohibited under the Marine Reserves Act 1971, regulation 7 of the Marine Reserves (Taputeranga) Order 2008 enables a local authority to remove beach cast seaweed and debris after a storm within Taputeranga Marine Reserve with particular conditions.

**Rule R213: Beach recontouring for coastal restoration purposes – controlled activity**



The disturbance of the foreshore or seabed for **beach recontouring** in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants

is a controlled activity, provided the following conditions are met:

- (c) the activity forms part of a **coastal restoration plan**, and
- (d) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2, and-
- (e) within the Tītahi Bay fossil forest area shown on Map 54, any **motor vehicle** used shall not have caterpillar tracks.

*Matters of control*

1. Timing of the activity associated with coastal fauna
2. Volume of material removed
3. Effects of disturbance, deposition, discharge and diversion associated with the activity
4. Effects on shoreline stability (including dunes and nearshore) and the potential to create a coastal inundation hazard
5. Effects on the heritage values of structures and sites identified in Schedule E1 (heritage structures) or Schedule E4 (archaeological sites)

6. Effects on sites and habitats identified in or using Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features)

*Notification*

In respect of Rule R213, applications are precluded from public notification (unless special circumstances exist).

**Rule R214: River, stream and lake mouth cutting – permitted activity**



The disturbance of the foreshore or seabed for river, stream and lake mouth cutting in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) diversion of open coastal water, and
- (c) discharge of contaminants for the following rivers and lakes:
- (d) Waitohu Stream, Ōtaki River, Mangaone Stream, Waimeha Stream, Waikanae River, Hadfield Drain, Wharemauku Stream, Whareroa Stream, Wainui Stream, Waikakariki Stream, Makara Stream, Motuwaiereka Stream, Castlepoint Stream, Whakataki River, Tikotu Stream, and
- (e) Lake Kohangapiripiri, Lake Kohangatera and Lake Onoke, and
- (f) an unnamed stream approximately 190m south of the seaward end of Sunrise Way, Riversdale, and
- (g) an unnamed stream approximately 145m north of the seaward end of Sunrise Way, Riversdale, and
- (h) an unnamed stream at the seaward end of Karaka Drive, Riversdale

is a permitted activity, provided the following conditions are met:

- (i) the activity shall be carried out for the purposes of flood protection and/or erosion mitigation, and
- (j) the activity shall only be carried out by or for a local authority, and
- (k) the activity is only undertaken when the trigger level defined in Schedule T (river mouth cutting) is equalled or exceeded, and
- (l) the foreshore shall not be mechanically disturbed to a depth greater than required to divert stream flow, and

- (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 channel), and
- (n) 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
- (o) 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) 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
- (q) 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
- (r) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2, except 5.6.2(k) where the activity only disturbs sand or gravel and does not disturb any vegetated area.

### 5.6.13 Motor vehicles on the foreshore

Rule R215: Motor vehicles for launching, retrieving or temporary mooring of vessels – permitted activity



The disturbance of the foreshore or seabed from a **motor vehicle** associated with the launching, retrieval or temporary mooring of a vessel in the coastal marine area is a permitted activity, provided the following conditions are met:

- (a) a boat ramp shall be used if available at the locality, and
- (b) within the Titahi Bay fossil forest area shown on Map 54, the activity shall not be undertaken:
  - (i) within any area shown as Area A,
  - (ii) outside of the Area A, between 9.30pm and 5.00am,
  - (iii) on or within, a buffer zone of 5 metres of any **exposed** (Titahi Bay fossil forest) ~~shown on Map 54,~~
  - (iv) by any motor vehicle with caterpillar tracks, and

- (c) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

*Note*

*Marine Reserves Regulations 1993* provide for anchoring and use of vessels in a marine reserve (section 5 and 6 respectively). 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.

**Rule R216: Motor vehicles – permitted activity**



The disturbance of the foreshore from **motor vehicles**, other than those permitted by R215, in the coastal marine area is a permitted activity, provided the following conditions are met:

- (a) the activity is not within the area of Titahi Bay shown on Map 54, and
- (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), Schedule F5 (coastal habitats) or Schedule J (geological features), unless the activity involves light vehicles (a **motor vehicle** weighing less than 3,500kg) in the permitted driving area at Castlepoint Basin Lagoon, shown on Map 74X.

*Note*

Permission may be required from the relevant city or district council.

**Rule R217: Motor vehicles for certain purposes – permitted activity**




The disturbance of the foreshore or seabed from **motor vehicles** in the coastal marine area, for the following purposes:

- (a) surf lifesaving operations, or
- (b) emergency situations, including firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or
- (c) local authority activities, including law enforcement, or
- (d) activities carried out by or on behalf of the Department of Conservation, or
- (e) the maintenance, **upgrade** and operation of **regionally significant infrastructure**

is a permitted activity, provided the following conditions are met:

- (f) subject to (h) below, 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
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2, and
- (h) within the Titahi Bay fossil forest area shown on Map 54, the activity shall not be undertaken on or within a buffer zone of 5 metres from any **exposed** (Titahi Bay fossil forest).

Rule R218: Motor vehicles inside Schedule C, Schedule E4, Schedule F2c, Schedule F4, Schedule F5 or Schedule J sites of significance – non-complying activity 

The disturbance of the foreshore or seabed from **motor vehicles** 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 R215, (excluding on the **exposed** (Titahi Bay fossil forest) or Rule R216 (excluding on the **exposed** (Titahi Bay fossil forest)) or Rule R217 or prohibited under Rule R199, is a non-complying activity.

Rule R219: Motor vehicles on the **exposed** fossil forest at (Titahi Bay fossil forest) – prohibited activity 

The disturbance of the foreshore or seabed from a **motor vehicles** on any **exposed** (Titahi Bay fossil forest) within the mapped area on Map 54

- (a) ~~part of the foreshore shown on Map 54 as containing remnants of the fossilised forest, and~~
- (b) ~~any part of the remaining foreshore where any fossil forest is exposed~~

that is not permitted activity under Rule R211, ~~Rule R190, Rule R192, Rule R196, or Rule R197~~ a controlled activity under Rule R213 or non-complying under Rule R218, is a prohibited activity.

Note

~~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.~~

#### 5.6.14 Dredging

Rule R220: Dredging for flood protection purposes or erosion mitigation – controlled activity 

Destruction, damage, disturbance and deposition 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:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

is a controlled activity, provided the following conditions are met:

- (d) the activity shall be carried out by or for a local authority, and
- (e) the activity shall not occur in Te Awa Kairangi/Hutt River, and
- (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
- (g) for dredging in the Waikanae River, the Department of Conservation is notified, and
- (h) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2, excluding condition (b).

#### *Matters of control*

1. Effects on public access
2. Method of dredging
3. Frequency, volume and timing of disturbance and removal
4. Quality, nature and composition of the material to be disturbed and removed including the potential presence of contaminants
5. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas and the potential to create a coastal inundation hazard
6. Effects on sites or habitats identified in Schedule F2c (bird-coastal), Schedule F2a (birds-rivers)


#### *Notification*

In respect of Rule R220, applications are precluded from public notification (unless special circumstances exist).

#### *Note*

Rule R220 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 R228, Rule R229 or Rule R230.



Rule R221: Dredging for flood protection purposes or erosion mitigation inside Schedule C, Schedule F4, Schedule F5 or Schedule J sites of significance – non-complying activity 


Destruction, damage, disturbance or deposition 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:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

that is not a discretionary activity under Rule R189 is a non-complying activity.

*Note*

Rule R221 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 R228, Rule R229 or Rule R230.

Rule R222: Maintenance dredging outside a Commercial Port Area or navigation protection areas – controlled activity 

Destruction, damage, disturbance or deposition associated **with maintenance dredging** outside a **Commercial Port Area** shown on Map 51, Map 52 and Map 53 or a **navigation protection area** shown on Map 68, in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

is a controlled activity, provided the following conditions are met:

- (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
- (e) the activity shall not occur inside a site or habitat identified in Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats), and
- (f) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2, excluding condition (b).

### *Matters of control*

1. Method of dredging
2. Depth of any dredging including that which occurs in the Hutt Valley Aquifer Zone in the Wellington Harbour (Port Nicholson) shown on Map 46
3. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas and the potential to create a coastal inundation hazard
4. Effects of disturbance, deposition, discharge and diversion associated with the activity
5. Effects on sites identified in Schedule J (geological features)
6. Effects on the heritage values of sites identified in Schedule E4 (archaeological sites)
7. Navigational safety and charting including notification of Land Information New Zealand, the Wellington Regional Council Harbourmaster and Maritime New Zealand

### *Notification*

In respect of Rule R222, applications are precluded from public notification (unless special circumstances exist).

### *Note*

Rule R222 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 R228, Rule R229 or Rule R230.

### Rule R223: Maintenance dredging within a **Commercial Port Area** or navigation protection area – controlled activity



Destruction, damage, disturbance or deposition associated with **maintenance dredging** within a **Commercial Port Area** shown on Maps 51, 52 and 53 or a **navigation protection area** shown on Map 68, in the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

is a controlled activity, provided the following conditions are met:

- (d) a maximum volume up to 5,000m<sup>3</sup> per calendar year in any one location with multiple non-contiguous locations allowed, and
- (e) the activity shall not occur inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) or Schedule F5 (coastal habitats), and
- (f) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2, and
- (g) within the Hutt Valley Aquifer Zone, the maximum depth is 0.5m below the seabed as delineated on Maps 72 and 73,
- (h) notification of updated seabed charts is provided to Land Information New Zealand, the Wellington Regional Council Harbourmaster and Maritime New Zealand upon completion of dredging.

Matters of control

1. Location, design and method of dredging
2. Depth of any dredging including that which occurs in the Hutt Valley Aquifer Zone in the Wellington Harbour (Port Nicholson) shown on Map 46 in which case the record of consultation with Wellington Water Ltd will be required
3. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas and the potential to create a coastal inundation hazard
4. Effects of disturbance, deposition, discharge and diversion associated with the activity
5. Effects on sites and habitats identified in 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)
6. Effects on the heritage values of sites identified in Schedule E4 (archaeological sites)
7. Navigational safety


Notification

In respect of Rule R223, applications are precluded from public notification (unless special circumstances exist).

Note

Rules R222 and R223 control 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 R228, Rule R229 or R230.

Rule R224: Dredging inside a Commercial Port Area or navigation protection areas that does not meet the conditions of Rule R223 – discretionary activity 

Destruction, damage, disturbance or deposition associated with dredging inside the **Commercial Port Area** shown on Map 51, Map 52 and Map 53 or in a **navigation protection area** shown on Map 68, in the coastal marine area that does not meet the conditions of Rule R223, including any associated:

- (a) deposition in, on or under the foreshore or seabed and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

is a discretionary activity.

*Note*

Rule R224 controls the destruction, damage and disturbance of the foreshore or seabed. The dumping of dredged material is not included in this rule. Dredging outside a **Commercial Port Area** or **navigation protection areas** that does not meet the conditions of Rule R222 is to be considered under Rules R234 and R235. For dumping of material in the coastal marine area refer to Rule R228, Rule R229 or Rule R230.

### 5.6.15 Deposition

Rule R225: Re-deposition of wind-blown sand – permitted activity 

The re-deposition of wind-blown sand into the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) discharge of contaminants

is a permitted activity, provided the following conditions are met:

- (c) the sand is free of contaminants and includes no litter, and
- (d) the sand has been derived from the beach where it is to be deposited, and
- (e) the sand is not removed from sand dunes, and
- (f) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

## Rule R226: Deposition for beach renourishment – controlled activity



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:

- (a) disturbance of the foreshore or seabed, and
- (b) discharge of contaminants

is a controlled activity provided the following conditions are met:

- (c) the deposition is for the purpose of managing beach or shoreline erosion or improving the amenity value of the foreshore, and
- (d) the deposition is undertaken by, or for, a local authority, and
- (e) the volume of material to be deposited shall not exceed 1500m<sup>3</sup> per 12 month period
- (f) the deposition is not inside sites or habitats identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features)
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

### *Matters of control*

1. Type and composition of the material to be used including its size, roundness, shape and colour
2. Design, design life and method of deposition
3. Volume of material to be deposited
4. Effects of disturbance, deposition, discharge and diversion associated with the activity
5. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas
6. Effects of coastal erosion and inundation (storm surge) on the deposition
7. Effects on sites or habitats identified in ~~Schedule C (mana whenua),~~ Schedule F2c (birds-coastal), or on an adjacent site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features)

8. Measures to manage the loss of the deposited material through wind or water erosion
9. Navigational safety and charting including notification of Land Information New Zealand and Maritime New Zealand

#### *Notification*

In respect of Rule R226 applications are precluded from public notification (unless special circumstances exist).

#### Rule R227: Deposition for beach renourishment – restricted discretionary activity



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:

- (a) disturbance of the foreshore or seabed, and
- (b) discharge of contaminants

that is not controlled by Rule R226 is a restricted discretionary activity, provided the following conditions are met:


- (c) the deposition is for the purpose of managing beach or shoreline erosion or improving the amenity value of the foreshore, and
- (d) the deposition is undertaken by, or for, a local authority, and
- (e) the activity forms part of a **coastal restoration plan** prepared in accordance with Schedule X, and
- (f) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

#### *Matters of discretion*

1. Type and composition of the material to be used including its size, roundness, shape and colour
2. Design, design life and method of deposition
3. Volume of material to be deposited
4. Effects of disturbance, deposition, discharge and diversion associated with the activity
5. Effects on coastal **natural processes** including effects on shoreline stability in the vicinity and adjacent areas

6. Effects of coastal erosion and inundation (**storm surge**) on the deposition
7. 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)
8. Measures to manage the loss of the deposited material through wind or water erosion
9. Navigational safety and charting including notification of Land Information New Zealand and Maritime New Zealand

#### 5.6.16 Dumping of waste or other matter

Rule R228: Dumping of waste or other matter outside Schedule C, Schedule E4, Schedule F4, Schedule F5 or Schedule J sites of significance – discretionary activity 


The dumping of:

- (a) dredge material, and
- (b) sewage **sludge**, and
- (c) fish processing waste from an onshore facility, and
- (d) ships and platforms or other man-made structures at sea, and
- (e) inert, inorganic geological material, and
- (f) organic materials of natural origin, and
- (g) bulky items consisting mainly of iron, steel, and concrete

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:

- (h) disturbance of the foreshore or seabed, and
- (i) discharge of contaminants

is a discretionary activity.


Rule R229: Dumping or storage of waste or other matter outside Schedule C, Schedule E4, Schedule F4, Schedule F5 or Schedule J sites of significance – discretionary activity 

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:

- (a) disturbance of the foreshore or seabed, and
- (b) discharge of contaminants

is a discretionary activity, provided the following condition is met:

- (c) the activity shall not occur inside 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).

Rule R230: Dumping of waste or other matter inside Schedule C, Schedule E4, Schedule F4, Schedule F5 or Schedule J sites of significance – non-complying activity 

The dumping of:

- (a) dredge material, and
- (b) sewage **sludge**, and
- (c) fish processing waste from an onshore facility, and
- (d) ships and platforms or other man-made structures at sea, and
- (e) inert, inorganic geological material, and
- (f) organic materials of natural origin, and
- (g) bulky items consisting mainly of iron, steel, and concrete
- (h) 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:
  - (i) disturbance of the foreshore or seabed, and
  - (j) discharge of contaminants

that is not a discretionary activity under Rule R189, Rule R228 or Rule R229 or is not a prohibited activity under Rule R231, is a non-complying activity.



### Rule R231: Incineration of waste – prohibited activity



The dumping of incineration of waste or other matter in any marine incineration facility in the coastal marine area, including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) discharge of contaminants

that is not a discretionary activity under Rule R228 or Rule R229 or a non-complying activity under Rule R230, is a prohibited activity.

#### 5.6.17 Reclamation and drainage

Rule R232: Reclamation and drainage for regionally significant infrastructure outside of Schedule C, Schedule E4, Schedule F4, Schedule F5 or Schedule J sites of significance – discretionary activity



**Reclamation** and drainage for **regionally significant infrastructure** 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:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) destruction of the foreshore or seabed, and
- (c) disturbance of the foreshore or seabed, and
- (d) deposition in, on or under the foreshore or seabed, and
- (e) discharge of contaminants, and
- (f) diversion of open coastal water

is a discretionary activity.

Rule R233: Reclamation and drainage inside Schedule C, Schedule E4, Schedule F4, Schedule F5 or Schedule J sites of significance – non-complying activity




**Reclamation** and drainage in the coastal marine area, including any associated:

- (a) occupation of space in the **common marine and coastal area**, and
- (b) destruction of the foreshore or seabed, and
- (c) disturbance of the foreshore or seabed, and
- (d) deposition in, on or under the foreshore or seabed, and

- (e) discharge of contaminants
- (f) diversion of open coastal water

that is not a discretionary activity under Rule R189 or Rule R232 is a non-complying activity.

#### **5.6.18 All other destruction, damage, or disturbance or deposition**

**Rule R234: Destruction, damage, disturbance or deposition outside Schedule C, Schedule E4, Schedule F4, Schedule F5 or Schedule J sites of significance – discretionary activity** 

Destruction, damage, disturbance or 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 the coastal marine area, including any associated:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

that is not permitted, controlled, restricted discretionary, non-complying or prohibited, is a discretionary activity.

#### Note

For dredging outside of the **Commercial Port Area** and **navigation protection areas** that does not meet the conditions of Rules R222, R234 or R235 applies.

**Rule R235: Destruction, damage, disturbance or deposition inside sites of significance – non-complying activity** 

Destruction, damage, ~~or~~ disturbance or deposition 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:

- (a) deposition in, on or under the foreshore or seabed, and
- (b) discharge of contaminants, and
- (c) diversion of open coastal water

that is not permitted, controlled, restricted discretionary, discretionary or prohibited, is a non-complying activity.

### 5.6.19 Introduction of plants

#### Rule R236: Planting – permitted activity



The introduction or planting of any plant species in the coastal marine area including any associated:

- (a) disturbance of the foreshore or seabed, 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 plant species shall not be identified in the *National Pest Plant Accord 2012* or in the *Greater Wellington Regional Pest Management Strategy 2002-2022*, and
- (e) the plant species planted shall be native species that naturally grow in the area planting occurs, and
- (f) there is no planting in sites identified in Schedule E4 (archaeological sites), and
- (g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.

#### *Note*

The Wellington Regional Council will provide advice on its website and upon request regarding appropriate species to plant.

#### Rule R237: Planting – discretionary activity



The introduction or planting of any plant species in the coastal marine area including any associated:

- (a) disturbance of the foreshore or seabed, and
- (b) deposition in, on or under the foreshore or seabed, and
- (c) discharge of contaminants

that is not a permitted under Rule R236 or is not a prohibited activity under Rule R238, is a discretionary activity.

#### Rule R238: Planting of pest species – prohibited activity



The introduction or planting of a pest plant species identified in the *National Pest Plant Accord 2012* or in the *Greater Wellington Regional Pest Management Strategy 2002-2022* in the coastal marine area is a prohibited activity.