

Part 3

Domains

CE – Coastal environment

CMA – Coastal marine area

Objectives

CMA-O1 Exercise of kaitiakitanga over coastal resources [RCP]

Whakatū Nelson tāngata whenua are able to exercise kaitiakitanga over coastal resources to ensure the health of coastal ecosystems.

CMA-O2 Use, development and protection of coastal and marine resources [RCP]

Activities involving the use, development or protection of natural and physical resources in the Coastal marine area and which have a functional or operational need to locate in the Coastal marine area are recognised and provided for in appropriate locations and forms.

CMA-O3 Community qualities and values in the Coastal marine area [RCP]

The qualities and values that support the Whakatū Nelson community's use and enjoyment of the Coastal marine area are maintained and enhanced, including amenity values, recreational values, open space, historic heritage, public and recreational access, and marine navigation safety.

CMA-O4 Coastal and marine biodiversity values [RCP]

Whakatū Nelson's coastal and marine biodiversity values are protected from inappropriate use and development, and, where feasible, restored to ensure a healthy functioning ecosystem.

CMA-O5 Coastal water quality [RCP]

Coastal water quality is maintained and, where degraded, enhanced to support healthy marine ecosystems and peoples use and enjoyment.

CMA-O6 Natural physical processes and effects of climate change [RCP]

Use and development in the Coastal marine area has particular regard to natural physical processes and the effects of climate change, including sea level rise.

CMA-O7 Marine pests [RCP]

Marine plant or animal pests in the Coastal marine area are excluded and, where this is not feasible, risk of introducing plant or animal pest is minimised to ensure that social, cultural, and economic values are maintained and the diversity of existing species is not threatened.

CMA-O8 Regional significance of the Port [RCP]

The regional significance of Nelson Port and port activities in the Coastal marine area is recognised and the safe and efficient use and operation of the Port Nelson is maintained.

CMA-O9 Future potential of aquaculture activities [RCP]

The future potential for aquaculture activities in the Coastal marine area is supported in a way that ensures ecosystem health and recognises the importance of other coastal activities and values.

Policies

CMA-P1 Precautionary approach [RCP]

Protect the qualities and values of the Coastal marine area from inappropriate use and development by taking a precautionary approach, in particular where:

1. activities have effects that are uncertain, unknown, or little understood, but potentially significantly adverse; or
2. where coastal resources are vulnerable to the effects of climate change.

CMA-P2 Coastal marine resources or values of significance to tāngata whenua [RCP]

When considering any activity that affects coastal marine resources or values of significance to tāngata whenua in the Coastal marine area, recognise and provide for the following matters:

1. the historical association of the tāngata whenua of the area, and any historical, cultural or spiritual values associated with the coastal resources, sites or areas including those specified in any Statutory Acknowledgement and those recognised as Protected Customary Rights;
2. any relevant agreement between Nelson City Council and iwi authorities; and
3. continued customary access.

CMA-P3 Applications likely to affect the relationship of Whakatū's tāngata whenua and their culture and traditions with the Coastal marine area [RCP]

When considering an application for resource consent or plan change that is likely to affect the relationship of Whakatū's tāngata whenua and their culture and traditions with the Coastal marine area, ensure that:

1. the ability for tāngata whenua to exercise kaitiakitanga is maintained or improved;

2. mauri is maintained or improved where degraded;
3. cultural harvesting resources are maintained or enhanced and these resources are healthy and accessible to tāngata whenua; and
4. the relevant provisions of any applicable iwi management plan, and the values of significance to tāngata whenua specified in the Nelson Plan or in any Statutory Acknowledgement and those recognised as Protected Customary Rights are taken into account.

CMA-P4 Occupation of space [RCP]

Restrict the occupation of public space in the Coastal marine area to activities that:

1. have a functional or operational need to be located in the Coastal marine area;
2. have no practical alternative to locating in the Coastal marine area;
3. use the minimum space necessary for the activity;
4. use space efficiently and without unreasonable delay for the purpose of the activity; and
5. avoid significant adverse effects on:
 - a. values of significance to tāngata whenua;
 - b. natural character, landscape, visual or amenity values;
 - c. recreational or public access values;
 - d. historic heritage values and regionally significant archaeology; and
 - e. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species.

CMA-P5 Occupation charges [RCP]

Nelson City Council will not introduce occupation charges, in accordance with section 64A of the Resource Management Act, for activities within the Whakatū Nelson Coastal marine area.

CMA-P6 Marine access [RCP]

Provide for marine access within the Coastal marine area by ensuring that:

1. vessels have safe and unrestricted access to and from the Port, Marina, Mooring management areas and public vessel launching or berthing areas;
2. any proposed permanent or temporary activity in the Coastal marine area does not unduly impede navigation of vessels; and
3. any permanent or temporary activities other than authorised navigation aids, are not located in or adjacent to commonly used commercial shipping routes.

CMA-P7 Public access within the Coastal marine area [RCP]

Provide for marine public and recreational access within the Coastal marine area, by ensuring that:

1. any use or development does not restrict walking access unless a restriction is necessary to:
 - a. protect any coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species;
 - b. protect the safe operation of Port Nelson;
 - c. protect values of significance to tāngata whenua;
 - d. protect historic heritage and regionally significant archaeology;
 - e. protect public health or safety;
 - f. control conflicting uses in the Coastal marine area;
 - g. provide for temporary activities or special events;
 - h. provide for activities undertaken in accordance with the Defence Act 1990; or
 - i. ensure a level of security consistent with the purpose of a resource consent;
2. practicable alternative routes have been considered, before any restriction on public access is imposed; and
3. vehicle access is restricted to emergency and other essential traffic to minimise adverse effects on the environment and protect public safety.

CMA-P8 Recreational activities [RCP]

Recognise the importance of areas used for recreational purposes and protect them from use or development, other than those activities having a functional or operational need, that would adversely affect recreational opportunities, including but not limited to:

1. popular locations for swimming and other recreational water sports, in particular:
 - a. Monaco;
 - b. Tahunanui;
 - c. Haulashore Island;
 - d. The Haven;
 - e. The Glen Beach;
 - f. Horoirangi Marine Reserve;
 - g. Cable Bay; and
 - h. Delaware Inlet;
2. popular surfing areas, in particular:
 - a. Tahunanui Beach;
 - b. The Cut/Lighthouse;
 - c. Schnappers Point;
 - d. The Glen;

- e. Cable Bay; and
- f. Delaware Bay.

CMA-P9 Marine and coastal biodiversity [RCP]

Protect Whakatū Nelson's marine and coastal biodiversity from inappropriate use and development by:

1. avoiding significant adverse effects, and remedying or mitigating other adverse effects on the coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and
2. restoring a healthy functioning ecosystem.

CMA-P10 Use, construction and placement of new structures [RCP]

When the use, construction and placement of new structures within the Coastal marine area is proposed, ensure that the structure:

1. has a functional or operational need to be located in the Coastal marine area;
2. does not adversely affect any other existing lawfully established structure or activity;
3. where permanent, is located, designed, built and maintained to withstand natural physical processes and the effects of climate change, including sea level rise and increased storm events, and will not create a future need for hard protection structures or reclamations as defences against coastal hazards and the effects of climate change;
4. is designed and located to avoid significant adverse effects, and remedy or mitigate other adverse effects, including cumulative effects, on:
 - a. values of significance to tāngata whenua;
 - b. natural character, landscape, visual or amenity values;
 - c. recreational or public access values;
 - d. historic heritage values and regionally significant archaeology; and
 - e. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and
5. does not adversely affect navigation safety.

CMA-P11 Maintenance, replacement, repair, alteration, restoration or removal of existing structures [RCP]

Provide for the maintenance, replacement, repair, alteration, restoration or removal of existing structures in the Coastal marine area by ensuring that all redundant, waste or replaced materials are removed from the Coastal marine area and disposed of on land. The whole or any part of a structure may remain in its current location if:

1. removal of that part of the structure would result in greater adverse environmental effects (excluding temporary effects) than would result from leaving the structure in place; and
2. the remaining structure does not create any actual or potential safety hazard for people or for navigation.

CMA-P12 Activities within Mooring management areas and PREC19 – Marina precinct [RCP]

Provide for activities within Mooring management areas and PREC19 – Marina precinct, in the Coastal marine area, while ensuring that:

1. efficient use is made of the space available within these areas;
2. priority is given to activities related to the purpose of these areas; and
3. any activities that are not directly related to the Mooring management areas or the Marina are discouraged.

CMA-P13 Moorings outside a Mooring management area or PREC19 – Marina precinct [RCP]

Discourage moorings outside a Mooring management area and PREC19 – Marina precinct, in the Coastal marine area, unless:

1. there is no suitable mooring space or berth available within a Mooring management area or PREC19 – Marina precinct;
2. the proposed location:
 - a. will not cause adverse effects on other existing lawfully established activities in the area, including but not limited to moorings, submarine cables, overhead power lines, and access to wharves, jetties and the Port; and
 - b. will avoid significant adverse effects, and remedies or mitigates other adverse effects, including cumulative effects, on:
 - i. values of significance to tāngata whenua;
 - ii. natural character, landscape, visual or amenity values;
 - iii. recreational or public access values;
 - iv. historic heritage values and regionally significant archaeology; and
 - v. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and
3. there are no adverse effects on navigation safety and any commercial shipping route, pilotage area, or the anchorage area between Haulashore Island and Tahunanui Beach.

CMA-P14 New marinas [RCP]

Discourage the construction and placement of new marinas or an extension to the existing marina, in the Coastal marine area outside of the PREC19 – Marina precinct, unless:

1. there is no suitable mooring space or berth available within a Mooring management area or the existing PREC19 – Marina precinct;
2. it is designed and located to avoid significant adverse effects, and remedy or mitigate other adverse effects, including cumulative effects, on:
 - a. values of significance to tāngata whenua;
 - b. natural character, landscape, visual or amenity values;
 - c. recreational or public access values;
 - d. historic heritage values and regionally significant archaeology; and
 - e. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species;
3. there are no adverse effects on navigation safety and any commercial shipping route, pilotage area, or the anchorage area between Haulashore Island and Tahunanui Beach; and
4. there is an appropriate landward servicing area available.

CMA-P15 Aquaculture activities [RCP]

Provide for aquaculture activities, in the Coastal marine area in appropriate locations, while ensuring that these activities:

1. avoid any adverse effects on any commercial shipping route, pilotage area, or anchorage areas;
2. are located:
 - a. at least 1 km from MHWS, if any aquaculture structure (excluding navigation aids) is to be located on the surface of the water; and
 - b. at least 5 km from any marine reserve, unless the purpose is for aquaculture research directly related to the marine reserve;
3. do not cause adverse effects on any existing lawfully established aquaculture activity; and
4. avoid significant adverse effects, and remedy or mitigate other adverse effects, including cumulative effects, on:
 - a. values of significance to tāngata whenua;
 - b. natural character, landscape, visual or amenity values;
 - c. recreational or public access values;
 - d. historic heritage values and regionally significant archaeology; and
 - e. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species.

CMA-P16 Application for an aquaculture activity [RCP]

When considering an application for an aquaculture activity, in the Coastal marine area, ensure that:

1. the area is marked for navigation safety purposes, in accordance with Maritime New Zealand's requirements;
2. the structures are designed to withstand storm events and there is a plan in place for the on-going maintenance of safety and security;
3. there is access to wharf facilities that have sufficient capacity for loading and unloading the volume of aquaculture produce and other materials anticipated to be generated by the proposed activity;
4. there is a land-based storage area for machinery and equipment used for the aquaculture activity;
5. a Biosecurity Management Plan is prepared, which as a minimum addresses measures to avoid, remedy or mitigate any biosecurity risks and actions are taken to contain the risk if practicable, and avoid the spread of biosecurity risks to any other area;
6. where new species are proposed, or there is potential for cumulative adverse effects that cannot be definitively predicted, or the scale or type of farm warrants a precautionary approach, an adaptive management approach is taken; and
7. the appropriateness of a bond or equivalent assurance is considered to cover the potential costs of removing any derelict or abandoned aquaculture structures.

CMA-P17 Port occupation overlay [RCP]

Ensure that in the Port occupation overlay:

1. efficient use is made of the available space;
2. priority is given to activities necessary for the operation of the Port; and
3. any other activities that are not directly related to the operational functioning of the Port avoid any adverse effects on the Port's operations.

CMA-P18 Maintenance and operation of any existing network utility structure [RCP]

Provide for the maintenance and operation of any existing lawfully established network utility structure in the Coastal marine area, while ensuring that:

1. there is no increase in the size of the structure;
2. the structure is maintained to withstand natural physical processes and the effects of climate change, including sea level rise and increased storm events, and will not create the need for future hard protection structures as defences against natural hazards and the effects of climate change; and
3. any adverse effects on the foreshore or seabed arising from the maintenance of any structure and any associated disturbance or deposits are temporary and minor.

CMA-P19 Extension or replacement of any existing network utility structure and the construction or placement of any new network utility structure [RCP]

Provide for the extension or replacement of any existing lawfully established network utility structure or the construction or placement of any new network utility structure in the Coastal marine area only if:

1. there is a functional or operational need for the network utility structure to be located in the Coastal marine area and there is no alternative land-based option;
2. any adverse effects on the foreshore or seabed arising from the construction or placement or replacement of any network utility structure and any associated disturbance or deposits are temporary and minor;
3. the structure is located, designed, built and maintained to avoid significant adverse effects, and remedy or mitigate other adverse effects, including cumulative effects, on:
 - a. values of significance to tāngata whenua;
 - b. natural character, landscape, visual or amenity values;
 - c. recreational or public access values;
 - d. historic heritage values and regionally significant archaeology; and
 - e. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species;
4. after reasonable mixing, the activity meets the water quality standards in APP14 – Marine water quality standards; and
5. there are no adverse effects on navigation safety (including risk to vessel masts from overhead wires).

CMA-P20 New reclamation [RCP]

Discourage any new reclamation in the Coastal marine area except where:

1. it is essential for the efficient operation of the Port;
2. there is an economic and social benefit greater than any economic, social and ecological cost of the loss of coastal habitat, natural values, amenity and public or recreational access; and
3. there is a functional or operational need for the reclamation and for the proposed associated land use that cannot be provided by any other site in any other location.

CMA-P21 Considerations for an appropriate reclamation [RCP]

Where it is considered that a reclamation is an appropriate activity in the Coastal marine area, ensure that the reclamation:

1. is of the minimum practical size for the proposed operational use;
2. is designed, built and maintained:
 - a. using materials that:

- i. are aesthetically compatible with the adjoining coast and which minimise adverse visual effects, other than where they are required for the functional or operational needs of the infrastructure; and
- ii. do not contain any contaminants which have the potential to adversely affect water quality, marine ecosystems or avifauna;
- b. to provide for public or recreational access to, across or along the reclaimed area unless a restriction is clearly warranted;
- c. to withstand natural physical processes, any potential earthquake and the effects of climate change, including sea level rise and increased storm events, and will not create the need for future hard protection structures as defences against natural hazards and the effects of climate change; and
- d. to avoid any increased risk of erosion at the ends of the structure or in any nearby off-site area; and
- 3. provide for mitigation or enhancement elsewhere in the Coastal marine area to compensate for the loss of beach or shore amenity, recreational opportunities, or coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species.

CMA-P22 Foreshore and seabed disturbance and removal [RCP]

Ensure that any disturbance to, or removal of, sediments or vegetation from the foreshore or seabed in the Coastal marine area (but excluding dredging):

- 1. does not result in any consequential shoreline instability or exacerbate existing erosion or scour on nearby foreshores;
- 2. after reasonable mixing, meets the water quality standards in APP14 – Marine water quality standards;
- 3. provides for the mitigation or enhancement elsewhere in the Coastal marine area, to compensate for the loss of any coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species;
- 4. protects, restores or enhances the natural form and habitat of the environment;
- 5. does not occur at times of the year when spawning, nesting or migration of marine species commonly occurs;
- 6. does not unduly restrict public or recreational access, other than on a temporary basis; and
- 7. the disturbance or removal avoids significant adverse effects, and remedies or mitigates other adverse effects, including cumulative effects, on:
 - a. values of significance to tāngata whenua;
 - b. natural character, landscape, visual or amenity values;
 - c. recreational or public access values;
 - d. historic heritage values and regionally significant archaeology; and

- e. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species.

CMA-P23 Deposition on the foreshore and seabed [RCP]

Ensure that any deposition of materials (but excluding dredged materials) onto the foreshore or seabed in the Coastal marine area:

1. avoids significant adverse effects, and remedies or mitigates other adverse effects, including cumulative effects, on:
 - a. values of significance to tāngata whenua;
 - b. natural character, landscape, visual or amenity values;
 - c. recreational or public access values;
 - d. historic heritage values and regionally significant archaeology; and
 - e. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species;
2. after reasonable mixing, meets the water quality standards in APP14 – Marine water quality standards;
3. does not contain contaminants in concentrations that would have a significant adverse effect on marine plant, fish or shellfish species, or on amenity or recreational values; and
4. if occurring on the foreshore for beach nourishment or restoration purposes, restores or enhances the natural form and habitat of the environment at the conclusion of the activity, and uses similar particle size and parent material as the sediments of the receiving environment.

CMA-P24 Dredging and disposal of marine materials [RCP]

Provide for dredging of the foreshore or seabed and associated disposal of dredged materials in the Coastal marine area, for the purposes of channel access and area depths within the channel access and Port occupation overlay, PREC19 – Marina precinct, and Mooring management areas or for flood control activities, ensuring that:

1. the activities do not result in any consequential shoreline instability or exacerbate existing erosion or scour on nearby foreshores;
2. after reasonable mixing, the activities meet the water quality standards in APP14 – Marine water quality standards;
3. the activities avoid significant adverse effects, and remedy or mitigate other adverse effects, including cumulative effects, on:
 - a. values of significance to tāngata whenua;
 - b. natural character, landscape, visual or amenity values;
 - c. recreational or public access values;
 - d. historic heritage values and regionally significant archaeology; and

e. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species;

4. the activities do not occur at times of the year when spawning, nesting or migration of marine species commonly occurs near or at the dredge or disposal sites; and
5. practicable alternatives have been considered for the safe disposal of the dredged material, including disposal to land and the stabilisation of contaminants within the dredged material.

CMA-P25 Minimising marine biosecurity risk [RCP]

Minimise the risk of introduction, release or spread of marine plant or animal pests in the Coastal marine area by:

1. promoting proactive biosecurity management options, including Biosecurity Management Plans;
2. applying best practice approaches to the application, maintenance, removal and disposal of anti-fouling coatings and the control of biofouling and invasive aquatic species on vessels and structures;
3. requiring any aquaculture activities to monitor and report on any new observed marine pests;
4. ensuring that any machinery, structures, equipment or materials being deployed in the Coastal marine area are not contaminated with any pest species;
5. avoiding the discharge of hazardous waste or the deposition of any marine pest species on the foreshore and seabed; and
6. avoiding the introduction of exotic plant species.

CMA-P26 Take, use, damming or diversion of water [RCP]

Ensure that the take, use, damming or diversion of water in or from the Coastal marine area avoids significant adverse effects, and remedies or mitigates other adverse effects, including cumulative effects, on:

1. values of significance to tāngata whenua;
2. natural character, landscape, visual or amenity values;
3. recreational or public access values;
4. historic heritage values and regionally significant archaeology;
5. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and
6. the foreshore or seabed (including erosion and scour).

CMA-P27 Water quality [RCP]

Ensure that the water quality resulting from any discharge of contaminants to water or onto the foreshore and seabed in the Coastal marine area, either individually or in combination with other

discharges, after reasonable mixing, meets or is better than the water quality standards specified in APP14 – Marine water quality standards.

CMA-P28 Application for discharges of water [RCP]

When considering an application for any discharge to water or onto the foreshore and seabed in the Coastal marine area, ensure that:

1. the discharge does not contain contaminants that have the potential, either individually or in combination with other discharges, to cause significant adverse effects on coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species;
2. the purpose for which the area of water is managed is considered and, after reasonable mixing, any associated water quality standards specified in APP14 – Marine water quality standards are met;
3. a reasonable mixing zone is defined for the discharge;
4. particular consideration is given to the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities from contact with water in the Coastal marine area;
5. all reasonable measures are taken to:
 - a. minimise the type and quantity of solids and contaminants in the discharge;
 - b. avoid significant adverse effects and remedy or mitigate other adverse effects, including cumulative effects, on:
 - i. values of significance to tāngata whenua;
 - ii. natural character, landscape, visual or amenity values;
 - iii. recreational or public access values;
 - iv. historic heritage values and regionally significant archaeology; and
 - v. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and
 - c. improve the water quality in the Waimea estuary and any other area that does not meet the water quality standards in APP14 – Marine water quality standards;
6. particular regard is given to the sensitivity of the receiving environment, the nature and concentration of contaminants, and the capacity of the receiving environment to assimilate contaminants (including available dilution and dispersal and the potential for cumulative or persistent effects) and the risks if that concentration is exceeded;
7. a spill contingency plan and response procedures are required for any activity where there is the potential for an accidental or unexpected discharge of contaminants, or a reasonably foreseeable but unplanned discharge of contaminants, and the discharge has the potential to exceed the water quality standards in APP14 – Marine water quality standards;

8. any discharge avoids significant adverse effects, and remedies or mitigates other adverse effects, including cumulative effects, on the stability of the foreshore, including localised erosion or scour resulting from the discharge; and
9. any off-target effects of pesticides used in the Coastal marine area are avoided as far as practicable.

CMA-P29 Reasonable mixing [RCP]

For all point source discharges to water or onto the foreshore and seabed in the Coastal marine area, ensure that a zone of reasonable mixing is identified within which the water quality standards specified in APP14 – Marine water quality standards may be exceeded in order to allow contaminants in the discharge to become reasonably mixed with the receiving water, considering:

1. the purpose for which the area of water is managed;
2. the sensitivity of the receiving environment;
3. the particular concentration of contaminants needed to achieve the required water quality standards and the risk of exceeding that concentration;
4. the nature of the discharge, including contaminant type, concentration, volume, frequency, and any proposed pre-discharge treatment;
5. the likelihood of the discharge containing faecal contamination and any potential effects on recreational or customary values, cultural harvesting, aquaculture activities or human health;
6. the characteristics of the receiving environment (including the physical processes of waves, currents and sediment transport) and its capacity to assimilate contaminants (including available dilution and dispersal and the potential for cumulative or persistent effects);
7. the location and design of the proposed discharge point or area, with the preference of keeping the mixing zone as small as possible, and maximising tidal flushing; and
8. any adverse effects of the discharge on:
 - a. values of significance to tāngata whenua;
 - b. aesthetic, amenity, recreational, public access, historic heritage values and regionally significant archaeology;
 - c. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and
 - d. the achievement of water quality standards identified in APP14 – Marine water quality standards outside the identified zone of reasonable mixing.

CMA-P30 Discharge of untreated wastewater [RCP]

Avoid discharge of untreated wastewater to water or onto the foreshore and seabed in the Coastal marine area from any existing wastewater facilities or systems, or from vessels, except where:

1. the discharge is demonstrated to be the best practicable option where:

- a. the discharge is incidental to the maintenance or replacement of Nelson City Council owned wastewater infrastructure; or
 - b. the discharge results from a wet weather overflow from Nelson City Council's reticulated system; or
2. the discharge is in accordance with the Marine Pollution Regulations 1998, as detailed in APP15 – Resource Management Marine Pollution Regulations 1998; and
 3. any adverse effects on the receiving environment are avoided, remedied or mitigated.

CMA-P31 Design and operation of community wastewater networks [RCP]

Require community wastewater networks to be designed and operated to avoid overflows that discharge, either directly or via stormwater flows, to the Coastal marine area, except where such overflow discharges are demonstrated to be the best practicable option and:

1. the total number of annual overflow events from pump stations is progressively reduced during the period ending 1 April 2030;
2. no overflow events from pump stations occur after 1 April 2030; and
3. any adverse effects on the receiving environment resulting from overflow events are avoided, remedied or mitigated.

CMA-P32 Unavoidable discharge from a community wastewater network [RCP]

Where overflow discharge to the Coastal marine area of treated or untreated wastewater from a community wastewater network is unavoidable during the period ending 1 April 2030, require the network to be managed in accordance with an overflow mitigation plan that addresses:

1. the measures taken:
 - a. to ensure that the network is sized to cater for the maximum probable intensity of development within the network catchment accounting for climate change predictions, including consideration of wet weather inflows and infiltration; and
 - b. to store or otherwise contain wet weather flows so as to avoid discharge to the Coastal marine area; and
 - c. to reduce the frequency and duration of overflow discharges; and
2. the location of potential points of discharge to the Coastal marine area, and the measures taken to minimise the points of discharge to the Coastal marine area and to avoid sites that have significant ecological, recreational, amenity or public health values and values of significance to tāngata whenua;
3. the design of discharge points to minimise the potential for adverse effects on ecological, recreational, amenity or public health values and values of significance to tāngata whenua;
4. any adverse effects on:
 - a. values of significance to tāngata whenua;
 - b. natural character, landscape, visual or amenity values;

- c. recreational or public access values;
 - d. historic heritage values and regionally significant archaeology; and
 - e. coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and
5. the measures to be implemented to ensure that the overflow discharge does not, either individually or in combination with background receiving environment contaminant concentrations, cause the water quality standards in APP14 – Marine water quality standards to be exceeded.

Rules

Rule interpretation and application

CMA-R1 [RCP]

The rules that **apply** to activities in the CMA – Coastal marine area, are contained in the activity status table as follows:

1. CMA-R11 to CMA-R48 where it applies to parts outside the:
 - a. Outstanding natural character overlay; and
 - b. Outstanding natural features and landscapes overlay; and
 - c. Estuary overlay; and
 - d. Port occupation area; and
 - e. PREC19 – Marina precinct; and
 - f. Mooring management area.

CMA-R2 [RCP]

The rules that **apply** to the CMA – Coastal marine area where it applies within the Outstanding natural character overlay are contained in the activity status table as follows:

1. CMA-R11 to CMA-R48; and
2. CMA-R49 to CMA-R59.

CMA-R3 [RCP]

The rules that **apply** to the CMA – Coastal marine area where it applies within the Outstanding natural features and landscapes overlay are contained in the activity status table as follows:

1. CMA-R11 to CMA-R48; and
2. CMA-R60 to CMA-R70.

CMA-R4 [RCP]

The rules that **apply** to the CMA – Coastal marine area where it applies within the Estuary overlay are contained in the activity status table as follows:

1. CMA-R11 to CMA-R48; and
2. CMA-R71 to CMA-R81.

CMA-R5 [RCP]

The rules that **apply** to the CMA – Coastal marine area where it applies within the Port occupation area are contained in the activity status table as follows:

1. CMA-R11 to CMA-R48; and
2. CMA-R82 to CMA-R86.

CMA-R6 [RCP]

The rules that **apply** to the CMA – Coastal marine area where it applies within the PREC19 – Marina precinct are contained in the activity status table as follows:

1. CMA-R11 to CMA-R48; and
2. CMA-R87 to CMA-R90.

CMA-R7 [RCP]

The rules that **apply** to the CMA – Coastal marine area where it applies within the Mooring management area are contained in the activity status table as follows:

1. CMA-R11 to CMA-R48; and
2. CMA-R91 to CMA-R93.

CMA-R8 [RCP]

The activity status tables and standards in the following chapters also **apply** to activities in the CMA – Coastal marine area:

1. Part 3 – Domains and topics:
 - a. AIR – Air; and
 - b. HH – Historic heritage; and
 - c. LIGHT – Light; and
 - d. HAZS – Hazardous substances; and
 - e. NOISE – Noise; and
 - f. SASM – Sites and areas of significance to Māori; and
 - g. SIGNS – Signs; and
 - h. TEMP – Temporary activities.

CMA-R9 [RCP]

The activity status tables and standards in the following chapters **do not apply** to activities in the CMA – Coastal marine area outside of overlays in rules CMA-R2 and CMA-R3:

1. Part 3 – Domains and topics:
 - a. CMAR – Coastal margins; and
 - b. ASW – Activities on the surface of water; and
 - c. CON – Contaminated land; and
 - d. ECO – Ecosystems and indigenous biodiversity; and
 - e. EW – Earthworks; and
 - f. LF – Land and freshwater; and
 - g. NCFLC – Natural character, features and landscapes in the coastal environment; and
 - h. NFL – Natural features and landscapes; and
 - i. NH – Natural hazards; and

- j. SUB – Subdivision; and
 - k. TREE – Notable trees; and
 - l. UFD – Urban form and development; and
2. Part 4 – Area specific matters – all chapters:
- a. GRZ – General residential zone; and
 - b. MRZ – Medium density residential zone; and
 - c. GRUZ – General rural zone; and
 - d. RLZ – Rural lifestyle zone; and
 - e. NCZ – Neighbourhood centre zone; and
 - f. LCZ – Local centre zone; and
 - g. MUZ – Mixed use zone; and
 - h. CCZ – City centre zone; and
 - i. LIZ – Light industrial zone; and
 - j. GIZ – General industrial zone; and
 - k. NOSZ – Natural open space zone; and
 - l. OSZ – Open space zone; and
 - m. SARZ – Sport and active recreation zone; and
 - n. HOSZ – Hospital zone; and
 - o. PORTZ – Port zone; and
 - p. PREC19 – Marina precinct; and
 - q. DEV2 – Saxton development area.

CMA-R10 [RCP]

In addition to CMA-R1 to CMA-R9, further regulations also **apply** to specific activities:

1. Navigation aids must be placed and used in accordance with Maritime New Zealand's System for Buoys and Beacons and approved by Maritime New Zealand.
2. Any aquaculture farm also requires a decision from the Ministry for Primary Industries, before commencement of the consent.
3. A network utility structure may also be subject to National Environmental Standards for Electricity Transmission Activities Regulations 2009.
4. The removal of vegetation associated with the legal harvesting of any plant or animal is managed under the Fisheries Act 1996.
5. The use of vehicles on the foreshore and seabed is also be subject to Nelson City Speed Limits Bylaw 2011 - No. 210 and other bylaws regarding vehicles.
6. Discharges are subject to the Marine Pollution Regulations 1998; a summary of these is provided in APP15 – Resource Management Marine Pollution Regulations 1998.

Activity status

Rule	Use/Activity
CMA – Coastal marine area zone	
CMA-R11	CMA zone: Activities not otherwise listed
CMA-R12	CMA zone: Use and maintenance or alteration of an existing structure
CMA-R13	CMA zone: Use and construction or placement of a new structure
CMA-R14	CMA zone: Removal or demolition of a structure
CMA-R15	CMA zone: Temporary structures
CMA-R16	CMA zone: Whitebait structures
CMA-R17	CMA zone: Scientific research structures
CMA-R18	CMA zone: Navigation aids
CMA-R19	CMA zone: Mooring structure
CMA-R20	CMA zone: Maintenance or replacement of a boat ramp or permanent haul out structure
CMA-R21	CMA zone: New boat ramp or permanent haul out structure
CMA-R22	CMA zone: Aquaculture
CMA-R23	CMA zone: Removal of debris from intake or outfall structure (including culverts and wastewater network utilities)
CMA-R24	CMA zone: Use and construction, or placement of a new intake or outfall structure (including culverts but excluding wastewater network utilities)
CMA-R25	CMA zone: Network utility structure
CMA-R26	CMA zone: Maintenance, repair, restoration, or minor upgrade of a hard protection structure
CMA-R27	CMA zone: Extension or new hard protection structure
CMA-R28	CMA zone: Maintenance, repair, restoration, or minor upgrade of a reclamation
CMA-R29	CMA zone: Extension or new reclamation
CMA-R30	CMA zone: Damage to or removal of vegetation
CMA-R31	CMA zone: Introduction or planting of plant species
CMA-R32	CMA zone: Shellfish seeding or enhancement
CMA-R33	CMA zone: Minor disturbances for recreational or debris removal purposes
CMA-R34	CMA zone: Beach nourishment and dune stabilisation

Rule	Use/Activity
CMA-R35	CMA zone: Use of vehicles on the foreshore or seabed
CMA-R36	CMA zone: River or stream mouth clearance or alteration
CMA-R37	CMA zone: Removal of marine material
CMA-R38	CMA zone: Drilling or mining
CMA-R39	CMA zone: Dredging
CMA-R40	CMA zone: Deposition of dredged material
CMA-R41	CMA zone: Take, use, damming, diversion of water
CMA-R42	CMA zone: Discharge of stormwater
CMA-R43	CMA zone: Discharge of dye
CMA-R44	CMA zone: Discharge of oil spill dispersants
CMA-R45	CMA zone: Discharge from a heat exchanger
CMA-R46	CMA zone: Discharge of wastewater
CMA-R47	CMA zone: Discharge of pesticides
CMA-R48	CMA zone: Discharge of biofouling material and surface residues associated with vessel hull cleaning and maintenance
CMA – Coastal marine area zone: Outstanding natural character overlay	
CMA-R49	Outstanding natural character overlay: Use and maintenance or alteration of an existing structure
CMA-R50	Outstanding natural character overlay: Use and construction or placement of a new structure
CMA-R51	Outstanding natural character overlay: Whitebait stands
CMA-R52	Outstanding natural character overlay: Scientific research structures
CMA-R53	Outstanding natural character overlay: Maintenance or replacement of a boat ramp or permanent haul out structure
CMA-R54	Outstanding natural character overlay: Aquaculture
CMA-R55	Outstanding natural character overlay: Use and construction and placement of a new intake or outfall structure (including culverts but excluding wastewater network utilities)
CMA-R56	Outstanding natural character overlay: Extension or new hard protection structure
CMA-R57	Outstanding natural character overlay: Extension or new reclamation
CMA-R58	Outstanding natural character overlay: Dredging

Rule	Use/Activity
CMA-R59	Outstanding natural character overlay: Deposition of dredged material
CMA – Coastal marine area zone: Outstanding natural features and landscapes overlay	
CMA-R60	Outstanding natural features and landscapes overlay: Use and maintenance or alteration of an existing structure
CMA-R61	Outstanding natural features and landscapes overlay: Use and construction or placement of a new structure
CMA-R62	Outstanding natural features and landscapes overlay: Whitebait structures
CMA-R63	Outstanding natural features and landscapes overlay: Scientific research structures
CMA-R64	Outstanding natural features and landscapes overlay: Maintenance or replacement of a boat ramp or permanent haul out structure
CMA-R65	Outstanding natural features and landscapes overlay: Aquaculture
CMA-R66	Outstanding natural features and landscapes overlay: Use and construction and placement of a new intake or outfall structure (including culverts but excluding wastewater network utilities)
CMA-R67	Outstanding natural features and landscapes overlay: Extension or new hard protection structure
CMA-R68	Outstanding natural features and landscapes overlay: Extension or new reclamation
CMA-R69	Outstanding natural features and landscapes overlay: Dredging
CMA-R70	Outstanding natural features and landscapes overlay: Deposition of dredged material
CMA – Coastal marine area zone: Estuary overlay	
CMA-R71	Estuary overlay: Use and maintenance or alteration of an existing structure
CMA-R72	Estuary overlay: Use and construction or placement of a new structure
CMA-R73	Estuary overlay: Whitebait stands
CMA-R74	Estuary overlay: Scientific research structures
CMA-R75	Estuary overlay: Maintenance or replacement of a boat ramp or permanent haul out structure
CMA-R76	Estuary overlay: Aquaculture
CMA-R77	Estuary overlay: Use and construction and placement of a new intake or outfall structure (including culverts but excluding wastewater network utilities)
CMA-R78	Estuary overlay: Extension or new hard protection structure

Rule	Use/Activity
CMA-R79	Estuary overlay: Extension or new reclamation
CMA-R80	Estuary overlay: Dredging
CMA-R81	Estuary overlay: Deposition of dredged material
CMA – Coastal marine area zone: Port occupation area	
CMA-R82	Port occupation area: Occupation of space
CMA-R83	Port occupation area: Use and construction or placement of a new structure
CMA-R84	Port occupation area: Temporary structures
CMA-R85	Port occupation area: New boat ramp or permanent haul out structure
CMA-R86	Port occupation area: Dredging
CMA – Coastal marine area zone: PREC19 – Marina precinct	
The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.	
CMA-R87	PREC19 – Marina precinct: Use and construction or placement of a new structure or the repositioning of an existing structure
CMA-R88	PREC19 – Marina precinct: Temporary structures
CMA-R89	PREC19 – Marina precinct: New boat ramp or permanent haul out structures
CMA-R90	PREC19 – Marina precinct: Dredging
CMA – Coastal marine area zone: Mooring management area	
The extent of the Mooring management area is being reviewed and will be published in the next version of the Draft Nelson Plan.	
CMA-R91	Mooring management area: Use and maintenance or alteration of an existing mooring structure
CMA-R92	Mooring management area: Use and construction or placement of a new mooring structure or the repositioning of an existing mooring structure
CMA-R93	Mooring management area: Dredging

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
CMA-R11 CMA zone:	1. Not applicable.	2. Not applicable.	3. An activity not listed in CMA-R11 to CMA-R93 is a

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>Activities not otherwise listed</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>			<p>discretionary activity.</p>
<p>CMA-R12</p> <p>CMA zone:</p> <p>Use and maintenance or alteration of an existing structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <p>a. the location, scale and footprint of the existing lawfully established structure remains the same; and</p> <p>b. the maintenance activity does not alter the character of the structure (repainting does not constitute such an alteration); and</p>	<p>2. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R12.1. is a controlled activity provided that:</p> <p>a. the structure is to be used for the same purpose as the existing lawfully established structure; and</p> <p>b. the structure is not increased in size by more than 10% of its existing footprint, within</p>	<p>3. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R12.2. is a discretionary activity</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>c. the activity disturbs less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and</p> <p>d. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July inclusive, within the Īnanga spawning areas identified on the Nelson Plan Maps, unless the disturbance is associated with emergency work; and</p> <p>e. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>f. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be</p>	<p>any 10 year period; and</p> <p>c. less than 100m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed.</p> <p>Control is reserved over:</p> <p>d. the extent and nature of the disturbance to the foreshore or seabed, or habitat of indigenous species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species and including vehicle movements; and</p> <p>e. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the Īnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>f. design matters that relate to</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>removed from the CMA – Coastal marine area and disposed of on land; and</p> <p>g. no waste or redundant materials remain on the foreshore or seabed after the maintenance or alteration activity is completed.</p>	<p>visual amenity, vessel or walking accessways and fish passage; and</p> <p>g. the engineering design of the structure to withstand natural physical processes and effects of climate change, including sea level rise and increased storm events; and</p> <p>h. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>i. effects on coastal natural character and natural features and landscapes; and</p> <p>j. effects on values of significance to tāngata whenua and their cultural</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>and commercial interests; and</p> <p>k. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>l. the management of biosecurity risks.</p>	
<p>CMA-R13</p> <p>CMA zone:</p> <p>Use and construction or placement of a new structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction or placement of a new structure (not otherwise provided for by a specific rule in this chapter), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, or any diversion of or discharge to water, (but excludes any discharge from the use of the structure) is a discretionary activity.</p>
<p>CMA-R14</p> <p>CMA zone:</p>	<p>1. The removal or demolition of a structure, including</p>	<p>2. The removal or demolition of a structure, including</p>	<p>3. Any activity involving the removal or</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>Removal or demolition of a structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, which is directly related to the removal or demolition of a structure, is a permitted activity provided that:</p> <p>a. the activity disturbs less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and</p> <p>b. no disturbance of the foreshore or seabed occurs during the Ūnanga spawning period 1 January to 31 July inclusive, within the Ūnanga spawning areas identified on the Nelson Plan Maps, unless the disturbance is associated with emergency work; and</p> <p>c. after reasonable mixing the</p>	<p>any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, which is directly related to the removal or demolition of a structure, that contravenes CMA-R14.1. is a controlled activity provided that:</p> <p>a. less than 100m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed.</p> <p>Control is reserved over:</p> <p>b. the extent and nature of the disturbance to the foreshore or seabed, or habitat of indigenous species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species and including vehicle movements; and</p>	<p>demolition of a structure that contravenes CMA-R14.2., including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, which is directly related to the removal or demolition of a structure is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>d. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the Coastal marine area and disposed of on land; and</p> <p>e. no waste or redundant materials remain on the foreshore or seabed after the removal or demolition activity is completed; and</p> <p>f. at least five working days before removal or demolition commences, Nelson City Council is given written notice that the activity is to occur.</p>	<p>c. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the īnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>d. effects on coastal natural character and natural features and landscapes; and</p> <p>e. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>f. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>g. the procedures to remove all waste or replaced materials from the CMA – Coastal marine area; and</p> <p>h. the extent and safety implications of</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>any parts of the structure which are to remain in the CMA – Coastal marine area; and</p> <p>i. the management of biosecurity risks.</p>	
<p>CMA-R15 CMA zone: Temporary structures [RCP] Legal effect on notification: Yes</p>	<p>1. The use, construction, placement or removal of a temporary structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <p>a. less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed; and</p> <p>b. the structure occupies an area</p>	<p>2. Not applicable.</p>	<p>3. The use, construction, placement or removal of a temporary structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R15.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>less than 10m²; and</p> <p>c. the structure is not a whitebait stand, nor a science research structure; and</p> <p>d. the structure and any associated waste materials shall be removed in its entirety in less than 14 days, inclusive of days of construction, placement or removal; and</p> <p>e. it is not located within the Port occupation area, unless deployed by the Port of Nelson; and</p> <p>f. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July inclusive, within the Īnanga spawning areas identified on the Nelson Plan Maps, unless the disturbance is associated with</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>emergency work; and</p> <p>g. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached.</p>		
<p>CMA-R16 CMA zone: Whitebait structures [RCP] Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. The use, construction, placement, or removal of a structure for whitebaiting purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a controlled activity provided that:</p> <p>a. the structure is located 100 metres or more distance from the nearest neighbouring whitebait structure; and</p> <p>b. the width of the CMA – Coastal</p>	<p>3. The use, construction, placement or removal of a structure for whitebaiting purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R16.2. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. design and scale of the structure; and</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>marine area at the point of structure placement, measured as perpendicular to the line of Mean High Water Springs, is at least 10 metres; and</p> <p>c. the structure extends no more than 2 metres over the CMA – Coastal marine area, measured as perpendicular to the line of Mean High Water Springs; and</p> <p>d. the structure is removed in its entirety at the end of the whitebait season (which is specified annually by gazette notice).</p> <p>Control is reserved over:</p> <p>e. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>f. effects on the special landscape values associated with the Nelson</p>	<p>b. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>c. effects on coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>d. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>g. the width and height of the structure; and</p> <p>h. the methods to be used to control any effects of scour or erosion of the foreshore or bank; and</p> <p>i. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>j. the extent to which public or recreational access is restricted; and</p> <p>k. the timing of the construction and</p>	<p>values associated with Tahunanui Beach; and</p> <p>e. effects on coastal natural character and natural features and landscapes; and</p> <p>f. the methods to be used to control any effects of scour or erosion of the foreshore or bank; and</p> <p>g. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>h. any effects on public or recreational access and navigation safety.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		removal of the structure.	
<p>CMA-R17 CMA zone: Scientific research structures [RCP] Legal effect on notification: Yes</p>	<p>1. The use, construction, placement or removal of any structure used solely for scientific research purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <p>a. less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed; and</p> <p>b. the structure occupies an area on the seabed of less than 10m²; and</p> <p>c. the structure occupies a combined area in</p>	<p>2. The use, construction, placement, or removal of any structure used solely for scientific research purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R17.1. is a controlled activity.</p> <p>Control is reserved over:</p> <p>a. the duration of consent; and</p> <p>b. the design and scale of the structure; and</p> <p>c. the engineering design of the structure to withstand natural physical processes and effects of climate change, including sea level rise and</p>	<p>3. Not applicable.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>the water column or on the water surface of less than 10m²; and</p> <p>d. the structure is removed in its entirety within 13 months, inclusive of days of construction or placement; and</p> <p>e. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>f. the structure is clean from any biosecurity risk species prior to its installation; and</p> <p>g. at least five working days before the activity commences, Nelson City Council is given written notice that the activity is to occur and details of the</p>	<p>increased storm events; and</p> <p>d. the extent and nature of the disturbance to the foreshore or seabed, or habitat of indigenous species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species and including vehicle movements; and</p> <p>e. effects on coastal natural character and natural features and landscapes; and</p> <p>f. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>g. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	research proposal.	<ul style="list-style-type: none"> h. the management of biosecurity risks; and i. the removal of the structures at the end of the research; and j. the frequency of monitoring and reporting. 	
<p>CMA-R18 CMA zone: Navigation aids [RCP] Legal effect on notification: Yes</p>	<p>1. The use, construction, placement, maintenance, or removal, of any structure which is used for the sole purpose of a navigation aid for shipping or a safety demarcation for recreational activities, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the activity is undertaken by 	<p>2. The use, construction, placement, maintenance or removal of any structure which is used for the sole purpose of a navigation aid, for shipping or a safety demarcation for recreational activities, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R18.1 is a controlled activity.</p> <p>Control is reserved over:</p> <ul style="list-style-type: none"> a. the appropriateness of the structural design, location and intended 	<p>3. Not applicable.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> i. Nelson City Council or its agent; or ii. the Port of Nelson; or iii. Maritime New Zealand or its agent; and <ul style="list-style-type: none"> b. the structure is clean from any biosecurity risk species; and <ul style="list-style-type: none"> c. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the CMA – Coastal marine area and disposed of on land. 	<ul style="list-style-type: none"> lighting, to meet navigational safety standards; and b. the engineering design of the structure to withstand natural physical processes and effects of climate change, including sea level rise and increased storm events; and c. the management of biosecurity risk. 	
<p>CMA-R19</p> <p>CMA zone:</p> <p>Mooring structure [RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Outside a Mooring management area and PREC19 – Marina precinct:</p> <ul style="list-style-type: none"> a. the placement of a new mooring structure; or b. the repositioning of an existing lawfully established mooring structure; or

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>c. the replacement of an existing lawfully established mooring structure with a new mooring structure;</p> <p>including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a non-complying activity.</p>
<p>CMA-R20 CMA zone: Maintenance or replacement of a boat ramp or permanent haul out structure [RCP] Legal effect on notification: Yes</p>	<p>1. The use, maintenance or replacement of any permanent, existing structure used for launching or retrieving vessels or for the haul out of vessels, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), is a</p>	<p>2. Not applicable.</p>	<p>3. The use, maintenance or replacement of any permanent existing structure used for launching or retrieving vessels or for the haul out of vessels, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), that contravenes CMA-</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>permitted activity provided that:</p> <ul style="list-style-type: none"> a. the location, scale and footprint of the existing lawfully established structure remains the same; and b. the activity disturbs less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and c. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July inclusive, within the Īnanga spawning areas identified on the Nelson Plan Maps, unless the disturbance is associated with emergency work; and d. after reasonable mixing the disturbance, diversion or discharge will not cause the water 		<p>R20.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. design and scale of the structure; and b. effects on values of significance to tāngata whenua and their cultural and commercial interests; and c. effects on coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and d. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>e. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the CMA – Coastal marine area and disposed of on land; and</p> <p>f. no waste or redundant materials remain on the foreshore or seabed after the maintenance or alteration activity is completed.</p>		<p>landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>e. effects on coastal natural character and natural features and landscapes; and</p> <p>f. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>g. any effects on public or recreational access and navigation safety.</p>
<p>CMA-R21 CMA zone:</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction or placement of a new</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>New boat ramp or permanent haul out structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>			<p>structure used for the purpose of launching or retrieving vessels or for the haul out of vessels, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a non-complying activity.</p>
<p>CMA-R22</p> <p>CMA zone:</p> <p>Aquaculture</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction, placement, maintenance, or removal, of a structure for an aquaculture activity, including navigation aids, and including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes the discharge of feed or</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			therapeutics) and excluding any aquaculture activity solely for research purposes authorised by CMA-R17, is a discretionary activity .
<p>CMA-R23</p> <p>CMA zone:</p> <p>Removal of debris from intake or outfall structure (including culverts and wastewater network utilities)</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The removal of debris material from the end of an outfall or intake structure, including any disturbance to or deposition on the foreshore or seabed and any diversion of or discharge to water, which is directly related to the removal activity (but excludes any discharge from the use of the structure), is a permitted activity, provided that:</p> <p>a. Any debris removed from the end of an intake or outfall structure is disposed of on land; and</p> <p>b. any disturbance to and/or removal of natural marine materials from of the foreshore or</p>	<p>2. Not applicable.</p>	<p>3. The removal of debris material from the end of an outfall or intake structure, including any disturbance to or deposition on the foreshore or seabed and any diversion of or discharge to water, that contravenes CMA-R23.1., is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>seabed does not involve volumes greater than 100m³ in any 12 months period, at any specific site; and</p> <p>c. at least five working days before the activity commences, Nelson City Council is given written notice that the activity is to occur.</p>		
<p>CMA-R24</p> <p>CMA zone:</p> <p>Use and construction and placement of a new intake or outfall structure (including culverts but excluding wastewater network utilities)</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction and placement, of:</p> <p>a. any intake structure with a diameter of less than 0.5 metres; or</p> <p>b. any culvert or outfall structure with a diameter of less than 1.5 metres;</p> <p>i. including any associated occupation of space and, any disturbance to or deposition on the foreshore or seabed, and</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>any diversion of or discharge to water, (but excludes any discharge from the use of the structure) is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> c. design and scale of the structure; and d. effects on values of significance to tāngata whenua and their cultural and commercial interests; and e. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the īnanga spawning areas identified on the Nelson Plan Maps; and f. effects on coastal indigenous biodiversity habitats and

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>g. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>h. effects on coastal natural character and natural features and landscapes; and</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<ul style="list-style-type: none"> i. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and j. any effects on public or recreational access or amenity values, including the extent to which any pipes located within 200 metres of Mean High Water Springs, are buried; and k. the methods to manage scour, erosion or accretion arising from the use of the structure. <p>4. The use, construction and placement, of any intake or outfall structure including any associated occupation of space, and any disturbance to or deposition on the foreshore or</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), that contravenes CMA-R24.3., is a discretionary activity .
<p>CMA-R25</p> <p>CMA zone:</p> <p>Network utility structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. The use, construction, placement, or extension of any new or existing lawfully established network utility structure (excluding outfall and intake structures covered by CMA-R23), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a controlled activity provided that the network utility structure is:</p> <p>a. buried within the foreshore or seabed when</p>	<p>3. The use, construction, placement, or extension of any new or existing lawfully established network utility structure (excluding outfall and intake structures covered by CMA-R23), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R25.2. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>located within 200 metres of Mean High Water Springs; or</p> <p>b. is attached to a bridge.</p> <p>Control is reserved over:</p> <p>c. the extent and nature of the disturbance to the foreshore or seabed, including effects of scour and erosion; and</p> <p>d. effects on habitat of indigenous species identified in APP13 - Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>e. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the Īnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>f. the method of construction or placement (including depth of burial), and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>vehicle or machinery usage; and</p> <p>g. management of the removal of debris or unwanted materials, at the end of the construction or removal activity; and</p> <p>h. the engineering design of the structure to withstand natural physical processes and effects of climate change, including sea level rise and increased storm events, (including not creating the potential need for hard protection structures or reclamations in the future as defences against coastal hazards); and</p> <p>i. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>j. effects on coastal natural character and natural features and landscapes; and</p> <p>k. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>l. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>m. any effects on navigation safety; and</p> <p>n. the management of biosecurity risks.</p>	
<p>CMA-R26 CMA zone: Maintenance, repair, restoration, or minor</p>	<p>1. The maintenance, repair, restoration, or minor upgrade of an existing lawfully</p>	<p>2. Not applicable.</p>	<p>3. The maintenance, repair, restoration, or minor upgrade of an existing lawfully</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>upgrade of a hard protection structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>established hard protection structure in the CMA – Coastal marine area, including any associated use, occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the location, scale and footprint of the existing lawfully established structure remains the same; and b. the maintenance activity does not alter the character of the hard protection structure (repainting does not constitute such an alteration); and c. the activity disturbs less than 10m³ of 		<p>established hard protection structure in the CMA – Coastal marine area, which does not increase the area occupied by the structure, including any associated use, occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R26.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. design and scale of the structure (including effects on visual amenity and other existing infrastructure); and b. construction of works, methods, timing and hours of operation; and

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>sand, shingle, shell or other natural foreshore or seabed material; and</p> <p>d. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July inclusive, within the Īnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>e. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>f. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the CMA – Coastal marine area and</p>		<p>c. the operational or functional need for the structure; and</p> <p>d. any relevant management strategy, strategic plan or hazard risk assessment relating to the area where hard protection structures are located; and</p> <p>e. effects on natural physical processes; and</p> <p>f. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>g. effects on coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>disposed of on land; and</p> <p>g. no waste or redundant materials remain on the foreshore or seabed after the maintenance activity is completed.</p>		<p>h. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>i. effects on coastal natural character and natural features and landscapes; and</p> <p>j. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			k. effects on public or recreational access and navigation safety.
<p>CMA-R27</p> <p>CMA zone:</p> <p>Extension or new hard protection structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	<p>3. Adjacent to any RESZ – Residential zone the construction or placement of any new hard protection structure (or wave attenuation device); or the replacement, alteration, extension of an existing lawfully established hard protection structure (or wave attenuation device), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a discretionary activity.</p> <p>4. Adjacent to the RURZ – Rural zones, PREC6 – Conservation</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>precinct, or OSRZ – Open space and recreation zones; the construction or placement of any new hard protection structure (or wave attenuation device); or the replacement, alteration, or extension of an existing lawfully established hard protection structure (or wave attenuation device), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a non-complying activity.</p>
<p>CMA-R28 CMA zone: Maintenance, repair, restoration, or minor upgrade of a reclamation [RCP]</p>	<p>1. The maintenance, repair, restoration or minor upgrade of an existing lawfully established reclamation, including any associated use, occupation of</p>	<p>2. Not applicable.</p>	<p>3. The maintenance, repair, restoration, or minor upgrade, of an existing lawfully established reclamation, which does not increase the area occupied by the reclamation</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Legal effect on notification: Yes	<p>space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the location, scale and footprint of the existing lawfully established structure remains the same; and b. the maintenance activity does not alter the character of the structure; and c. the activity disturbs less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and d. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July 		<p>structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R28.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. design and scale of the structure (including effects on visual amenity and other existing infrastructure); and b. construction of works, methods, timing and hours of operation; and c. the operational or functional need for the structure; and d. effects on natural physical processes; and

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>inclusive, within the Inanga spawning areas identified on the Nelson Plan Maps; and</p> <p>e. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>f. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the CMA – Coastal marine area and disposed of on land; and</p> <p>g. no waste or redundant materials remain on the foreshore or seabed after the maintenance activity is completed.</p>		<p>e. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>f. effects on coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>g. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>values associated with Tahunanui Beach; and</p> <p>h. effects on coastal natural character and natural features and landscapes; and</p> <p>i. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>j. effects on public or recreational access and navigation safety.</p>
<p>CMA-R29</p> <p>CMA zone:</p> <p>Extension or new reclamation</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction or placement of any new reclamation, or the replacement, alteration, or extension of an existing lawfully established reclamation, including any associated occupation of space, and any</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a discretionary activity .
<p>CMA-R30 CMA zone: Damage to or removal of vegetation [RCP] Legal effect on notification: Yes</p>	<p>1. The damage to, or removal of vegetation for the purpose of:</p> <ul style="list-style-type: none"> a. control or eradication of vegetation which is declared as a pest species under a national or regional pest management plan; or b. cultural purposes undertaken in accordance with tikanga Māori; or c. operational maintenance of infrastructure undertaken by Nelson City Council or its agent, or by a Network Utility Operator or Port Nelson; and 	<p>2. Any damage to, or removal of vegetation, including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-30.1. is a controlled activity provided that the activity:</p> <ul style="list-style-type: none"> a. is for the purpose of control or eradication of vegetation which is declared as a pest species under a national or regional pest management plan; or b. is required as part of a dune restoration or beach 	<p>3. Any damage to, or removal of vegetation, including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R30.2. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>i. including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a permitted activity, provided that:</p> <p>d. there is no use of pesticides; and</p> <p>e. there is no consequential risk of shoreline erosion or instability; and</p> <p>f. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July inclusive, within the Īnanga spawning areas identified in on the Nelson Plan Maps; and</p> <p>g. after reasonable mixing the disturbance, or discharge will not cause the water quality standards in APP14 –</p>	<p>nourishment programme.</p> <p>Control is reserved over:</p> <p>c. the extent of the vegetation that is to be damaged or removed, at any one time; and</p> <p>d. the extent of disturbance to the foreshore and seabed including any consequential risk of shoreline erosion or instability; and</p> <p>e. any effects on coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>f. the method of vegetation removal; and</p> <p>g. the timing of the activity to avoid any effects on migrating species</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Marine water quality standards to be breached; and</p> <p>h. any cut or otherwise damaged vegetation is removed from the CMA – Coastal marine area for disposal on land.</p>	<p>, or on breeding species, or on the Ōnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>h. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>i. effects on coastal natural character and natural features and landscapes; and</p> <p>j. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>k. the concentration of any contaminant discharged, in terms of water quality standards in APP14 –</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		Marine water quality standards.	
<p>CMA-R31</p> <p>CMA zone:</p> <p>Introduction or planting of plant species</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The introduction or planting of indigenous plant species (but excluding plant species for aquaculture purposes), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a permitted activity provided that:</p> <p>a. public or recreational access is not restricted; and</p> <p>b. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p>	<p>2. Not applicable.</p>	<p>3. The introduction or planting of any exotic plant species, (but excluding activities prohibited by CMA-R31.4.), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a non-complying activity.</p> <p>4. The introduction or planting of the exotic plant species <i>Spartina</i> is a prohibited activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>c. no disturbance of the foreshore or seabed occurs during the Tnanga spawning period 1 January to 31 July inclusive, within the Tnanga spawning areas identified on the Nelson Plan Maps.</p>		
<p>CMA-R32 CMA zone: Shellfish seeding or enhancement [RCP] Legal effect on notification: Yes</p>	<p>1. The seeding, re-seeding or enhancement of shellfish beds on or in the seabed, of species that are indigenous to, or already naturally occurring within Whakatū Nelson (but excluding species new to the region), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a permitted activity provided that:</p> <p>a. no structures are used; and</p>	<p>2. Not applicable.</p>	<p>3. The seeding, re-seeding or enhancement of shellfish beds on or in the seabed, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R32.1., is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> b. public or recreational access is not restricted; and c. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and d. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July inclusive, within the Īnanga spawning areas identified on the Nelson Plan Maps. 		
<p>CMA-R33 CMA zone: Minor disturbances for recreational or debris removal purposes [RCP] Legal effect on notification: Yes</p>	<p>1. Minor disturbance of the foreshore or seabed for the purpose of recreational activities, or the removal of debris from beaches, including any associated occupation of space, and any</p>	<p>2. Minor disturbance of the foreshore or seabed for the purpose of recreational activities, or the removal of debris from beaches, including any associated occupation of space, and any disturbance</p>	<p>3. Not applicable.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the beach debris removal is undertaken by Nelson City Council or its agent, for the purpose of removing marine debris, litter, flotsam and jetsam, dead seaweed or other dead vegetation, dead animals or birds; and b. any disturbance for the burial of marine mammals, is undertaken in accordance with tikanga māori; and c. any visible disturbance of the beach associated with a recreational activity is remedied within 48 hours; and 	<p>to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R33.1. is a controlled activity.</p> <p>Control is reserved over:</p> <ul style="list-style-type: none"> a. the extent and nature of the disturbance to the foreshore or seabed, or habitat of indigenous species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species and including vehicle movements; and b. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the Ūnanga spawning areas identified on the Nelson Plan Maps; and c. effects on the special landscape values associated with the Nelson 	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>d. any quantity of sand, shingle, shell or mud removed from the CMA – Coastal marine area is less than five kilograms at any one time; and</p> <p>e. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached.</p>	<p>Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>d. effects on coastal natural character and natural features and landscapes; and</p> <p>e. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>f. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>g. effects on public or recreational access and safety; and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		h. the management of biosecurity risks.	
<p>CMA-R34</p> <p>CMA zone:</p> <p>Beach nourishment and dune stabilisation</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Beach nourishment, beach recontouring, or dune stabilisation for the purpose of:</p> <p>a. erosion management; or</p> <p>b. beach or dune restoration; and</p> <p>i. including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a permitted activity provided that:</p> <p>c. the deposited material has similar physical characteristics to the sediment at the location where it will be deposited, and is generally of a slightly coarser grain size; and</p>	<p>2. Not applicable.</p>	<p>3. Beach nourishment, beach recontouring, or dune stabilisation, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R34.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>d. any foreign material, including clay fill or soil material that has been placed on the dune, is removed and disposed of on land; and</p> <p>e. for dune stabilisation the reshaped dune toe does not extend seaward of the typical extent of the natural dune toe position, and the seaward slope lies within the slope range of 1:5 (around 11 degrees) to 1:3 (around 17 degrees); and</p> <p>f. all equipment and construction materials are removed from the foreshore and seabed on the completion of works or activities; and</p> <p>g. the functioning of any existing infrastructure is not hindered; and</p> <p>h. after reasonable mixing the</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>deposition, disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>i. no disturbance of the foreshore or seabed occurs during the Tnanga spawning period 1 January to 31 July inclusive, within the Tnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>j. no waste or redundant materials remain on the foreshore or seabed after the activity is completed; and</p> <p>k. at least 10 working days before the work commences, Nelson City Council is given written notice that the activity is to occur.</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>CMA-R35</p> <p>CMA zone:</p> <p>Use of vehicles on the foreshore or seabed</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The use of vehicles on the foreshore or seabed (including any associated disturbance to the foreshore or seabed) directly associated with:</p> <ul style="list-style-type: none"> a. surf life-saving operations; or b. emergency works; or c. beach nourishment; or d. the removal of litter, nuisance matter, or debris undertaken by Nelson City Council or its agent; or e. the launching or retrieving of vessels at authorised launching ramps; or f. data collection, monitoring or enforcement activities undertaken by Nelson City Council or its agent; or g. research, law enforcement or military activities undertaken by 	<p>2. Not applicable.</p>	<p>3. The use of vehicles that contravenes CMA-R35.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>the Police, Customs, other Government departments or legally established research institutes; or</p> <p>h. the use of that portion of Point Road which lies below Mean High Water Springs; or</p> <p>i. the maintenance, construction, placement or removal of network utility structures; or</p> <p>j. the maintenance of an existing lawfully established structure</p> <p>is a permitted activity provided that:</p> <p>k. after reasonable mixing any disturbance will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>l. no refuelling of vehicles occurs</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	within the CMA – Coastal marine area.		
<p>CMA-R36</p> <p>CMA zone:</p> <p>River or stream mouth clearance or alteration</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The clearance of the mouth of an existing river or stream, or the alteration of the foreshore or seabed of the mouth of an existing river or stream, for the purpose of managing flood or erosion hazards, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a permitted activity provided that:</p> <p>a. any natural marine materials remain in the CMA – Coastal marine area; and</p> <p>b. any non-natural debris is removed from the CMA – Coastal marine area and</p>	<p>2. Not applicable.</p>	<p>3. The clearance of the mouth of an existing river or stream, or the alteration of the foreshore or seabed of the mouth of an existing river or stream, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R36.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>disposed of on land; and</p> <p>c. where an existing mouth to a river or stream is cleared, the disturbance of the foreshore or seabed does not involve volumes greater than 1,000m³ in any 12 month period; and</p> <p>d. after reasonable mixing any disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>e. the activity is undertaken by Nelson City Council or its agent; and</p> <p>f. except in relation to emergency works, at least five working days before the activity commences, Nelson City Council is given written notice</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	that the activity is to occur.		
<p>CMA-R37 CMA zone: Removal of marine material [RCP] Legal effect on notification: Yes</p>	<p>1. The removal, from the coastal marine area, of sand, shell, shingle, or other marine material, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a permitted activity provided that:</p> <p>a. no machinery is used in the extraction/ removal process; and</p> <p>b. the quantity of material removed (but excluding logs) is less than 5 kilograms at any one time.</p>	<p>2. Not applicable.</p>	<p>3. The removal of sand, shell, shingle or other marine material, including any associated occupation of space and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excluding dredging covered by CMA-R39 and drilling and mining CMA-R38) that contravenes CMA-R37.1. is a discretionary activity.</p>
<p>CMA-R38 CMA zone: Drilling or mining [RCP] Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. A drilling operation, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any</p>	<p>3. A drilling operation, including any associated occupation of space, and any disturbance to or deposition on the foreshore or</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>diversion of or discharge to water, is a controlled activity provided that:</p> <ul style="list-style-type: none"> a. the drilling equipment has a maximum diameter of 200mm. <p>Control is reserved over:</p> <ul style="list-style-type: none"> b. effects of noise on marine life and recreational activities; and c. effects on public or recreational access, amenity and navigation safety; and d. the extent and nature of the disturbance to the foreshore or seabed, or habitat of indigenous species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species and including vehicle movements; and e. the timing of the activity to avoid 	<p>seabed, and any diversion of or discharge to water, that contravenes CMA-R38.2. is a non-complying activity.</p> <p>4. Any prospecting or mining activity, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>any effects on migrating species, or on breeding species, or on the Inanga spawning areas identified on the Nelson Plan Maps; and</p> <p>f. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>g. effects on coastal natural character and natural features and landscapes; and</p> <p>h. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>i. turbidity and the concentration of any contaminant discharged, in terms of the water</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>quality standards specified in APP14 – Marine water quality standards; and</p> <p>j. the management of biosecurity risks.</p>	
<p>CMA-R39</p> <p>CMA zone:</p> <p>Dredging</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Dredging of the foreshore or seabed, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed (but excluding any deposition of dredged material authorised by CMA-R40), and any diversion of or discharge to water, is a discretionary activity.</p>
<p>CMA-R40</p> <p>CMA zone:</p> <p>Deposition of dredged material</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The deposition of any dredged material, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			is a discretionary activity .
<p>CMA-R41</p> <p>CMA zone:</p> <p>Take, use, damming, diversion of water</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The take, use, damming or diversion of water is a permitted activity provided that the take or use involves:</p> <ul style="list-style-type: none"> a. coastal water required for an individual's reasonable domestic needs and where the intake is screened to avoid intake of marine species; or b. coastal water required for firefighting purposes; or c. coastal water required for the operational needs of a vessel; or d. coastal water in quantities less than 3,000m³ per day where the intake is screened to avoid intake of marine species. 	<p>2. Not applicable.</p>	<p>3. Any take, use, damming or diversion of water that contravenes CMA-R41.1., is a restricted discretionary activity.</p> <p>Discretion is restricted to: effects from the screening of any intake system; and</p> <ul style="list-style-type: none"> a. any effects of scour or erosion; and b. effects on values of significance to tāngata whenua and their cultural and commercial interests; and c. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the īnanga spawning areas identified on the Nelson Plan Maps; and d. effects on coastal indigenous

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>e. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>f. effects on coastal natural character and natural features</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>and landscapes; and</p> <p>g. effects on public or recreational access and navigation safety; and</p> <p>h. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards.</p>
<p>CMA-R42</p> <p>CMA zone: Discharge of stormwater</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The discharge of stormwater (but excluding wastewater) from a reticulated stormwater system, to water or onto the foreshore and seabed in the CMA – Coastal marine area, including any associated diversion of water, and any disturbance to or deposition on the foreshore or seabed, is a permitted activity provided that:</p> <p>a. after reasonable mixing the</p>	<p>2. Not applicable.</p>	<p>3. The discharge of stormwater (but excluding wastewater) to water or onto the foreshore and seabed in the CMA – Coastal marine area, including any associated diversion of water, and any disturbance to or deposition on the foreshore or seabed that contravenes CMA-R42.1., is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>b. the rate of discharge does not result in any scouring of the foreshore or seabed; and</p> <p>c. the discharge does not contain any chemicals, paint, oil, grease, pesticides, fertiliser, tannins, detergent, grass clippings, rubbish, hazardous substances, wastewater, trade waste or heavy metals; and</p> <p>d. the discharge does not cause the production of conspicuous oil or grease films, scums or foams, or floatable material in the CMA – Coastal marine area; and</p> <p>e. the discharge does not cause a</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>conspicuous change of colour or visual clarity in the CMA – Coastal marine area; and</p> <p>f. the discharge does not cause the emission of objectionable odour.</p>		
<p>CMA-R43 CMA zone: Discharge of dye [RCP] Legal effect on notification: Yes</p>	<p>1. The discharge of dye into coastal water is a permitted activity provided that:</p> <p>a. the dye is chemically inert and not radioactive; and</p> <p>b. after reasonable mixing the discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>c. the quantity of dye discharged is less than 100gm in any 24 hour period, and is not repeated in the same location within</p>	<p>2. Not applicable.</p>	<p>3. The discharge of dye into coastal water that contravenes CMA-R43.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the quantity, frequency and duration of the discharge; and</p> <p>b. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>c. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the īnanga</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	any 30-day period.		<p>spawning areas identified on the Nelson Plan Maps; and</p> <p>d. effects on coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>e. effects on coastal natural character and natural features and landscapes; and</p> <p>f. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>g. any effects on public or</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			recreational activities.
<p>CMA-R44</p> <p>CMA zone: Discharge of oil spill dispersants</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The discharge of oil spill dispersants from land into the CMA – Coastal marine area, is a permitted activity provided that:</p> <p>a. the dispersant is used for the purpose of managing a marine oil spill emergency; and</p> <p>b. the dispersant used has been pre-approved for use on marine oil spills by Maritime New Zealand; and</p> <p>c. the dispersant is applied at the rates and by the methods recommended by the manufacturer.</p>	<p>2. Not applicable.</p>	<p>3. The discharge of oil spill dispersants from land into the CMA – Coastal marine area that contravenes CMA-R44.1. is a discretionary activity.</p>
<p>CMA-R45</p> <p>CMA zone: Discharge from a heat exchanger</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The discharge of water from a heat exchanger is a permitted activity provided that:</p> <p>a. the discharge occurs more than 5 metres seaward of the line of Mean Low</p>	<p>2. Not applicable.</p>	<p>3. Any discharge of water from a heat exchanger that contravenes CMA-R45.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Water Spring; and</p> <p>b. after reasonable mixing the discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached.</p>		
<p>CMA-R46</p> <p>CMA zone: Discharge of wastewater</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Any discharge of wastewater, to water or onto the foreshore and seabed, that is:</p> <p>a. untreated wastewater; or</p> <p>b. wastewater containing treated human sewage; or</p> <p>c. wastewater containing untreated human sewage; or</p> <p>d. a discharge associated with the maintenance or replacement of Nelson City Council owned wastewater infrastructure; or</p> <p>e. a discharge that has the potential to enter the CMA – Coastal marine area as a result</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>of a wet weather overflow from Nelson City Council's wastewater and stormwater infrastructure;</p> <p>is a non-complying activity.</p>
<p>CMA-R47 CMA zone: Discharge of pesticides [RCP] Legal effect on notification: Yes</p>	<p>1. The discharge of pesticides into air or into water for the purpose of controlling marine pests, including any associated discharge of natural marine matter, is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the pesticide has been pre-approved for use in marine biosecurity control by the Environmental Protection Agency; and b. the pesticide is applied at the rates and by the methods recommended by the manufacturer; and c. after reasonable mixing the discharge will not 	<p>2. The discharge of pesticides into air or into water for the purpose of control or eradication of a pest species declared under a national or regional pest management plan or the Biosecurity Act 1993 is a controlled activity.</p> <p>Control is reserved over:</p> <ul style="list-style-type: none"> a. the quantity, frequency and duration of the discharge; and b. the chemicals to be used; and c. the extent and nature of any disturbance to the foreshore or seabed, or habitat of indigenous species identified in APP13 – Coastal indigenous 	<p>3. The discharge of pesticides into air or into water that contravenes CMA-R47.1. or CMA-R47.2. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>d. any marine pest species regionally identified as a biosecurity risk, must be removed from the CMA – Coastal marine area and disposed of on land.</p>	<p>biodiversity habitats and indicative vulnerable species and including vehicle movements; and</p> <p>d. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the Ūnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>e. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>f. effects on coastal natural character and natural features and landscapes; and</p> <p>g. effects on values of significance to</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>tāngata whenua and their cultural and commercial interests; and</p> <p>h. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>i. the management of public or recreational access and health and safety.</p>	
<p>CMA-R48</p> <p>CMA zone:</p> <p>Discharge of biofouling material and surface residues associated with vessel hull cleaning and maintenance</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The discharge of biofouling matter and vessel surface residues to water, associated with vessel hull cleaning and maintenance, including scraping, sanding, abrasive blasting or painting, and including any associated discharge to air, is a permitted activity provided that:</p> <p>a. when undertaken in-water:</p> <p>i. the biofouling matter does not contain any pest</p>	<p>2. Not applicable.</p>	<p>3. The discharge of biofouling matter and vessel surface residues to water, associated with vessel hull cleaning and maintenance, including scraping, sanding, abrasive blasting or painting, and including any associated discharge to air, that contravenes CMA-R48.1., and which is not otherwise a prohibited activity under CMA-R48.4., is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> species declared under a national or regional pest management plan or the Biosecurity Act 1993; and ii. there is no discharge of solid vessel surface residues to water; and iii. all biofouling matter and vessel surface residues are collected and disposed of on land; or iv. if a vessel encapsulation method is used, any pesticide used is neutralised before being discharged, and any solid biofouling matter and vessel surface residues are collected and disposed of to an approved landfill; and b. when undertaken on the foreshore 		<p>4. The discharge of biofouling matter and vessel surface residues to land or water, associated with vessel hull cleaning and maintenance, including scraping, sanding, abrasive blasting or painting, and including any associated discharge to air:</p> <ul style="list-style-type: none"> a. which is located on the foreshore between Mean High Water Spring and Mean Low Water Spring; and b. where no provision is made for collecting and removing all biofouling matter and vessel surface residues from the CMA – Coastal marine area; <p>is a prohibited activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>between Mean High Water Spring and Mean Low Water Spring:</p> <p>i. all bio-fouling matter and vessel surface residues are contained, collected and disposed of to an approved landfill.</p>		
CMA – Coastal marine area: Outstanding natural character overlay			
<p>CMA-R49</p> <p>Outstanding natural character overlay:</p> <p>Use and maintenance or alteration of an existing structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <p>a. the location, scale and footprint of the</p>	<p>2. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R49.1. is a controlled activity provided that:</p> <p>a. the structure is to be used for the same purpose as</p>	<p>3. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R49.2. is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>existing lawfully established structure remains the same; and</p> <p>b. the maintenance activity does not alter the character of the structure (repainting does not constitute such an alteration); and</p> <p>c. the activity disturbs less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and</p> <p>d. no disturbance of the foreshore or seabed occurs during the Tnanga spawning period 1 January to 31 July inclusive, within the Tnanga spawning areas identified on the Nelson Plan Maps, unless the disturbance is associated with emergency work; and</p> <p>e. after reasonable mixing the</p>	<p>the existing lawfully established structure; and</p> <p>b. the structure is not increased in size by more than 10% of its existing footprint, within any 10 year period; and</p> <p>c. less than 100m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed.</p> <p>Control is reserved over:</p> <p>d. the extent and nature of the disturbance to the foreshore or seabed, or habitat of indigenous species identified in APP13 - Coastal indigenous biodiversity habitats and indicative vulnerable species and including vehicle movements; and</p> <p>e. the timing of the activity to avoid any effects on</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>f. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the CMA – Coastal marine area and disposed of on land; and</p> <p>g. no waste or redundant materials remain on the foreshore or seabed after the maintenance or alteration activity is completed.</p>	<p>migrating species, or on breeding species, or on the ūnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>f. design matters that relate to visual amenity, vessel or walking accessways and fish passage; and</p> <p>g. the engineering design of the structure to withstand natural physical processes and effects of climate change, including sea level rise and increased storm events; and</p> <p>h. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<ul style="list-style-type: none"> i. effects on coastal natural character and natural features and landscapes; and j. effects on values of significance to tāngata whenua and their cultural and commercial interests; and k. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and l. the management of biosecurity risks. 	
<p>CMA-R50</p> <p>Outstanding natural character overlay:</p> <p>Use and construction or placement of a new structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable</p>	<p>2. Not applicable.</p>	<p>3. The use, construction or placement of a new structure (not otherwise provided for by a specific rule in this chapter), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, or any diversion of or</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			discharge to water, (but excludes any discharge from the use of the structure) is a non-complying activity .
<p>CMA-R51</p> <p>Outstanding natural character overlay:</p> <p>Whitebaiting structures</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	<p>2. The use, construction, placement, or removal of a structure for whitebaiting purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a controlled activity provided that:</p> <p>a. the structure is located 100 metres or more distance from the nearest neighbouring whitebait structure; and</p> <p>b. the width of the CMA – Coastal marine area at the point of structure placement, measured as perpendicular to the line of Mean High Water</p>	3. The use, construction, placement or removal of a structure for whitebaiting purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R51.2. is a discretionary activity .

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>Springs, is at least 10 metres; and</p> <p>c. the structure extends no more than 2 metres over the CMA – Coastal marine area, measured as perpendicular to the line of Mean High Water Springs; and</p> <p>d. the structure is removed in its entirety at the end of the whitebait season (which is specified annually by gazette notice).</p> <p>Control is reserved over:</p> <p>e. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>f. effects on the outstanding natural character values identified in APP16 – Areas of outstanding natural character; and</p> <p>g. the width and height of the structure; and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<ul style="list-style-type: none"> h. the methods to be used to control any effects of scour or erosion of the foreshore or bank; and i. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and j. the extent to which public or recreational access is restricted; and k. the timing of the construction and removal of the structure. 	
<p>CMA-R52</p> <p>Outstanding natural character overlay:</p> <p>Scientific research structures</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. The use, construction, placement or removal of any structure used solely for scientific research purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or</p>	<p>3. The use, construction, placement, or removal of any structure used solely for scientific research purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed and any</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>discharge to water, (but excludes any discharge from the use of the structure), is a controlled activity provided that:</p> <ul style="list-style-type: none"> a. less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed; and b. the structure occupies an area on the seabed of less than 10m²; and c. the structure occupies a combined area in the water column or on the water surface of less than 10m². <p>Control is reserved over:</p> <ul style="list-style-type: none"> d. the duration of consent; and e. effects on the outstanding natural character values identified in APP16 – Areas of outstanding natural character; and 	<p>diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R52.2., is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<ul style="list-style-type: none"> f. effects on values of significance to tāngata whenua and their cultural and commercial interests; and g. the extent and nature of the disturbance to foreshore or seabed or coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species, and including vehicle movements; and h. the management of rehabilitation and removal of structures at the end of the experiment; and i. the management of public or recreational access and navigation safety; and j. the concentration of any 	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>k. the management of biosecurity risks; and</p> <p>l. the frequency of monitoring and reporting.</p>	
<p>CMA-R53</p> <p>Outstanding natural character overlay:</p> <p>Maintenance or replacement of a boat ramp or permanent haul out structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The use, maintenance or replacement of any permanent, existing structure used for launching or retrieving vessels or for the haul out of vessels, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <p>a. the location, scale and</p>	<p>2. Not applicable.</p>	<p>3. The use, maintenance or replacement of any permanent existing structure used for launching or retrieving vessels or for the haul out of vessels, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), that contravenes CMA-R53.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>footprint of the existing lawfully established structure remains the same; and</p> <p>b. the activity disturbs less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and</p> <p>c. no disturbance of the foreshore or seabed occurs during the Tnanga spawning period 1 January to 31 July inclusive, within the Tnanga spawning areas identified on the Nelson Plan Maps, unless the disturbance is associated with emergency work; and</p> <p>d. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>to be breached; and</p> <p>e. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the CMA – Coastal marine area and disposed of on land; and</p> <p>f. no waste or redundant materials remain on the foreshore or seabed after the maintenance or alteration activity is completed.</p>		
<p>CMA-R54</p> <p>Outstanding natural character overlay:</p> <p>Aquaculture</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction, placement, maintenance, or removal, of a structure for an aquaculture activity, including navigation aids, and including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			discharge to water, and excluding any aquaculture activity solely for research purposes authorised by CMA-R52, is a non-complying activity .
<p>CMA-R55</p> <p>Outstanding natural character overlay:</p> <p>Use and construction and placement of a new intake or outfall structure (including culverts but excluding wastewater network utilities)</p> <p>RCP</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	<p>3. The use, construction and placement, of:</p> <ul style="list-style-type: none"> a. any intake structure with a diameter of less than 0.5 metres; or b. any culvert or outfall structure with a diameter of less than 1.5 metres; <ul style="list-style-type: none"> i. including any associated occupation of space and, any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>structure) is a discretionary activity.</p> <p>4. The use, construction and placement, of any intake or outfall structure including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), that contravenes CMA-R55.3., is a non-complying activity.</p>
<p>CMA-R56</p> <p>Outstanding natural character overlay:</p> <p>Extension or new hard protection structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The construction or placement of any new hard protection structure or the replacement, alteration, or extension of an existing lawfully established hard protection structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water,</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			which is directly related to the structure, is a non-complying activity .
<p>CMA-R57</p> <p>Outstanding natural character overlay:</p> <p>Extension or new reclamation</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	3. The use, construction or placement of any new reclamation, or the replacement, alteration, or extension of an existing lawfully established reclamation, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a non-complying activity .
<p>CMA-R58</p> <p>Outstanding natural character overlay:</p> <p>Dredging</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	3. Dredging of the foreshore or seabed, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed (but excluding any deposition of

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			dredged material authorised by CMA-R59), and any diversion of or discharge to water, is a non-complying activity .
<p>CMA-R59</p> <p>Outstanding natural character overlay:</p> <p>Deposition of dredged material</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	3. The deposition of any dredged material, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water is a non-complying activity .
CMA – Coastal marine area: Outstanding natural features and landscapes overlay			
<p>CMA-R60</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Use and maintenance or alteration of an existing structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water,	2. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water,	3. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water,

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>(but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the location, scale and footprint of the existing lawfully established structure remains the same; and b. the maintenance activity does not alter the character of the structure (repainting does not constitute such an alteration); and c. the activity disturbs less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and d. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July inclusive, within the Īnanga spawning areas 	<p>(but excludes any discharge from the use of the structure), that contravenes CMA-R60.1. is a controlled activity provided that:</p> <ul style="list-style-type: none"> a. the structure is to be used for the same purpose as the existing lawfully established structure; and b. the structure is not increased in size by more than 10% of its existing footprint, within any 10 year period; and c. less than 100m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed. <p>Control is reserved over:</p> <ul style="list-style-type: none"> d. the extent and nature of the disturbance to the foreshore or seabed, or habitat of indigenous species identified in APP13 – Coastal 	<p>(but excludes any discharge from the use of the structure), that contravenes CMA-R60.2. is a non-complying activity</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>identified on the Nelson Plan Maps, unless the disturbance is associated with emergency work; and</p> <p>e. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>f. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the CMA – Coastal marine area and disposed of on land; and</p> <p>g. no waste or redundant materials remain on the foreshore or seabed after the maintenance or alteration activity is completed.</p>	<p>indigenous biodiversity habitats and indicative vulnerable species and including vehicle movements; and</p> <p>e. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the Īnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>f. design matters that relate to visual amenity, vessel or walking accessways and fish passage; and</p> <p>g. the engineering design of the structure to withstand natural physical processes and effects of climate change, including sea level rise and increased storm events; and</p> <p>h. effects on the special landscape values associated with the Nelson Haven identified in APP18 –</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <ul style="list-style-type: none"> i. effects on coastal natural character and natural features and landscapes; and j. effects on values of significance to tāngata whenua and their cultural and commercial interests; and k. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and l. the management of biosecurity risks. 	
<p>CMA-R61 Outstanding natural features and landscapes overlay:</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction or placement of a new structure (not otherwise provided</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>Use and construction or placement of a new structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>			<p>for by CMA-R11 to CMA-R48, CMA-R60 or CMA-R62 to CMA-R70), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, or any diversion of or discharge to water, (but excludes any discharge from the use of the structure) is a non-complying activity.</p>
<p>CMA-R62</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Whitebait structures</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. The use, construction, placement, or removal of a structure for whitebaiting purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a controlled activity provided that:</p> <p>a. the structure is located 100 metres or more distance from the</p>	<p>3. The use, construction, placement or removal of a structure for whitebaiting purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R62.2. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>nearest neighbouring whitebait structure; and</p> <p>b. the width of the CMA – Coastal marine area at the point of structure placement, measured as perpendicular to the line of Mean High Water Springs, is at least 10 metres; and</p> <p>c. the structure extends no more than 2 metres over the CMA – Coastal marine area, measured as perpendicular to the line of Mean High Water Springs; and</p> <p>d. the structure is removed in its entirety at the end of the whitebait season (which is specified annually by gazette notice).</p> <p>Control is reserved over:</p> <p>e. effects on values of significance to tāngata whenua and their cultural</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>and commercial interests; and</p> <p>f. effects on the outstanding natural character values identified in APP16 – Areas of outstanding natural character; and</p> <p>g. the width and height of the structure; and</p> <p>h. the methods to be used to control any effects of scour or erosion of the foreshore or bank; and</p> <p>i. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>j. the extent to which public or recreational access is restricted; and</p> <p>k. the timing of the construction and removal of the structure.</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>CMA-R63</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Scientific research structures</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. The use, construction, placement or removal of any structure used solely for scientific research purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a controlled activity provided that:</p> <ul style="list-style-type: none"> a. less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed; and b. the structure occupies an area on the seabed of less than 10m²; and c. the structure occupies a combined area in the water column or on the water 	<p>3. The use, construction, placement, or removal of any structure used solely for scientific research purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R63.2., is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>surface of less than 10m².</p> <p>Control is reserved over:</p> <ul style="list-style-type: none"> d. the duration of consent; and e. effects on the outstanding natural character values identified in APP16 – Areas of outstanding natural character; and f. effects on values of significance to tāngata whenua and their cultural and commercial interests; and g. the extent and nature of the disturbance to foreshore or seabed or coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species, and 	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>including vehicle movements; and</p> <p>h. the management of rehabilitation and removal of structures at the end of the experiment; and</p> <p>i. the management of public or recreational access and navigation safety; and</p> <p>j. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>k. the management of biosecurity risks; and</p> <p>l. the frequency of monitoring and reporting.</p>	
<p>CMA-R64</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Maintenance or replacement of a boat ramp or permanent haul out structure</p>	<p>1. The use, maintenance or replacement of any permanent, existing structure used for launching or retrieving vessels or for the haul out of vessels, including</p>	<p>2. Not applicable.</p>	<p>3. The use, maintenance or replacement of any permanent existing structure used for launching or retrieving vessels or for the haul out of vessels, including</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the location, scale and footprint of the existing lawfully established structure remains the same; and b. the activity disturbs less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and c. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July inclusive, within the Īnanga spawning areas 		<p>any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), that contravenes CMA-R64.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>identified on the Nelson Plan Maps, unless the disturbance is associated with emergency work; and</p> <p>d. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>e. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the CMA – Coastal marine area and disposed of on land; and</p> <p>f. no waste or redundant materials remain on the foreshore or seabed after the maintenance or alteration activity is completed.</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>CMA-R65</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Aquaculture</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction, placement, maintenance, or removal, of a structure for an aquaculture activity, including navigation aids, and including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, and excluding any aquaculture activity solely for research purposes authorised by CMA-R63, is a non-complying activity.</p>
<p>CMA-R66</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Use and construction and placement of a new intake or outfall structure (including culverts but excluding wastewater network utilities)</p> <p>[RCP]</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction and placement, of:</p> <ul style="list-style-type: none"> a. any intake structure with a diameter of less than 0.5 metres; or b. any culvert or outfall structure with a diameter of less than 1.5 metres;

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Legal effect on notification: Yes			<p>i. including any associated occupation of space and, any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure)</p> <p>is a discretionary activity.</p> <p>4. The use, construction and placement, of any intake or outfall structure including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), that contravenes CMA-</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			R66.3., is a non-complying activity .
<p>CMA-R67</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Extension or new hard protection structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	3. The construction or placement of any new hard protection structure or the replacement, alteration, or extension of an existing lawfully established hard protection structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, which is directly related to the structure, is a non-complying activity .
<p>CMA-R68</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Extension or new reclamation</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	3. The use, construction or placement of any new reclamation, or the replacement, alteration, or extension of an existing lawfully established reclamation, including any associated occupation of space, and any

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a non-complying activity .
<p>CMA-R69</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Dredging</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	3. Dredging of the foreshore or seabed, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed (but excluding any deposition of dredged material authorised by CMA-R70), and any diversion of or discharge to water, is a non-complying activity .
<p>CMA-R70</p> <p>Outstanding natural features and landscapes overlay:</p> <p>Deposition of dredged material</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	3. The deposition of any dredged material, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			discharge to water is a non-complying activity .
CMA – Coastal marine area zone: Estuary overlay			
<p>CMA-R71</p> <p>Estuary overlay:</p> <p>Use and maintenance or alteration of an existing structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <p>a. the location, scale and footprint of the existing lawfully established structure remains the same; and</p> <p>b. the maintenance activity does not alter the character of the structure (repainting does</p>	<p>2. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R71.1. is a controlled activity provided that:</p> <p>a. the structure is to be used for the same purpose as the existing lawfully established structure; and</p> <p>b. the structure is not increased in size by more than 10% of its existing footprint, within</p>	<p>3. The use and maintenance or alteration of an existing lawfully established structure (excluding hard protection structures), including any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R71.2. is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>not constitute such an alteration); and</p> <p>c. the activity disturbs less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and</p> <p>d. no disturbance of the foreshore or seabed occurs during the Īnanga spawning period 1 January to 31 July inclusive, within the Īnanga spawning areas identified on the Nelson Plan Maps, unless the disturbance is associated with emergency work; and</p> <p>e. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p>	<p>any 10 year period; and</p> <p>c. less than 100m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed.</p> <p>Control is reserved over:</p> <p>d. the extent and nature of the disturbance to the foreshore or seabed, or habitat of indigenous species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species and including vehicle movements; and</p> <p>e. the timing of the activity to avoid any effects on migrating species, or on breeding species, or on the Īnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>f. design matters that relate to</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>f. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the Coastal marine area and disposed of on land; and</p> <p>g. no waste or redundant materials remain on the foreshore or seabed after the maintenance or alteration activity is completed.</p>	<p>visual amenity, vessel or walking accessways and fish passage; and</p> <p>g. the engineering design of the structure to withstand natural physical processes and effects of climate change, including sea level rise and increased storm events; and</p> <p>h. effects on the special landscape values associated with the Nelson Haven identified in APP18 – Special landscape values associated with the Nelson Haven and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>i. effects on coastal natural character and natural features and landscapes; and</p> <p>j. effects on values of significance to tāngata whenua and their cultural</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>and commercial interests; and</p> <p>k. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>l. the management of biosecurity risks.</p>	
<p>CMA-R72</p> <p>Estuary overlay:</p> <p>Use and construction or placement of a new structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction or placement of a new structure (not otherwise provided for by CMA-R11 to CMA-R48, CMA-R71 or CMA-R73 to CMA-R81), including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, or any diversion of or discharge to water, (but excludes any discharge from the use of the structure) is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>CMA-R73</p> <p>Estuary overlay:</p> <p>Whitebait structures</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. The use, construction, placement, or removal of a structure for whitebaiting purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, is a controlled activity provided that:</p> <p>a. the structure is located 100 metres or more distance from the nearest neighbouring whitebait structure; and</p> <p>b. the width of the CMA – Coastal marine area at the point of structure placement, measured as perpendicular to the line of Mean High Water Springs, is at least 10 metres; and</p> <p>c. the structure extends no more than 2 metres over the CMA –</p>	<p>3. The use, construction, placement or removal of a structure for whitebaiting purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, that contravenes CMA-R73.2. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>Coastal marine area, measured as perpendicular to the line of Mean High Water Springs; and</p> <p>d. the structure is removed in its entirety at the end of the whitebait season (which is specified annually by gazette notice).</p> <p>Control is reserved over:</p> <p>e. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>f. effects on the outstanding natural character values identified in APP16 – Areas of outstanding natural character; and</p> <p>g. the width and height of the structure; and</p> <p>h. the methods to be used to control any effects of scour or erosion of the foreshore or bank; and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<ul style="list-style-type: none"> i. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and j. the extent to which public or recreational access is restricted; and k. the timing of the construction and removal of the structure. 	
<p>CMA-R74</p> <p>Estuary overlay:</p> <p>Scientific research structures</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. The use, construction, placement or removal of any structure used solely for scientific research purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a controlled activity provided that:</p>	<p>3. The use, construction, placement, or removal of any structure used solely for scientific research purposes, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R74.2., is a</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>a. less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed; and</p> <p>b. the structure occupies an area on the seabed of less than 10m²; and</p> <p>c. the structure occupies a combined area in the water column or on the water surface of less than 10m².</p> <p>Control is reserved over:</p> <p>d. the duration of consent; and</p> <p>e. effects on the outstanding natural character values identified in APP16 – Outstanding natural character overlay; and</p> <p>f. effects on values of significance to tāngata whenua and their cultural and commercial interests; and</p> <p>g. the extent and nature of the disturbance to</p>	<p>discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>foreshore or seabed or coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species, and including vehicle movements; and</p> <p>h. the management of rehabilitation and removal of structures at the end of the experiment; and</p> <p>i. the management of public or recreational access and navigation safety; and</p> <p>j. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<ul style="list-style-type: none"> k. the management of biosecurity risks; and l. the frequency of monitoring and reporting. 	
<p>CMA-R75</p> <p>Estuary overlay:</p> <p>Maintenance or replacement of a boat ramp or permanent haul out structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The use, maintenance or replacement of any permanent, existing structure used for launching or retrieving vessels or for the haul out of vessels, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the location, scale and footprint of the existing lawfully established structure remains the same; and b. the activity disturbs less 	<p>2. Not applicable.</p>	<p>3. The use, maintenance or replacement of any permanent existing structure used for launching or retrieving vessels or for the haul out of vessels, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), that contravenes CMA-R75.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>than 10m³ of sand, shingle, shell or other natural foreshore or seabed material; and</p> <p>c. no disturbance of the foreshore or seabed occurs during the Tnanga spawning period 1 January to 31 July inclusive, within the Tnanga spawning areas identified on the Nelson Plan Maps, unless the disturbance is associated with emergency work; and</p> <p>d. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and</p> <p>e. any marine pest species regionally identified as a biosecurity risk, attached to the</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>structure must be removed from the CMA – Coastal marine area and disposed of on land; and</p> <p>f. no waste or redundant materials remain on the foreshore or seabed after the maintenance or alteration activity is completed.</p>		
<p>CMA-R76</p> <p>Estuary overlay:</p> <p>Aquaculture</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction, placement, maintenance, or removal, of a structure for an aquaculture activity, including navigation aids, and including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, and excluding any aquaculture activity solely for research purposes authorised by CMA-R74, is a non-</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			complying activity.
<p>CMA-R77</p> <p>Estuary overlay:</p> <p>Use and construction and placement of a new intake or outfall structure (including culverts but excluding wastewater network utilities)</p> <p>RCP</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	<p>3. The use, construction and placement, of:</p> <ul style="list-style-type: none"> a. any intake structure with a diameter of less than 0.5 metres; or b. any culvert or outfall structure with a diameter of less than 1.5 metres; <ul style="list-style-type: none"> i. including any associated occupation of space and, any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure) is a discretionary activity. <p>4. The use, construction and placement, of any intake or outfall</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>structure including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), that contravenes CMA-R77.3., is a non-complying activity.</p>
<p>CMA-R78 Estuary overlay: Extension or new hard protection structure [RCP] Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The construction or placement of any new hard protection structure or the replacement, alteration, or extension of an existing lawfully established hard protection structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, which is directly related to the</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			structure, is a non-complying activity .
<p>CMA-R79</p> <p>Estuary overlay:</p> <p>Extension or new reclamation</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	3. The use, construction or placement of any new reclamation, or the replacement, alteration, or extension of an existing lawfully established reclamation, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a non-complying activity .
<p>CMA-R80</p> <p>Estuary overlay:</p> <p>Dredging</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	1. Not applicable.	2. Not applicable.	3. Dredging of the foreshore or seabed, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed (but excluding any deposition of dredged material authorised by CMA-R81), and any

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			diversion of or discharge to water, is a non-complying activity .
CMA-R81 Estuary overlay: Deposition of dredged material [RCP] Legal effect on notification: Yes	1. Not applicable.	2. Not applicable.	3. The deposition of any dredged material, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water is a non-complying activity .
CMA – Coastal marine area zone: Port occupation area			
CMA-R82 Port occupation area: Occupation of space [RCP] Legal effect on notification: Yes	1. The occupation of space by any activity associated with the operation of the Port, or by any existing structure or reclamation within the Port occupation area is a permitted activity .	2. Not applicable.	3. Not applicable.
CMA-R83 Port occupation area: Use and construction or placement of a new structure	1. Not applicable	2. The use, construction or placement of any new berthing or launching structure (excluding any reclamation)	3. The use and construction or placement of a new structure (excluding any reclamation otherwise covered by CMA-R29 or any

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>[RCP]</p> <p>Legal effect on notification: Yes</p>		<p>otherwise covered by CMA-R29 or any hard protection structures covered by CMA-R27), with a handling capacity of 130 tonnes or less gross weight, including any use, and any associated disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a controlled activity provided that the structure does not extend into the CMA – Coastal marine area beyond:</p> <ul style="list-style-type: none"> a. the line of any adjoining structure; or b. a line 25 metres from, and parallel to, MHWS. <p>Control is reserved over:</p> <ul style="list-style-type: none"> c. the engineering design of the structure to withstand natural physical processes and effects of climate change, including 	<p>hard protection structures covered by CMA-R27) including any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, directly associated with the construction or placement of the new structure (but excludes any discharge from the use of the structure), is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>sea level rise and increased storm events; and</p> <p>d. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>e. any effects on navigation safety; and</p> <p>f. the management of biosecurity risks.</p>	
<p>CMA-R84</p> <p>Port occupation area: Temporary structures [RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The use, construction, placement or removal of a temporary structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p>	<p>2. Not applicable.</p>	<p>3. The use, construction, placement or removal of a temporary structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), that contravenes CMA-R84.1. is a</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> a. less than 10m³ of sand, shingle, shell or other natural foreshore or seabed material is disturbed; and b. the structure occupies an area less than 10m²; and c. the structure is not a whitebait stand; and d. the structure shall be removed in its entirety in less than 14 days, inclusive of days of construction, placement or removal; and e. after reasonable mixing the disturbance, diversion or discharge will not cause the water quality standards in APP14 – Marine water quality standards to be breached; and f. no disturbance of the foreshore or seabed occurs during the Tīnanga spawning 		<p>restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. design and scale of the structure; and b. effects on values of significance to tāngata whenua and their cultural and commercial interests; and c. effects on navigation safety.

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>period 1 January to 31 July inclusive, within the Inanga spawning areas identified on the Nelson Plan Maps.</p>		
<p>CMA-R85 Port occupation area:</p> <p>New boat ramp or permanent haul out structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The use, construction or placement of a new structure used for the purpose of launching or retrieving vessels or for the haul out of vessels, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. design and scale of the structure b. effects on values of significance to tāngata whenua

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>and their cultural and commercial interests;</p> <p>c. effects on coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>d. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>e. any effects on navigation safety.</p>
<p>CMA-R86 Port occupation area: Dredging [RCP]</p>	<p>1. Not applicable.</p>	<p>2. Dredging of the foreshore or seabed, including any associated occupation of space, and any disturbance to or deposition on</p>	<p>3. Dredging of the foreshore or seabed, including any associated occupation of space, and any disturbance to or</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Legal effect on notification: Yes		<p>the foreshore or seabed (but excluding any deposition of dredged material authorised by CMA-R40), and any diversion of or discharge to water is a controlled activity provided that:</p> <ul style="list-style-type: none"> a. the dredging activity is undertaken within the Port occupation area, or any chartered navigation access channel, for the purposes of maintaining or enhancing marine access to the Port; and b. the total quantity of material removed by dredging does not exceed 50,000m³ in any 12 months period; and c. is extracted from an area of less than 4ha; and d. the activity is undertaken by the Port or its agent. <p>Control is reserved over:</p>	<p>deposition on the foreshore or seabed (but excluding any deposition of dredged material authorised by CMA-R40), and any diversion of or discharge to water, that contravenes CMA-R86.2. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<ul style="list-style-type: none"> e. the hours of operation; and f. mitigation of effects on public or recreational access, navigation safety, amenity, shoreline or seabed erosion or instability; and g. turbidity and the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and h. effects on coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and i. the management of biosecurity risks. 	
CMA – Coastal marine area zone: PREC19 – Marina precinct			

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>CMA-R87</p> <p>PREC19 – Marina precinct:</p> <p>Use and construction or placement of a new structure or the repositioning of an existing structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</p>	<p>2. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</p>	<p>3. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</p>
<p>CMA-R88</p> <p>PREC19 – Marina precinct:</p> <p>Temporary structures</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</p>	<p>2. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</p>	<p>3. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</p>
<p>CMA-R89</p> <p>PREC19 – Marina Precinct:</p> <p>New boat ramp or permanent haul out structures</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</p>	<p>2. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</p>	<p>3. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</p>
<p>CMA-R90</p> <p>PREC19 – Marina precinct:</p> <p>Dredging</p> <p>[RCP]</p>	<p>1. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina</p>	<p>2. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial</p>	<p>3. The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Legal effect on notification: Yes	spatial plan is more advanced.	plan is more advanced.	spatial plan is more advanced.
CMA – Coastal marine area zone: Mooring marine management area			
<p>CMA-R91</p> <p>Mooring management area:</p> <p>Use and maintenance or alteration of an existing mooring structure</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. The use and maintenance or alteration of an existing lawfully established mooring structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water (but excludes any discharge from the use of the structure), is a permitted activity provided that:</p> <p>a. the location, scale and footprint of the existing lawfully established structure remains the same; and</p> <p>b. the maintenance activity does not alter the character of the structure; and</p>	<p>2. The use and maintenance or alteration of an existing lawfully established mooring structure, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed, and any diversion of or discharge to water, but excludes any discharge from the use of the structure), that contravenes CMA-R91.1. is a controlled activity.</p> <p>Control is reserved over:</p> <p>a. the extent and nature of the disturbance to the foreshore or seabed; and</p> <p>b. design matters that relate to navigational safety; and</p> <p>c. the engineering design of the structure to withstand natural physical</p>	<p>3. Not applicable.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> c. the vessel size consented for the use of the mooring structure is the same or smaller; and d. any marine pest species regionally identified as a biosecurity risk, attached to the structure must be removed from the CMA – Coastal marine area and disposed of on land; and e. no waste or redundant materials remain on the foreshore or seabed after the maintenance or alteration activity is completed. 	<ul style="list-style-type: none"> processes and effects of climate change, including sea level rise and increased storm events; and d. the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and e. the management of biosecurity risks. 	
<p>CMA-R92</p> <p>Mooring management area:</p> <p>Use and construction or placement of a new mooring structure or the repositioning of an existing mooring structure</p> <p>[RCP]</p>	<p>1. Not applicable.</p>	<p>2. The use, construction or placement of a new mooring structure, or the repositioning of an existing lawfully established mooring structure, including any associated occupation of space, and any disturbance</p>	<p>3. Not applicable.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Legal effect on notification: Yes		<p>to or deposition on the foreshore or seabed, and any diversion of or discharge to water, (but excludes any discharge from the use of the structure), is a controlled activity.</p> <p>Control is reserved over:</p> <ul style="list-style-type: none"> a. the design of mooring structure, relative to the size of vessel to be moored; and b. design matters that relate to navigational safety; and c. the engineering design of the structure to withstand natural physical processes and effects of climate change, including sea level rise and increased storm events; and d. inspection requirements; and e. the concentration of any contaminant discharged, in terms of the water quality standards 	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>specified in APP14 – Marine water quality standards; and</p> <p>f. the management of biosecurity risks.</p>	
<p>CMA-R93</p> <p>Mooring management area:</p> <p>Dredging</p> <p>[RCP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Not applicable.</p>	<p>2. Dredging of the foreshore or seabed, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed (but excluding any deposition of dredged material authorised by CMA-R40), and any diversion of or discharge to water is a controlled activity provided that:</p> <p>a. the dredging activity is undertaken within the Mooring management area, for the purposes of maintaining or enhancing marine access within the Mooring management area; and</p> <p>b. the total quantity of material</p>	<p>3. Dredging of the foreshore or seabed, including any associated occupation of space, and any disturbance to or deposition on the foreshore or seabed (but excluding any deposition of dredged material authorised by CMA-R40), and any diversion of or discharge to water, that contravenes CMA-R93.2. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>removed by dredging does not exceed 50,000m³ in any 12 months period; and</p> <p>c. is extracted from an area of less than 4ha; and</p> <p>d. the activity is undertaken by the Nelson City Council or its agent.</p> <p>Control is reserved over:</p> <p>e. the hours of operation; and</p> <p>f. mitigation of effects on public or recreational access, navigation safety, amenity, shoreline or seabed erosion or instability; and</p> <p>g. turbidity and the concentration of any contaminant discharged, in terms of the water quality standards specified in APP14 – Marine water quality standards; and</p> <p>h. effects on coastal indigenous biodiversity habitats and indicative</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and i. the management of biosecurity risks.	