

18.9 COASTAL RISK AREA

Refer to Policy sets 5.1, 6.2, 7.2, 7.3, 13.1.

18.9.1 Scope of Section

This section deals with land uses in the Coastal Risk Area as shown on the planning maps. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.

NES-FW (ca)
12/20**18.9.2 Building Construction or Alteration****18.9.2.1 Permitted Activities (Building Construction or Alteration)**

Construction or alteration of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

EITHER

(a) The building to be constructed is relocatable and not habitable.

OR

(b) The building is not a coastal protection structure.

OR

(c) The habitable building alteration is the reconstruction, maintenance, repair or the removal of an existing lawfully established building provided it does not increase the degree to which the building fails to comply with the Plan rules.

C22 2/11
Op 1/15**18.9.2.2 Restricted Discretionary Activities (Building Construction or Alteration)**

Construction or alteration of a building which does not comply with the permitted conditions of rule 18.9.2.1 is a restricted discretionary activity, if it complies with the following conditions:

(a) It is relocatable and not a dwelling (unless there is no other dwelling on the site).

A resource consent is required. Consent may be refused, or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The nature of the building and its construction.

(2) The risk of coastal erosion and flooding and adverse effects on the building and property from present and potential future coastal erosion and flooding hazards.

(3) The effects of the proposed activity, including the effects of eventual building relocation and site remediation, on natural character.

(4) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(5) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

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Op 6/23

18.9.2.3 Restricted Discretionary Activities (Other)

C22 2/11
Op 1/15

Construction or alteration of a structure which does not comply with the conditions of rule 18.9.2.1 or rule 18.9.2.2 is a restricted discretionary activity, if it complies with the following conditions:

- (a) It is the installation of a coastal protection structure.

A resource consent is required. Consent may be refused, or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

- (1) The extent of negative and positive effects on adjoining properties, natural environment and coastal processes.
- (2) The finished appearance of the works, including buildings and land.
- (3) Any effects on access to the coastline.
- (4) Any effects on recreation.

18.9.2.4 Non-Complying Activities

C22 2/11
Op 1/15

Construction or alteration of a dwelling that does not comply with the conditions of rule 18.9.2.2 is a non-complying activity.

A resource consent is required. Consent may be granted and conditions imposed, or consent may be refused.

18.9.2.0 Principal Reasons for Rules

The Area mapped at Ruby Bay recognises the extent of coastal erosion and inundation and indicates possible future erosion hazard.

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The rules direct development away from uses requiring permanent buildings, for reasons of health and safety and to keep open management options for the future.