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**FURTHER SUBMISSION**

**Proposed Te Tai o Poutini Plan**

*Under Clause 8 of the First Schedule, Resource Management Act 1991*

To: Te Tai o Poutini Plan Committee  
388 Main South Road  
Paroa  
Greymouth 7805

By email: [info@tppp.nz](mailto:info@tppp.nz)

Submission by: Birchfields Ross Limited

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Greymouth 7805

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- 1 Birchfields Ross Mining Limited (**Birchfields Ross**) made a submission (S604) on the Proposed Te Tai o Poutini Plan (**TTPP**).
- 2 Birchfields Ross has an interest in TTPP that is greater than the interest that the general public has.
- 3 This further submission on TTPP is on various submission points and seeks various forms of relief (allowing and disallowing the original submissions) as set out in **Appendix 1** to this further submission. There are multiple submitters and submission points on the same or similar provisions and a representative submission has been joined, rather than submitting on each point and/or all submissions made on that provision. This further submission is not intended to change the generality of support for mining activities raised in the original submission by Birchfields Ross.
- 4 The relief sought will:
  - (a) Assist the Grey, Buller and Westland District Councils in fulfilling their statutory duties under the Resource Management Act 1991 (RMA) including the integrated management of the effects of the use, development, or protection of land;
  - (b) meet the requirements of section 32 of the RMA; and
  - (c) promote the sustainable management of natural and physical resources in accordance with Part 2 of the RMA, and in particular the efficient use of natural and physical resources.
- 5 Birchfields Ross wishes to be heard in support of its further submission and will consider presenting a joint case with others presenting similar submissions.



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**Kate McKenzie**  
For Birchfields Ross Mining Limited

### Appendix 1 – further submission points

<b>This further submission is in relation to the original submission of:</b>	<b>The particular parts of the original submission I/we support/oppose are:</b>	<b>My/our position on the original submission:</b>	<b>The reason for my/our support/opposition to the original submission are:</b>	<b>Allow or disallow the original submission (in full or in part)</b>	<b>Give precise details of why you wish to allow/disallow (in full or in part) to indicate the decision you want Council to make</b>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.019	Oppose	Oppose for the reasons set out in Birchfield Ross's original submission	Disallow in full	This submission point seeks to make substantial changes to a number of provisions without assessing the appropriateness of such a change in context of the rule.
Straterra (S536)	S536.025	Support	Support for the reasons set out in Birchfields Ross's original submission.	Allow	Birchfields Ross wishes to appropriately enable mining under the TTPP
Development West Coast (S484)	S484.004	Support	Support for the reasons set out in Birchfields Ross's original submission	Allow in full	Birchfields Ross wishes to appropriately enable mining under the TTPP and the proposed additional strategic objectives reflect this.
Development West Coast (S484)	S484.003	Support	Support for the reasons set out in Birchfields Ross's original submission	Allow in full	Birchfields Ross wishes to appropriately enable mining under the TTPP and the proposed additions reflect this.
Terra Firma Mining Limited (S537)	S537.008	Support	Support for the reasons set out in Birchfields Ross's original submission	Allow in full	Birchfields Ross wishes to appropriately enable mining under the TTPP.
Terra Firma Mining Limited (S537)	S537.006	Support	Support for the reasons set out in Birchfields Ross's original submission	Allow	The proposed wording provides an acceptable alternative relief to Birchfields Ross's relief sought on the provision.
Manawa Energy Limited (Manawa Energy) (S438)	S438.028	Support	Support for the reasons set out in Birchfields Ross's original submission	Allow in full	A focus on protecting outstanding features and significant indigenous biodiversity is supported.
Department of Conservation (S602)	S602.029	Oppose	Oppose for the reasons set out in Birchfields Ross's original submission	Disallow in full	Addition of "enhance" to this objective is not appropriate.
Buller Conservation Group (S552)	S552.006	Oppose	Oppose for the reasons set out in Birchfields Ross's original submission	Disallow in full	Birchfields Ross does not support the proposal to separate objectives.

Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.413	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support SNA provisions applying to unmapped areas.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.415	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support any policy direction which singles out mining activities.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.192	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	<p>Birchfields Ross does not support SNA provisions applying to unmapped areas.</p> <p>Birchfields Ross in particular opposes the following statements being included:  "Specifically, to recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and more broadly, for the control of any actual or potential effects of the use, development, or protection of land for the purpose of maintaining indigenous biodiversity. The WCRPS, which this Plan must give effect to, sets out criteria for determining significance and requires that all areas meeting this criteria, whether mapped in the Plan or not, are to be known as Significant Natural Areas, or SNAs."</p> <p>"Where the provisions in this Plan refer to Significant Natural Areas this includes areas which are not yet included as SNA in Schedule Four, that nevertheless meet one or more of the significance criteria.</p>

					Where there is uncertainty as to whether an area may meet the criteria, or in the absence of an ecological assessment, precaution and protection should be favoured, and a resource consent sought."
Department of Conservation (S602)	S602.068	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the removal of ECO – P2.d which allows consideration of the functional need of an activity to locate within an area of significant indigenous vegetation.
Manawa Energy Limited (Manawa Energy) (S438)	S438.080	Support	Support for the reasons set out in Birchfields Ross's submission	Allow in full	Birchfields Ross supports the proposed amendments.
Department of Conservation (S602)	S602.073	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the wording changes to this policy.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.224	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support a new rule which would change the activity status for indigenous vegetation clearance to non-complying.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.503	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the inclusion of an additional rule. The proposed wording requires an assessment of vegetation to determine compliance which will result in a significant regulatory burden for councils and applicants. Birchfields Ross does not support a non-complying activity status for vegetation clearance.
Department of Conservation (S602)	S602.010	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the inclusion of an advice note which increases the regulatory burden because this will create confusion around activity

					status for vegetation clearance until SNAs are mapped.
Department of Conservation (S602)	S602.075		Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	The proposed amendments create difficulty in determining compliance with permitted activity rules and potentially require a full ecological assessment to determine whether the WCRPS criteria apply to a particular piece of vegetation. The permitted activity limit on vegetation clearance outside of mapped SNAs is sufficient and further regulatory burden for small scale vegetation clearance is not necessary.
Scoped Planning and Design Limited (S617)	S617.008, S617.009	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	The proposed amendments to the rule would mean that there is no permitted vegetation clearance in the Buller or Westland Districts which would result in perverse outcomes.
Department of Conservation (S602)	S602.076	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	The proposed amendments create difficulty in determining compliance with permitted activity rules and potentially require a full ecological assessment to determine whether the WCRPS criteria apply to a particular piece of vegetation. The permitted activity limit on vegetation clearance outside of mapped SNAs is sufficient and further regulatory burden for small scale vegetation clearance is not necessary.
Department of Conservation (S602)	S602.078	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	The proposed amendments create difficulty in determining activity status prior to SNAs being mapped.
Royal Forest and Bird Protection Society of New Zealand Inc.	S560.504	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the inclusion of an additional rule with a non-complying activity status.

(Forest & Bird) (S560)					
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.364	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not agree with applying a precautionary approach or requiring the effects management hierarchy to be applied to the Natural Character chapter.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.366	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the additional wording in the objective.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.248	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the use of the word avoid in this policy.
Buller Conservation Group (S552)	S552.027	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the addition of riparian margin rules for streams less than 3m in width, or increased riparian margins for major rivers.
Buller Conservation Group (S552)	S552.208	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	There has been no resource management justification provided to support a change in activity status to prohibited.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.041	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the removal of permitted activity earthworks and vegetation clearance in riparian margins.
Royal Forest and Bird Protection Society of New Zealand Inc.	S560.253	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross supports rule NC-R1 as notified.

(Forest & Bird) (S560)					
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.518	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross does not support the inclusion of a rule with non-complying activity status for activities in riparian margins.
Celine Stokowski Anthony Thrupp (S522)	S522.006	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross supports the noise rules as notified, except that the night time and day time hours should consistently be applied as 7:00am-10:00pm (daytime) and 10:00pm-7:00am (night time) throughout the week. The Westland District Plan noise limits are not current best practice.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.02, S560.0549, S560.358, S560.361	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross supports the activity status of mineral extraction as notified, except where otherwise specified in Birchfields Ross's original submission.
Straterra (S536)	S536.053	Support	Support for the reasons set out in Birchfields Ross's submission	Allow in full	Birchfields Ross supports the additional wording proposed by Straterra.
Lynley Hargreaves (S481)	S481.004, S481.005, S481.011, S481.017, S481.018	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross supports the Mineral Extraction Zone over the Ross goldfields and the Mineral Extraction Zone provisions as notified, except where otherwise specified in Birchfields Ross's original submission.
Brian Anderson (S576)	, S576.019, S576.021, S576.022, S576.025	Oppose	Oppose for the reasons set out in Birchfields Ross's submission	Disallow in full	Birchfields Ross supports the Mineral Extraction Zone over the Ross goldfields and the Mineral Extraction Zone provisions as notified, except where otherwise specified in Birchfields Ross's original submission.

All submitters above	All submission points above	As above.	As above.	Any relief further and/or consequential to the above.	To give effect to the reasons given above.
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