

SUBMISSION ON THE PROPOSED TE TAI O POUTINI PLAN

Name of Submitter: Buller District Council

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1. This is a submission on the Proposed Te Tai o Poutini Plan (TTPP).
2. Buller District Council will not gain an advantage in trade competition through this submission.
3. The specific provisions of the Proposed Plan that this submission relates to and the decisions the Council seeks are set out in **Attachment 1** to this submission.
4. Buller District Council wishes to be heard in support of our submission.



Sharon Mason
Chief Executive Officer
Buller District Council

Dated 11 November 2022

Section 1: General Submission Points

1. Buller District Council would like to commend the work and effort of Lois Easton and Edith Bretherton on the proposed TTPP and the difficult task of preparing a Plan when the District Councils had limited capacity to provide feedback during the drafting phase and the mammoth task of pulling together competing stakeholders interests.
2. Council has, in the available time, carried out a thorough but not exhaustive review of the notified TTPP. We note the condensed timeframes and were appreciative of the two extensions.
3. A key focus for the Council is development of a plan that is 'user friendly' and able to be readily interpreted by planners and the general public alike. The Council is concerned that this has not been achieved to date and the plan is not easy to understand and use and would benefit from streamlining, for example:
 - There are a number of confusing loops between the activity statuses of some of the rules and multiple links to other rules that can be difficult to follow.
 - Some of the rule headings are lengthy and the activities they relate to are not readily understandable.
 - Some of the rules include long lists of performance standards for both zone and precincts which is difficult to follow, for example Rule SETZ-R2. The use of tables or some other method of conveying the requirements in a concise manner is suggested.
 - Some of the rules are prescriptive and overly complex for the District environment which is predominantly rural with low levels of development, for example acoustic insulation and lighting rules.
 - The number of Zones and Precincts makes for a complicated planning process and consideration should be given to whether these are all necessary or could be merged.
4. Working with the e-plan maps, Council staff have found a number of issues with the mapping system as follows:
 - Staff have encountered numerous occasions where searches for property addresses have produced 'unknown address' when the address is known.
 - The maps do not reliably load zone and overlay information for a particular property, even when this occurs staff are not confident in the system so this necessitates further assessment work.

- The property boundaries are barely discernible and difficult to detect.
 - Road reserve boundaries are not shown and this means staff have to utilise other systems to confirm the extent of road reserve.
 - There is no ability to search under legal description or valuation number which would be a helpful tool.
 - The number of overlays is rather over-whelming even for Planners and it is difficult to see how the general public will be able to navigate their way around the rules and overlays applicable to a specific proposal.
5. The Council seeks to have any references to the Notification Decision removed or alternatively that any Advice Notes are couched in suitably discretionary language. The Council considers that the Notification Decision should not be pre-determined and should be assessed on the merits of individual proposals.
 6. While several terminology, grammar and font issues have been noted across the proposed TTPP, this submission does not identify these as it is expected that such matters will be corrected as the Plan progresses.
 7. One area that Council understands will be contentious are the Natural Hazards provisions. This submission can be summed up as an attempt to allow improvements or upgrades to existing buildings and infrastructure, but restrict new development in areas that will likely increase the number of people potentially exposed to the risk/hazard. Council realises the significant impact of the various overlays to residents and in particular the current challenges facing Buller. A review of all natural hazard overlays is required and needs to be supported with evidence to justify their extent. It seems that further technical reporting is required.

ATTACHMENT 1: BULLER DISTRICT COUNCIL SUBMISSION

PART 1: INTRODUCTION AND GENERAL PROVISIONS

HOW THE PLAN WORKS

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Entire Chapter	Support	The Council considers the description of how the Plan works provides a helpful overview.	Retain as notified.

INTERPRETATION

Definitions

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
New		As discussed in the Lighting Chapter, a definition is sought for 'Artificial Outdoor Lighting'	Add definition for 'Artificial Outdoor Lighting' as follows: <i><u>Any non-residential exterior lighting that emits directly into the outdoor environment and includes signs.</u></i>
New		Policy SASM-P11 refers to 'hazardous facilities and offensive industries' but these terms are not defined. Definitions are sought to provide clarity on what activities the policy seeks to manage. Rule SASM-R6 refers to the upper slopes of ancestral maunga. Council seeks a definition of what constitutes 'upper slopes' to avoid any interpretation issues.	Add a definition for 'Hazardous Facilities' and 'Offensive Industry' Add a definition for 'Upper Slopes'.
		As discussed in the Infrastructure Chapter, a definition is sought for 'Network Utility'.	Add a definition for 'Network Utility' as follows:

			<u>Means a project, work, system or structure that is a network utility operation undertaken by a network utility operator</u>
New		As discussed in the Transport Chapter, a definition is sought for 'Transport Corridor' to clarify that it covers not only the formed road/rail but the adjacent land i.e. road or rail reserve.	Add a definition for 'Transport Corridor' as follows: <u>Means the road or rail area from the property boundary on one side of the road or railway line to the property boundary on the other side.</u>
New		As discussed in the Natural Environment Chapter, clarity is needed around the terms 'further measurable loss' and 'reasonably measurable reduction in the local population'. These terms were subject to a great deal of legal submissions during the recent Environment Court proceedings for the Te Kuha Mine proposal and Council considers the terms need to be defined to ensure consistent outcomes.	Add a definition for 'Further Measurable Loss' and 'Reasonably Measurable Reduction in the Local Population' Council considers this will require input from an ecological expert.
New		As discussed in the Infrastructure Chapter, a definition is sought for 'Telecommunication Kiosk' to clarify what this term applies to.	Add a definition for 'Telecommunication Kiosk' as follows: <u>Means any structure intended for public use to facilitate telecommunications and includes boxes or booths for telephone, video or internet services.</u>
New		As discussed in the Infrastructure Chapter, a definition is sought for 'Small Cell Utility' to clarify what this term applies to.	Add a definition for 'Small Cell Utility' as follows: <u>Means a device:</u> <u>a. That receives or transmits radio communication or telecommunication signals ;</u> <u>and</u>

			<p><i>b. <u>The volume of which (including any ancillary equipment but not including any cabling) is not more than 0.11m³.</u></i></p> <p>(Same meaning as in Regulation 4 of the NESTF)</p>
Community Facilities, Education Facilities and Health Facilities	Oppose in part	<p>A definition of 'Community Facility' is provided immediately below the definition for 'Community Facilities, Education Facilities and Health Facilities' as per the National Planning standards. Council therefore seeks that the reference to 'Community Facilities' is removed and that the definition is limited to 'Education Facilities and Health Facilities' to avoid confusion.</p> <p>It is also noted that the definition contains an error referring to natural hazards.</p>	<p>Amend the definition as follows:</p> <p>Community Facilities, Education Facilities and Health Facilities</p> <p>Means in relation to natural hazards. All community buildings where people congregate including places of worship, Marae, daycare, primary secondary and tertiary education facilities, medical facilities excluding hospital and medical centres with surgery facilities.</p>
Critical Infrastructure	Support in part	<p>The definition of Critical Infrastructure does not include the region's ports. This is considered an omission and is not consistent with the RPS where 'Regionally Significant Infrastructure' includes the ports of Westport, Greymouth and Jackson Bay. Council seeks that ports are included in the definition.</p>	<p>Insert 'Ports' into the definition for Critical Infrastructure.</p>
Freedom Camping	Oppose	<p>As discussed in the Temporary Activities Chapter, Council seeks the removal of provisions relating to freedom camping and therefore requests the definition is removed.</p>	<p>Delete definition for 'Freedom Camping'.</p>
Intensive Indoor Primary Production	Support in part	<p>Council seeks an addition to the definition that clarifies that herd homes and wintering barns (where the primary production activity principally occurs in an outdoor environment) are not included within the definition.</p>	<p>Amend the definition of 'Intensive Indoor Primary Production' but adding the following:</p> <p><u>For the avoidance of doubt, Herd Homes and Wintering Barns are not considered Intensive Indoor Primary Production.</u></p>

Retail Activity and Large Format Retail Activity	Oppose	As discussed in the General Rural Zone and Settlement Zone rules, Council is concerned with the use of the terms 'Large Format Retail' and 'Retail Activities'. Council preference is that the applicable rules refer to commercial activities generally. In the alternative, if these terms are retained, Council seeks that they are defined. While there is a definition of 'Retail Activity' it lists what is excluded from the definition but not what is included.	Given consideration to defining the terms 'Large Format Retail' and 'Retail Activities'.
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NATIONAL DIRECTION INSTRUMENTS

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Entire Chapter	Support	Council supports the National Direction Instruments Chapter.	Retain as notified.

TANGATA WHENUA

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Entire Chapter	Support	Council supports the Tangata Whenua Chapter.	Retain as notified.

PART 2: DISTRICT-WIDE MATTERS

Strategic Direction

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Strategic Objectives AG-O1 &O, CR-O1 – O4, MIN-O1 – O6, NENV-O1 – O4, POU-O1 -O4, POU-P1-P10, TRM-O1 and UFD-O1	Support	The Council supports the Strategic Objectives as providing an overarching direction for implementation and interpretation of the Plan.	Retain as notified.

ENERGY, INFRASTRUCTURE AND TRANSPORT

ENG - Energy

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives ENG-O1 – O4; Policies ENG-P1 – P9	Support	Council supports the objectives and policies for Energy Activities.	Retain as notified.
ENG-R1	Support in part	Rule 1 is supported but the reference in the heading to 'permitted' is not needed as the rule sits under a general heading of Permitted Activities.	Amend the heading of Rule 1 as follows: Energy Permitted Activity Performance Standards
ENG-R2 & R3	Support	Rules 2 and 3 are supported	Retain as notified.
ENG-R4	Support in part	Rule 4 is generally supported but the rule heading is long and could be simplified for ease of reference. It is	

		<p>suggested that rather than listing the various energy associated activities in the heading, reference is made to ‘energy activities’ generally as this is defined in the Plan. Council also seeks that ‘above ground’ is added to the heading to clarify that the rule is restricted in scope to these activities and that a new rule is included to enable operation and maintenance of ‘below ground’ energy activities, as per below.</p>	<p>Amend Rule 4 as follows:</p> <p><i>Operating existing transmission and distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations not managed by the National Environmental Standard for Electricity Transmission Activities.</i></p> <p><i><u>Operation, Maintenance, Repairs and Removal of Existing Above Ground Energy Activities.</u></i></p>
New Rule		<p>There is no provision for operation, maintenance and repairs of existing below ground energy activities or provision for installation of new facilities, therefore Council seeks a new rule to address these. No performance standards are considered necessary.</p>	<p>Insert a new rule as follows:</p> <p><i><u>Operation, Maintenance, Repairs and Installation of Below Ground Energy Activities</u></i></p> <p><i><u>Activity Status Permitted</u></i></p>
New Rule		<p>The rule framework does not allow for extension of existing transmission or distribution lines or installation of new transmission or distribution lines. As discussed in the Infrastructure Chapter, INF-R9 provides for new lines along with telecommunication poles or towers within the General Rural Zone or Industrial Zone. Council’s submission on Rule INF-R9 is that it is out of context and should be placed in the Energy Chapter with the reference to ‘telecommunication poles and towers’ removed.</p> <p>Council also seeks that provision is made for the extension of existing distribution lines in the same manner as provided for in the BDP. The BDP enables the extension</p>	<p>Insert a new rule as follows:</p> <p><i><u>Installation of Above Ground Energy Activities</u></i></p> <p><i><u>Activity Status Permitted</u></i></p> <p><i><u>Where:</u></i></p> <ol style="list-style-type: none"> 1. <i><u>The performance standards in Rule INF-R1 are met;</u></i> 2. <i><u>These are located in a GRUZ-General Rural Zone or LINZ – Industrial Zone; and</u></i> <ol style="list-style-type: none"> a. <i><u>Poles do not exceed a height of 25m;</u></i> b. <i><u>Towers do not exceed a height of 15m.</u></i>

		of existing overhead lines involving no more than five poles where the written consent from landowners within 22m radius of new poles has been obtained. This is considered important to support residential development where connection to services is generally required.	<p>3. <u>These are the extension of existing overhead lines that involve no more than five poles in areas where services are already above ground provided that written approval from landowners within a 22m radius of new poles has been obtained and provided to Council 10 working days prior to activities commencing.</u></p> <p>Consequential amendment to the Restricted Discretionary Activity Rules to include installation of above ground activities that do not comply with the performance standard.</p>
ENG-R5	Support	Rule 5 is supported	Retain as notified.
ENG-R6	Oppose in part	While clause 3 lists activities which are able to occur under the transmission lines, there is no provision for earthworks associated with agricultural activities. This is considered an important omission given the District's electricity transmission network extends over large areas of rural land where agricultural activities such as cultivation are being undertaken beneath the network. Provided earthworks are undertaken so that there will be no reduction of ground clearance distances, Council considers that agricultural activities will not pose a threat to the integrity of the network and provision should be made for this within the rule.	<p>Amend Rule 6 and include an additional clause as follows:</p> <p>.....</p> <p>3. <i>The following other activities are able to occur under the conductors where these are Permitted within the relevant zone and overlay:</i></p> <p>....</p> <p><u>(v) Agricultural and horticultural activities provided that any earthworks do not result in a reduction of existing ground clearance distances from overhead lines.</u></p>
ENG-R7	Support	Rule 7 is supported	Retain Rule 7 as notified.
ENG-R8	Support in part	Council notes that for Rule 8 there is no area restriction for electricity cabinets and suggests that an area limit of 10m ² would be appropriate.	<p>Amend Rule 8 as follows:</p> <p>.....</p>

			<p>2. <i>The cabinet has a maximum height above ground level of 2m; and</i></p> <p>3. <i>The cabinet has a maximum are of 10m².</i></p>
ENG-R10	Oppose	Environmental monitoring and meteorological facilities are expected to be small scale structures and Council does not see the necessity for imposing performance standards. In any case, there is provision for environmental and meteorological facilities within the Infrastructure Chapter therefore this rule is not considered necessary.	Delete Rule 10.
ENG-R11	Support	Rules 11 is supported	Retain as notified.
ENG-R12	Support in part	As a consequence of the amendments sought above, a change to the heading of Rule 12 is sought.	<p><i>Operating existing transmission and distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations not meeting Permitted Activity Standards</i></p> <p><u><i>Operation, Maintenance, Repairs or Removal of Existing Above Ground Energy Activities not meeting Permitted Activity Standards</i></u></p> <p>Provision also needs to be made for installation of above ground transmission lines that do not comply with the permitted performance standards to be treated as discretionary activities.</p>
ENG-R13 – R20	Support	Rules 13 to 20 are supported.	Retain as notified.

INF - Infrastructure

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
<p>Objectives INF-O1 – O5; Policies INF-P1 – P6</p>	<p>Support in part</p>	<p>Council generally support the objectives and policies for Infrastructure, with the exception of the following concerns.</p> <p>Council seeks to ensure all infrastructure has sufficient capacity to meet both the current and future needs of the District and requests that this is explicitly stated in the provisions. Council considers that new infrastructure needs to be provided in such a manner that it meets future development demand.</p> <p>It is noted that some of the objectives and policies refer to ‘infrastructure and utilities’ but the definition of ‘Infrastructure’ in the Plan encompasses network utility operations, therefore it is suggested that any references to ‘utility’ is unnecessary and the provisions can be simplified.</p> <p>Policy 4(h) refers to the potential vesting of new infrastructure in the relevant Council or hapu entity. The introduction of 3 Waters means some infrastructure will be transferred to new central government entities, therefore it is suggested that the policy recognises this.</p>	<p>Remove any references to ‘utility’ from the objectives and policies.</p> <p>Amend Objective 1 as follows:</p> <p><i>To enable the safe, efficient and sustainable development, operation, maintenance and upgrading of utilities and infrastructure to meet the <u>current and future</u> needs of the West Coast/Te Tai o Poutini.</i></p> <p>Amend Policy 4 as follows:</p> <p><i>Ensure that subdivision and development, is adequately serviced to meet the <u>current and future</u> needs including:</i></p> <p><i>h. Where new infrastructure is developed, that there is adequate provision for ongoing maintenance either by the vesting of the infrastructure in the relevant Council, <u>Water Service Entity</u> or in the case of papakainga developments, that an ongoing hapu entity may be responsible for maintenance; and</i></p>

INF-R1	Support in part	Rule 1 is supported but the reference in the heading to 'permitted' is not needed as the rule sits under a general heading of Permitted Activities.	Amend the heading of Rule 1 as follows: Infrastructure Permitted Activity Performance Standards
INF-R2	Support	Rules 2 is supported.	Retain as notified.
INF-R3	Support in principle	While Council has no issue with Rule 3, it queries whether it has any relevance to the region. In the Buller District there are no existing gas pipelines.	If Rule 3 is not relevant to the region, delete.
INF-R4	Support in part	Rule 4 is supported but for consistency it is suggested that the rule should refer to 'Temporary Network Utilities' rather than 'Temporary Network Activities' and a Network Utility should be defined. While a very minor point, this provides consistency across the rule framework. While Network Utility Operator is defined, there is no equivalent definition of a 'Network Utility' and Council seeks that this is included given the reference in this rule and others e.g. Rule 8.	Amend Rule 4 as follows: <i>Temporary Network Activities Utilities</i> <i>2. The temporary network activity utility is:...</i> Insert a definition for 'Network Utility' into the Definition Section.
INF-R5	Oppose in part	While the permitted activity status for environmental and extreme weather monitoring equipment is supported, given its importance to the District it is requested that no height or area standards are imposed. Such equipment is generally small scale and unlikely to be visually intrusive. Council seeks that 'environmental monitoring equipment' is combined with 'meteorological facilities' (Rule 6 below) into a single permitted activity rule with Rule 5 removed. The reference to 'extreme weather event monitoring' is not considered necessary as it is captured within the meaning of 'environmental monitoring'.	Delete Rule 5. Consequential amendment to Rule 19.

INF-R6	Oppose in part	<p>While the permitted activity status for meteorological facilities is supported, given its importance to the District it is suggested that no performance standards are imposed.</p> <p>It is noted that there is no permitted activity rule for navigational aids and beacons. It is assumed that this is an oversight as provision is made for these as a discretionary activity (Rule INF-R18).</p> <p>Council seeks that Rules 5 and 6 are combined into a single permitted activity rule with no standards and that navigational aids and beacons are included.</p>	<p>Amend Rule 6 as follows:</p> <p><u>Navigational aids/beacons, environmental monitoring equipment and Meteorological Facilities</u></p> <p><i>Activity Status Permitted</i></p> <p>Where:</p> <p>1. These are located in a RURZ Zone or INZ – Industrial Zone.</p> <p>Consequential amendments to Rules 18 & 20.</p>
INF-R7	Support in part	<p>Rule 7 is supported but the rule heading is long and could be simplified for ease of reference. If amended as suggested, this will then flow into the following rules which have concise headings dealing with new network utilities.</p>	<p>Amend the heading for Rule 7 as follows:</p> <p><u>Installation, extension, maintenance, operation, upgrade and repair of lines, underground pipelines and ancillary vehicle access tracks erected by a Network Utility Operator.</u></p> <p><u>Operation, maintenance, repairs and extension of existing network utilities.</u></p>
INF-R8	Support in part	<p>While Rule 8 applies to New Network Utility Customer Connections, the performance standards suggest that it is directed at electricity connections. Given energy activities are managed in the Energy Chapter, there is potential for the rule to be missed by plan users who may assume that customer connections for electricity services would be dealt with in the Energy Chapter.</p> <p>Council’s submission on Rule HH-R5 is that connections to heritage items should be permitted activities. As a</p>	<p>Remove the Advice Note.</p> <p>Insert a reference in the Energy Chapter that directs plan users to Rule 8 when considering customer connections for electricity services.</p>

		consequence, Council seeks the removal of the Advice Note.	
INF-R9	Oppose	Rule 9 appears to encompass both electricity lines and telecommunication poles or towers. As energy activities are managed in the Energy Chapter and telecommunication facilities are managed by INF-R12 this rule appears out of context. Council suggests that the electricity component of the rule is moved to the Energy Chapter and the reference to telecommunication is removed.	Remove Rule 9 and insert into the Energy Chapter.
INF-R10	Support	While Rule 10 is supported, Council considers it would be helpful to provide a definition of 'Telecommunication kiosk' to clarify what the rule applies to.	Insert a definition for 'Telecommunication Kiosk'.
INF-R11	Support	While Rule 11 is supported, Council considers it would be helpful to provide a definition of 'Small Cell Utility' to clarify what the rule applies to.	Insert a definition for 'Small Cell Utility'.
INF-R12	Support	While Rule 12 is generally supported, Council is concerned with the level of detailed performance standards and requests consideration be given to whether there is an alternative way of presenting the requirements which would be more readily absorbed by plan users. Council is also concerned that some of the terms used are not defined, for example 'omni directional whip'.	Give consideration to presenting the performance standards in a different format. Define 'omni directional whip'.
INF-R13 – R15	Support	Rules 13 to 15 are supported.	Retain as notified.
INF-R16	Oppose in part	The heading for Rule 16 does not correctly represent what the rule applies to. Connections to reticulated stormwater and wastewater systems are permitted activities under Rule INF-R2 with Rule 16 to capture services that are provided on-site. A better description of what the rule seeks to manage would be 'Provision of On-site water supply, wastewater and stormwater services'.	Amend Rule 16 as follows: Connections to wastewater, stormwater and reticulated systems not meeting Permitted Activity Standards

		<p>Council considers that clause (a) could be expressed in terms relevant to installation of services rather than in terms of ‘flood hazard mitigation’. Council seeks that stormwater and overland flow path implications are considered when services are installed.</p> <p>Clause (b) does not appear relevant as it refers to discharges to reticulated systems.</p> <p>Clause (c) and (d) refer to NZS4404. Council is reviewing the use of this standard. Council seeks that the performance standards recognise that Council may adopt a subsequent engineering standard.</p>	<p><u>Provision of On-site Water Supply, Wastewater and Stormwater Services</u></p> <p>a. Level of flood hazard mitigation through stormwater control <u>Stormwater and overland flow path implications from water supplies, stormwater and/or wastewater controls;</u></p> <p>b. Any requirement for pre-treatment, retention or detention of stormwater or wastewater prior to discharge to the reticulated system;</p> <p>c. Provision of drinking water connections in accordance with NZS 4404: Code of Practice for Land Development and Subdivision Infrastructure and <u>or the relevant Council Engineering Standards;</u></p> <p>d. Provision of wastewater connections in accordance with NZS 4404: Code of Practice for Land Development and Subdivision Infrastructure and <u>or the relevant Council engineering Standards.</u></p>
INF-R17	Support in principle	As mentioned above, if there are no existing gas pipelines in the region this rule should be removed.	If Rule 17 is not relevant to the region, delete.
INF-R18	Oppose	Council seeks to have navigational aids and beacons as permitted activities, while lighthouses will be located within the Coastal Environment and managed accordingly. Council requests that Rule 18 is removed.	Delete Rule 18.
INF-R19 & R20	Oppose	Council seeks to have environmental, extreme weather event monitoring and meteorological facilities as permitted activities with no performance standards, therefore it is requested that Rules 19 and 20 are removed.	Delete Rules 19 and 20.

INF-R22, R23, R25 – R28	Support	Rules 22, 23 and 25 to 28 are supported.	Retain as notified.
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TRN - Transport

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives TRN-O1 – O5; Policies TRN-P1 – P9	Support in part	<p>Council generally supports the objectives and policies for Transport with one minor exception.</p> <p>The overview statement advises that the Transport Performance Standards uses the One Network Roding Classification System, however it is understood that there is a move away from this towards the One Network Framework. Council seeks that an additional clause is added to Policy 1 that requires recognition of a roads classification when considering proposals that impact the road transport network and that road classification may change over time.</p>	<p>Amend Policy 1 as follows:</p> <p><i>The road and rail <u>transport</u> networks shall:</i></p> <ol style="list-style-type: none"> <i>Be maintained or enhanced to provide safe and efficient transportation;</i> <i>Consider the needs of all transport users and modes of transport; and</i> <i>Minimise effects on adjoining properties including the impacts of vibration, noise and glare; <u>and</u></i> <i><u>Recognise the different functions and design requirements for each road classification under the most current National Transport Network classification system.</u></i> <p>While Council has not sought inclusion of a Road Hierarchy information into the Transport Performance Standards, consideration should be given to whether this would be a helpful addition.</p>
Advice Notes	Support in part	<p>Council seeks a minor change to Advice Note 2. Any works within transport corridors require approval from the relevant road controlling authority and this is not limited to road opening activities. Council seeks that this is reflected in the Advice Note so that plan users are alerted</p>	<p>Amend Advice Note 2 as follows:</p> <p><i>Works undertaken in a road reserve/transport corridor or areas subject to a District Council designation also require road open approval from the <u>relevant road</u></i></p>

		to the fact that additional approvals may be necessary for activities within road reserve/transport corridors.	<u>controlling authority - District Council or Waka Kotahi, or KiwiRail.</u>
TRN-R1	Oppose in part	<p>Council has noted a number of linkage errors between Rule 1 and the Transport Performance Standards, as follows:</p> <p>Clause 2 sets down the applicable parking, loading, queuing standards, therefore this should include TRN S12 as this sets down construction and formation requirements for parking, loading and standing spaces. As a consequence, the reference to TRN S12 in clause 5 should be removed.</p> <p>Clause 4 and the associated Advice Note are not considered necessary as the Transport Performance Standards include controls for stormwater (refer TRN S12). The stormwater performance standard is not limited in scope to a specified parking area limit which is considered appropriate. Council therefore seeks the removal of Clause 4 and the associated Advice Note.</p> <p>Clause 5 refers to ‘formation’ standards, but Council’s preference is that this is changed to ‘dimensional’ standards given TRN S13 relates to minimum road widths for rights of way. Council also seeks that ‘rights of way’ are specifically referred to in Clause 5 given the limited application. As discussed above, it is suggested that the parking standard of TRN S12 is removed to ensure all parking standards are mentioned together.</p> <p>Council seeks that an additional clause is inserted to ensure all new local roads and upgrades to existing local roads are formed in accordance with Council Engineering</p>	<p>Amend Rule 1 as follows:</p> <ol style="list-style-type: none"> 1. <i>Vehicle crossings and access way standards – TRN Tables 1 – 3, Standards TRN S1 – S3, and TRN Figures 1 are complied with;</i> 2. <i>Parking, loading, queuing and standing standards – TRN Tables 4-5, Standards TRN S4 – S6 <u>and TRN S12</u>, and TRN Figures 2 and 3 are complied with;</i> 3. <i>Manoeuvring standards TRN S7 – S11 are complied with;</i> 4. <i>Where an impermeable carparking area greater than 1000m² in area is provided, stormwater treatment is provided; and</i> 5. <i>Formation <u>Dimensional</u> standards for right of ways TRN S12 and TRN S13 are complied with.</i> <p><u>All new roads and upgrades of existing roads shall be constructed in accordance with the relevant District Council Engineering Standards, or where no such Standard exists, NZS 4404:2010 Land Development and Subdivision Infrastructure.</u></p> <p>Advice Note: <i>The Auckland Design Manual guideline Document GD 2017/01 Stormwater Management Devices in the Auckland Region provides information on best practice stormwater design options for stormwater treatment.</i></p>

		Standards. While Council adopted NZS4404 as its Engineering Standard in 2011, a review has been initiated and the intention is to adopt a new engineering standard in the near future.	
TRN-R2	Oppose in part	<p>The title for Rule 2 is confusing and Council seeks that this is simplified to make it clear that it covers maintenance and repair of existing transport infrastructure within the existing road corridor. Council does not see the necessity for including the ‘removal of roads’ in the rule, if this relates to Road Stopping then this is subject to a separate Council process outside of this Plan.</p> <p>A definition of ‘transport corridor’ is sought to ensure that maintenance and upgrading work is able to be undertaken within the entire road or rail reserve rather than just limited to the actual sealed/graveled/railed portion of any road or railway line.</p>	<p>Amend the title and body of Rule 2 as follows:</p> <p>Land Transport operation, removal, repairs and maintenance within a road reserve/transport corridor or an area subject to designation</p> <p><u>Maintenance or upgrading of existing transport infrastructure within the existing transport corridor</u></p> <p>Insert a definition of ‘Transport Corridor’ into the Definition Section.</p>
TRN-R3 & R4	Support	Rule 3 is supported.	Retain as notified.
TRN-R4	Support in part	Council considers that design standards are needed for new transport corridors and seeks that these are designed and constructed in accordance with the Rule 1 performance standards. This will ensure that new roads are formed in accordance with Council’s Engineering Standards.	<p>Amend Rule 4 as follows:</p> <ol style="list-style-type: none"> 1. <i>This is undertaken by a requiring authority in accordance with a designation listed in this Plan.</i> 2. <i><u>All performance standards in Rule TRN-R1 are complied with.</u></i>
TRN-R5	Oppose in part	While Council generally supports Rule 5, it is considered that it should be limited in scope to tracks on unformed legal road, esplanade reserves and strips rather than	

		<p>public land generally and that the reference to 'bridleways' is replaced with 'trails' given bridleways are not a common trail type in the District. Esplanade Reserves and Esplanade Strips are vested in local authorities for, among other purposes, public access. Currently where cycleways and trails are constructed on unformed legal road, they trigger the need for consent. Given these trails are formed for recreational activities within a narrow corridor of road reserve, Council considers a permitted activity status is appropriate and any road safety concerns can be managed through Council's road controlling approval processes.</p>	<p>Amend the title of Rule 5 as follows:</p> <p><i>Establishment of shared pathways including cycleways and trails bridleways on public land unformed legal road, Esplanade Reserves and Strips</i></p>
TRN-R6	Oppose in part	<p>The title of Rule 6 is limited to establishment of charging stations in the transport corridor but the accompanying Advice Note suggests that a wider scope is intended for control of charging stations given the statement: 'If within the legal road reserve, contact the appropriate transport authority to obtain a license to occupy'.</p> <p>Council agrees that control of charging stations is needed given the anticipated growth in electric vehicles but considers controls should extend beyond locations within the transport corridor and requests the removal of this reference from the rule title. Council also considers control needs to be retained over the location of these and seeks that an additional standard is included which limits installation to within existing or permitted parking areas.</p> <p>For consistency of terminology, Council seeks a minor change to the Advice Note to refer to 'road controlling</p>	<p>Amend Rule 6 as follows:</p> <p><i>Establishment of e-bike and e-vehicle charging stations in the transport corridor</i></p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <i>1. All performance standards in Rule TRN-R1 are complied with; and</i> <i>2. These are not more than 2m in height and 10m² in area; <u>and</u></i> <i>3. <u>The electric vehicle charging station is installed in association with an existing, permitted or consented vehicle parking space/area.</u></i> <p><i>Advice Note:</i> <i>If within the legal road reserve, contact the appropriate <u>road controlling</u> and transport authority to obtain a license to occupy.</i></p>

		authority' rather than 'land transport authority' as this is the wording used elsewhere.	
New Rule		While high trip generating activities are restricted discretionary activities (Rule 12) there is no permitted trip generation rule. Council assumes that this has been inadvertently left off and seeks that permitted threshold limits are included.	<p>Include a new rule as follows:</p> <p><u>Trip Generation Activities</u></p> <p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>1. <u>The activity complies with the thresholds listed in Table TRN 6</u></p>
TRN-R7	Oppose in part	Rule 7 is supported but Council is concerned with the limited scope of clause (d) to flood hazard mitigation and requests that this is extended to encompass natural hazards generally. Council also seeks that the matters of discretion extent to location and design considerations and the number and intensity of vehicle movements associated with an activity given these are likely to be key assessment matters.	<p>Amend Rule 7 as follows:</p> <p>Discretion is restricted to:</p> <p>.....</p> <p>d. <u>Any requirements for future flood natural hazard mitigation; and</u></p> <p>e. <u>Stormwater treatment and control</u></p> <p>f. <u>The location, size and design of accessways, vehicle crossings, parking and loading areas; and</u></p> <p>g. <u>The types of vehicles serving the site, their intensity, the time of day the site is frequented and likely trip generation.</u></p>
TRN-R8	Oppose in part	<p>As with the corresponding permitted activity rule, the title for Rule 8 is confusing and could be simplified to make it clear that it covers maintenance and repair of existing transport infrastructure within an existing road corridor.</p> <p>Clause (a) is considered vague and arguably related to earthworks considerations. Council seeks that the standard is amended to include assessing the effects on</p>	<p>Amend the title and body of Rule 8 as follows:</p> <p>Land transport operation, removal, repairs and maintenance within a road reserve/transport corridor or an area subject to a designation not meeting Permitted Activity Standards.</p>

		the safe and efficient operation of the road. Council also requests that Clause (b) is extended to cover any future natural hazard mitigation generally rather than limited in scope to flood hazards.	<p><u>Maintenance or upgrading of existing transport infrastructure within the existing transport corridor</u></p> <p>Discretion is restricted to:</p> <p>(a) Impacts during construction; <u>Effects on the safe and efficient operation of the road;</u></p> <p>(b) Any requirements for future flood <u>natural hazard mitigation;</u></p> <p>(c) Stormwater treatment and control.</p>
TRN-R9	Oppose in part	As with the rules above, Council seeks that the hazard mitigation considerations are extended to natural hazards generally and a minor change to clause (a) is requested for consistency of terminology.	<p>Amend Rule 9 as follows:</p> <p>Discretion is restricted to:</p> <p>(a) Effects on the safety and efficiency of the transport network system;</p> <p>(b) The ability for accessibility park users to safely and effectively park, enter and exit a vehicle;</p> <p>(c) The impact on other road users including pedestrians;</p> <p>(d) Any requirements for future flood <u>natural hazard mitigation; and</u></p> <p>(e) Stormwater treatment and control.</p>
TRN-10	Oppose	As with the corresponding permitted activity rule, Council seeks the title is amended and that changes are made to the matters of discretion to broaden the assessment considerations beyond visual impacts.	<p>Amend Rule 10 as follows:</p> <p><u>Establishment of shared pathways including cycleways and trails bridleways on public land unformed legal road, Esplanade Reserves and Strips</u></p>

			<p><i>Discretion is restricted to:</i></p> <ol style="list-style-type: none"> 1. <i>Visual impacts on landscapes over 1000m above sea level</i> <u>Effects on cultural, heritage and natural environment values;</u> 2. <i>Effects on public access; and</i> 3. <i>Effects on the transport network.</i>
TRN-11	Oppose in part	<p>As for the equivalent permitted activity Rule, Council seeks the removal of the qualifier of charging stations being located in the 'transport corridor'. The addition of 'safety and efficiency' is also requested to Clause (a) to provide scope to the matters of consideration while clause (b) is not expressed in terms of an assessment matter and is considered to be encompassed within clause (a).</p>	<p>Amend the title of Rule 11 as follows:</p> <p><i>Establishing e-bike and e-vehicle charging stations in the transport corridor</i></p> <ol style="list-style-type: none"> a. <i>Effects on <u>the safety and efficiency of the transport network;</u> and</i> b. <i>Outcome of consultation with the relevant transport agency.</i>
TRN-R12	Oppose in part	<p>Council considers Rule 12 confusing given it does not explicitly state that it covers high trip generating activities that exceed the thresholds in Table TRN 6.</p> <p>Clause 1 also requires compliance with Standard TRN S14 which are assessment requirements rather than explicit standards which Council can assess an activity against. Council seeks that Rule 12 is amended to provide clarity on when the rule applies and that the matters of discretion include the Standard TRN S14 requirements, but in a summarised form.</p> <p>With these amendments, there would be no need for another tier of activity status and the reference to</p>	<p>Amend Rule 12 as follows:</p> <p><i>Activity Status Restricted Discretionary</i> <i>Where:</i></p> <ol style="list-style-type: none"> 1. <i>This is the establishment of a new activity or the expansion of an existing activity <u>that exceeds the thresholds listed in Table TRN 6 that complies with Standard TRN S14.</u></i> <p><i>Discretion is restricted to:</i></p> <ol style="list-style-type: none"> (a) <i>Effects on the transport network <u>including whether the use or development compromise the safety and efficiency of the transport network;</u></i>

		Discretionary activities where compliance with the rule is not achieved.	<p><i>(b) Effects and recommendations to minimise effects from the transport assessment.</i> <i><u>Any recommendations in a transport assessment provided by a suitably qualified and experienced transport professional;</u></i></p> <p><i>(c) <u>The extent to which vehicle access, parking and maneuvering areas associated with the activity are provided; and</u></i></p> <p><i>(d) <u>The nature of the activity and compatibility with the function and purpose of the underlying zone.</u></i></p> <p>Consequential amendments – delete Standard TRN S14 and remove the reference to ‘Discretionary’ for activities which do not comply with the rule.</p>
TRN-R13	Oppose in part	Rule 13 includes a statement on notification. Council is concerned with pre-determining the notification decision and considers this should be assessed at the application stage based on the merits of a proposal and requests this statement is removed.	Amend Rule 13 as follows: Notification: Applications will always be publicly notified.
TRN-R14	Oppose	Council seeks the removal of Rule 14 for the reasons discussed above.	Delete Rule 14.
Maps		The State Highway road corridors are designated and displayed accordingly on the Plan maps but Council road reserve does not. Council seeks that road reserve boundaries are added to the maps as this is often helpful information when assessing how proposals interact with road reserve.	Council seeks that another tool bar is added to the maps that allow road reserve boundaries to be overlaid.
Appendix One: Transport Performance Standards	Oppose in part	Council has some concerns with the Transport Performance Standards as discussed below:	Amend the Transport Performance Standards as follows:

		<p>TRN Figure 1 and TRN Table 1 – distance ‘y’ is defined in the table but not shown on Figure 1. Council suggests that distance ‘y’ should be from the middle of the driveway/accessway to the centerline of the nearest traffic lane on the intersection.</p> <p>TRN Table 4 and Table 5 - The first heading in the tables should refer to the fact that it is vehicle spaces that is the qualifying factor.</p> <p>TRN S7 – re-formatting of the last 3 bullet points is required as they appear to be a subset of the one immediately above.</p> <p>TRN S12 – the requirements for parking, loading and standing spaces in the Rural Zones/Future Urban Zones and Residential Zones appear to be around the wrong way. Council does not consider that rural zone parking areas need to be necessarily sealed but would consider this applicable for residential zones. There is also an error in the table relating to Commercial, Mixed Use Zones etc where the reference to ‘less’ needs to be changed to ‘more’.</p>	<p>TRN Figure 1 – show distance ‘y’ on the figure.</p> <p>TRN Table 4 and 5 – amend the first heading of the tables to read: ‘Total number of <u>vehicle</u> spaces provided’</p> <p>TRN S7 – re-format the last 3 bullet points.</p> <p>TRN S12 – amend the table as follows:</p> <table border="1" data-bbox="1375 483 2020 1240"> <tr> <td data-bbox="1375 483 1592 679"><i>All RURZ – Rural Zones and FUZ – Future Urban Zones</i></td> <td data-bbox="1592 483 2020 679"><i>For sites with four or more vehicle parking/loading/standing spaces, the surface must be <u>metaled, formed, sealed</u>, marked and drained to an all-weather standard, with a maximum gradient of 1:20.</i></td> </tr> <tr> <td data-bbox="1375 679 1592 877"><i>All RESZ – Residential Zones and MPZ – Māori Purpose Zone</i></td> <td data-bbox="1592 679 2020 877"><i>For sites with four or more vehicle parking/loading/standing spaces, the surface must be metaled, <u>formed, sealed</u>, marked and drained to an all-weather standards, with a maximum gradient of 1:20.</i></td> </tr> <tr> <td data-bbox="1375 877 1592 1240"><i>All CMUZ – Commercial and Mixed Use, INZ – Industrial, OSRZ – Open Space and Recreation, AIRPZ – Airport, HOSZ – Hospital, STADZ – Stadium and PORTZ – Port Zones</i></td> <td data-bbox="1592 877 2020 1240"><i>For sites with less <u>more</u> than four on-site vehicle parking/loading/standing spaces the surface must be formed....</i></td> </tr> </table>	<i>All RURZ – Rural Zones and FUZ – Future Urban Zones</i>	<i>For sites with four or more vehicle parking/loading/standing spaces, the surface must be <u>metaled, formed, sealed</u>, marked and drained to an all-weather standard, with a maximum gradient of 1:20.</i>	<i>All RESZ – Residential Zones and MPZ – Māori Purpose Zone</i>	<i>For sites with four or more vehicle parking/loading/standing spaces, the surface must be metaled, <u>formed, sealed</u>, marked and drained to an all-weather standards, with a maximum gradient of 1:20.</i>	<i>All CMUZ – Commercial and Mixed Use, INZ – Industrial, OSRZ – Open Space and Recreation, AIRPZ – Airport, HOSZ – Hospital, STADZ – Stadium and PORTZ – Port Zones</i>	<i>For sites with less <u>more</u> than four on-site vehicle parking/loading/standing spaces the surface must be formed....</i>
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		<p>Table TRN 6 – Council considers that the threshold table for high trip generating activities is excessive for some activities and there are concerns that this could result in traffic generation that may compromise the safe and efficient operation of the transport network if not managed accordingly. Council’s preference is that the specified activities are scaled back and that the threshold limit of 60 vehicle movements per day is used as this is what is in the current BDP and has proven a reliable trigger limit.</p> <p>Council also seeks the inclusion of statement which sets down the equivalent car movements in order for the number of vehicle movements to be determined when heavy vehicle movements are involved.</p> <p>As a general comment, Council notes that there are trip generation limits incorporated into the performance standards across the Plan e.g. Home Business, Community Facilities and Mining Activities in the Rural Zone all have vehicle movement limits. There is a need to review any trip generating standards in other chapters to ensure consistency with the Transport Performance Standards.</p>	<p>Table TRN 6 – Amend the table as follows:</p> <p>High Trip Generation Activities</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Qualifier</th> </tr> </thead> <tbody> <tr> <td><i>Childcare including preschool, kindergarten and play centre</i></td> <td><i>25 Children</i></td> </tr> <tr> <td><i>Education – Schools</i></td> <td><i>30 students</i></td> </tr> <tr> <td><i>Education – Tertiary</i></td> <td><i>150 FTE students</i></td> </tr> <tr> <td><i>Industrial</i></td> <td><i>5,000 500m2 gross floor area</i></td> </tr> <tr> <td><i>Mining and Quarrying</i></td> <td><i>>30 heavy vehicle movements per day</i></td> </tr> <tr> <td><i>Warehousing and distribution</i></td> <td><i>6,500m2 gross floor area</i></td> </tr> <tr> <td><i>Healthcare</i></td> <td><i>300m2 gross floor area</i></td> </tr> <tr> <td><i>Office</i></td> <td><i>2,000m2 gross floor area</i></td> </tr> <tr> <td><i>Residential</i></td> <td><i>20 residential sites/units</i></td> </tr> <tr> <td><i>Retail – shops and supermarkets</i></td> <td><i>250m2 gross floor area</i></td> </tr> <tr> <td><i>Retail – large format and bulk goods</i></td> <td><i>500m2 gross floor area</i></td> </tr> <tr> <td><i>Service Stations</i></td> <td><i>2 filling pumps</i></td> </tr> <tr> <td><i>Mixed use or other activities not otherwise listed in this Table</i></td> <td><i>60 vehicle movements per day</i></td> </tr> <tr> <td><i>Commercial</i></td> <td><i>200m2 gross floor area</i></td> </tr> </tbody> </table> <p><u>1 car trip (to or from the property) = 2 equivalent car movements</u></p> <p><u>1 truck trip (to or from the property) = 6 equivalent car movements</u></p> <p><u>1 truck and trailer trip (to or form the property) = 10 equivalent car movements</u></p>	Activity	Qualifier	<i>Childcare including preschool, kindergarten and play centre</i>	<i>25 Children</i>	<i>Education – Schools</i>	<i>30 students</i>	<i>Education – Tertiary</i>	<i>150 FTE students</i>	<i>Industrial</i>	<i>5,000 500m2 gross floor area</i>	<i>Mining and Quarrying</i>	<i>>30 heavy vehicle movements per day</i>	<i>Warehousing and distribution</i>	<i>6,500m2 gross floor area</i>	<i>Healthcare</i>	<i>300m2 gross floor area</i>	<i>Office</i>	<i>2,000m2 gross floor area</i>	<i>Residential</i>	<i>20 residential sites/units</i>	<i>Retail – shops and supermarkets</i>	<i>250m2 gross floor area</i>	<i>Retail – large format and bulk goods</i>	<i>500m2 gross floor area</i>	<i>Service Stations</i>	<i>2 filling pumps</i>	<i>Mixed use or other activities not otherwise listed in this Table</i>	<i>60 vehicle movements per day</i>	<i>Commercial</i>	<i>200m2 gross floor area</i>
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		TRN S14 – Council requests that the High Trip Generating Activities Transport Assessment requirements are deleted as these are not expressed in the form of standards but as discretionary considerations. Council has suggested that these matters form the basis of the restricted discretionary matters for Rule 12.	TRN S14 – Delete.
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HAZARDS AND RISKS

CL – Contaminated Land

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objective CL-01; Policies CL-P1 & P2	Support	Council supports the objective and policies for Contaminated Land which supports implementation of the Resource Management (National Environmental Standard for assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.	Retain as notified.

HS – Hazardous Substances

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objective HS-01 and Policies HS-P1 -P4	Support	Council supports the objective and policies for Hazardous Substances which provide overarching direction. This approach is considered appropriate given the principal legislation for regulating hazardous substances is the Hazardous Substances and New Organisms Act.	Retain as notified.

NH – Natural Hazards

General Comments

One area that Council understands will be contentious are the Natural Hazards provisions. This submission can be summed up as an attempt to allow improvements or upgrades to existing buildings and infrastructure, but restrict new development in areas that will likely increase the number of people potentially exposed to the risk/hazard. Council realises the significant impact of the various overlays to residents and in particular the current challenges facing Buller. A review of all natural hazard overlays is required and needs to be supported with evidence to justify their extent. It seems that further technical reporting is required.

The definition of the collective term **Additions and Alterations** does not coincide with the conventional meaning of the words (in isolation) and could create confusion for the plan user. A definition has also been provided for **Addition**, relating to an increase in gross floor area. There may be merit in clarifying how additions and alterations and additions extending ground floor area are addressed within the rules.

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives NH – O1 to NH – O6	Support	Support objectives as notified.	Retain as notified.
Policies NH – P1 to NH – P14	Support	Support policies, however request revised policy wording for P10 - b. as this deals with sensitive activities but also mentions public good. Add flexibility for a residential activity where the hazard can be mitigated.	Insert flexibility within Policy P10 – b. Residential activities shouldn't need to be linked to a public good but need to ensure the hazard can be mitigated.
NH – R1	Support	Support.	Retain as notified.
NH – R2 to R4	Support	Recognise the need to be able to undertake repairs, maintenance, and operation of existing natural hazard mitigation structures, upgrades to existing Natural Hazard Mitigation structures and New Natural Hazard mitigation structures that meet the permitted criteria.	Retain as notified.
NH – R5	Support	Discretionary activity status considered appropriate.	Retain as notified.
NH – R6	Support	Ability for repair and maintenance is supported.	Retain as notified.
NH – R7	Support	Support that unoccupied buildings do not trigger a resource consent requirement	Retain as notified.

NH – R8	Support	Recognise the need to reflect freeboard requirements of New Zealand Standard NZS4404:2010.	Retain as notified.
NH – R9	Support in part	Switch the order of R 9 and 10 to be consistent - Flood susceptibility and then severe rules. Ensure difference between severe and susceptibility overlays are justifiable and supported with evidence.	Ensure overlays are supported with evidence and defined correctly. Further work may be required in regard to identification of overlays and the extent they cover.
NH – R10	Support	Recognise the need to reflect New Zealand Standard NZS4404:2010 – 4.3.5.2.	Retain as notified.
NH – R11	Support	Matters of discretion cover a range of considerations that are appropriate.	Retain as notified.
NH – R12	Support in part	Matters of discretion are considered appropriate. Also suggest including matter h from R11 as this seems applicable.	Insert h from R 11 into matters of discretion for R12.
NH – R13	Support	Discretionary activity status considered appropriate.	Retain as notified.
NH – R14	Support	Activity status considered appropriate.	Retain as notified.
NH – R15 to R17	Support in part	For ease of interpretation, rules need to clearly identify that unoccupied buildings (where they are not for critical response facilities) in the buffers are permitted. Consider inserting permitted activity for unoccupied buildings in each buffer to ensure rules aren't missed if the plan user goes straight to the buffer area applicable to the site they are looking at.	Insert clarity around permitted activity status for unoccupied buildings.
NH – R18 to R24	Support in part	Reword these rules for ease of interpretation. Consider inserting permitted activity status in each buffer to make it clear that repairs and maintenance are permitted to occupied and unoccupied buildings. Insert permitted activity rule addressing unoccupied buildings in each buffer.	Insert additional permitted activity rule in each buffer addressing repairs and maintenance to unoccupied buildings in each buffer (see comment in R15). Insert permitted activity rule addressing unoccupied buildings in each buffer. While considering the definition of Additions and Alterations clarify where extensions to floor areas sit.

		Clarity around increases in floor area for sensitive activities.	
NH – R 20, R21, R24, R25, R27, R28, R30 and R31	Support in part	Earthquake Hazard Rules for the 50, 100, 150 and 200m appear to be the same but with some minor wording differences, and typos which question consistency. R25, R28 and R31 are bullet numbered with a, b, c and d; R21 is bullet numbered 1, 2, 3, 4.	Alter bullet numbering in R21. Note: this discrepancy is a common theme throughout the document
NH – R 20, R24, R27, and R30	Support in part	<i>Activity Status Permitted (ASP)</i> 1. R20, R24, and R27 state “There is no increase in the area of the building used for a Critical Response Facility.” R30 states “ <u>Repairs and maintenance</u> do not increase the area of a building...” Appears to have the same meaning as the heading is for Repairs and Maintenance.	If the intended ASP meaning is the same for all four rules, rectify R30 wording to mirror R20, R24, and R27. If ASP meaning for R30 is intended to be different, clarify meaning.
NH – R21, R25, R28, and R31	Support in part	<i>Activity Status Restricted Discretionary Activity (ASRDA) Discretion is Restricted to:</i> a/1 R21, R25, R31 state: “ <u>Implementation of</u> recommendations in accompanying hazard risk assessment.” R28 states: “Recommendations in accompanying hazard risk assessment.”	If the intended meaning is the same for all four rules, rectify R28 wording to mirror R21, R25, and R31, or vice versa. If ASRDA meaning for R28 is intended to be different, clarify meaning.
NH – R21, R25, R28, and R31	Support in part	c/3 R21 states: “The location and design of proposed buildings.....” whereby R25, R28, and R31 state: “The location, design <u>and construction materials</u> of proposed buildings...”	If the intended meaning is the same for all four rules, rectify R21 wording to mirror R25, R28 and R31, or vice versa. If ASRDA meaning for R21 is intended to be different, clarify meaning.
NH – R21, R25, R28, and R31	Support in part	It is noted that the words “proposed buildings” are used in all four rules, however the headings relate to both new (which would be proposed) and <u>existing</u> buildings.	That the word proposed be removed from the rules.

NH – R25	Support	Recognise the need to have risks assessed by way of hazard assessment and implementation of recommendations.	Retain as notified.
NH – R26	Support	Activity status considered appropriate.	Retain as notified.
NH – R28	Support	Recognise the need to have risks assessed by way of hazard assessment and implementation of recommendations.	Retain as notified.
NH – R26	Support	Activity status considered appropriate.	Retain as notified.
NH – R31	Support	R31 – reword the title	Reword title for R31 as there appears to be a typo.
NH – R33	Support in part	<p>The proposed overlays need to be reviewed. The area proposed for Gravity is not the area identified in the operative Buller District Plan.</p> <p>The need for geotechnical assessments required by R33 is supported as this could identify essential mitigations.</p> <p>Suggest providing clarify regarding what is permitted within the overlay to avoid confusion for plan users. Permitted criteria should provide clarity around:</p> <ul style="list-style-type: none"> - Unoccupied buildings within the overlay - Repairs and maintenance to existing buildings and structures <p>How extensions to floor area needs to be to be clarified.</p>	<p>No changes to R33, however insert rule above R33 for permitted activity criteria to address the following:</p> <ul style="list-style-type: none"> - Unoccupied buildings within the overlay - Repairs and maintenance to existing buildings and structures <p>Extensions to floor area of existing buildings need to be addressed.</p>
NH – R34	Support	Buildings for sensitive activities should be supported with relevant geotechnical assessment.	Retain as notified.
NH – R 35 to 37	Neutral		
NH – R38	Support in part	<p>Overlays need to cover areas where restrictions are needed to address coastal concerns.</p> <p>Suggest a further look at the extent of the overlays.</p> <p>It is noted that the Coastal Alert overlay at Carters Beach is extensive – further reporting should be required to define overlays. Need to ensure that the overlays are not</p>	Further consideration of the overlays needed, illustrating that the extent of the overlays are justified and supported by evidence.

		unwarranted and that they are supported and justified by evidence. Insert the word “floor” before area in R38 Point 1.	
NH – R39	Support	Support no resource consent required for unoccupied buildings.	Retain as notified.
NH – R40	Support in part	Recognise the need to reflect NZS4404:2010 and the application of the 1% AEP (see NZS4404:2010 – 4.3.5.2) Amend to include 1% ARI plus 1m sea level rise.	Amend rule to include 1% ARI plus 1m sea level rise.
NH – R41	Support in part	Suggest a further look at overlays to ensure they are justified and supported by evidence. Clarify permitted activity and the intent of the rule. Clarity sought around extensions and how these are addressed by the rules. There may be merit in splitting how additions and alterations and additions extending ground floor area are addressed within the rules. While considering the definition of Additions and Alterations, clarify where extensions to floor areas sit.	Rewrite of the rule to clarify permitted intent.
NH – R42 to R44	Support in part	Overlays to be defined and applicable to areas where risk is needing to be addressed.	Once overlays defined, rule may be considered appropriate as drafted. Would like to see supporting evidence justifying the extent of the overlays.
NH – R45	Support in part	Include a permitted activity criteria for unoccupied buildings within the overlay. Ensure that term Additions and Alterations is used correctly within the rules as this definition is different to alteration.	Insert rule above R45 for a permitted activity criteria to address: - unoccupied buildings (i.e. to allow for sheds) - for repairs and maintenance to existing building Seek clarity around how extensions to floor areas are addressed.

		<p>Clarify rules around extensions to ground floor area and how these are addressed.</p> <p>Clarify rules around repair and maintenance to existing buildings.</p> <p>This could be inserted above R45.</p>	
NH – R46	Support	No changes sought	No changes sought.
NH – R47 to NH – R49	Support	Recognise the need that Critical Response Facilities be located out of risk area. Suggest adding an advice note that the Coastal Tsunami Overlay rules only apply to Critical Response Facilities.	Add advice note for clarity.
NH – R50 to R51		Not applicable in Buller District	
NH – R52	Support in part	<p>Request a rewrite of R52.</p> <p>Needing to refer to the definition of additions and alterations in order to understand the rules in relation to Natural Hazards, makes the interpretation of the rules more arduous than necessary. The separation of terms additions and alterations with the subsequent meanings defined could make the interpretation of these rules easier, it is acknowledged that a rewrite of these rules would be required but may make the rules clearer to understand.</p> <p>Should the definition of additions and alterations be retained further tweaking what is covered in this definition is requested.</p> <p>Floor level requirements to address habitable buildings are supported that reflect New Zealand Standard NZS4404:2010.</p>	<p>Rewrite rule NH-R52. A simplified rule would be preferred, however if a similar format is followed as proposed in R52 a suggestion is below. Our changes are based on using the existing TTPP definitions. There may be merit in separating out the use of additions and alterations to ensure that a clear concise interpretation of the rules can be achieved for all plan users.</p> <p>Suggestion Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. These are new buildings for sensitive activities where the finished floor level is 500mm above 1% ARI plus 1m sea level rise coastal event and a 1% AEP flood event; or 2. These are new buildings for critical response facilities, commercial and industrial activities where the finished floor level is 300mm above a 1%

		Reference to the Westport Flood and Coastal Erosion Scheme should be removed from R52 as the details of the design are unknown.	<p>ARI plus 1m sea level rise event and a 1% AEP flood event; or</p> <p>3. These are additions and alterations to existing buildings currently used for sensitive activities where there is no increase in the existing floor area that does not meet the finished floor level of 500mm above 1% ARI plus 1m sea level rise coastal event and a 1% AEP floor; or</p> <p>4. These are additions and alterations to buildings for critical response facilities, commercial and industrial activities where there is no increase in the existing floor area that does not meet the finished floor level is 300mm above a 1% ARI plus 1m sea level rise event and a 1% AEP flood event;</p> <p>5. These are new unoccupied buildings; or</p> <p>6. These are unoccupied extensions to existing buildings</p> <p>7. The conversion of an unoccupied building that alters the habitable space as to increase the likely number of inhabitants where the finished floor level is 500mm above 1% ARI plus 1m sea level rise coastal event and a 1% AEP flood event.</p>
R53	Support	Activity status considered appropriate	Retain as notified.

HISTORICAL AND CULTURAL VALUES

HH - Historical Heritage

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives HH-O1-O3; Policies	Support	Council supports the objectives and policies for Historic Heritage	Retain as notified.

HH – P1- P9			
HH – R1 & R2	Support	Rules 1 and 2 are supported.	Retain as notified.
HH – R3	Support in part	Clause 2 requires that an Archaeological Authority be issued by Heritage NZ or an Accidental Discovery Protocol (ADP) commitment be completed and submitted to the relevant District Council. Council is uncertain as to what is meant by an ‘ADP commitment’ and seeks clarification.	Provide guidance on what is meant by an ADP commitment.
HH- R4	Oppose in part	<p>Use of the word ‘sustained’ in clause 2(ii) suggests the damage has already been caused whereas the intent is to allow relocation or repositioning prior to damage occurring, therefore it is suggested that the rule is amended to reflect this.</p> <p>Council queries whether a suitably qualified ‘heritage professional’ is the right person to identify the immediate threat and suggests this should be a suitably qualified geotechnical or coastal hazard professional.</p> <p>Rule 4 also states that proposals to relocate or reposition public monuments will always be publicly notified. Council is concerned with this pre-determination on two fronts – if the monument is subject to an immediate threat of damage or loss then there should be the ability to relocate it as quickly as possible. The other point is that Rule 4 is a controlled activity where consent is required to be granted, which is not consistent with the public notification process.</p>	<p>Amend Clause 2 of Rule 4 as follows:</p> <p>2. <i>The item is being relocated or repositioned:</i></p> <p>(i) <i>To its original locations; or</i></p> <p>(ii) <i>Due to an immediate threat from damage sustained by a Natural Hazard identified:</i></p> <p>(a) <i>In this plan; or</i></p> <p>(b) <i>By a suitability qualified heritage <u>hazard</u> professional.</i></p> <p>Notification: Proposals to relocate or reposition monuments will always be publicly notified.</p>
HH-R5	Oppose	Rule 5 requires consent for new infrastructure connections to heritage buildings as a controlled activity, with this applying to water and sewage pipelines, telecommunications, electricity etc. Council considers	Delete Rule 5.

		this to be onerous and that new connections should be a permitted activity. It is considered that new connections are unlikely to cause damage to heritage buildings and any concerns around unearthing heritage items during earthworks can be managed through accidental discovery protocols.	Consequential amendment to Rule 3 - add new clause as follows: <i>New infrastructure connections to heritage buildings.</i>
HH-R6	Support	Rule 6 is supported.	Retain as notified.
HH-R7	Oppose in part	Rule 7 states that proposals to relocate or reposition public monuments will always be publicly notified. As discussed above, Council is concerned with this pre-determination in that if the monument is subject to an immediate threat of damage or loss then there should be the ability to relocate it as quickly as possible and not be delayed by the public notification process.	Amend Rule 7 as follows: Notification: Proposals to relocate or reposition monuments will always be publicly notified.
HH- R10	Oppose	As discussed for Rule 5, Council considers Rule 10 to be overly onerous and that new infrastructure connections should be a permitted activity subject to accidental discovery protocols, therefore Council seeks the removal of Rule 10.	Delete Rule 10.
HH-R11	Support	Rule 11 is supported.	Retain as notified.

TREE - Notable Trees

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives TREE-O1 – O3; Policies TREE-P1 – P6; Rules TREE – R1-R8	Support	Council supports the objectives, policies and rules for Notable Trees.	Retain as notified.

SASM - Sites and Areas of Significance to Māori

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives SASM-O1 – O3 and Policies SAMS-P1 – P15	Support	Council supports the objectives and policies for Sites and Areas of Significance to Māori. However SASM-P11 refers to ‘hazardous facilities’ and ‘offensive industries’ with these activities to be avoided within the scheduled sites/areas. To ensure consistency of outcomes, Council seeks a definition of what would be considered a ‘hazardous facility’ or ‘offensive industry’.	Retain as notified. Insert a definition of ‘hazardous facility’ or ‘offensive industry’ into the Definition Section.
SASM – R1	Support	Rule 1 is supported.	Retain as notified.
SASM – R2, R3, R4, R5 & R6	Support in principle	Council has an over-arching concern with permitted activity Rules 2 – 6. The permitted activities managed by these rules are qualified by the need to provide written approval from the relevant Poutini Ngāi Tahu Rūnanga to the relevant District Council for activities affecting specific scheduled sites/areas. This will obviously entail consultation with Rūnanga and there will need to be a clear pathway for applicants to obtain written approval. While Council is supportive of iwi engagement, it is concerned that the existing resource capability of Rūnanga may pose a significant hurdle and result in limited notification as the default process, thereby having the perverse outcome of reduced engagement over cultural matters.	Council seeks assurances that there will be a written approval pathway for applicants and that Rūnanga have the capacity to deal with requests in a timely manner.
SASM – R6	Oppose in part	In order for earthworks, buildings and structures within certain scheduled sites/areas to be undertaken as permitted activities, written approval from the relevant Poutini Ngāi Tahu Rūnanga is required regardless of the scale of the activity. Council is concerned that some of the SASMs cover areas with established residential	Give consideration to amending Rule 6 to provide for minor structures and buildings without the need for affected party approval. Insert a definition of ‘upper slopes’ into the Definition Section.

		<p>development e.g. Orowaiti Road (SASM 14). The effect of the rule is that even minor structures such as glasshouses and woodsheds will require written approval and if not obtained, will trigger the need for consent. Council considers this to be onerous for landowners and requests consideration be given to allowing minor buildings/ structures within SASMs without affected party approval, subject to accidental discovery protocols.</p> <p>Clause 2 of the rule also refers to earthworks, buildings or structures located on the upper slopes of ancestral maunga. To ensure consistency of outcomes, Council seeks a definition of what would be considered 'upper slopes'.</p>	
SASM - R9	Support	Rule 9 is supported.	Retain as notified.
SASM – R10	Support in principle	In certain circumstances the maintenance, repair and upgrading of network utilities within SASMs beyond permitted locations are controlled activities. One of the matters for consideration is the impacts of the activity on the cultural values on any site or area of significant to Māori (clause e.). The controlled status means consent is required to be granted, but Council is concerned with how the assessment of cultural values is to be undertaken without the direct input from the relevant Rūnanga. Council is not suggesting that the controlled status should change, but would welcome guidance on how clause (e) is to be met.	Retain as notified.
SASM – R12 – R19	Support	Rules 12 to 19 are supported, but an error in the rule referencing is noted for SASM-R12, where it refers to SASM-R14 when this should be SASM-R15.	Amend the performance standards of SASM-R12 to refer to SASM-R15 instead of SASM-R14 otherwise - Retain as notified.

SASM Maps	Support in principle	Council supports the identification of SASMs and the need to protect the cultural values associated with these sites. However, the mapped extent of SASMs cover large areas encompassing a range of existing land uses and there is potential for unexpected restrictions where this may not be warranted. Council requests that consideration is given to categorising the SASMs to reflect their varying importance and that the rule framework is reviewed accordingly.	Council seeks that consideration is given to categorising the SASMs to reflect their varying importance and that the rule framework is reviewed accordingly.
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NATURAL ENVIRONMENT VALUES

ECO - Ecosystems and Indigenous Biodiversity

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives – ECO-O1 - O4	Support	Council supports the objectives for Ecosystems and Indigenous Biodiversity.S	Retain as notified.
Policy ECO-P1	Support	<p>Council generally supports Policy 1, which requires identification of significant indigenous vegetation and fauna habitat (SNAs) through the resource consent process in accordance with the RPS significance criteria until such time as district wide identification and mapping occurs. This is a continuation of the status quo and Council considers this approach is working well for the District.</p> <p>In principle, Council supports identification and mapping of SNAs by June 2027 as this will provide certainty for Plan users on locations with high biodiversity values. However, there will be substantial costs associated with the mapping exercise and eventual plan change process and Council seeks assurances that these obligations will be met by the Regional Council.</p>	<p>Retain as notified.</p> <p>Council seeks assurances from the Regional Council that they will remain responsible for funding and managing the identification, mapping and scheduling process for SNAs.</p>

Policy ECO-P2	Oppose in part	<p>Council supports Policy 2 which allows activities within SNAs in specified circumstances including where activities have a functional need (noting this extends to locational and operational constrained activities). Council considers that this is appropriate given the potentially extensive nature of SNAs, with the desk top analysis indicating that the vast majority of land with indigenous vegetation cover would potentially be identified as SNAs.</p> <p>However, it is noted that there appears to be an ‘or’ missing from clause (d) which suggests clause (e) is a qualifier to the other clauses rather than a standalone clause which is not considered appropriate nor the intent of the policy. Council considers that provision needs to be made for activities within SNAs which have no more than minor adverse effects and this is consistent with Policy 6(b) of the RPS.</p>	<p>Amend Policy 2 as follows:</p> <p><i>Allow activities within areas of significant indigenous vegetation or significant habitats of indigenous fauna where:</i></p> <p>....</p> <p><i>d. The activity has a functional need to be located in the area; <u>or</u></i></p> <p><i>e. The activity has no more than minor adverse effects on the significant indigenous vegetation or fauna habitat.</i></p>
Policies ECO-P3 - P5	Support	Council supports these policies	Retain as notified.
ECO- P6	Support in part	<p>Council understands that Policy 6 is intended to implement Policy 7.2 of the RPS which seeks to prevent certain outcomes occurring, described in the RPS explanation to the policy as ‘bottom lines’.</p> <p>Council is concerned that the references in Policy 6(b) to “<i>further measurable loss</i>” and in clause 6(c) to “<i>reasonably measurable reduction in the local population</i>” without direction may result in inconsistent outcomes. Clarification is required on what constitutes ‘measurable loss/reduction’ and what constitutes the ‘local</p>	<p>Include definitions for ‘further measurable loss’ and ‘reasonably measurable reduction in the local population’ in the Definition section.</p>

		population' – is this at the SNA or ecological assessment level?	
ECO-P7	Support in part	As discussed above, the SNA identification process may capture large areas of the District with indigenous vegetation and Council is concerned that critical infrastructure and appropriate land use and development is provided for. Council considers that when assessing resource consent applications for activities within SNAs, consideration is given to any functional, operational or locational constraints e.g. mineral resources are fixed in location and infrastructure is often constrained by functional or operational requirements. Council also considers that the temporary or permanent nature of adverse effects should also be a relevant consideration.	Amend Policy 7 and include additional clauses as follows: <i>When assessing resource consents in areas of significant indigenous vegetation and significant habitats of indigenous fauna, consider the following matters:</i> <i><u>Any functional, operational or locational constraints;</u></i> <i><u>The temporary or permanent nature of any adverse effects;</u></i>
Policies ECO-P8 – P10	Support	Council supports these policies	Retain as notified.
ECO-R1	Oppose in Part	Rule 1 permits vegetation clearance in specified circumstances outside of Scheduled SNA and the Coastal Environment. Council is concerned that once SNAs have been identified, mapped and inserted into Schedule 4 any vegetation removal within the scheduled areas, regardless of scale, will trigger the need for consent and this is of particular concern given the potentially extensive SNAs across the District. Council requests that adequate provision is made for minor indigenous vegetation removal associated with, among other activities, critical infrastructure, natural hazard mitigation and lawfully established activities within SNAs. This is vital to support the social and economic wellbeing of the District. Such an approach would align with Policy 2 which recognises that some	Amend the heading and body of Rule 1 to: <i><u>Indigenous vegetation clearance and disturbance outside of the coastal environment¹ within and outside a Significant Natural Area</u></i> <i><u>1. It is outside of a scheduled Significant Natural Area as identified in Schedule 4;</u></i> <i><u>indigenous vegetation clearance for a residential building and/or access that does not exceed 500m² in area per site.</u></i> Consequential amendment: Delete Clause 5 and insert a new rule as discussed below.

		<p>minor losses of biodiversity within SNAs is appropriate. The current rule framework does not appear to give effect to Policy 2.</p> <p>Council also considers that provision should be made for small scale building platforms within and outside of SNA's to allow for 'bush living' options. Council considers that vegetation clearance associated with establishment of such will result in only minor losses of biodiversity and is considered appropriate within the context of the extensive area of protected land in the District.</p> <p>Council supports Clause 5 of Rule 1 which permits indigenous vegetation clearance of 0.5ha per site and 5ha of manuka and kanuka in accordance with specified criteria. However, if the suggested amendments to the heading of Rule 1 is accepted, Council recognises that providing for indigenous vegetation clearance in such a manner may not be necessarily appropriate within an SNA and therefore this clause would need to sit as a separate rule.</p> <p>Council considers that the rule framework for indigenous vegetation clearance activities needs to be reviewed to ensure that activities are appropriately provided for within and outside of SNAs in a manner consistent with the policy framework.</p>	<p>¹The removal of 'outside of the coastal environment' is a consequential amendment of Rule 2 discussed below.</p>
New Rule		<p>Insert a new permitted activity rule to allow for vegetation removal in the Buller and Westland Districts outside of an SNA. This will allow for the status quo until such time as SNAs are identified and inserted into Schedule 4. Once SNAs have been scheduled, the new rule will also allow</p>	<p><u>Indigenous vegetation clearance and disturbance outside of SNAs within the Buller and Westland Districts.</u></p> <p>1. <u>It is outside of a scheduled Significant Natural Area as identified in Schedule 4;</u></p>

		indigenous vegetation clearance in circumstances where it is outside a scheduled SNA.	<p>2. <u>It is the removal or clearance of manuka, kanuka and bracken only that is not part of any wetland and which is under 15 years old, not exceeding 5ha per site over any continuous three year period, subject to provision of notice to the relevant District Council at least 20 working days prior to the proposed clearance including:</u></p> <p>(a) <u>Details of the location of the proposed clearance;</u></p> <p>(b) <u>Area of the proposed clearance; and</u></p> <p>(c) <u>Verification by documentary, photographic or other means the vegetation is less than 15 years old and not part of any wetland; or</u></p> <p>3. <u>It is maximum area of 5,000m² per site, in total, over any continuous three year period.</u></p>
ECO-R2	Oppose in part	<p>Council has similar concerns with Rule 2 as for Rule 1. While the rule provides for vegetation clearance within the Coastal Environment, this is outside of scheduled SNAs. Council is concerned that once SNAs have been identified, mapped and inserted into Schedule 4, any vegetation removal within the scheduled areas, regardless of scale, will trigger the need for consent and this is of particular concern given the inland extent of the Coastal Environment boundary.</p> <p>A substantial portion of the District's roading infrastructure is located within the Coastal Environment, along with other critical infrastructure. The extreme weather events experienced in recent times has caused significant disruption to infrastructure, triggering the</p>	Amend the heading to Rule 1 to remove the reference to the Coastal Environment.

		<p>need for hazard mitigation measures and this is expected to increase over the life of the plan. It is vital for the District's social and economic well-being that critical infrastructure within Coastal Environment SNAs is able to be maintained.</p> <p>Council requests that provision is made for minor vegetation removal associated with, among other activities, critical infrastructure, natural hazard mitigation and lawfully established activities within Coastal Environment SNAs.</p>	
ECO-R3	Support	Rule 3 is supported.	Retain as notified.
ECO-R4/SUB-R7	Oppose in part	Council considers that legal protection for an area of significant indigenous biodiversity can be achieved by means other than just conservation covenants e.g. consent notices and seeks that the protection mechanism is left unspecified.	<p>Amend Rule 4 as follows:</p> <p>2. <i>The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant with an authorised agency and is contained within a single allotment.</i></p>
ECO-R5	Support	Rule 5 is supported.	Retain as notified.
ECO-R6	Oppose in part	Council considers that legal protection for an area of significant indigenous biodiversity can be achieved by means other than just conservation covenants e.g. consent notices and seeks that the protection mechanism is left unspecified.	<p>Amend Rule 6 as follows:</p> <p>2. <i>The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant with an authorised agency and is contained within a single allotment.</i></p>
ECO-R7	Support	Rule 7 is supported.	Retain as notified.
ECO-R8/SUB-R15	Oppose in part	Council is concerned that Rule 8 is too restrictive and seeks that subdivision of land that does not meet Rule 6	Amend Rule 8 as follows:

		<p>should be a discretionary activity without qualification. This will then allow subdivision proposals to be considered on their respective merits and allow consideration of not only any legal protection mechanisms but any potential offsetting or compensation measures that may be proposed.</p> <p>Notwithstanding the change sought, it is noted that Clause 3 is not relevant to indigenous vegetation clearance rules.</p>	Delete the 3 performance standards and delete the 'non-complying' default activity status.
ECO-R9/SUB-R27	Oppose in part	Following on from the change sought above, Council seeks the removal of Rule 9.	Delete Rule 9.
ECO-R10 & R11	Support	Rules 10 and 11 are supported.	Retain as notified.

NFL - Natural Features and Landscapes

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objective NFL-O1 & Policies NFL-P1 – P7	Support	Council supports the objective and policies for Natural Features and Landscapes as recognising and providing for appropriate activities within ONLFs.	Retain as notified.
NFL-R1 – R15	Support	<p>With the exception of Rule 8 discussed below, Council generally supports the rule framework provided the requested amendments to the Ecosystems and Biodiversity Chapter are made to ensure that critical infrastructure, lawfully established activities, hazard mitigation activities etc are provided for.</p> <p>It is expected that there will be a close correlation between ONLFs and SNAs (once identified) therefore the rule framework should provide a consistent approach across the overlays.</p>	Council seeks that a consistent approach is taken with the rule framework for activities within ONLs and SNAs.

NFL – R8	Oppose in part	<p>While Clause 6 makes provision for small buildings associated with agricultural activities within ONLFs, there is no provision for small scale residential buildings to allow for ‘bush living’ options. Council considers that small scale buildings will not detract from landscape values given the extensive landscapes units covered by the ONLF overlays. It is also considered that the building envelope of 3m height and 100m² bulk is too restrictive and more generous standards would be appropriate. The current BDP allows 7m high and 150m² buildings within the Paparoa Character Area and Council considers this has achieved appropriate outcomes in this sensitive environment. Rather than 7m height allowance, Council considers that 5m height would be appropriate and consistent with rules for new buildings within Outstanding Natural Coastal Areas (refer CE-R10).</p>	<p>Amend Rule 8 as follows:</p> <p>6. For <i>residential, agricultural, pastoral and horticultural activities or any accessory building where:</i></p> <p>(a) <i>The maximum height is 35m above ground level;</i></p> <p>(b) <i>The gross floor area of any building does not exceed 100 150m².</i></p>
ONLF Overlays (Schedule 5 & 6)	Support in principle	<p>In principle, Council supports the identification of Outstanding Natural Landscapes (ONLs) and Outstanding Natural Features (ONFs) as this provides certainty for plan users on areas with significant landscape values. However, Council is concerned with the extent of the mapped ONLFs and the fact that this will be first opportunity for landowners and the wider community to have input into the implications of the extensive landscape overlays for the District.</p> <p>It is understood that across the 3 districts around 37,000ha of private land has been identified as ONLs areas and 10,500ha has been identified as ONFs. Without a thorough examination of the ONLFs overlays, which staff have not had the capacity to complete, Council does not</p>	<p>Council requests that careful consideration is given to any individual submissions regarding the land use implications of any ONLF overlay and the accuracy of the ONLFs boundaries.</p>

		<p>have a clear understanding of the potential implications for land use and development nor whether the boundaries for the landscape units are accurate.</p> <p>The other point of concern is that while ONFs show the identifying number that relates back to the scheduled sites, this is not the case for ONLs and unless a plan user is very familiar with an area, this is not readily determined. Council seeks that the ONL overlays show the unique identifier for each of the scheduled sites in the same ways as ONFs are shown on the maps. This will allow plan users to refer to the schedules for a description of the landscape values for the various landscapes.</p>	
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PA – Public Access

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objective PA-01	Support	Council supports the single objective and agrees that public access is appropriately provided for through other chapters of the plan.	Retain as notified.

NC – Natural Character and Margins of Waterbodies

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives NC-O1 – O3; Policies NC-P1 – P5	Support	Council supports the objectives, policies and rules for Natural Character and Margins of Waterbodies as achieving an appropriate balance between providing for appropriate land uses and preserving natural character.	Retain as notified.

NC-R1	Oppose in part	<p>Rule 1 limits hazard mitigation activities to statutory agencies or their nominated contractors under Clause 1(j). River protection works are a common occurrence across the district and Council does not wish to see this triggering the need for consent where landowners are undertaking natural hazard mitigation activities in order to protect people and property.</p> <p>Generally speaking, any substantial river protection works will require regional consent where the Regional Land & Water Plan and the RPS require consideration of the natural character implications of natural hazard measures. Therefore, Council seeks that natural hazard mitigation activities are not qualified by who undertakes the work.</p> <p>Council also has concerns with Clause 5 and what this is intended to achieve. If this is intended to protect public assets, then it is suggested that this is stated in clearer terms.</p>	<p>Amend Rule 1 as follows:</p> <ol style="list-style-type: none"> 1. <i>Where this is outside of any Significant Natural Area identified in Schedule Four, and for:</i> j. <i>Natural hazard mitigation activities undertaken by a statutory agency or their nominated contractor;.....</i>
NC-R2	Oppose in part	<p>For the same reasons as stated above, Council seeks the removal of the limitation of hazard mitigation activities to statutory agencies or their nominated contractors.</p>	<p>Amend Rule 2 as follows:</p> <ol style="list-style-type: none"> 1. <i>Where the buildings and structures are:</i> e. <i>Natural hazard mitigation structures constructed by a statutory agency or their nominated contractor; or</i>
NC-R3	Oppose in part	<p>For the same reasons as stated above, Council seeks the removal of the single performance standard which limits new hazard mitigation structure to statutory agencies or their nominated contractors.</p>	<p>Amend Rule 3 as follows:</p> <ol style="list-style-type: none"> 1. <i>These are constructed by a Statutory Agency of their authorised contractor.</i>

NC-R3 (discretionary rule) & R4	Support	It is noted that there are two NC-R3 rules, otherwise the second Rule 3 and Rule 4 are supported.	Retain as notified with correction to the rule numbering.
NC-R5	Oppose	Council seeks that all new natural hazard mitigation structures are permitted with no performance standards and as a consequence, Rule 5 should be removed.	Delete Rule 5.


SUBDIVISION

FC – Financial Contributions

Financial Contributions – FC

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives FC -O1 – O2; Policies FC - P1 – P7	Support in part	<p>Council generally supports the objectives and policies for Financial Contributions with the exception of the following concerns.</p> <p>By implications of the section/headings are FC's only required for subdivision.</p> <p>Would recommend FC's included in section covering Part 2 – District Wide Matters</p> <p>77E Local authority may make rule about financial contributions</p> <p>(1) A local authority may make a rule requiring a financial contribution for any class of activity other than a prohibited activity.</p> <p>FC OBJECTIVES Supported</p>	Reword P4 and P6.

		<p>Noted that FC's to cover:</p> <ul style="list-style-type: none"> • Subdivision • Development • Land use consents <p>Simplify P4 and P6 for clarity and ease of reading.</p>	
FC General	Support in part	Financial contributions speaks not only to subdivision, but land-use and development as well.	Separate the financial contribution section from subdivision.
Rules			
FC - R1	Support in part	<p>Council supports Rule 1, however seeks to add additional details that may be missing. Make it consistent with P1, to include development, resilience initiatives and Water Entities.</p> <p>As the sentence of Point 3 is too long, Council seeks to have clearer wording for ease of reading.</p> <p>Council seeks to add resilience initiatives to upgrades and extensions and Water Entities Plan on top of the Long Term Plan.</p> <p>Clarify 3. iii.</p>	<p>To amend as follows:</p> <ol style="list-style-type: none"> 1. A condition may be imposed on a subdivision, development, or land use consent to require the applicant, including network utility operators and/or requiring authorities, to make a financial contribution for the following purposes: <p>Reword Point 3.</p>
FC - R2	Support	<p>Rule 2 is supported in principle.</p> <p>Council seeks to reword "uplifting" to issuing in 3.c.i.</p>	<p>To amend as follows:</p> <p>3.c.i. In the case of subdivision, generally before issuing the section 224 certificate;</p>
FC – R3		Formulas good starting point, suggest will need to be road tested to ensure fair and reasonable.	Will need to be road tested to ensure fair and reasonable.

	<p>How do you deal with a back Lot that may be subdivided into 30 sections, see example below? Potentially going to increase traffic on the road the back Lot will exit onto.</p>  <p>Also how do you deal with impacts of development not immediacy adjacent? Example is say a single lane bridge that is on the only road that gives access to the development site but may be 500 metres from the closest point of the development?</p>	
FC – R4	<p>Should be at full cost unless financial assistance is available, for example through Waka Kotahi / NZTA.</p> <p>FC-R4 2. No roads identified, but it has occurred in the past where developments can significantly increase traffic volumes. The RCA has reached agreement with the developer to contribute to roading upgrade. Issue arises as District Council RCA's are not fully funded and there is a local (rate) share of funding required to upgrade the roads.</p>	<p>To amend as follows:</p> <ol style="list-style-type: none"> 1. Roads outlined in 2 below which are at capacity for their structure are unable to accommodate additional loadings. The financial contribution for these roads shall be the full cost to accommodate the additional loadings and to bring the road up to the relevant District Council's Subdivision and Development Infrastructure Technical

		<p>Extent of upgrade works and contribution should be offered by applicant as suggested condition of consent.</p> <p>Formulae based on cost to upgrade (strengthen) road travelled and traffic volumes. This would be applied to roads, structures and required safety improvements.</p> <p>Example worked through here:</p> <table border="1"> <thead> <tr> <th>Variable</th> <th>Value</th> <th>Comment</th> </tr> </thead> <tbody> <tr> <td>Existing Vehicles</td> <td>100</td> <td>Te</td> </tr> <tr> <td>Development Vehicles</td> <td>300</td> <td>Tg</td> </tr> <tr> <td>Total Vehicles</td> <td>400</td> <td>Tg+Te</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Cost to Upgrade</td> <td>\$1,000,000.00</td> <td>Rc</td> </tr> <tr> <td>NZTA Financial Assistance Rate</td> <td>72%</td> <td>FAR</td> </tr> <tr> <td>NZTA contribution</td> <td>\$720,000.00</td> <td>Rc x FAR (Road Tax contribution)</td> </tr> <tr> <td>Local RCA Contribution</td> <td>\$280,000.00</td> <td>Rc*(= Rc – Rc x FAR)</td> </tr> <tr> <td>Development Contribution</td> <td>\$210,000.00</td> <td>=Rc* x Tg / (Tg+Te)</td> </tr> <tr> <td>Rates Contribution</td> <td>\$70,000.00</td> <td>= RC* x Te / (Tg+Te)</td> </tr> </tbody> </table> <p>Note that more than one road could be affected by increased traffic generated by the development.</p>	Variable	Value	Comment	Existing Vehicles	100	Te	Development Vehicles	300	Tg	Total Vehicles	400	Tg+Te				Total Cost to Upgrade	\$1,000,000.00	Rc	NZTA Financial Assistance Rate	72%	FAR	NZTA contribution	\$720,000.00	Rc x FAR (Road Tax contribution)	Local RCA Contribution	\$280,000.00	Rc*(= Rc – Rc x FAR)	Development Contribution	\$210,000.00	=Rc* x Tg / (Tg+Te)	Rates Contribution	\$70,000.00	= RC* x Te / (Tg+Te)	<p>Requirements Code standard for its place in the road hierarchy or where no such Code of Practice exists, the standards in NZS 4404:2010 Land Development and Subdivision Infrastructure. Council Engineering Standards or where no such Standard exists, the standard required by NZS 4404:2010 Land Development and Subdivision Infrastructure.</p>
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FC R5 ,R6 R11	Support	Rules 5 to 11 are supported.	Retain as notified.																																	
FC R7- R9	Support	Council supports R7 to R9 but seeks to add an advisory note.	<p>To add advisory note as follow:</p> <p>“It shall be noted that even though existing 3 waters infrastructure may be located in an area, it may not be available, for instance if the infrastructure is on the boundary between urban and rural environmental zones.”</p>																																	

FC R10, R11	Support	Council supports R10 and 11.	Retain as notified.
Insert additional requirement under - R12		Financial contribution for esplanade reserves and strips to be included	Amend to include esplanade reserves and strips as a financial contribution as outlined in Part 8 of the operational Buller District Plan

SUB – Subdivision

Objectives SUB - O1 – O6; Policies SUB - P1 – P9	Support	Council supports the objectives and policies for Subdivision.	Retain as notified.
Rules			
SUB – R1	Support in part	<p>Council supports Rule 1 however seeks guidance on what would be considered to result in a potential additional residential unit for Part 5. Alternatively, to provide a cap on the movement between titles.</p> <p>For example: In the GRUZ – General Rural Zone the boundary adjustment is less than 4ha.</p> <p>Points 1.a and 1.c. are similar in intent. Consider condensing into one.</p>	<p>That a permitted baseline be determined, and the rule amended as follows:</p> <p>Condense 1.a and 1.c into one clause.</p>
SUB – R2	Support	<p>Council supports Rule 2.</p> <p>Council seeks a rewording of Part 4 for ease of readability.</p> <p>Council requests the words “is made” after 20m.</p>	Reword Part 4.

SUB – R3	Support in part	<p>Council generally supports the Boundary Adjustment standards however seeks clearer wording with regards to clause 3.a.</p> <p>Clarification was sought at an earlier stage with the TTPP team and replied to as below: “It is for boundary adjustments outside of the rural and residential – so all the special purpose, industrial etc. Clause a is asking it to be checked to ensure that the activity meets the zone standards. “ If the rule is to ensure activity meets the zone standards, there will be no need for mention of building consents for proposed buildings.</p>	<p>Amend Rule 3 as follows:</p> <p>3. The existing or proposed building must: a. Comply with all permitted activity standards relevant to the zone and any overlays and a building consent has been issued for any proposed buildings; or</p>
SUB – R4,	Support	Council Supports Rules 4.	Retain as notified.
SUB – R5, R6, R8,	Support in part	Council supports Rule 6, however there is an overlap between Points 2 and 3.	Condense Points 2 and 3.
SUB – R5 – R12	Support in part	<p>Council seeks to include Natural Hazards or geotechnical considerations in the Matters of control or discretion for Rules 5 to 12.</p> <p>Note: R5 has clause Natural hazards or geotechnical constraints in the Matters of control. We seek to change the word constraints to considerations.</p>	To add: Natural Hazards or geotechnical considerations.
SUB – R7	Support in Part	Refer to ECO R4 Submission	
SUB – R7, R8, R10	Support	<p>Advice Note does not include “Critical Infrastructure” when referencing R4. Council seeks clarification with regards to whether critical infrastructure has been left out for a purpose or if this was an error.</p>	Include reference to “Critical Infrastructure”.

SUB – R10	Support in part	Council support R10 with suggestions for minor amendments. The Rule has been written with mention of Notification at the bottom of the rule. Council seeks to have any mention of notification within the rules be removed. Refer to covering letter.	That the Notification section be removed. And that the following remains as an advice note: 1. This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB – R4.
SUB – R12	Support	Council seeks to insert reference to Schedule 2 for Notable Trees.	Discretion is restricted to: g. Effects on Poutini Ngai Tahu values or notable trees within or adjacent to the site identified in Schedule 2.
SUB – R13	Support in part	Council supports Rule 13 in part, however seeks further definition of a “suitably qualified and experienced practitioner”.	That a minimum qualification be defined for “suitably qualified and experienced practitioner.”
SUB – R15	Support in part	Refer to ECO R8 Submission.	
SUB – R14, R16 – R28	Support	Council supports rules 14 to 28.	Retain as notified.
Standards			
SUB – S1, S2	Support	Council supports Standard 1 and 2.	Retain as notified.
SUB – S3 – S6	Support in part	Council supports Standards 3 to 6 with exception of the use of the term “must be provided”. The terms “must be provided with” and “must provide” has been used interchangeably in Standards 3 to 6. Council seeks to have only the term “must provide” used for these standards. Alternatively, to use the term “must be provided by the applicant”. The term “must be provided” may imply that the onus to provide lies on council instead of the applicant.	Amend parts of the standards as follows: Sub – S3 1. Where a connection to a District Council or Community reticulated water supply system is available, all new allotments must be provided with <i>must provide</i> a connection at the boundary and net boundary where access is shared (including firefighting water supply). 2. Where a connection to a District Council or Community reticulated water supply system is unavailable, all new allotments must be provided with <i>must provide</i> access to a self-

			<p>sufficient potable water supply (including firefighting water supply)</p> <p>SUB – S4</p> <p>2. Where a connection to a District Council or Community stormwater management system is available, all new allotments must be provided with <i>must provide</i> a connection at the boundary or net boundary where access is shared.</p> <p>SUB – S6</p> <p>1. All allotments must be provided with <i>must provide</i> vehicular access to a road by way of a vehicle access point, driveway or right of way in accordance with the Transport Performance Standards.</p> <p>SUB – S7</p> <p>1. For all new allotments electricity services must be provided <i>All new allotments must provide electricity services</i> to the boundary of each new Lot or the applicant shall demonstrate that electricity services are able to be provided by alternative means.</p> <p>SUB – S8</p> <p>1. For all new allotments telecommunication services must be provided <i>All new allotments must provide telecommunication services</i> to</p>
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			the boundary of each new Lot or the applicant shall demonstrate that the telecommunication services are able to be provided by alternative means.
SUB – S4	Support in part	Council support Standard 4 in part. Point 5 mentions stormwater discharge from industrial land, however we believe the concern of discharge stems from the activity rather than the zoning of a particular site. The use of term “industrial land” implies that industrial activities may only occur on industrial zoned land.	Amend as follows: 5. Where stormwater discharge is from industrial land <i>activity</i> or large areas of impervious surface, the applicant shall demonstrate that sufficient treatment is undertaken that adverse effects on freshwater and the receiving environment will be mitigated.
SUB – S5	Support in part	Council supports Standard 5 in part. The phrase “all allotments must provide the means for disposal of wastewater from...” may be implied that the wastewater disposal system must be installed at the time of subdivision.	Amend as follows: 1. All allotments must provide a wastewater feasibility report that demonstrates the ability for a wastewater system to be installed on the allotment for all potential land uses that could be established on the respective allotments that does not involve a direct discharge to fresh or coastal water. Original: All allotments must provide the means for disposal of wastewater from all potential land uses that could be established on the respective allotments that does not involve a direct discharge to fresh or coastal water.
SUB – S7, S8	Support	Council supports Standards 7 and 8.	Retain as notified.
SUB – S9	Support in part	Council supports Standard 9 in part. Council seeks consideration of a standard for requirement of Esplanade Reserves or Esplanade Strips for allotments bigger than 4ha.	Amend as follows: c. The bank of a river whose bed has an average width of 3m or more where the river flows through or adjoins an allotment. (as per the RMA s230(4))

		<p>The RMA has set out a requirement of Esplanade Reserves or Esplanade Strips for the bank of a river whose bed has an average width of 3m or more.</p> <p>Standard 9 indicates that it is only necessary for rivers beds of 3m width. It is impracticable to measure exactly 3m and this may potentially create a loophole.</p>	
SUB – S10, S11	Support	Council supports Standard 10 and 11.	Retain as notified.

GENERAL DISTRICT WIDE MATTERS

ASW – Activities on the Surface of Water

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objective ASW-O1; Policies ASW-P1 – P3; Rules: ASW-R1 – R7	Support	Council supports the objective, policies and rules for Activities on the Surface of Water which appropriately focuses on controlling commercial activities and structures on natural waterbodies.	Retain as notified.

CE - Coastal Environment

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives CE-O1 – O3; Policies CE-P1 – P8	Support	Council supports the objectives and policies for the Coastal Environment.	Retain as notified.
CE Rule Headings	Oppose in part	The headings for some of the rules are long and could be simplified for readability. The headings should also be consistent across the rule framework e.g. Rule 5 refers to 'Buildings and Structures' in High Coastal Natural Character Overlays, while the equivalent rule for the	<p>Review the Rule headings to ensure consistency across the rule framework and improve readability e.g. The headings for Rules 6 and 7 could be shortened to:</p> <p><i>Maintenance, Alteration, Repair and Reconstruction of Natural Hazard Mitigation Structures and associated</i></p>

		Outstanding Coastal Natural Character Overlay (Rule 10) refers to 'Erection of a Building or Structure...'	earthworks in the Coastal Environment within the High Coastal Natural Character Overlay identified in Schedule Seven. Earthworks within the Coastal Environment in the High Coastal Natural Character Overlay identified in Schedule Seven
Rules CE-R1 – R3	Support	Rules 1 to 3 are supported	Retain as notified.
CE-R4	Oppose in part	Council supports the need for a ground floor area standard but considers the maximum of 200m ² for new buildings specified in Clause 2(iii) is too restrictive given the extent of the Coastal Environment overlay which takes in large areas of the working rural environment. Council considers that the significant natural character values of coastal areas are protected through High and Outstanding Coastal Natural Character overlays, where land use is subject to stricter controls and outside these areas more generous floor area standards are considered appropriate and will support existing land uses. For much of the coastal environment where it is also rural, the Rural Zone provisions will be sufficient to protect the coastal environment through density of building standards.	Amend Rule 4 as follows: (2) These: (a) Comply with the rules for buildings and structures within the relevant zone, except that within the GRUZ – General Rural Zone, RLZ – Rural Lifestyle and SETZ – Settlement Zone:.... (iii) The gross ground floor area is: (1) A maximum of 200 <u>300</u> m ² per building for new buildings
CE-R5	Oppose in part	Council supports the need for a ground floor area standard but considers the maximum of 100m ² within the High Coastal Natural Character overlay is too restrictive and more generous standards would be appropriate. The current BDP allows 7m high and 150m ² buildings within the Paparoa Character Area and Council considers this has achieved appropriate outcomes in this sensitive environment and suggests the same ground floor standard	Amend Rule 5 as follows: (4) In all other zones: (a) Any new building is no more than 100 <u>150</u> m ² ground floor area; (b) Any addition increases the total building footprint by no more than 50m ² ;

		be applied for new buildings within the High Coastal Natural Character overlay. A minor error is also noted in clause 4(c).	<i>(c) The maximum height above ground level is for any building or structure is 7m.</i>
CE-R6 & R7	Oppose in part	Council is concerned that the limitation imposed by Clause 6 for activities to be undertaken by a Statutory Agency or their designated contractor is too restrictive, particularly given the rule applies to maintenance and repair of existing structures. The other performance standards require the structure to utilise the same materials as for the original and restrict the scale to essentially the same footprint thereby ensuring the effects on coastal natural character remain unchanged. Council therefore seeks that Clause 6 is removed.	Amend Rule 6 as follows: 6. <i>The activity is undertaken by a Statutory Agency or their designated contractor.</i>
CE-R7	Support	Council supports Rule 7.	Retain as notified.
CE-R8	Support	Council supports Rule 8	Retain as notified.
CE-R9	Oppose in part	Council is concerned that the limitation imposed by Clause 6 for activities to be undertaken by a Statutory Agency or their designated contractor is too restrictive, particularly given the rule applies to maintenance and repair of existing structures. The other performance standards require the structure to utilise the same materials as for the original and restrict the scale to essentially the same footprint thereby ensuring the effects on coastal natural character remain unchanged. Council therefore seeks that Clause 6 is removed.	Amend Rule 9 as follows: 6. <i>The activity is undertaken by a Statutory Agency or their designated contractor.</i>
CE-R10	Oppose in part	While Clause 5 makes provision for small buildings associated with agricultural/horticultural activities within Outstanding Coastal Environment Areas, there is no provision for small scale residential buildings to allow for 'bush living' options. Council considers that small	Amend Rule 10 as follows: <i>(5) For residential, agricultural, pastoral and horticultural activities or an accessory building; and</i>

		residential buildings can be provided for while still achieving protection of outstanding natural character values. The current BDP allows 7m high and 150m ² residential buildings within the Paparoa Character Area and Council considers this has achieved appropriate outcomes in this sensitive environment and suggest the same ground floor standard as for the BDP is adopted. However, the height standard of 5m is considered appropriate to ensure buildings have a lower profile and do not detract from outstanding natural character values.	<p>(i) <i>The height of any building or structure does not exceed 5m above ground level; and</i></p> <p>(ii) <i>The gross floor area of any building does not exceed 100 150m² ground floor area.</i></p>
CE-R11 – R22	Support	Council supports Rules 11 to 22	Retain as notified.
Coastal Environment Overlay	Oppose in part	<p>Council supports in principle the identification of the Coastal Environment as this provides certainty for plan users on locations that will be subject to additional controls to protect the natural character of the coastal environment. However, Council is concerned at the inland extent of the coastal environment and the consequences for land use and development constraints.</p> <p>The Coastal Environment takes in urban areas of Westport, including parts of Coates, Forbes, Shelswell, Derby and Salisbury Streets to the north and parts of Orowaiti Road, Brougham Street, Eastons Road and Kawatiri Place to the east. These are highly modified areas which do not have a direct connection with the coastline. Council considers these areas should be excluded from the Coastal Environment overlay.</p> <p>The overlay also takes in large areas of rural land, particularly in Karamea and Little Wanganui where the boundary extends approximately 2km inland around Little Wanganui and 5km inland around the Karamea area. This is not considered appropriate given these areas are highly</p>	<p>Council seeks that the urban area of Westport is excluded from the Coastal Environment overlay and Elley Drive, all of Carters Beach and Beach Road (Charleston) are included.</p> <p>Council seeks that the Coastal Environment boundary in the Little Wanganui and Karamea areas is reviewed and retracted.</p> <p>Council requests that careful consideration is given to any individual submissions regarding the accuracy of the Coastal Environment boundary.</p>

		<p>modified and the rule framework will unduly constrain rural activities. Council considers the overlay should be retracted to a boundary more directly proximate to the coastline.</p> <p>Council is also concerned at the reasons for including some coastal areas and not others e.g. Elley Drive and parts of Carters Beach and Beach Road at Charleston fall outside of the Coastal Environment, when these areas are clearly subject to coastal influences. Council considers Elley Drive, Carters Beach and Beach Road (Charleston) should be included in the overlay.</p>	
High Coastal Natural Character & Outstanding Coastal Natural Character overlays (Schedules 6 & 7).	Support in principle	<p>In principle, Council supports the identification of High Coastal Natural Character areas and Outstanding Coastal Natural Character areas as this provides certainty for plan users on coastal locations where natural character values are significant. However, Council is concerned that this will be the first opportunity for landowners and the wider community to have input into the implications of the coastal natural character overlays for the District.</p> <p>It is understood that across the 3 districts around 6,925ha of private land has been identified as having high or outstanding coastal natural character. Without a thorough examination of the overlays, which staff have not had the capacity to complete, Council does not have a clear understanding of the potential implications for land use and development nor whether the boundaries for the high and outstanding coastal natural character overlays are accurate.</p> <p>The other point of concern is that the high and outstanding natural character overlays do not show which scheduled site they relate to and unless a plan user is very familiar</p>	<p>Council requests that careful consideration is given to any individual submissions regarding the land use implications of any Coastal overlay and the accuracy of the High and Outstanding Coastal Natural Character overlay boundaries.</p> <p>Council seeks that the High and Outstanding Natural Coastal Character overlays show the identifier number of the scheduled site that they relate to.</p>

		with an area, this is not readily identifiable. Council seeks that the overlays show the unique identifier for each of the scheduled sites in the same ways as Sites of Significance to Māori and Historic Heritage sites are shown on the maps. This will allow plan users to refer to the schedules for a description of the natural character values for specific areas.	
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EW - Earthworks

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objective EW-O1 Policies EW P1 – P4	Support	Council supports the objectives and policies for Earthworks	Retain as notified.
EW-R1	Support	Rule 1 is supported.	Retain as notified.
EW-R2	Oppose in part	As a general comment, it is noted that there are earthwork limits mentioned in other chapters of the plan e.g. CE-R7.2 limits earthworks to 250m ² /ha and 250m ³ /ha in High Coastal Natural Character areas and NFL-R6(3)(b) limits earthworks to 500m ³ within ONLFs; these limits are not referenced in the Earthworks rules. Council is concerned that this could result in confusion and/or plan users inadvertently missing additional earthworks controls. It is noted that other recently proposed plans include maximum earthworks threshold tables and this could be a helpful addition to this chapter to ensure all earthwork controls are summarised according to zone or overlay requirements.	Give consideration to including an earthworks threshold table that sets out limits for the respective zones and overlays.

EW-R3	Oppose in part	<p>Clause 2(i) limits the area of earthworks within Rural Lifestyle Zone to a maximum of 500m² per site in any 12 month period. This is considered too restrictive given the definition of earthworks is any alteration or disturbance of land and will capture access, building platforms and landscaping areas. Council seeks that adequate allowance is made for, among other activities, earthworks associated with access and building platforms and considers that a more reasonable area limit is 2500m².</p>	<p>Amend Rule 3 as follows:</p> <p>2. <i>These are ancillary earthworks for:</i></p> <p>(i) <i>A Permitted Activity, except that in the Rural Lifestyle Zone a maximum of 500 <u>2500</u>m²/site of land is disturbed in any 12 month period; or</i></p>
EW-R4	Oppose in part	<p>Clause 4(a) limits the area of earthworks within the Residential, Neighborhood or Settlement Zone to a maximum of 250m² per site in any 12 month period. This is considered too restrictive given the definition of earthworks is any alteration or disturbance of land and will capture access, building platforms and landscaping areas. Council seeks that adequate allowance is made for, among other activities, earthworks associated with access and building platforms and considers that a more reasonable area limit is 2500m².</p> <p>Furthermore, it is noted that if a site has any particular natural values (e.g. coastal settlement) then this will still be subject to the respective overlay which may impose additional controls.</p>	<p>Amend Rule 4 as follows:</p> <p>4. <i>Where earthworks are undertaken for any other activity:</i></p> <p>a. <i>A maximum of 250 <u>2500</u>m²/site of land is disturbed in any 12 month period;</i></p>
EW-R5	Oppose in part	<p>Clause 4 limits the area of earthworks within Commercial and Mixed Use, Scenic Visitor, Hospital or Stadium Zones to a maximum of 1000m² per site in any 12 month period. This is considered too restrictive when the definition of earthworks covers any alteration or disturbance of land. Council seeks that adequate allowance is made for earthworks associated with access and building platforms and considers that a more reasonable area limit is 2500m².</p>	<p>Amend Rule 5 as follows:</p> <p>4. <i>Where earthworks are undertaken for any other activity a maximum of 1000 <u>2500</u>m²/site of land is disturbed in any 12 month period.</i></p>

		If a site has any particular natural values, then this will still be subject to the respective overlay controls.	
EW-R6 – R8	Support	Rules 6 to 8 are supported.	Retain as notified.

LIGHT - Light

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives LIGHT O1 & O2 Policies LIGHT P1 – P3	Support	Council supports the objectives and policies for Lighting	Retain as notified.
LIGHT – R1 – R5	Oppose	<p>Council considers the lighting rules are too prescriptive for the low level of development in the District and Region and the reference to hours in Rules 2, 3 and 4 is confusing. A simpler rule framework is requested, based on the BDP that uses the 10 lux maximum light spill limit as this has proven to provide adequate control for light spill. However, Council recognises that higher levels of light spill around General Industrial Zones, Port Zones and Mixed Use Zones is appropriate given the lower standards of amenity associated with these zones.</p> <p>A definition of ‘Outdoor Artificial Lighting’ is also sought to clarify that the rules do not capture residential activities, along with an additional permitted activity rule for lighting associated with roads and shared pathways.</p> <p>Council considers lighting controls are not needed within Outstanding Natural Character Areas as the rule framework across the Chapters is such that any activity of</p>	<p>Delete Rules 1 to 5 and insert the following:</p> <p><u>LIGHT – R1: Artificial Outdoor Lighting Associated with Roads and Pedestrian/Cycle Pathways</u></p> <p><u>Activity Status Permitted</u></p> <p><u>LIGHT – R2: Activities with Artificial Outdoor Lighting</u></p> <p><u>Activity Status Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The level of light overspill when measured at the notional boundary of any dwelling or building accommodating sensitive activities located within the General Rural Zone or Rural Lifestyle Zone does not exceed 10 lux (in both the horizontal and vertical planes);</u>

		<p>scale will trigger the need for consent where the effects of lighting on natural character and wildlife values will be assessed.</p>	<p>2. <u>The level of light overspill when measured at a distance of 2m or greater from the boundary of any receiving site must not exceed:</u></p> <p>(i) <u>20 lux (in both the horizontal and vertical planes) within the Mixed Use Zone, Port Zone and General Industrial Zone; and for all other zones</u></p> <p>(ii) <u>10 lux (in both the horizontal and vertical planes).</u></p> <p><u>Advice Note</u> <u>Lighting limits must be measured and assessed in accordance with Standard AS/NZS 4282- Control of the Obtrusive Effects of Outdoor Lighting.</u></p> <p>Consequential amendment to Rule 6 as follows:</p> <p><u>Artificial Outdoor Lighting within the Outstanding Coastal Natural Character Overlay and not meeting the Permitted Activity Standards.</u></p>
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NOISE - Noise

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives NOISE O1 – O3 Policies NOISE P1 – P4	Support	Council supports the objectives and policies for Noise	Retain as notified.
NOISE – R1 & R2	Support	Council supports Rules 1 & 2.	Retain as notified.

NOISE – R3	Oppose	<p>Rule 3 specifies acoustic insulation requirements for new buildings used by sensitive activities when located within specified setbacks of the state highway, railway line, airport noise contour boundary and specified zones e.g. commercial and industrial zones. Compliance with the acoustic insulation requirements is to be confirmed through the provision of an acoustic design certificate to the relevant Council from a suitably qualified acoustic engineer. Council considers this rule to be overly onerous and unnecessary duplication of building code requirements. The rule would impact any new buildings within Westport or Reefton that adjoin the state highway (e.g. Brougham Street) with buildings unlikely to be able to comply with the required 40m setback.</p> <p>It is assumed that the acoustic requirements for sites within proximity to state highways is based on Waka Kotahi’s requirements to manage reverse sensitivity. While this is considered appropriate for large centres and roading networks with high traffic volumes, Council does not consider this is justified for its District’s transport environment which has low traffic volumes, and this is not expected to change over the life of the plan. Council considers the rule is too onerous and not necessary in the context of the District’s transport environment.</p>	Council seeks that Rule 3 is deleted and consequential amendments are made to other chapters where this rule is referenced in the Advice Notes.
NOISE – R4	Support	Rule 4 is supported.	Retain as notified.
NOISE – R5	Oppose in part	While the noise limits are supported, Council is concerned that the end of the daytime period at 7pm weekdays and 5pm weekends and public holidays is too restrictive and that higher noise limits in the evenings are anticipated within residential zones, particularly during day light	Amend Rule 5 as follows: <ol style="list-style-type: none"> 1. <i>Noise generated by any activity shall not exceed the following noise limits at any point within <u>any other another site in the RESZ – Residential</u></i>

		<p>saving hours. Council requests that the daylight time limits period is extended to 10pm regardless 7 days per week.</p> <p>It is also suggested that the rule refer to 'any other site' rather than 'another' site for consistent wording across the noise rules.</p>	<p>Zones, SETZ – Settlement Zone and NOSZ – Natural Open Space Zone:</p> <p>a. 7.00am to 7.00 <u>10.00pm</u> Monday to Friday and 8.00am to 5.00 <u>10.00pm</u> weekends and public holidays; 55dB LAeq(15 min)</p>
NOISE – R6	Oppose in part	<p>Rule 6 is supported, but amendments are required to clarify that the noise limits apply at another site's notional boundary not from dwelling/s etc located on the same site from which noise is being generated from. Other minor changes are suggested for readability.</p> <p>The reference to 'sensitive activity' may also not be needed as this is captured in the definition of 'notional boundary'.</p>	<p>Amend Rule 6 as follows:</p> <ol style="list-style-type: none"> 1. <i>Noise generated by any activity shall not exceed the following noise limits at any point within the notional boundary of any sensitive activity within any <u>other</u> site receiving noise.</i>
NOISE – R7 & R8	Oppose in part	<p>Rules 7 and 8 are supported, but amendments are required to clarify that the noise limits apply at another site's notional boundary not from dwelling/s etc located on the same site from which noise is being generated from. Other minor changes are suggested for readability.</p> <p>The reference to 'sensitive activity' may also not be needed as this is captured in the definition of 'notional boundary'.</p>	<p>Amend Rules 7 and 8 as follows:</p> <ol style="list-style-type: none"> 1. <i>Noise generated by any activity shall not exceed the following noise limits <u>within</u> at the notional boundary of any sensitive activity within any <u>other</u> site receiving noise</i>
NOISE – R9 & R10	Support	<p>Rules 9 and 10 are supported.</p>	<p>Retain as notified.</p>
NOISE – R11	Oppose in part	<p>Rule 11 is supported, but amendments are required to clarify that the noise limits apply at another site's notional boundary not from dwelling/s etc located on the same site from which noise is being generated from. Other minor changes are suggested for readability and to achieve consistent wording with other rules.</p>	<p>Amend Rule 11 as follows:</p> <ol style="list-style-type: none"> 1. <i>The maximum Noise generated <u>by any activity</u> from activities does shall not exceed the following limits at any point within the notional</i>

		The reference to 'sensitive activity' may also not be needed as this is captured in the definition of 'notional boundary'.	<i>boundary of any sensitive activity within any <u>other site receiving noise</u>.</i>
NOISE – R12	Support	Rule 12 is supported.	Retain as notified.
NOISE – R13	Oppose	Council has requested that Insulation Rule 3 be removed as being too onerous, therefore Rule 13 would no longer be needed.	Delete Rule 13.

SIGN – Signs

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives SIGN- O1 Policies SIGN-P1 – P6	Support	Council supports the objectives and policies for signs	Retain the objective and policies as notified.
SIGN-R1	Support	Rule 1 is supported, but clarification is sought on what is meant by 'transport corridor'. It is assumed that this just relates to the formed road rather than the unformed road reserve either side which can extend a significant distance.	Include a definition of 'transport corridor' within the Definition Section.
SIGN-R2	Support	Rule 2 is supported.	Retain as notified.
SIGN-R3	Oppose in part	Rule 3 requires all performance standards of Rule 1 to be met for official signs that are not traffic and railway signs. Council is concerned that signs related to health and safety obligations may not be able to convey the necessary information within the 6 word limit (R1.10(iii)) and suggests that this should not be a requirement for health and safety signs.	Amend Rule 3 as follows: <i>3. All performance standards of Rule SIGN-R1 are complied with, <u>the exception being that signs required to meet health and safety obligations are not subject to the 6 word limit.</u></i>
SIGN-R4	Oppose in part	Rule 4 is supported subject to the following matters being addressed: Clauses 1 and 2 refer to the removal of signs 'within 7 days of the event'. The intent of the rule is to require signs to	Amend Rule 4 as follows: <i>1. These are for community events and the sign is erected no earlier than 6 months before the</i>

		<p>be removed after an event has taken place, but this is not clearly conveyed and a minor change is suggested to avoid any confusion.</p> <p>Clause 3 manages construction signs and allows them to be erected for a 6-month lead in period. Council considers construction signs should be limited to the duration of construction activity and the reference to ‘event’ needs to be removed.</p> <p>Clause 7 manages real estate signs and requires them to be removed within 7 days. The Council has no specific concerns with this clause but notes this may not be consistent with land purchase agreement obligations that require signage (e.g. sold signs) to remain for longer periods.</p> <p>Clause 8 provides for signs to be up to 4m high. Council considers this to be a significant height and not necessarily compatible with amenity values and suggests 2.5m is a reasonable height limit. It is also noted that the equivalent clause for Rule 5 below also refers to the height being ‘measured’ from ground level and this is considered a helpful addition to the rule.</p>	<p><i>event and is removed within 7 days of the event ending; or</i></p> <p><i>2. These are for temporary activities and the sign is erected no earlier than 1 month before the activity and is removed within 7 days of the activity ending; or</i></p> <p><i>3. These are for construction sites and the sign is erected <u>at the start of construction activity</u> no earlier than 6 months before the event and is removed within 7 days of the event <u>construction activity ending</u>....</i></p> <p><i>7. The maximum height <u>measured</u> from ground level is <u>4 2.5m</u>; and.....</i></p>
SIGN-R5	Oppose in part.	Clause 3 provides for signs to be up to 4m high. Council considers this is a significant height and not necessarily compatible with amenity values and suggests 2.5m is a more reasonable height limit.	<p>Amend Rule 5 as follows:</p> <p><i>3. The maximum height measured from ground level is <u>4-2.5m</u>; and...</i></p>
SIGN-R6 – R18	Support	Rules 6 to 18 are supported.	Retain as notified.
SIGN-R19	Oppose in part	Rule 19 includes a statement on notification. Council is concerned with pre-determining the notification decision and considers this should be assessed at the application	<p>Amend Rule 19 as follows:</p> <p>Notification:</p>

		stage based on the merits of individual proposals and requests this statement is removed.	Where a sign is visible from a state highway and does not meet the Performance Standards in Rule SIGN – R1 then the application will be Limited Notified to Waka Kotahi – NZ Transport Agency and may be publicly notified.
SIGN-R20 – R22	Support	Rules 20 to 22 are supported.	Retain as notified.

TEMP – Temporary Activities

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives TEMP- O1 Policies TEMP-P1 – P4	Oppose in part (Policy 4)	Council supports the objectives and policies for Temporary Activities with the exception of Policy 4 that seeks to manage freedom camping within the state highway road corridor. Council does not consider its role extends to managing activities within the state highway corridor, which is a function of Waka Kotahi and requests that Policy 4 is deleted.	Retain the objective and policies as notified, with the exception of Policy 4 which Council seeks to have deleted.
TEMP-R1	Support	Rule 1 is supported.	Retain as notified.
TEMP-R2	Support in part	Clauses 2 and 4 are a double up therefore the later clause can be deleted.	Amend Rule 2 as follows: <i>4. The building or structure is on the same site as the construction or demolition activity;</i>
TEMP-R3	Support	Rule 3 is supported.	Retain as notified.
TEMP-R4	Oppose in part	Council is concerned with the limited scope of Rule 4 to Emergency Declaration events. Extreme weather events are being experienced more regularly, impacting the District's towns and settlements but these are also resulting in localised weather events where individual dwellings are being impacted. Council considers that the ability to provide for temporary accommodation should apply to any dwelling which becomes uninhabitable due to a natural hazard event, subject to the temporary	Amend the heading and body of Rule 4 as follows: <i>Temporary Residential Buildings Following an <u>Natural Hazard Event</u> Emergency Declaration.</i> <i>Activity Status Permitted</i> <i>Where:</i>

		<p>accommodation being located on the same site or an adjoining site to prevent abuse of the rule.</p> <p>Due to the temporary nature of the activity, Council does not see the need for standards limiting the number of temporary dwellings based on land parcel size (Clause 4). For example, following Westport’s flood event, the temporary accommodation provided by MBIE for some sites involved two units on a site in order to meet resident’s needs. Compliance with boundary setbacks when a natural hazard events has occurred is also considered too onerous and unnecessary.</p>	<p>1. These are established following a Local, Regional or National State of Emergency declaration; <u>The temporary residential building is placed on the same site or adjoining site to the residential building damaged by the natural hazard event.</u></p> <p>2. Notice of the activity is provided to the relevant district council prior to the temporary residential building being established;</p> <p>3. Any temporary residential building is removed within 24 months of being established on the site;</p> <p>4. A single temporary residential building is located on any property less than 500m² in size;</p> <p>5. Any new access provided meets the requirements of Rule TRN-R1;</p> <p>6. Where multiple emergency residential buildings are located on the same site, then relevant zone setback standards are met where the activity adjoins any Residential or Settlement Zone.</p>
TEMP- R5	Oppose	<p>Council has an existing Freedom Camping By-Law and this is considered the appropriate mechanism for management of freedom camping rather than through this plan. Council considers enforcement of such a rule would be problematic.</p> <p>If the rule standards are not complied with, freedom camping becomes a restricted discretionary activity. It is not considered practicable or workable to require resource consent for such activities.</p>	Delete Rule 5.
TEMP-R6 – R9	Support	Rules 6 to 9 are supported.	Retain as notified.

PART 3: AREA-SPECIFIC MATTERS

ZONES

OPEN SPACE AND RECREATION ZONES

OSRZ – Open Space and Recreation Zones – Objectives and Policies

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives OSRZ O1 & O2	Support	Council supports the objectives for the Open Space and Recreation Zones	Retain as notified.
Policies OSRZ P1 – P20	Support	Council supports the suite of policies for the Open Space and Recreation Zones.	Retain as notified.

NOSZ – Natural Open Space Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
NOSZ-R1	Support in part	Clause 5 references the exception for infringement of recession boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Notes rather than in the body of the rule	<p>5 <i>No building shall project beyond a building envelope defined by a recession plane as outlined in Appendix Two to commence 2.5m above any RESZ – Residential Zone or SETZ – Settlement Zone boundary except where the neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:....</i></p> <p>Advice Note: <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</u></p>

NOSZ-R4	Oppose	Rule 4 provides for temporary camping grounds, with notification to Council required. The expectation is that these will be located on Conservation land and therefore subject to DOC management and controls where Council oversight is not considered necessary. Temporary camping grounds are also considered to be captured by Rule 3 which provides for recreational activities, therefore Rule 4 is unnecessary and can be deleted.	Delete Rule 4.
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OSZ – Open Space Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
OSZ-R1	Support in part	Clause 6 references the exception for infringement of recession boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Notes rather than in the body of the rule, particularly as it also has relevance for internal boundary infringements.	<p>6 <i>No building shall project beyond a building envelope defined by a recession plane as outlined in Appendix Two to commence 2.5m above any RESZ – Residential Zone or SETZ – Settlement Zone boundary except where the neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:....</i></p> <p>Advice Note: <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</u></p>
OSZ-R4	Oppose	Rule 4 standards for Club Rooms are the same standards as for Rule 3 for Community Facilities. The definition of 'community facilities' includes buildings used for	Delete Rule 4. If specific mention of club rooms is considered desirable, then this could be included in the Rule 3 heading.

		recreational and sporting activities which will capture clubrooms. Therefore Rule 4 is considered unnecessary and can be deleted.	
Open Space Zone Maps – Ngakawau Domain	Oppose	The Ngakawau Domain is zoned Open Space but it is used by the community as a rugby ground, therefore Council seeks the zoning is changed to Sport and Recreation to better reflect the land use.	Change the zoning for the Ngakawau Domain from Open Space to Sport and Recreation.

NOSZ – Sport and Active Recreation Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
SARZ-R1	Support in part	Clause 7 references the exception for infringement of recession boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Notes rather than in the body of the rule, particularly as it also has relevance for internal boundary infringements.	<p><i>7 No building shall project beyond a building envelope defined by a recession plane as outlined in Appendix Two to commence 2.5m above any RESZ – Residential Zone or SETZ – Settlement Zone boundary except where the neighbouring property owner’s written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:....</i></p> <p>Advice Note: <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner’s written approval is provided to Council.</u></p>
SARZ- R4	Oppose	Rule 4 standards for Club Rooms are the same standards as for Rule 3 for Community Facilities. The definition of ‘community facilities’ includes buildings used for recreational and sporting activities which will capture	Delete Rule 4. If specific mention of club rooms is considered desirable, then this could be included in the Rule 3 heading.

		clubrooms. Therefore Rule 4 is considered unnecessary and can be deleted.	
SARZ – R9	Oppose	The Rule 9 standards are the same standards as for Rule 3 and grandstands can be considered a ‘community facility’ for the purposes of Rule 3 (i.e. the definition extends to buildings used for recreational and sporting activities). Therefore this rule is considered unnecessary and can be deleted.	Delete Rule 9.

COMMERCIAL AND MIXED USE ZONES

CMUZ – Commercial and Mixed Zones – Objectives and Policies

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives CMUZ O1 - O3	Support	Council supports the objectives for Commercial and Mixed Zones	Retain as notified.
Policies CMUZ P1 – P19; CMUZ-PREC3- P10 – P12; CMUZ-PREC4- P13 & P14	Support	<p>Council supports the suite of policies for Commercial and Mixed Zones with the exception of the minor amendment sought for Policy 14 and clarification on the role of Precincts, as discussed below.</p> <p>Policies CMUZ-PREC3 -P10 – 12 and CMUZ-PREC4-P13 & 14 refer to Westport and Reefton Town Centre Precincts respectively. Clarification is sought on whether there are ‘Precincts’ for the town centres or whether this is identical to ‘Town Centres’.</p>	<p>Retain as notified.</p> <p>Clarify whether ‘Precincts’ and ‘Town Centres’ are interchangeable terminology.</p>

CMUZ – Commercial Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
CMUZ-R1	Oppose in part	<p>Council supports the height and setbacks for commercial zones but has concerns in relation to the practicability of achieving the landscape standards set out in Clause 3. The requirement for areas adjoining the road frontage of all sites to contain a minimum 1.5m landscaping strip is not considered workable for the commercial zones of Reefton or Westport. The requirements for carparks and stormwater facilities are supported in a general sense, however they appear to be directed at larger scale commercial developments which are not anticipated in Reefton or Westport, they are also not expressed in terms of rules, therefore Council requests that these clauses are removed or added as Advice Notes to the Rule.</p> <p>Clause 5 requires fencing or landscaping to screen external storage areas. This standard is supported, but the fencing should be a solid fence to provide effective screening, and the 1.8m is missing reference to this being a height requirement.</p> <p>Clause 6 references the exception for infringement of recession boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Note rather than in the body of the rule, particularly given it has wider relevance than just recession planes and is also applicable to internal boundary infringements.</p>	<p>Amend Rule 1 as follows:</p> <p>3 <i>Landscaping shall be provided as follows:</i></p> <p>(i) The area adjoining the road frontage of all sites shall contain a minimum 1.5m landscaping strip that will, within two years of being planted reach a minimum height of 1m;</p> <p>(ii) <i>On site adjoining a RESZ – Residential Zone a 2m wide landscaping strip shall be provided adjacent to the RESZ – Residential Zone Boundary and shall be planted with species, which at maturity, will screen the buildings from the adjoining sites; and.</i></p> <p>(iii) The planting of 1 tree per 20 carparking spaces is encouraged within any carparking area.</p> <p>(iv) Stormwater facilities that provide water quality treatment and landscape amenity, should be incorporated into landscaped areas, where practicable, to achieve effective stormwater management in an integrated manner....</p> <p>As an alternative, add standards 3(iii) and (iv) as Advice Notes.</p>

			<p>5 <i>External storage is screened by a <u>solid 1.8m fence a minimum of 1.8m high</u> or landscaping so that it is not visible from any adjoining residential zone boundary or adjoining public place; and</i></p> <p>6 <i>No building projects beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where the neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to....</i></p> <p>Advice Note: <i><u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</u></i></p>
CMUZ-R2	Oppose in part	Minor structures are required to comply with the Rule 1 standards. Given the commercial zoning, Council considers that no additional performance standards are needed for minor structures other than what is already provided for in the rule.	<p>Amend Rule 2 as follows:</p> <p>1. All performance standards for Rule COMZ-R1 are complied with</p>
CMUZ-R3	Support	Rule 3 is supported	Retain as notified.
CMUZ-R4	Oppose	The Building Act addresses relocatable buildings, therefore Council seeks the removal of Rule 4.	Delete Rule 4.
CMUZ-R5	Oppose in part	Council considers the Clause 4 standards for residential buildings/activities in the Commercial Zone to be overly prescriptive and seeks these are simplified to reflect the key requirements of provision of outdoor living space, waste management area and outdoor service area.	<p>Amend Rule 5 as follows:</p> <p>4. <i>Each residential unit shall be provided with:</i></p> <p>(i) <i>An outdoor service space of 3m² and a waste management area of 2m² per unit,</i></p>

			<p><i>each with a minimum dimension of 1.5 metres in either a private or communal area;</i></p> <p><i>(ii) A single, indoor storage space of 4m³ with a minimum dimension of 1 metre;</i></p> <p><i>(iii) Any space designated for waste management, whether private or communal, shall not be located between the road boundary and any building and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres; and</i></p> <p><i>(iv) Each residential unit shall be provided with an outdoor living space of:</i></p> <ol style="list-style-type: none"> <i>1. 6m² minimum area and 1.5 metres minimum dimension for a studio or 1 bedroom unit;</i> <i>2. 10m² minimum area and 1.5 metres minimum dimension for a 2 or 3 bedroom unit;</i> <i>3. 15m² minimum area and 1.5 metres minimum dimension for 3 or more bedrooms;</i> <p><i>(v) Each residential unit shall be provided with outlook space from each habitable room from the largest window in the room as follows:</i></p> <ol style="list-style-type: none"> <i>1. A principal living room must have an outlook space with a minimum dimension of 3 metres in width;</i>
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			<p>2. All other habitable rooms must have an outlook space with a minimum dimension of 1m in width;</p> <p>3. The width of the outlook species is measure from the centre point of the largest window on the building face to which it applies;</p> <p>4. Outlook spaces may be within the same site or over a public street or other public open space;</p> <p>5. Outlook spaces required from different rooms within eh same building may overlap;</p> <p>6. Outlook spaces must;</p> <p>(a) Be clear and unobstructed by buildings; and</p> <p>(b) Not extend over an outlook space or outdoor living space required by another dwelling.</p>
COMZ-R6	Support in part	Council supports Rule 6, but considers that the matters of discretion should extend to considering the character and amenity of the surrounding area, shading and loss of sunlight given these are likely to be key considerations where external storage, building length and recession plan standards are breached.	<p>Amend Rule 6 as follows:</p> <p>Discretion is restricted to:</p> <p>(a) <u>Material being stored;</u></p> <p>(b) <u>Period of time for storage;</u></p> <p>(c) <u>Distance from boundary; and</u></p> <p>(d) <u>Bulk location and design of storage, buildings and structures;</u></p> <p>(e) <u>Shading and loss of sunlight; and</u></p> <p>(f) <u>Character and amenity of surrounding areas.</u></p>

COMZ- R7	Oppose	Council is seeking removal of rules managing Relocated Buildings.	Delete Rule 7.
COMZ-R8 – R11	Support	Rules 8 to 11 are supported.	Retain as notified.
Commercial Zone Map – Alma Road	Oppose	<p>While Council supports provision for a commercial zone in the Alma Road area to support future residential growth, the current location affecting 20 Gillows Dam Road, NL10B/414 and 103 Alma Road, NL11C/241 is not supported.</p> <p>The Master Planning process detailing the urban design vision for the Alma Road area is not expected to commence until next year. Until that process has been completed and the community engaged in the long-term strategy for Alma Road, Council is not in a position to identify a suitable location for commercial zoning.</p>	<p>Amend the Zone Map as follows:</p> <p>Change the zoning over 103 Alma Road and 20 Gillows Dam Road from Commercial to General Residential Zone as identified on the map below:</p> <div data-bbox="1473 592 1935 1198" data-label="Image"> </div> <p>Page 1 of 2 Print Date: 10/11/2022 www.coast.govt.nz</p>

		process would be better placed as an Advice Notes rather than in the body of the rule, particularly given it has wider relevance than just recession planes and is also applicable to internal boundary infringements.	<p><i>Appendix Two to commence 2.5m above any site boundary except where the neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to....</i></p> <p>Advice Note: <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</u></p>
MUZ-R2	Support	Rule 2 is supported.	Retain as notified.
MUZ-R3	Oppose	<p>The Transport Performance Standards (Appendix 1) address requirements for car parking and vehicle access in TRN S12 including for the Mixed Use Zones. Council considers these provide sufficient control and additional standards are not considered necessary in the Mixed Use Zone and removal of Rule 3 is requested. It is noted that the MUZ Rule 1 performance standards require landscaping to be provided for sites adjoining residential zones to ensure amenity is maintained, so there is no need to duplicate this requirement.</p> <p>As an alternative, if further carparking performance standards are considered necessary, they should be inserted into the TRN S12 performance standards to provide a consistent approach across the plan framework.</p>	Delete Rule 3.
MUZ-R4	Oppose in part	The Mixed Use Zone for Westport comprises an area of residential housing and businesses sandwiched between the railway line and The Esplanade and adjoining reserve land. As a consequence, the properties front The	<p>Amend Rule 4 as follows:</p> <p><i>Activity Status Permitted</i> <i>Where:</i></p>

		<p>Esplanade and reserve land and Clause 1(ii) is not workable for Westport's Mixed Use Zone.</p> <p>It is also noted that there are no height, bulk or boundary setback standards for residential activities, which is considered an omission. Council considers this can be addressed by requiring compliance with the Rule 1 standards but notes that these do not specify road or internal boundary setbacks and these are considered necessary for standalone residential buildings to maintain amenity.</p> <p>If compliance with the Rule 1 standards is required, these already include a requirement to screen outdoor storage areas from adjoining sites, therefore Clauses 2 and 3 are not considered necessary.</p>	<p>1. The residential activity or papakainga is:</p> <p>(i) Located above street level; or</p> <p>(ii) Located at street level but with no frontage to public open spaces or streets except for access;</p> <p><u>All performance standards for Rule MUZ-Rule 1 are complied with;</u></p> <p>2. Each residential unit shall be provided with a waste management area of 2m² per unit each with a minimum dimension of 1.5m in either a private or communal area;</p> <p>3. Any space designed for waste management, whether private or communal, shall be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5m;</p> <p><u>Standalone residential units are setback a minimum of 4.5m from road boundaries and 1m from internal boundaries.....</u></p>
MUZ-R5	Oppose in part	For the reasons stated above, Council seeks the removal of Clauses 1(iii) and 2 and that compliance with the Rule 1 standards are inserted.	<p>Amend Rule 5 as follows:</p> <p>1. The visitor accommodation is located:</p> <p>i) In a Heritage Building listed in Schedule One; or</p> <p>ii) Above street level; or</p> <p>iii) At street level but with no frontage to public open spaces or streets except for access.</p>

			<p>2. Any space designed for waste management, whether private or communal, shall not be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres; <u>All performance standards for Rule MUZ-Rule 1 are complied with;</u> </p>
MUZ-R6	Oppose in part	Minor structures are required to comply with the Rule 1 standards. Given the mixed use zoning, Council considers that the only additional standard is boundary setbacks and suggests that the residential standards are used.	<p>Amend Rule 2 as follows:</p> <p>1. All performance standards for Rule COMZ-R1 are complied with <u>Structures are setback a minimum of 4.5m from the road boundary and 1m from internal boundaries.</u></p>
MUZ-R7	Support	Rule 7 is supported	Retain as notified.
MUZ-R8	Oppose	The Building Act addresses relocatable buildings, therefore Council seeks the removal of Rule 8.	Delete Rule 8.
MUZ-R9 – R14	Support	Rules 9 to 14 are supported.	Retain as notified.

NCZ - Neighbourhood Centre Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Zone Maps	Oppose	The purpose of the Neighbour Centre Zone is to provide for small clusters of commercial activities outside of the main commercial areas and for Reefton this covers four individual businesses. Council does not consider that there is a need to provide for spot zoning for these existing	Change the 4 locations in Reefton that are zoned Neighbourhood Centre Zone to General Residential Zone.

		businesses given they have existing use rights. Council wishes to retain discretion for any changes that may occur at these sites given they are located within the general residential zone, where there are expectations as to the level of residential amenity and request that the zoning is changed to General Residential Zone where commercial activities are discretionary.	
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TCZ – Town Centre Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Overview	Support in part	The overview statement for the Town Centre Zone states that each town centre has a Precinct where specific additional policies and rules apply. There are no Precincts showing on the Zone Maps, therefore clarification is sought on whether there are Precincts and whether these are synonymous with Town Centres.	Clarify whether there are any Precincts which apply to the main town centres of Reefton and Westport.
TCZ-R1	Oppose in part	<p>Rule 1 is generally supported, provided the following concerns are addressed.</p> <p>Clause 3 requires fencing or landscaping to screen external storage areas. This standard is supported, but the fencing should be a solid fence to provide effective screening and the 1.8m is missing reference to this being a height requirement.</p> <p>Council is concerned that Clause 4 (a) is not necessarily appropriate for all commercial activities e.g. service providers such as dentists, and compliance with the standard is relatively complicated. Council's preference is that a simpler standard is adopted that achieves the same purpose of creating appealing street frontages. Clause 5 is also considered unnecessary given the requirement for a</p>	<p>Amend Rule 1 as follows:</p> <p>3 All external storage is screened by a <u>solid 1.8m fence a minimum of 1.8m high</u> or landscaping so that it is not visible from any adjoining residential zone boundary or adjoining public place;</p> <p>4 The ground floor façade of all buildings with a Main Street Frontage must have:</p> <p>(a) 50% of the façade devoted to display windows or 75% of its height for at least 50% of the ground floor building frontage; <u>At least 50% of the building frontage at ground floor must be clear glazing; and</u></p>

		<p>percentage of the building frontage to be clear glazing and Council requests this clause is removed.</p> <p>Clause 6 references the exception for infringement of recession boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Notes rather than in the body of the rule, particularly given it has wider relevance than just recession planes and is also applicable to internal boundary infringements.</p>	<p>(b) One public entrance with glazing comprising at least 40% of the door; except that</p> <p>(c) Any Heritage Building in Schedule One is exempt from this requirement.</p> <p>5 No building shall create a featureless façade or blank wall on a Main Street Frontage at ground floor level wider than 3m;</p> <p>6 No building shall project beyond a building envelope defined by a recession plane as identified in accordance with Appendix Two to commence 2.5m above any RESZ-Residential Zone boundary except where the neighbouring property owner's written approval is provided to the Council 10 working days to the works commencing. This standard does not apply to:</p> <p>....</p> <p>Advice Note: <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</u></p>
TCZ-R4 & R5	Support	Rules 4 and 5 are supported, but it is noted that the titles refer to Town Centre Precincts and as discussed above, clarification is sought on this.	Retain as notified.
TCZ-R6		The Transport Performance Standards (Appendix 1) address requirements for car parking and vehicle access in TRN S12, including for the Commercial Zone. Council considers these provide sufficient control and additional standards are not considered necessary.	Delete Rule 6.

		As an alternative, if further carparking performance standards are considered necessary, they should be inserted into the TRN S12 performance standards to provide a consistent approach across the Plan framework.	
TCZ-R7	Support	Rule 7 is supported.	Retain as notified.
TCZ-R8	Oppose in part	Rule 8 is required to comply with the Rule 1 performance standards which already includes a requirement to screen outdoor storage areas from adjoining sites, therefore Clause 3 is considered an unnecessary duplication.	Amend Rule 8 as follows: <i>3. Any space designated for waste management, whether private or communal, shall be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres.</i>
TCZ-R9	Oppose in part	Rule 9 is supported, but the reference in Clause 3 to providing pedestrian weather cover for 80% of the footpath frontage has the potential to be confusing and pose issues for determining compliance with the standard. Council considers that the percentage reference can be removed without affecting the outcome sought for pedestrian weather protection. It is also noted that there is a minor grammar error in Rule 3.	Amend Rule 9 as follows: <i>3. If the building to be demolished is on a Main Street Frontage that <u>then</u> a pedestrian weather cover must be provided over the adjacent footpath for 80% of the frontage....</i>
TCZ-R10 - 12	Support	Rules 10 to 12 are supported.	Retain as notified.
TCZ-R13	Oppose	The Building Act addresses Relocatable Buildings, therefore Council seeks the removal of Rule 13.	Delete Rule 13
TCZ-R14	Support	Rule 14 is supported.	Retain as notified.
TCZ-R15	Oppose in part	Council does not agree with the activity status approach to commercial activities, community facilities etc where	Amend Rule 15 as follows:

		<p>the permitted performance standards are breached. Rule 15 essentially establishes a two tier approach where ground floor façade, recession plane or height infringements are treated as discretionary activities with all other infringements non-complying. Council considers this is unnecessarily complicated and requests that all infringements of the standards are treated as discretionary activities given the activities covered by the Rule are all anticipated within the commercial zone.</p> <p>It is also noted that 'Building' is repeated twice in the rule title.</p>	<p><i>Commercial Activities and Buildings Buildings, community Facilities, Community Corrections Activities and Emergency Service Facilities not meeting the Permitted Activity standards for Ground Floor Façade, Recession Plane or Height.</i></p> <p><i>Activity Status Discretionary</i> <i>Where:</i> <i>1. All other performance standards for Rule TCZ-R1 and where relevant for TCZ-R2, TCZ-R3, TCZ-R4 and TCZ-R5 are complied with.</i></p> <p>And remove reference to 'Non-complying' accordingly.</p>
TCZ-R16	Support	Rule 16 is supported.	Retain as notified.
TCZ-R17	Support in part	Rule 17 is supported, but it is noted that while it sits within the list of discretionary activities, it is missing the reference to this in the Rule.	Insert ' <i>Activity Status Discretionary</i> ' into Rule 17.
TCZ-R18	Oppose	For the reasons stated in Rule 15, Council seeks the removal of this rule.	Delete Rule 18.
TCZ-R19	Support	Rule 19 is supported.	Retain as notified.
TCZ-R20	Oppose	For the reasons stated above, Council is seeking the removal of parking and vehicle access rules from the Town Centre Zone given these are managed through the Transport Performance Standards.	Delete Rule 20.

INDUSTRIAL ZONES

INZ – Industrial Zones – Objectives and Policies

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives INZ O1 & O2; Policies INZ P1 – P11	Oppose in part	<p>The objectives and policies seek to manage activities both within Industrial Zones and out of zone industrial activities. This is not considered appropriate given the chapter is specific to Industrial Zone activities and is likely to be confusing to plan users. Objective 2 and Policies 1-4 & 10 appear to be directed at out-of-zone industrial activities and Council requests that these provisions are removed.</p> <p>If there are concerns with industrial activities within other zones e.g. Rural Zones, then consideration should be given to including additional provisions to those zones, setting out the expectations for industrial activities.</p>	<p>Remove Objective 2, Policies 1 to 4 and Policy 10.</p> <p>Council also has a general concern with what activities constitute Light Industry and Heavy Industry and are appropriate for each zone and suggests a definition for each would be helpful.</p>

GIZ – General Industrial Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
GIZ-R1	Oppose in part	<p>Council supports Rule 1 with the exception of the following matters:</p> <p>Clause 3 requires a 5m setback from road boundaries and specified zone boundaries. A greater setback is considered desirable particularly when residential activities adjoin an industrial zone, with Council seeking a 10m setback.</p>	<p>Amend Rule 1 as follows:</p> <p>.....</p> <p>3. <i>Buildings are setback a minimum:</i></p> <p>a. <i>10m from State Highways; and</i></p> <p>b. <i>5 10m from road boundaries, any RESZ – Residential Zone, OSRZ – Open Space and Recreation Zone or SETZ – Settlement Zone boundary and the Rail Corridor;</i></p>

		<p>Clause 4 is missing reference to the fact that the required fencing should be a solid fence to provide effective screening and that 1.8m is missing reference to this being a minimum height requirement.</p> <p>Clause 5 relates to operational hours for blasting and vibration, with the words 'beyond the zone boundary' being out of context. Council requests these words are removed.</p> <p>Clause 6 includes an incorrect reference to Light Industrial Zone. However, Council's preference is that this clause is removed, as air discharges are a Regional Council responsibility and inclusion of dust performance standards could cause confusion for plan users, on which Council has ultimate responsibility for air discharges and has the potential to be problematic for enforcement purposes.</p> <p>Clause 8 deals with contaminated stormwater run-off and water quality which are Regional Council responsibilities. For the same reasons as discussed above, Council seeks removal of this clause.</p> <p>Clause 9 references the exception for infringement of recession boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Note rather than in the body of the rule, particularly given it has wider relevance than just recession planes and is also applicable to internal boundary infringements.</p>	<p>4. <i>All external storage and car parking areas shall be screened by a <u>minimum 1.8m high solid fence</u> or landscaping so that</i></p> <p>5. <i>No blasting or vibration beyond the zone boundary shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays.</i></p> <p>6. <i>There shall be no offensive or objectionable dust nuisance at or beyond the LIZ Light Industrial GIZ General Industrial Zone boundary as a result of the activity....</i></p> <p>8. Contaminated stormwater run-off associated with any industrial activity or building, including stormwater runoff from earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality; and</p> <p>9. <i>No building shall project beyond a building envelope defined by a 35 degree recession plane to commence 2.5m above any RESZ – Residential, OSZ – Open Space, SARZ – Sport and Recreation Zone, MUZ – Mixed Use or SETZ – Settlement Zone boundary except where the neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:</i></p> <p>Advice Notes:.....</p>
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			4. <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</u>
GIZ-R2	Oppose in part	Minor structures are required to comply with the Rule 1 standards with the exception of setback standards (Clause 1). The remaining standards do not appear applicable to minor structures, therefore Council requests that Clause 1 is removed.	Amend Rule 2 as follows: 1. All performance standards for Rule GIZ-R1 are complied with — except that compliance with standard 3 (setbacks) is not required....
GIZ-R3 – R4	Support	Rules 3 and 4 are supported.	A consequential change to the activity status of R4 from non-complying to discretionary is also needed if the submission points on R12 to 14 are accepted.
GIZ-R5	Support in part	Rule 6 is supported, however Council is concerned that the reference in Clause 2 to 'one single' residential unit has the potential to be confusing as it implies that the residential unit caters for a single person, whereas Council assumes the intent is for one unit associated with the commercial or industrial activity. Council seeks that the reference to 'single' is removed.	Amend Rule 5 as follows: 2. <i>One single residential unit per site is provided; and</i>
GIZ-R6 – R8		Rules 6 to 8 are supported, but it is noted that a number of the rules refer to activities that are not defined in the Plan e.g. Public Transport Facility, Aquaculture Activities.	Retain as notified, but insert definitions for 'Public Transport Facility' and 'Aquaculture Activities' into the Plan.
GIZ-R9	Oppose	Council does not agree with the activity status approach to breaches of recession planes and requests that all infringements of standards for industrial activities are treated as discretionary activities. It is further noted that some of the discretionary matters listed for Rule 9 are not directly relevant to recession plane breaches e.g. management of hazardous substances and location of parking and access.	Delete Rule 9.

GIZ-R10 & R11	Support in part	Council seeks one minor change to the matters of discretion. Rather than referring to 'landscape treatment', Council preference is that this is changed to 'landscaping measures' as being a readily understood term.	Amend Rules 10 and 11 as follows: <i>b. <u>Landscaping treatment measures</u></i>
GIZ-R12 – R14	Oppose	Rules 12 to 14 cover various activities with discretionary status. While Council supports the listed activities, there is concern that an activity may be missed that would be considered appropriate within the Industrial Zone. Council seeks a simpler approach which treats activities not otherwise listed as discretionary activities, with the exception of residential and community facilities, education facilities and health facilities which are not considered appropriate within the Industrial Zone and should be non-complying (see rule below).	Delete Rules 12 to 14 and replace them with the following: <u>Activities not otherwise listed in this Chapter</u> <u>Activity Status Discretionary</u> <u>Where:</u> <u>This does not involve Residential Activities, Community Facilities, Education Facilities and Health Facilities</u>
GIZ-R15	Oppose in part	Following on from the change requested above, Council seeks that Residential Activities and Community Facilities, Education Facilities and Health Facilities are treated as non-complying activities and that these activities are specifically referred to in Rule 15.	Amend Rule 15 as follows: <u>Any Activity not provided for by another Rule in the zone</u> <u>Residential Activities, Community Facilities, Education Facilities and Health Facilities</u> <u>Activity Status Non-complying</u>

LIZ – Light Industrial Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
LIZ-R1	Oppose in part	Council generally supports Rule 1, with the exception of the following matters: Clause 3 requires a 5m setback from road boundaries and specified zone boundaries. A greater setback is	Amend Rule 1 as follows: <i>3. Buildings are setback a minimum: c. 10m from State Highways; and</i>

		<p>considered desirable particularly when residential activities adjoin an industrial zone, with Council seeking a 10m setback.</p> <p>Clause 4 is missing reference to the fact that the required fencing should be a solid fence to provide effective screening and that 1.8m is missing reference to this being a minimum height requirement.</p> <p>Clause 6 sets down dust standards. Council’s preference is that this clause is removed as air discharges are a Regional Council responsibility and inclusion of dust performance standards could cause confusion for plan users, on which Council has ultimate responsibility for air discharges and has the potential to be problematic for enforcement.</p> <p>Clause 7(c) is not framed in terms of a rule but ‘encourages’ planting, therefore for conciseness, Council seeks this clause is removed.</p> <p>Clause 8 deals with contaminated stormwater run-off and water quality, which are Regional Council responsibilities. For the same reasons as discussed above, Council seeks removal of this clause.</p> <p>Clause 9 references the exception for infringement of recession boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Note rather than in the body of the rule, particularly given it has wider</p>	<p><i>d. <u>5 10m from road boundaries, any RESZ – Residential Zone, OSRZ – Open Space and Recreation Zone or SETZ – Settlement Zone boundary and the Rail Corridor;</u></i></p> <p><i>4. All external storage and car parking areas shall be screened by a <u>minimum 1.8m high solid fence or landscaping so that</u></i></p> <p><i>6. There shall be no offensive or objectionable dust nuisance at or beyond the LIZ – Light Industrial Zone boundary as a result of the activity;</i></p> <p><i>7. The area adjoining the road frontage of all sites,...shall contain landscaping as follows: c. The planting of 1 tree per 20 carparking spaces is encouraged within any carparking area.</i></p> <p><i>8. Contaminated stormwater run-off associated with any industrial activity or building, including stormwater runoff from earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality;</i></p> <p><i>9. No building shall project beyond a building envelope defined by a <u>35 degree recession plane as detailed in Appendix Two to commence 2.5m above any RESZ – Residential, OSZ – Open Space, SARZ – Sport and Recreation Zone, MUZ – Mixed Use or SETZ – Settlement Zone boundary except where the neighbouring property owner’s</u></i></p>
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		<p>relevance than just recession planes and is also applicable to internal boundary infringements.</p> <p>Council also seeks that Industrial Buildings are subject to the same recession plane standards as for other zones and assessed on the basis of the design of the building, with reference to 35 degrees removed.</p>	<p>written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:</p> <p>Advice Notes:.....</p> <p>4. <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</u></p>
LIZ-R2	Oppose in part	<p>Rule 2 is generally supported, however Clause 2 refers to listed Retail Activities including service stations and trade retail, which are specifically excluded from the definition for 'Retail Activities'. Council suggests that the reference to 'Retail Activities' is removed.</p>	<p>Amend Rule 2 as follows:</p> <p>2. Any <u>Commercial Retail</u> Activities are:</p>
LIZ-R3	Support in part	<p>Rule 3 is supported, however Council is concerned that the reference in Clause 2 to 'one single' residential unit has the potential to be confusing as it implies that the residential unit caters for a single person, whereas Council assumes the intent is for one unit associated with the commercial or industrial activity. Council seeks that the reference to 'single' is removed.</p>	<p>Amend Rule 3 as follows:</p> <p>2. <i>One single residential unit per site is provided; and</i></p>
LIZ-R4	Support	<p>Rule 4 is supported.</p>	<p>Retain as notified.</p>
LIZ-R5	Oppose in part	<p>Minor structures are required to comply with the Rule 1 standards with the exception of setback standards (Clause 1). The remaining standards do not appear applicable to minor structures, therefore Council requests that Clause 1 is removed.</p>	<p>Amend Rule 2 as follows:</p> <p>All performance standards for Rule LIZ-R1 are complied with except that compliance with standard 3 (setbacks) is not required.....</p>
LIZ-R6 – R8	Support	<p>Rules 6 to 8 are supported.</p>	<p>Retain as notified.</p>

LIZ-R9	Oppose	Council does not agree with the activity status approach to breaches of recession planes and requests that all infringements of standards for industrial activities are treated as discretionary activities.	Delete Rule 9.
LIZ-R10 & R11	Support in part	Council seeks one minor change to the matters of discretion. Rather than referring to 'landscape treatment' Council preference is that this is changed to 'landscaping measures' as being a readily understood term.	Amend Rules 10 and 11 as follows: <i>c. <u>Landscaping treatment measures</u></i>
LIZ-R12 – R14	Oppose	Rules 12 to 14 covers various activities with discretionary status. While Council supports the listed activities, there is concern that an activity may be missed that would be considered appropriate within the Industrial Zone. Council seeks a simpler approach which treats activities not otherwise listed as discretionary activities, with the exception of residential and community facilities, education facilities and health facilities which are not considered appropriate within the Industrial Zone and should be non-complying (see rule below).	Delete Rules 12 to 14 and replace them with the following: <u>Activities not otherwise listed in this Chapter</u> <u>Activity Status Discretionary</u> <u>Where:</u> <u>This does not involve Residential Activities, Community Facilities, Education Facilities and Health Facilities</u>
LIZ-R15	Oppose in part	Following on from the change requested above, Council seeks that Residential Activities and Community Facilities, Education Facilities and Health Facilities are treated as non-complying activities and that these activities are specifically referred to in Rule 15.	Amend Rule 15 as follows: Any Activity not provided for by another Rule in the zone <u>Residential Activities, Community Facilities, Education Facilities and Health Facilities</u> <u>Activity Status Non-complying</u>

RESIDENTIAL ZONES

RESZ Zone – Residential Zone Objectives and Policies

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives RESZ O1 -O3	Support	Council supports the objectives for the Residential Zone	Retain as notified.
Policies RESZ P1 – P17	Support	Council supports the suite of policies for the Residential Zone	Retain as notified.

GRZ – General Residential Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
GRZ-R1	Oppose in part	<p>Council has a number of concerns with Rule 1 as follows:</p> <p>The rule is headed ‘Residential Activities’ and ‘Residential Units’, the definitions of which are limited to habitable buildings. Council is concerned that standalone garages and other accessory buildings are not covered by the rule and seeks that this is clarified. It is suggested that ‘Accessory Building’ is added to the title as this is defined in the Plan and would capture garages.</p> <p>Clause 1(a) does not limit the number of residential units per site. While it is acknowledged that this is achieved to some degree through site coverage restrictions, the residential character of Reefton and Westport is generally low density and Council wishes to retain discretion where this would change to a significant degree. Council requests that the number of residential units per site is limited to 2 (plus the one minor residential unit per site allowed for in Clause 2).</p>	<p>Amend Rule 1 as follows:</p> <p><u>Residential Activities, and Residential Units and Accessory Buildings</u></p> <ol style="list-style-type: none"> 1. Residential unit density is no more than: <ol style="list-style-type: none"> (a) 1 unit per 350m² net site area; or with a maximum of 2 units per site. (b) 1 unit per 300m² net site area where two or more adjoining sites are developed..... 8. All residential units and buildings used for a residential activity must be connected to the community water supply and wastewater networks <u>where available</u>, and stormwater from the site used for the activity must not drain to any public road except for secondary flow purposes.

	<p>Clause 1(b) makes additional allowance for adjoining sites where the residential unit density reduces to 1 unit per 300m² net site area. For the reasons discussed above, Council does not consider this is desirable and that it adds another layer of complexity that is not warranted. Council considers the general standard of 1 unit per 350m² net site area is a generous allowance and requests clause 1(b) is removed.</p> <p>Clause 8 requires mandatory connection to Council reticulated water supply and wastewater services. While this is fully supported, there may still be outlying land parcels where this is not possible, therefore Council seeks that 'where available' is inserted. Council also seeks that 'secondary flow purposes' is defined to provide clarity on what this covers or alternatively this reference is deleted.</p> <p>Clause 9 and 10(b) references the exception for infringement of recession planes and internal boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Note rather than in the body of the rule.</p> <p>Finally, Council seeks that any building used for sensitive activities (which includes residential activities) is setback a minimum of 150m from any wastewater treatment facilities including oxidation ponds. This is relevant to Westport's Wastewater Treatment Plant which, while designated (BDC33), is located in close proximity to residential zoned land to the west and Council wishes to avoid any reverse sensitivity issues.</p>	<p>9. <i>No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where the neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:....</i></p> <p>10. <i>Buildings are setback a minimum of 1m from all other site boundaries, except that;</i></p> <p><i>a. Duplexes do not require a setback from the side boundary of the other duplex unit; and</i></p> <p><i>b. Setbacks are not required from adjacent residential boundaries where neighbouring property owner's written approval is provided to the Council 10 working days prior to the works commencing.</i></p> <p><u><i>No building associated with sensitive activities shall be located within 150m of a designated Wastewater Treatment Facility site boundary.</i></u></p> <p>Advice Note: <u><i>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</i></u></p> <p>Define 'secondary flow purposes' or alternatively remove this reference. Council's preference is that it is removed.</p>
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GRZ-R2	Oppose in part	Minor structures are required to comply with the Rule 1 standards, not all of which are relevant or necessary. Council considers that the only relevant Rule 1 standard is boundary setbacks, given Rule 2 already includes standards for area and height.	Amend Rule 2 as follows: 2. All performance standards for Rule GRZ-R1 are complied with <u>Structures are setback a minimum of 4.5m from the road boundary and 1m from internal boundaries.</u>
GRZ-R3	Support	Rule 3 is supported	Retain as notified.
GRZ-R4	Oppose	The standards for relocated buildings duplicates the requirements of the Building Act, therefore Council considers the rule should be deleted. Any relocated building that is being used for residential purposes requires building consent for connection of services and any change of use also triggers building consent requirements. Relocated buildings will still need to meet the Residential Activities Rules and this is considered to provide adequate controls.	Delete Rule 4.
GRZ-R5	Oppose in part	Council supports Rule 5 given the rising popularity for home businesses and the economic contribution these make to the District, but considers that criteria around what is an appropriate scale of home businesses is needed and would be helpful for plan users. Council suggests that this can be achieved by limiting the number of off-site employees engaged in the business to one full-time equivalent person.	Amend Rule 5 as follows: 1. <u>This is ancillary to a residential activity; and there are no more than one full-time equivalent person engaged in the home business who reside off-site.</u>
GRZ-R6	Support	Council supports Rule 6	Retain as notified.
GRZ-R7 & R9	Support	Council supports Rules 7 to 9	Retain as notified.
GRZ -R11	Support	Council supports Rule 11	Retain as notified.

GRZ – R12	Oppose	Council requests the removal of rules for Relocated Buildings, as discussed above.	Delete Rule 12.
GRZ-R13	Support in part	Council supports Rule 13, but seeks that the matters of discretion extend to shading and loss of privacy given these are key considerations where boundaries are infringed. While it is acknowledged that design and location considerations are likely to encompass such matters, Council’s preference is that these are explicitly referred to.	Amend Rule 13 as follows: <i>Discretion is restricted to:</i> <i>(a) Design and location of buildings;</i> <i>(b) Design and location of parking and access; and</i> <i>(c) Landscape measures;</i> <i>(d) <u>Shading and loss of sunlight to adjoining sites;</u></i> <i><u>and</u></i> <i>(e) <u>Loss of privacy to adjoining sites.</u></i>
GRZ-R14	Support in part	Council supports Rule 14, but suggests that the reference to acoustic and noise insulation requirements in Clause (e) is removed and the matter of discretion is just noise.	Amend Rule 14 as follows: Discretion is restricted to: 1. Acoustic and noise insulation requirements
GRZ-R15	Support in part	Council supports Rule 15, but seeks that the matters of discretion extend to character and amenity of the surrounding area, traffic generation and loss of privacy, as these will be key considerations for community facilities within residential zones where there are expectations as to residential amenity. Council’s preference is also that noise is referred to in general terms, given the request to remove the noise insulation rule.	Amend Rule 15 as follows: <i>Discretion is restricted to:</i> <i>(a) Design and location of buildings;</i> <i>(b) Design and location of parking and access; and</i> <i>(c) Landscape measures;</i> <i>(d) Hours of operation;</i> <i>(e) Water supply, wastewater and stormwater management; and</i> <i>(f) Noise management—Acoustic and noise insulation requirements;</i> <i>(g) <u>Traffic generation;</u></i> <i>(h) <u>Loss of privacy to adjoining sites; and</u></i> <i>(i) <u>Character and amenity of the surrounding area.</u></i>
GRZ-R19 – R24	Support	Council supports Rules 19 and 24.	Retain as notified.

General Residential Zone Maps	Oppose in part	<p>Several of Council’s smaller recreational reserves that are currently designated in the BDP are zoned General Residential rather than Open Space Zone. This relates to the following recreational reserves:</p> <ul style="list-style-type: none"> • Orowaiti Esplanade Reserve – #58 • Mill Street Recreation Reserve - #62 • Kilkenny Park - #66 • Derby Street Playground - #61 • Waimangaroa Domain - #53 (zoned Rural Lifestyle) 	<p>Change the zoning from General Residential to Open Space Zone for the following sites:</p> <ul style="list-style-type: none"> • Orowaiti Esplanade Reserve – #58 • Mill Street Recreation Reserve - #62 • Kilkenny Park - #66 • Derby Street Playground - #61 • Waimangaroa Domain - #53 <p>Council has not undertaken a comprehensive review of whether all the currently designated recreational reserves have been zoned appropriately and suggests that this is needed.</p>
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RURAL ZONES

RURZ -Rural Zone – Objectives and Policies

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives RURZ O1 -O6	Support	Council supports the objectives for the Rural Zone.	Retain as notified.
Policies RURZ P1 – P28	Support	Council supports the suite of policies for the Rural Zone	Retain as notified.

GRUZ – General Rural Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
GRUZ – R1	Oppose in part	Rule 1 is generally supported, with the exception of two matters:	Amend Rule 1 and insert two additional standard as follows:

		<p>Council is concerned with the absence of a standard for ground floor area and considers this is needed to provide guidance on what is acceptable built form within the rural zone (i.e. the permitted baseline). Council seeks inclusion of a ground floor area standard and suggests the same standard as used in the BDP of 500m².</p> <p>Council also seeks that any building used for sensitive activities is setback a minimum of 150m from any wastewater treatment facilities, including oxidation ponds. This is relevant to the Little Wanganui and Reefton wastewater treatment facilities which, while designated (BDC34 and BDC35 respectively), adjoin rural zoned land and Council wishes to avoid any reverse sensitivity issues that may arise if residential or commercial activities are located in proximity to the facilities.</p>	<p><u>The maximum ground floor area of a single building shall not exceed 500m².</u></p> <p><u>No building associated with sensitive activities shall be located within 150m of a designated Wastewater Treatment Facility site boundary.</u></p>
GRUZ – R2	Support	Council supports Rule 2.	Retain as notified.
GRUZ – R3	Oppose in part	<p>Clause 3 limits residential unit density in the General Rural Zone to no more than one unit per 10ha net site area in the Highly Production Land Overlay and one unit per 4ha net site area in the rest of the General Rural Zone. While Council supports a residential density standard, it is concerned that the standard does not limit the number of dwellings per site which could result in a proliferation of dwellings. For example, a 20ha land parcel could theoretically have 5 dwellings located on the site which Council does not consider to be the desired outcome or an appropriate permitted baseline in the working environment of the General Rural Zone.</p> <p>Council's preference is that the residential density standard for the General Rural Zone is expressed in simple</p>	<p>Amend Rule 3 as follows:</p> <p>3. <i>Residential unit density is no more than one unit per 10ha net site area in the Highly Productive Land Overlay and one unit per 4ha net site area in the rest of the General Rural Zone, with a maximum of 2 units per site except:</i></p> <p>(i) Where:</p> <p style="padding-left: 40px;">(a) The site is already in existence and complied with the previous relevant Grey, Bulle or Westland District Plan density provisions; or</p>


		<p>terms as no more than two residential units per site, rather than based on a per hectare basis, or as an alternative, a limit of 2 residential units per site is inserted into the existing rule framework.</p> <p>Council is also unclear as to why the sub-clauses 3(i)(a) – (c) are needed and considers this has the potential to be confusing for plan users and the preference is for a blanket residential unit standard regardless of whether there is an existing dwelling present on the site.</p> <p>Clause 4 allows 3 minor residential units per 10ha net site area provided they meet specified criteria. For the same reasons as set out above for principle residential units, Council considers that the number of minor residential units needs to be limited and considers that 2 minor units per site is more appropriate and consistent with the suggested two principal residents per site.</p>	<p>(b) The site is subject to an approved subdivision consent at the operative date of the plan;</p> <p>(c) Then the residential unit density is no more than one unit per site</p> <p>.....</p> <p>4. <i>There is no more than 3 2 minor residential units per 10ha net site area that...</i></p>
GRUZ – R5	Oppose in part	<p>Minor structures are required to comply with the Rule 1 standards, not all of which are relevant or necessary. Council considers that the only relevant Rule 1 standard is boundary setbacks, given Rule 2 already includes standards for area and height.</p>	<p><i>Amend Rule 5 as follows:</i></p> <p>3. <u><i>Structures are setback a minimum of 10m from the road boundary, 20m from the State Highway Boundary and 10m from internal boundaries.</i></u> <i>All performance standards for Rule GRZ-R1 are complied with</i></p>
GRUZ – R6	Support	<p>Council supports Rule 6</p>	<p>Retain as notified.</p>
GRUZ – R7	Oppose	<p>The standards for relocated buildings duplicate the requirements of the Building Act, therefore Council considers the rule should be deleted. Any relocated building that is being used for residential purposes</p>	<p>Delete Rule 7.</p>

		requires building consent for connection of services and any change of use also triggers building consent requirements. Relocated buildings will still need to meet the general rural zone standards and this is considered to provide adequate controls.	
GRUZ – R8	Support	Rule 8 providing for residential visitor accommodation is supported	Retain as notified.
GRUZ – R9	Oppose in part	Council supports the rule given the rising popularity for home businesses and the economic contribution these make to the District, but considers that criteria around what is an appropriate scale of home businesses is needed and would be helpful for plan users. Council suggests that this can be achieved by limiting the number of off-site employees engaged in the business to two full-time equivalent persons.	Amend Rule 9 as follows: <i>1. <u>This is ancillary to a residential activity; and there are no more than two full-time equivalent persons engaged in the home business who reside off-site.</u></i>
GRUZ – R10	Support	Council supports Rule 10	Retain as notified.
GRUZ – R11	Support in part	Council supports Rule 11, but further parameters around the scale of prospecting and exploration activities are suggested. This can be achieved through limiting the material excavated per calendar year. Setbacks from boundaries are also considered necessary to avoid any adverse boundary effects from earthworks. Council also seeks the addition of a new standard that requires that the activity to be conducted under a prospecting or exploration permit from New Zealand Petroleum and Minerals (NZPAM) where this is legally required. Noting that some minerals are privately owned and do not require a prospecting or exploration permit. This is consistent with the standards for RLZ-R11	Amend Rule 11 as follows: <i>Activity Status Permitted</i> <i>Where:</i> <i>1. <u>This is authorised under a prospecting or exploration permit from NZPAM where legally required;</u></i> <i>2. <u>Notice is provided to the relevant District Council 5 10 working days ahead of work being undertaken prior to the works commencing;</u></i> <i>3. Where areas are to be disturbed, topsoil shall be stripped and stockpiled and then replaced over the area of land disturbed as soon as possible but no later than 3 months after the disturbance has occurred.</i>

		<p>Clause 3 is not considered necessary as it is captured in the requirement for progressive rehabilitation; and effects on riparian margins and habitats (Clause 5) are addressed in other Chapters of the Plan.</p>	<ol style="list-style-type: none"> 3. <u>Earthworks are not within 20m of the site boundary;</u> 4. <u>The site shall be progressively rehabilitated as far as is practicable to its original condition, with rehabilitation to be completed no later than 3 months after activities cease;</u> 5. <u>All stripped material (including vegetation, soil and debris) is not deposited within any riparian margin of a waterbody and is contained in such a manner that it does not enter any waterbody or cause the destruction of habitat. No more than 5,000m³ of material is excavated in a calendar year</u>
GRUZ – R12	Support in part	<p>Council considers that providing for mining outside of sensitive sites and overlays is appropriate as a permitted activity, as the effects of such are similar to land development for agricultural purposes. However, Council requests additional standards requiring Council to be informed of the activity, that mining is authorised under a mining permit, that rehabilitation is completed in a timely manner and that rehabilitation returns the land to pre-mining conditions as far as practicable.</p> <p>The setbacks from boundaries standard should not be limited to stockpiles and should cover earthworks generally so as to avoid any adverse boundary effects.</p>	<p>Amend Rule 12 as follows:</p> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Less than 20,000m³ of material is disturbed or removed within a 12 month period; <u>No more than 20,000m³ of material is excavated in a calendar year;</u> 2. <u>Progressive rehabilitation of the mined area occurs so that site disturbance is limited to no more than 3ha. at any one time per property on which the activity is occurring.</u> 3. <u>On completion of mining activity, the site is rehabilitated as far as is practicable to its original condition, with rehabilitation to be completed no later than 6 months after activities cease.</u>

			<p>4. <u>This is authorised under a mining permit from NZPAM;</u></p> <p>5. <u>Notice is provided to the relevant District Council 10 working days prior to the works commencing;</u></p> <p>And</p> <p>(a) The activity does not occur within:</p> <p>(b) There are no <u>earthworks stockpiles</u> within 20m of the <u>property site</u> boundary;</p>
GRUZ – R13	Support in part	<p>There appears to be a numbering error in Clause 3 which also refers to 12pm midnight, which should read 12am midnight.</p> <p>Council also requests that a Schedule of Community Halls is added to provide certainty on what community facilities are considered halls for the purpose of this rule.</p>	<p>Amend 13 as follows:</p> <p>3. <u>For circumstances other than outlined in 1 and 2. and 3. above, hours of operation are limited to:</u></p> <p>i) 7am -10pm Sunday - Thursday;</p> <p>ii) 7am – 12am pm midnight Friday and Saturdays.</p> <p>Insert a Schedule of Community Halls into the Plan.</p>
GRUZ – R16	Support	Rule 16 is supported.	Retain as notified.
GRUZ – R17	Oppose	Council requests the removal of rules for Relocated Buildings, as discussed above.	Delete Rule 17.
GRUZ – R18	Support in principle	The rule is supported in principle, but it is noted that there is no supporting Schedule 10 of previously mined locations, therefore this standard cannot be met. If there is no likelihood of a schedule of previously mined locations	Consideration is given to deletion of Rule 18.

		being produced, then Council queries whether Rule 18 should be removed.	
GRUZ – R20 – R23	Support	Rules 20 to 23 are supported.	Retain as notified.
GRUZ – R24	Support in part	The rule refers to ‘non-rural activities’, which it is assumed to encompass commercial and industrial activities. Given the latter are defined in the Plan, it is requested that these terms are used rather than ‘non-rural activities’ to provide certainty on what is captured by the rule. It is noted that equivalent rules in the Rural Lifestyle zone refer to commercial and industrial activities.	Amend the heading of Rule 24 as follows: Non-rural <u>Commercial and Industrial Activities</u>
GRUZ – 25 - R29	Support	Rules 25 to 29 are supported.	Retain as notified.
GRUZ – R30	Support in part	The rule refers to non-rural activities which it is assumed to encompass commercial and industrial activities. Given the latter are defined in the Plan, it is requested that these terms are used rather than ‘non-rural activities’ to provide certainty on what is captured by the rule. Council is not clear on what is meant by ‘large format retail’ and requests that this is defined or alternatively is changed to ‘commercial activities’.	Amend the heading of Rule 30 as follows: Non-rural <u>Commercial and Industrial Activities not meeting Permitted or Restricted Discretionary Activity Standards</u> Include a definition for ‘Large format retail’ in the Definition Section or alternatively change this reference to ‘commercial activities’.
GRUZ – R31	Support	While Council agrees that visitor accommodation activities within the Rural Zone should be a discretionary activity, it does not agree with the imposition of standards whereby if not complied with the activity becomes non-complying. Council considers that some accommodation providers, such as camping grounds, will be compatible with the rural character and applications should be considered on their merits and a non-complying status is not justified.	Amend Rule 31 as follows: Activity Status Discretionary Where: 1. The visitor and temporary worker accommodation is ancillary to a farming, conservation or residential activity. And remove reference to non-complying activity.

GRUZ - R32 – R33	Support	Rules 32 and 33 are supported.	Retain as notified.
GRUZ - 34	Support in part	As discussed above, change the rule reference to non-rural activities to ‘commercial and industrial activities’ and remove the reference to Visitor Accommodation as per the request that these remain discretionary activities.	Amend the heading of Rule 34 as follows: <i>Non-rural Commercial and Industrial Activities, Visitor not meeting any other Rule in the Zone</i>
GRUZ - 35	Support	Rule 35 is supported.	Retain as notified.
General Rural Zone Map – Westport Rifle Range Protection Area	Oppose	<p>Three land parcels to the immediate north of the Rifle Range Protection Area are zoned General Rural and Council seeks that this is changed to General Residential, given the need to provide for residential development on the outskirts of Westport township which is not subject to flood hazard. While Council appreciates that this will impact the Westport Rifle Range, the Alma Road area has been identified as a critical managed retreat location for Westport and infrastructure planning has identified these sites as important to the overall development of the Alma Road terrace as a residential area.</p> <p>Council intends working with the Gun Club to identify an alternative site for the rifle range but anticipates that relocation will not need to occur for some years.</p> <p>An error with the e-Plan maps is also noted where there is an annotation for ‘Future Urban Zone’. There is no such zoning and this reference needs to be removed.</p>	<p>Amend the General Rural Zone maps so that the following sites, as shown in the attached map, be zoned General Residential Zone.</p> <ul style="list-style-type: none"> • Lot 2 DP 418652 • Lot 2 DP 404550 • Part Section 24 Block VII Kawatiri SD 

RLZ – Rural Lifestyle Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
RLZ – R1	Oppose in part	Clause 6(i) is not clear on whether it addresses free-range poultry and/or buildings but if the later, it appears to only require a 2m setback which is a lesser setback than the general 10m setback standard for buildings in Clause 4 above. It is considered that the rule should focus on the shelter or buildings used to house or feed poultry and that it would be prudent to have a rule that covers livestock generally to manage any potential noise or odour nuisance.	<p>Amend Rule 1 as follows:</p> <p><i>6. Performance standards for poultry farming and pig keeping apply as follows:</i></p> <p><i>i) For poultry setbacks of 10m from any residential boundary building on another site and 2m from the site boundary;</i></p> <p><i>ii) For pig keeping setbacks of 50m from any residential building on another site and 100m for any shelter holding 4 or more pigs.</i></p> <p><u><i>Shelters and buildings used to house or feed livestock must be setback at least 30m from any boundary.</i></u></p>
RLZ-2	Support	Rule 2 is supported.	Retain as notified.
RLZ-R3	Oppose in part	Clause 2 limits residential unit density to one unit per 1ha net site, but appears to allow a second unit if there is already a dwelling in existence on the site. Council does not consider that this is appropriate on a 1 ha land parcel where the predominant rural character and open space is expected to be maintained, particularly given the rule also allows for 1 minor residential unit. Council requests that a blanket standard of 1 unit per 1ha net site area is applied to the Rural Lifestyle Zone. It is also noted that the words ‘...on physically contiguous land...’ do not add anything to the standard and can be removed.	<p>Rule 3 is amended as follows:</p> <p><i>2 Residential unit density is no more than one unit per 1ha net site area on physically contiguous land except where the site is already in existence at the date of notification of the Plan; and ...</i></p>

RLZ-R5	Oppose in part	Minor structures are required to comply with the Rule 1 standards, not all of which are relevant or necessary. Council considers that the only relevant Rule 1 standard is boundary setbacks, given Rule 2 already includes standards for area and height.	Amend Rule 5 as follows: 1. <u>Structures are setback a minimum of 10m from the road boundary, 20m from the State Highway Boundary and 10m from internal boundaries.</u> All performance standards for Rule RLZ-R1 are complied with
RLZ-R6	Support	Rule 6 is supported.	Retain as notified.
RLZ-R7	Oppose	The standards for relocated buildings duplicate the requirements of the Building Act, therefore Council considers the rule should be deleted. Any relocated building that is being used for residential purposes requires building consent for connection of services and any change of use also triggers building consent requirements. Relocated buildings will still need to meet the general zone standards and this is considered to provide adequate controls.	Delete Rule 7.
RLZ – R8	Oppose in part	Council supports the rule given the rising popularity for home businesses and the economic contribution these make to the District, but considers that criteria around what is an appropriate scale of home businesses is needed and would be helpful for plan users. Council suggests that this can be achieved by limiting the number of off-site employees engaged in the business to one full-time equivalent person. It is noted that the equivalent rule in the General Rural Zone (Rule 9) includes an additional standard that the home business is to be ancillary to a residential activity. While this is also expressed in the definition for ‘home	Amend Rule 8 and insert an additional standard as follows: <u>This is ancillary to a residential activity and there are no more than one full-time equivalent person engaged in the home business who reside off-site.</u>

		business', this would provide helpful guidance to plan users if it was also included in this rule.	
RLZ – R9	Support	Rule 9 is supported.	Retain as notified.
RLZ - R10	Oppose in part	Rule 10 provides more generous hours for community halls lawfully established at the time of notification of the Plan to provide for community event. However, there is an error with the clause numbering and it is assumed Clause 3 should be a subset of 2(iii).	Amend Rule 10 as follows: <ul style="list-style-type: none"> 2. <i>Hours of operation are limited to:</i> <ul style="list-style-type: none"> a. <i>7am -10pm weekdays; and</i> b. <i>8am – 8pm weekends and public holidays; except</i> c. <i>For community halls lawfully established at the time of notification of the Plan:</i> <ul style="list-style-type: none"> • <i><u>Hours of operation on Friday and Saturday are 7am – 12pm and midnight; and</u></i> 3. <i>No restriction on hours is in place for up to 12 days per calendar year.</i>
RLZ-R11	Support in part	<p>Council supports Rule 11, but further parameters around the scale of prospecting and exploration activities are suggested. This can be achieved through limiting the material excavated per calendar year. Setbacks from boundaries are also considered necessary to avoid any adverse boundary effects from earthworks.</p> <p>Clause 3 is not considered necessary as it is captured in the requirement for progressive rehabilitation, and effects on riparian margins and habitats (Clause 5) are addressed in other Chapters of the Plan.</p>	<p>Amend Rule 11 as follows:</p> <p>Activity Status Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> 1. <i>This is authorised under a prospecting or exploration permit from NZPAM where legally required;</i> 2. <i>Notice is provided to the relevant District Council 10 working days prior to the works commencing;</i> 3. <i>Where areas are to be disturbed, topsoil shall be stripped and stockpiled and then replaced over the area of land disturbed as soon as</i>

			<p>possible but no later than 3 months after the disturbance has occurred.</p> <p>6. <u>Earthworks are not within 20m of the site boundary;</u></p> <p>7. <u>The site shall be progressively rehabilitated as far as is practicable to its original condition, with rehabilitation to be completed no later than 3 months after activities cease;</u></p> <p>8. <u>All stripped material (including vegetation, soil and debris) is not deposited within any riparian margin of a waterbody and is contained in such a manner that it does not enter any waterbody or cause the destruction of habitat.</u> <u>No more than 5,000m³ of material is excavated in a calendar year</u></p>
RLZ-R12	Support	Rule 12 is supported.	Retain as notified.
RLZ-R13	Oppose	Council is seeking the removal of rules for Relocated Buildings, as discussed above.	Delete Rule 13.
RLZ-R14 – R16	Support	Rules 14 to 16 are supported.	Retain as notified.
RLZ-R17	Oppose in part	While Council agrees that commercial activities within the Rural Lifestyle Zone should be a discretionary activity, it does not agree with the imposition of standards, whereby if not complied with the activity becomes non-complying. Council considers that some commercial activities (e.g. electricians or mechanical businesses) support the rural community and can be of a scale compatible with the character of the zone along with contributing to the District's economic well-being. Council considers applications should be considered on their merits and a non-complying activity status is not justified.	<p>Amend Rule 17 as follows:</p> <p><i>Activity Status Discretionary</i></p> <p>Where:</p> <p>1. The maximum combined floor and yard area for any commercial activity shall be 100m²; and</p> <p>2. All performance standards for Rule RLZ-R1 are complied with.</p> <p>Remove reference to non-complying activity</p>
RLZ-R18 – R25	Support	Rules 18 to 25 are supported.	Retain as notified.

SETZ – Settlement Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
SETZ-R1	Oppose in part	<p>Council generally supports Rule 1, but queries whether clause 1(ii) is needed given existing use rights cover the situation of lawfully established residential units.</p> <p>Council also seeks that mandatory connection to services covered in Clause 2 is qualified by the requirement that the community scheme has capacity.</p>	<p>Amend Rule 1 as follows:</p> <ol style="list-style-type: none"> 1. Residential unit density is no more than: <ol style="list-style-type: none"> †) 1 unit per 500m² net site area in areas fully serviced by a network utility operator with wastewater, water supply and stormwater systems, <i>except that:</i> <ol style="list-style-type: none"> 1. Where smaller sites were lawfully established under the previous Buller, Grey or Westland District Plan then the residential unit density is one residential unit per site; 2. Where the settlement is serviced by a network utility operator for wastewater, water supply or stormwater all residential units and <u>provided there is capacity</u>, buildings used for a residential activity must be connected to the community wastewater, water supply and stormwater infrastructure.
SETZ-R2	Oppose in part	<p>Council generally supports the building design standards, with the exception of the following matters.</p> <p>Clause 1 sets the maximum height of buildings within the Settlement Centre Precinct at 12m. Council does not consider that 12m is compatible with the existing character of the District's settlements and Council</p>	<p>Amend Rule 2 as follows:</p> <ol style="list-style-type: none"> 1. The maximum height above ground level for buildings is:.... <ol style="list-style-type: none"> (iv) 12 <u>10m</u> for buildings in the SETZ – PREC2 – Settlement Centre Precinct;....

		<p>requests that the height is reduced to 10m in the Settlement Centre Precinct.</p> <p>Clause 4 sets down building setbacks, with Council seeking an additional standard. Council requests that any building used for sensitive activities is setback a minimum of 150m from any wastewater treatment facilities, including oxidation ponds. This is relevant to the Reefton wastewater treatment facilities which, while designated (BDC35), adjoins the Rural Residential precinct to the north and Council wishes to avoid any reverse sensitivity issues that may arise if residential or commercial activities are located in proximity to the facilities.</p> <p>Clause 6 references the exception for infringement of recession boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Note rather than in the body of the rule, particularly given it has wider relevance than just recession planes and is also applicable to internal boundary infringements.</p> <p>Council is concerned with the level of detail covering multi precincts addressed by this rule, this is difficult to follow and potentially confusing for plan users. Council requests that consideration be given to incorporating the height, bulk, site coverage and boundary setback standards into a table for ease of reference.</p>	<p>6. <i>No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where the neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:....</i></p> <p>7. <i><u>No building associated with sensitive activities shall be located within 150m of a designated Wastewater Treatment Facility site boundary.</u></i></p> <p><u>Advice Note:</u> <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</u></p> <p>Give consideration to inserting a table incorporating the applicable height, bulk, site coverage and boundary setbacks for each precinct.</p>
SETZ-R3	Oppose in part	Council considers that the maximum floor area of 100m ² for new buildings in the Coastal Settlement Precinct is too restrictive and requests that this be increased to 150m ² .	Amend Rule 3 as follows:

		The current BDP allows 150m ² buildings within the Paparoa Character Area and Council considers this has achieved appropriate outcomes in this sensitive environment and suggests the same ground floor standard be applied.	2. <i>New buildings are no more than 100 150m² in ground floor area and additions to existing buildings add up to no more than 50m² ground floor area.</i>
SETZ-R5	Oppose in part	<p>Council is concerned that the rule is overly complicated with the listed exclusions for settlement zones and considers that the only compatible agricultural activity is grazing of livestock, therefore requests the rule is amended accordingly.</p> <p>Clause 3(i) is not clear on whether it addresses free-range poultry and/or buildings but if the later, it appears to only require a 2m setback which is a lesser setback than the 5m setback for internal boundaries. It is considered that the rule should focus on the shelter or buildings used to house or feed poultry and that it would be prudent to have a rule that covers livestock generally to manage any potential noise or odour nuisance.</p>	<p>Amend Rule 5 as follows:</p> <p>Activity Status Permitted Where:</p> <p>2. The activity does not include; (a) Intensive indoor primary production; (b) The storage and disposal of soil or liquid animal waste not generated on the site; (c) Woodlots; (d) Stock sale yards; or (e) Farm quarries.</p> <p>3. Performance standards for poultry farming and pig keeping apply as follows: i) For poultry setbacks of 10m from any residential boundary building on another site and 2m from the site boundary; ii) For pig keeping setbacks of 50m from any residential building on another site and 100m for any shelter holding 4 or more pigs.</p> <p>2. <u>Agricultural activities are limited to the grazing of livestock where shelters and buildings used to house or feed livestock must be setback at least 30m from any boundary.</u></p>

SETZ-R6	Oppose in part	Minor structures are required to comply with the Rule 2 standards, not all of which are relevant or necessary. Council considers that the only relevant Rule 2 standard is boundary setbacks, given Rule 6 already includes standards for area and height.	Amend Rule 6 as follows: 1. <u>Structures are setback 5m from the road and 1m from internal boundaries</u> All performance standards for Rule SETZ-R2 are complied with
SETZ-R7	Oppose	The Rule 7 performance standards duplicate the requirements of the Building Act and therefore Council considers it should be deleted. Any relocated building that is being used for residential purposes requires building consent for connection of services. Relocated buildings will still be subject to the general zone standards and this is considered sufficient control.	Delete Rule 7.
SETZ-R9	Oppose in part	Council supports the rule given the rising popularity for home businesses and the economic contribution these make to the District, but considers that criteria around what is an appropriate scale of home businesses is needed and would be helpful for plan users. Council suggests that this can be achieved by limiting the number of off-site employees engaged in the business to one full-time equivalent person.	Amend Rule 9 as follows: 3. <u>Outside of the SETZ-PREC2 – Settlement Centre Precinct, there are no more than one full-time equivalent person engaged in the home business who reside off-site and hours of operation are limited to:</u>
SETZ-R10	Support	Rule 10 is supported.	Retain as notified.
SETZ-R11 & 12	Support	Rules 11 and 12 are supported, but Advice Note 2 refers to acoustic insulation requirements which Council is seeking to have removed.	Delete the Advice Notes relating to acoustic insulation.
SETZ-R13	Oppose in part	Council is concerned with the inter-relationship of Rules 13 for Retail Activities and Rule 14 for Commercial Activities (other than retail, home business or visitor	Amend the heading of Rule 13 and include an additional standard as follows:

		<p>accommodation) and the potential for confusion. Council is unclear why there is a need to manage retail and commercial activities in a different manner when they cover similar activities and are subject to similar standards. Council therefore seeks that Rules 13 and 14 are merged into a single rule.</p> <p>Rule 14 has a single standard not covered in Rule 13 which excludes commercial activities within the Coastal Settlement Precinct or Rural Residential Precinct which is considered appropriate and this is sought to be added to Rule 13.</p>	<p><u>Retail Commercial Activities other than Home Business or Visitor Accommodation.</u></p> <p><u>The activity does not occur in the SETZ-PREC3-Coastal Settlement Precinct or the SETZ-PREC4-Rural Residential Precinct.</u></p>
SETZ-R14	Oppose	For the reasons set out above, Council seeks the removal of Rule 14.	Delete Rule 14.
SETZ-15	Oppose	Mineral prospecting and mineral exploration activities are not considered compatible with the residential character of settlement zones, therefore Council seeks to have this rule deleted.	Delete Rule 15.
SETZ-17	Support	Rule 17 is supported.	Retain as notified.
SETZ-R18	Oppose	Council is seeking the removal of rules for Relocated Buildings, as discussed above.	Delete Rule 18.
SETZ-R19	Support in part	<p>Council supports Rule 19, but seeks that the matters of discretion extend to shading and loss of sunlight, loss of privacy and character and amenity of surrounding area, given these are key considerations where boundaries are infringed.</p> <p>While it is recognised that design, size, height and location of buildings are likely to encompass some of these considerations, Council seeks to have these other matters explicitly included.</p>	<p>Amend Rule 19 as follows:</p> <p><i>Discretion is restricted to:</i></p> <p><i>(a) Design and location of buildings</i></p> <p><i>(b) Size and height of buildings;</i></p> <p><i>(c) Any requirements for financial contributions;</i></p> <p><i>(d) Design and location of parking and access;</i></p> <p><i>and</i></p> <p><i>(e) Landscape measures;</i></p> <p><i>(f) Shading and loss of sunlight to adjoining sites;</i></p> <p><i>(g) Loss of privacy to adjoining sites; and</i></p>

			(h) <u>Character and amenity of the surrounding area.</u>
SETZ-R20	Support in part	Rule 20 is supported, but as with Rule 19 above, Council seeks that the matters of discretion extends to shading and loss of sunlight, loss of privacy and coastal character and amenity of surrounding area, given these are likely to be key considerations.	Amend Rule 20 as follows: Discretion is restricted to: <ul style="list-style-type: none"> (a) Design, size, height and location of buildings (b) Design, size and location of parking and access; (c) Any requirements for financial contributions; (d) Retention of existing vegetation; (e) Volume and location of earthworks; and (f) Landscape measures; (g) <u>Shading and loss of sunlight to adjoining sites;</u> (h) <u>Loss of privacy to adjoining sites; and</u> (i) <u>Character and amenity of the surrounding area.</u>
SETZ-R21	Support in part	Rule 21 is supported but as discussed above, Council seeks that the matters of discretion extends to loss of privacy and that amenity is not restricted to 'visual amenity' so as to ensure noise forms part of the considerations for visitor accommodation activities. It is also noted that clause (g) refers to 'rural character' when the rules are dealing with settlement zones, therefore it is suggested that the reference to 'rural' is removed.	Amend Rule 21 as follows: Discretion is restricted to: <ul style="list-style-type: none"> (g) Effects on visual—amenity and rural character <u>of the surrounding area; and</u> (h) Methods of wastewater treatment and disposal; <u>and</u> (i) <u>Loss of privacy to adjoining sites.</u>
SETZ-R21	Support in part	The rule numbering is incorrect as Rule 21 is repeated. The Rule is supported, but Council seeks to have the matters of discretion extended to include loss of privacy and character and amenity of the surrounding area given these are likely to be key considerations for community based activities etc. As Council is seeking removal of the	Correct the Rule numbering and amend as follows: Restriction is restricted to: <ul style="list-style-type: none"> (i) Acoustic—and noise management requirements; (j) <u>Loss of privacy to adjoining sites; and</u>

		acoustic insulation rules, it is requested that clause (i) refer to noise in a general sense.	(k) <i>Character and amenity of the surrounding area.</i>
SETZ-R22 & R23	Oppose in part	Council does not consider that rural industry or mineral prospecting or exploration activities will be appropriate in many locations of Settlement Zones as they can involve noise and other adverse effects that are not necessarily compatible with the level of amenity anticipated in settlement zones. Council seeks that the activity status for Rural Industry and Mineral Prospecting and Exploration activities is elevated to discretionary.	Delete Rule 22. Consequential amendment to insert Rural Industry and Mineral Prospecting and Exploration Activities into the Discretionary rules.
SETZ-R24-R28	Support	Council supports Rules 24 to 28.	Retain as notified.

SPECIAL PURPOSES ZONES

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
MPZ – Māori Purpose Zone STADZ – Stadium Zone SVZ – Scenic Visitor Zone	Support	<p>Due to time constraints, Council staff have not reviewed all the provisions of the Special Zones in detail and it is anticipated that key stakeholders will provide feedback on these. The exception to this is the Airport, Buller Coalfield, Port, Mineral Extraction and Hospital Zones where some matters of concern have been raised below.</p> <p>As a consequence of the lack of review of the Special Purposes Zones, there may be requested changes across other chapters that should be addressed for these zones to e.g. relocated buildings etc.</p>	Retain as notified.

AIRPZ – Airport Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Entire Chapter	Support	The objectives, policies and rules for the Airport Zone are supported.	Retain as notified.
Appendix Nine – Airport Approach Path Overlay	Oppose	The Westport Airport Approach Path overlay is extensive and takes in Carters Beach and a large area of rural land south of Cape Foulwind Road. Council queries whether the extent of the overlay is a mistake? The overlay has significant consequences for land use as AIRPZ R1.2 restricts the height of any building, structure or tree to 1.2m. Council considers the overlay should remain as identified in the operative BDP unless there are clear safety reasons for extending the pathway protection area.	Amend the Airport Approach Path overlay to accord with that shown in the operative BDP maps.

BCZ – Buller Coalfield Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives BCZ-O1 & O2 Policies BCZ P1 – P5	Support	The objectives and policies for the Mineral Extraction Zone are supported.	Retain as notified.
BCZ-R1	Support in part.	<p>Council supports Rule 1, but further parameters are requested. The activity should be conducted under an authorised exploration or prospecting permit and setbacks from boundaries are considered necessary to avoid any adverse boundary effects from earthworks.</p> <p>Clause 3 is not considered necessary as it is captured in the requirement for progressive rehabilitation, and effects on riparian margins and habitats (Clause 5) are managed</p>	<p>Amend Rule 1 as follows:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p><u><i>This is authorised under a prospecting or exploration permit from NZPAM;</i></u></p> <p><i>1. Notice is provided to the relevant District Council Consent Authority 10 working days prior to the works commencing;</i></p>

		<p>through rules in other Chapters of the Plan Margins of Water Ways and Ecosystems and Indigenous Biodiversity.</p>	<p>2. Areas are to be disturbed, topsoil shall be stripped and stockpiled and then replaced over the area of land disturbed as soon as possible but no later than 3 months after the disturbance has occurred.</p> <p><u>Earthworks are not within 20m of the site boundary;</u></p> <p>3. The site shall be <u>is progressively rehabilitated as far as is practicable to its original condition, with rehabilitation to be completed no later than 3 months after activities cease.</u></p> <p>4. All stripped material (including vegetation, soil and debris) is not deposited within any riparian margin of a waterbody and is contained in such a manner that it does not enter any waterbody or cause the destruction of habitat.</p>
BCZ-R2	Support	<p>Council generally supports Rule 2, but request a minor change to Clause 2(b) where the reference to ‘rehabilitation’ should be changed to ‘mine closure’.</p> <p>Council is concerned with Clause 6 and the bonding process given the permitted activity status of mining activities within the Mineral Extraction Zone. Council seeks that the performance standard is amended to ensure an independent bond assessment has been provided to the relevant District Council, prepared by a suitably qualified and experienced person, and that the recommended bond sum is lodged with the relevant District Council.</p> <p>However, this does not address the issue of ensuring that the bonds remains adequate over the life of the mine.</p>	<p>Amend Rule 2 as follows:</p> <p>2. <i>Where the site is active, or intended to be active within the next 12 months:</i></p> <p>1. <i>To the extent not already required by any coal mining Licence....These Plans will be required until the relevant district council certifies that rehabilitation <u>mine closure</u> is complete.</i></p> <p>.....</p> <p>6. <i>A bond is in place with the relevant district council;</i> <u>To the extent not already required by any coal mining licence or resource consent, an independent bond assessment prepared by a</u></p>

		<p>Council seeks a mechanism that provides for the bond to be reviewed at suitable intervals to ensure the surety remains sufficient to cover all liabilities and rehabilitation obligations as mine development proceeds.</p>	<p><u>suitably qualified and experienced person has been provided to the relevant district council a minimum of 20 working days prior to activities commencing and the recommended bond sum is lodged with the relevant District Council.</u></p> <p>Council seeks provision of a mechanism that provides for on-going review of bonds and adjustment of bond sums when needed.</p>
BCZ-R3	Support	<p>Council notes that the definition of ‘Mineral Extraction’ covers, among other things, roads and ancillary buildings and structures and Mineral Extraction activities are managed in Rule 2 above. The relationship between Rules 2 and 3 needs to be clarified and/or the definition of ‘Mineral Extraction’ reviewed to clarify what activities are managed by the respective rules.</p> <p>Council seeks the removal of Clause 5 relating to dust nuisance. Air discharges are a Regional Council responsibility and inclusion of dust performance standards could cause confusion for plan users on which Council has ultimate responsibility for air discharges and has the potential to be problematic for enforcement.</p> <p>Council also has the same issues with Clause 6 relating to bonds as for Rule 2 above and seeks the same amendment.</p>	<p>Amend Rule 3 as follows:</p> <p>5. There shall be offensive or objectionable dust nuisance at or beyond the property boundary of the mineral extraction site as a result of the activity.</p> <p>6. A bond is in place with the relevant district council, <u>To the extent not already required by any coal mining licence or resource consent, an independent bond assessment prepared by a suitably qualified and experienced person is provided to the relevant district council a minimum of 20 working days prior to activities commencing and the recommended bond sum is lodged with the relevant District Council;</u> </p> <p>Council seeks provision of a mechanism that provides for on-going review of bonds and adjustment of bond sums when needed.</p>

			Council seeks that the relationship between Rules 2 and 3 is clarified.
BCZ-R4	Support	Rule 4 is supported.	Retain as notified.
BCZ -R5	Support in part	While Rule 5 is generally supported, clause 1(i) is somewhat confusing and it is assumed that it seeks to exclude activities that would occur within a Significant Natural Area. Council suggests that this performance standard is amended to reflect this.	Amend Rule 5 as follows: 1. <i>This does not occur within:</i> i. <i>An area of indigenous vegetation greater than 5000m² in size that has not been assessed for its significance;</i> <i><u>A significant Natural Area</u></i>
BCZ-R6 & R7	Support	Rules 6 and 7 are supported.	Retain as notified.

HOSZ - Hospital Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Over view	Support in part	The Ngakawau Health Facility (1B Main Road, Hector) has been missed off the list of medical centres in the introduction section. Council requests that this facility is included in the listed medical centres.	Amend the second paragraph as follows: <i>There are also medical centres at Fox Glacier/Weheka, Franz Josef/Waiau, Haast, Harihari, <u>Ngakawau</u>, Hokitika and Karamea and</i>
Objectives HOSZ-O1 & O2 Policies HOSZ P1 & P2	Support	The objectives and policies for the Hospital zone are supported.	Retain as notified.
HOSZ-R1	Oppose in part	Rule 1 is supported, but it is noted that there are performance standards for screening of waste storage areas (Clause 4) and recession planes (Clause 6) and if the submission points are accepted for the equivalent	Amend the performance standards for waste storage areas (Clause 4) and recession planes (Clause 6) consistent with the requested changes for other chapters of the plan.

		provisions in other chapters, these should be amended for consistency across the plan.	
HOSZ-R2	Oppose in part	Rule 2 limits permitted helicopter pads to Grey, Reefton and Buller hospitals, whereas Council staff have been made aware that there are helicopter pads at some of the other medical centres including Ngakawau and Karamea. Given the vital community service that these emergency landing provisions provide, Council seeks that all helicopter landing sites associated with both hospitals and medical centres are permitted activities. This is consistent with the rules across other plan chapters e.g. TEMP R6 and NOISE R2 where helicopter movements are permitted activities.	Amend Rule 2 as follows: <i>Helicopter facilities including helicopter pads and associated fueling and servicing facilities</i> <i>Activity Status Permitted</i> <i>Where:</i> <ol style="list-style-type: none"> <i>These are located at the Te Nikau Grey Hospital, Reefton Hospital; or Buller Integrated Health Facility or <u>Medical Centre</u> sites only; and</i> <i>All performance standards for Rule HOSZ-R1 are complied with.</i>
HOSZ-R3	Oppose in part	Rule 1 covers Healthcare and Medical Activities which is defined as including ambulance facilities, therefore Council suggests that Rule 3 does not need to refer to 'Emergency Service Facilities' which has a wider scope and includes fire stations and police stations. Council also considers that fire stations are unlikely to be located within the hospital zone, therefore the reference to hose drying towers in Clause 1 should be removed.	Amend Rule 3 as follows: <i>Community Facilities and Emergency Service Facilities</i> <i>Activity Status Permitted</i> <i>Where:</i> <ol style="list-style-type: none"> <i>All performance standards for Rule HOSZ-R1 are complied with except that hose drying towers associated with Emergency Service Facilities are exempt from height standards; and</i> <i>Any community facility is ancillary to and/or supports healthcare and medical activity.</i>
HOSZ- R4 & R5	Support	Rules 4 to 5 are supported.	Retain as notified.
HOSZ-R6	Oppose	For the reasons stated above, Council seeks the removal of controls for relocated buildings given they are managed through the Building Act.	Delete Rule 6

HOSZ-R7 – R12	Support	Rules 7 to 12 are supported.	Retain as notified.
Hospital Zone Overlay	Oppose in part	The Ngakawau Health Facility (1B Main Road, Hector) has inadvertently been zoned Settlement and should be zoned Hospital, Council requests that the zone maps are amended to reflect this.	Change the zoning for 1B Main Road, Hector from Settlement to Hospital.

MINZ – Mineral Extraction Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives MINZ-O1 & O2 Policies MINZ P1 – P8	Support	The objectives and policies for the Mineral Extraction Zone are supported.	Retain as notified.
MINZ-R1	Support in part.	<p>Council supports Rule 1, but further parameters are requested. The activity should be conducted under an authorised exploration or prospecting permit and setbacks from boundaries are considered necessary to avoid any adverse boundary effects from earthworks.</p> <p>Clause 3 is not considered necessary as it is captured in the requirement for progressive rehabilitation, and effects on riparian margins and habitats (Clause 5) are managed through rules in other Chapters of the Plan – Margins of Water Ways and Ecosystems and Indigenous Biodiversity.</p>	<p>Amend Rule 1 as follows:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p><u><i>This is authorised under a prospecting or exploration permit from NZPAM where legally required;</i></u></p> <p><i>3. Notice is provided to the relevant District Council Consent Authority 10 working days prior to the works commencing;</i></p> <p><i>4. Areas are to be disturbed, topsoil shall be stripped and stockpiled and then replaced over the area of land disturbed as soon as possible but no later than 3 months after the disturbance has occurred.</i></p> <p><u><i>Earthworks are not within 20m of the site boundary;</i></u></p> <p><i>5. The site shall be is progressively rehabilitated as far as is practicable to its original condition,</i></p>

			<p><u>with rehabilitation to be completed no later than 3 months after activities cease;</u></p> <p>6. All stripped material (including vegetation, soil and debris) is not deposited within any riparian margin of a waterbody and is contained in such a manner that it does not enter any waterbody or cause the destruction of habitat.</p>
MINZ-R2	Support	<p>Council generally supports Rule 2, but request a minor change to Clause 2(b) where the reference to ‘rehabilitation’ should be changed to ‘mine closure’.</p> <p>Council is concerned with Clause 6 and the bonding process given the permitted activity status of mining activities within the Mineral Extraction Zone. Council seeks that the performance standard is amended to ensure an independent bond assessment has been provided to the relevant District Council, prepared by a suitably qualified and experienced person, and that the recommended bond sum is lodged with the relevant District Council.</p> <p>However, this does not address the issue of ensuring that the bonds remains adequate over the life of the mine. Council seeks a mechanism that provides for the bond to be reviewed at suitable intervals to ensure the surety remains sufficient to cover all liabilities and rehabilitation obligations as mine development proceeds.</p>	<p>Amend Rule 2 as follows:</p> <p>3. Where the site is active, or intended to be active within the next 12 months:</p> <p>2. To the extent not already required by any coal mining Licence....These Plans will be required until the relevant district council certifies that <u>rehabilitation mine closure</u> is complete.</p> <p>.....</p> <p>7. A bond is in place with the relevant district council; <u>To the extent not already required by any coal mining licence or resource consent, an independent bond assessment prepared by a suitably qualified and experienced person has been provided to the relevant district council a minimum of 20 working days prior to activities commencing and the recommended bond sum is lodged with the relevant District Council.</u></p>

			Council seeks provision of a mechanism that provides for on-going review of bonds and adjustment of bond sums when needed.
MINZ-R3	Support	<p>Council notes that the definition of ‘Mineral Extraction’ covers, among other things, roads and ancillary buildings and structures and Mineral Extraction activities are managed in Rule 2 above. The relationship between Rules 2 and 3, Rule 3 needs to be clarified and/or the definition of ‘Mineral Extraction’ reviewed to clarify what activities are managed by the respective rules.</p> <p>Council seeks the removal of Clause 5 relating to dust nuisance. Air discharges are a Regional Council responsibility and inclusion of dust performance standards could cause confusion for plan users on which Council has ultimate responsibility for air discharges and has the potential to be problematic for enforcement.</p> <p>Council also has the same issues with Clause 6 relating to bonds as for Rule 2 above, and seeks the same amendment.</p>	<p>Amend Rule 3 as follows:</p> <p>7. There shall be offensive or objectionable dust nuisance at or beyond the property boundary of the mineral extraction site as a result of the activity.</p> <p>8. A bond is in place with the relevant district council, <u>To the extent not already required by any coal mining licence or resource consent, an independent bond assessment prepared by a suitably qualified and experienced person is provided to the relevant district council a minimum of 20 working days prior to activities commencing and the recommended bond sum is lodged with the relevant District Council;</u> </p> <p>Council seeks provision of a mechanism that provides for on-going review of bonds and adjustment of bond sums when needed.</p> <p>Council seeks that the relationship between Rules 2 and 3 is clarified.</p>
MINZ-R4 & R5	Support	Rules 4 and 5 are supported. However, Council seeks the removal of the Advice Note for Rule 5 as not being relevant to grazing of animals.	Remove the Advice Note for Rule 5.
MINZ -R6	Support in part	While Rule 6 is generally supported, clause 1(i) is somewhat confusing and it is assumed that it seeks to	Amend Rule 6 as follows:

		exclude activities that would occur within a Significant Natural Area. Council suggests that this performance standard is amended to reflect this.	<p>3. <i>This does not occur within:</i></p> <p>i. An area of indigenous vegetation greater than 5000m² in size that has not been assessed for its significance; A significant Natural Area</p> <p>....</p>
MINZ-R7 – R10	Support	Rules 7 to 10 are supported.	Retain as notified.

PORTZ – Port Zone

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Objectives PORTZ – O1 & O2 and Policies P1 – P6	Support	The objectives and policies for the Port Zone are supported.	Retain as notified.
PORTZ-R1	Support in part	<p>Council supports Rule 1 with the exception of the following matters:</p> <p>Clause 3 requires a 5m setback from road boundaries and specified zone boundaries. A greater setback is considered desirable particularly when residential activities adjoin an industrial zone, with Council seeking a 10m setback.</p> <p>Clause 4 is missing reference to the fact that the required fencing should be a solid fence to provide effective screening and that 1.8m is missing reference to this being a minimum height requirement.</p>	<p>Amend Rule 1 as follows:</p> <p>.....</p> <p>3. <i>Buildings are setback a minimum:</i></p> <p>a. 5 <u>10m</u> <i>from road boundaries, the rail corridor and any RESZ – Residential Zone or MUZ – Mixed Use Zone boundary;</i></p> <p>b. <i>10m from State Highways.</i></p> <p>4. <i>All external storage and car parking areas shall be screened by a <u>minimum 1.8m high solid fence</u> or landscaping so that</i></p> <p>6. Airblast overpressure from blasting shall not exceed a peak sound pressure level of</p>

		<p>Clause 6 addresses blasting which is not considered appropriate given the proximity of the Port to urban Westport.</p> <p>Clauses 7 and 8 address dust and odour. Council's preference is that these clauses are removed as air discharges including odour are a Regional Council responsibility and inclusion of such performance standards could cause confusion for plan users on which Council has ultimate responsibility for air discharges and has the potential to be problematic for enforcement.</p> <p>Clause 10 deals with contaminated stormwater run-off and water quality which are a Regional Council responsibility. For the same reasons as discussed above, Council seeks removal of this clause.</p> <p>Clause 11 references the exception for infringement of recession boundaries where neighbours written approval has been obtained i.e. the Deemed Permitted Boundary Activities process. It is suggested that reference to this process would be better placed as an Advice Note rather than in the body of the rule, particularly given it has wider relevance than just recession planes and is also applicable to internal boundary infringements.</p>	<p>120dBC at the notional boundary of any noise sensitive activity;</p> <p>7. There shall be no offensive or objectional dust nuisance at or beyond the PORT – Port Zone boundary as a result of the acidity;</p> <p>8. No Noxious of offensive odour shall be detected beyond the PORTZ – Port Zone boundary that the activity occurs in;...</p> <p>10. Stormwater run off associated with any Port, industrial or commercial activity or building, including earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality.</p> <p>11. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where neighbouring property owners written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:</p> <p>Advice Notes:..... <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.</u></p>
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PORTZ-R2	Oppose in part	Minor structures are required to comply with the Rule 1 standards with the exception of setback standards (Clause 1). The remaining standards do not appear to be applicable to minor structures, therefore Council requests that Clause 1 is removed.	Amend Rule 2 as follows: 2. All performance standards for Rule GIZ-R1 are complied with except that compliance with standard 3 (setbacks) is not required....
PORTZ-R3 – R5	Support	Rules 3 to 5 are supported.	Retain as notified.
PORTZ-R6	Support in part	Rule 6 is largely supported, however Council is concerned that the reference in Clause 1 to ‘one single’ residential unit has the potential to be confusing as it implies that the residential unit caters for a single person, whereas Council assumes the intent is for one residential unit. Council seeks that the reference to ‘single’ is removed. Council is also unclear by what is meant by the residential activity being located at the ‘rear’ of the site, when Westport Port zone comprises a long narrow strip and suggests that this clause is removed along with the requirement that the site be located above ground level. As regards the matters of control, Council seeks the removal of clause (d) relating to internal air quality requirements. This is not considered a matter within the scope of the RMA considerations.	Amend Rule 6 as follows: 1. One single residential unit per site is provided; and.... 3. The residential activity is located at the rear of the site or above ground level. <i>Matters of control are:</i> a. Residential unit design; b. Residential unit location; c. Noise insulation requirements; and d. Internal air quality requirements Removal of the Advice Note as per the changes sought to the Noise rules.
PORTZ-R7	Oppose	Council does not agree with the activity status approach to breaches of recession planes and requests that all infringements of standards for port/industrial activities are treated as discretionary activities. It is further noted that some of the discretionary matters listed for Rule 9 are not directly relevant to recession plane breaches e.g. management of hazardous substances and location of parking and access.	Delete Rule 7.
PORTZ-R8 - R12	Support	Rules 8 to 12 are supported.	Retain as notified.

DESIGNATIONS

Council's Infrastructure Services department have lodged a separate submission on the proposed designations. Please refer to their submission.

PART 4: SCHEDULES

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Schedules	Support in principle	While Council supports in principle identification of sites and areas with high natural and cultural values, there is concern with the extent of these sites/areas as discussed in relation to the respective overlays. Council is concerned that the mapped extent of the scheduled sites cover large areas encompassing a range of existing land uses and there is potential for unexpected restrictions where this may not be warranted.	As discussed in relation to the respective overlays, Council requests that the extent of some the scheduled sites/areas are reviewed.

PART 5: APPENDICES

Plan Provisions	Support/Oppose	Reasons for the Submission	Decision Sought
Appendices	Support	Due to time constraints, with the exception of Recession Planes and Transport Performance Standards discussed in the Transport Chapter, Council staff have not reviewed all the Appendices in detail but generally support these.	Retain as notified.
Appendix Two - Recession Planes	Support in Part	Council seeks the addition of a statement to the Appendix which clarifies how recession boundaries are determined with respect to site boundaries.	Add the following statement to Appendix Two: <i><u>The level of site boundaries shall be measured from filled ground level except where there is an existing building at a lower level on the other side of a common boundary, where that lower level shall be adopted. For the purpose of measuring recession planes only internal boundaries shall be taken as site boundaries.</u></i>

			Council also seeks that consideration is given to removing the exclusions to recession planes e.g. road boundaries, antennas, solar panels etc from the respective zone rules to sit in this appendix given the commonality to all zones.
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Appendix One: Designation BD22 designation boundary/site

