

11<sup>th</sup> November 2022

Buller, Grey and Westland District Councils,

Email – [info@tpp.govt.nz](mailto:info@tpp.govt.nz)

To the Te Tai Poutini Plan team,

### **SUBMISSION ON PROPOSED TE TAI POUTINI PLAN**

Please find attached a submission on behalf of the Director-General of Conservation with respect to the Te Tai Poutini Plan for the Buller, Grey and Westland Districts.

Thank you for engaging early, openly, and collaboratively with the Department of Conservation *Te Papa Atawhai* on the Plan Review process to date. The Department of Conservation values this approach to the mahi ahead for the next stages.

The Buller, Grey and Westland Districts of the West Coast/Te Tai o Poutini contain significant areas of intact natural biodiversity, and contain significant landscapes, features, areas of coastal natural character and other important freshwater, coastal and terrestrial values.

In many places indigenous ecosystems and habitats extend unbroken from the mountains to the sea. While there is a wide range of diverse and intact ecosystems and vegetation types in the uplands, ecosystems found in the lowland areas including threatened ecosystems such as coastal turf and wetlands, coastal forest and forests on alluvial terraces, as less protected as many of these areas are outside the conservation estate. Parts of the West Coast/Te Tai o Poutini also include the last habitats or strongholds of indigenous species threatened with extinction.

The attached submission provides detail of the relief sought on specific provisions and sets out the reasons for each. The relief sought seeks to ensure that the Te Tai Poutini Plan promotes the sustainable management purpose of the Resource Management Act 1991 (the Act), provides for the matters of national importance, has appropriate regard to the other matters in Part 2 of the Act, and gives effect to the New Zealand Coastal Policy Statement.

If you have any questions or would like to discuss this submission, please contact Lisa Thorne on 0272275979 or [lthorne@doc.govt.nz](mailto:lthorne@doc.govt.nz).

Ngā mihi,



Mark Davies  
Director of Operations - Hokitika  
Te Papa Atawhai - Department of Conservation

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## Form 5: Submission on notified proposal for policy statement or plan, change or variation

*Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991*

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**To:** Buller, Grey and Westland District Councils (**the Council**)

**Name of submitter:** Director-General of Conservation (the **Director-General**)

1. This is a submission on Te Tai Poutini Plan for the Buller, Grey and Westland Districts.
2. This submission relates to the Te Tai Poutini Plan in its entirety.
3. I could not gain an advantage in trade competition through this submission.
4. The specific provisions of the proposal that my submission relates, and the detailed decisions sought to are set out in **Attachment 1** to this submission.
5. I **seek** the following decision from the Council:
  - a. That the particular provisions of Te Tai Poutini Plan that I support, as identified in Attachment 1, are retained;
  - b. That the particular provisions of Te Tai Poutini Plan that I support with amendments, as identified in Attachment 1, are amended;
  - c. That the particular provisions of Te Tai Poutini Plan that I oppose, as identified in Attachment 1, are amended or deleted;
  - d. That the additions to Te Tai Poutini Plan sought in Attachment 1 are made; and
  - e. Further or alternative relief to like effect to that sought in 5.a-d. above.
6. The decisions sought in this submission are required to ensure that the Te Tai Poutini Plan:
  - a. Promotes the sustainable management of natural and physical resources as required by Part 2 of the Resource Management Act (Act);

- b. Recognises and provides for the matters of national importance in section 6 of the Act and has particular regard to the other matters in section 7 of the Act;
  - c. Gives effect to the New Zealand Coastal Policy Statement (NZCPS);
  - d. Gives effect to the Regional Policy Statement for the West Coast as required by Section 75(3); and
  - e. The changes sought are necessary, appropriate and sound resource management practice.
7. I wish to be heard in support of my submission, and if others make a similar submission, I will consider presenting a joint case with them at the hearing.

Mark Davies  
Director Operations  
Western South Island Region  
Te Papa Atawhai - Department of Conservation

Acting pursuant to delegated authority on behalf of the Director-General of Conservation  
Date: 11/11/2022

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

**Address for service:**

Attn: Lisa Thorne, Kaiwhakamahere penapenarawa - Senior RMA Planner  
lthorne@doc.govt.nz  
Ph: 0272275979  
Department of Conservation

## ATTACHMENT 1:

### PROPOSED TE TAI POUTINI PLAN SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION

The proposed provisions that my submission relates to are set out in the table below. My submissions are set out immediately following these headings, together with the reason and the decision I seek from the Council.

The decision that has been requested may suggest new or revised wording for identified sections of the proposed plan. This wording is intended to be helpful but alternative wording of like effect may be equally acceptable. Text quoted from the Te Tai o Poutini Plan is shown in *Italics*. The wording of relief sought shows new text as underlined and deleted text as ~~strikethrough~~.

Unless specified in each-submission point, my reasons for supporting are that the provisions are consistent with the purposes of the Act.

## Plan Process, Consistency, Accuracy and Architecture

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Plan review process and section 74 matters to be considered	Oppose	No regard is had to section 74(b)(i) management plans and strategies prepared under other Acts in the Section 32 Report.	Request that management plans and strategies prepared under other Acts be considered in the section 42A report prior to the hearing, to have appropriate regard to the aspirations and goals for public conservation land on the West Coast/Te Tai o Poutini as set out in the West Coast Te Tai o Poutini Conservation Management Strategy.
Use of West Coast and Te Tai o Poutini.	Oppose	The plan inconsistently refers to the region in different ways throughout the provisions, and generally either as 'West Coast', or 'West Coast/Te Tai o Poutini', and this should be made consistent to avoid confusion.	Amend the provisions of the plan to refer to the region as ' <u>West Coast/Te Tai o Poutini</u> '.
Use of the term 'natural heritage'	Oppose	The plan uses the term 'natural heritage' in several provisions,	Amend the provisions of the plan to amend the term ' <del>natural heritage</del> ' to ' <u>natural environment</u> '.

		and this should be amended to 'natural environment' to improve consistency and avoid confusion.	
Use of the terms 'New Zealand', 'Aotearoa New Zealand' and 'New Zealand/ Aotearoa'	Oppose	The plan uses the terms 'New Zealand', 'Aotearoa New Zealand' and 'New Zealand/ Aotearoa' inconsistently throughout, and should be amended to improve consistency and avoid confusion.	Amend the terms 'New Zealand' and 'Aotearoa New Zealand' to 'New Zealand/ Aotearoa'.
Use of the term 'native'	Oppose	The Plan often uses the term 'native' when describing indigenous flora and fauna, and the term 'indigenous' should be used instead as this is consistent with the Act, and removes any uncertainty or ambiguity regarding this interpretation.	Amend the term 'native' to 'indigenous'.
Use of the term 'impacts'	Oppose	The Plan often uses the term 'impacts' when describing adverse effects, and the term 'adverse effects' should be used instead as this is consistent with the Act, and removes any uncertainty or ambiguity regarding this interpretation.	Amend the term 'impacts' to 'adverse effects', unless the term impacts is required for consistency with a higher order document.

Misspelled Māori words	Oppose	The plans misspells some Māori words, and inconsistently uses macrons. For example Poutini Ngāi Tahu is often spelled without a macron – this impacts on how words can be pronounced, and can be confusing.	Review and amend the spelling of all Māori words and the use of macrons on Māori words.
Use of the terms 'waterway' and 'stream'	Oppose	The terms 'waterway' and 'stream' are used throughout the plan where the term 'river' and/or 'waterbody', which is a defined term in the Act, should be used instead.	Replace the terms 'waterway' and 'stream' with 'river' and/or 'waterbody' throughout the Plan.
Section titles	Oppose	The section titles use the English and Māori languages inconsistently throughout and this should be made consistent throughout the Plan. For example, Part titles and Section titles are only in English, but sub-section titles are bilingual. All key titles should be bilingual.	Amend all key section titles in the Plan so that they are bilingual.
SNA advice notes	Support with amendments	For all rules that relate to the removal of indigenous vegetation, include an advice note to make it explicit that SNAs include all areas that meet the significance criteria, and not only those that are mapped.	Add the following advice note:  <i><u>For the avoidance of doubt, any area that meets the criteria set out in Appendix 1 of the West Coast Regional Policy Statement (until such time as nationally consistent criteria apply through a National Policy Statement or National Environmental Standards) is a Significant Natural Area.</u></i>

References to significant areas and values	Opposes	Significant areas and values are referenced in different ways throughout the Plan, including 'overlay chapter', 'overlay area', 'overlay chapter area', 'schedule area', 'schedule' or by listing out the schedule name (or an alteration to the schedule name), or the key values (where it is implicit that the whole 'overlay' is being referred to – this is common throughout the Plan for SNAs). This can be confusing and could be simplified by amending the provisions throughout the Plan to be more consistent.	Amend references to significant values and areas where there is inconsistency throughout the Plan, and particularly where these relate to Schedules, Overlays, and SNAs.
Assessment of alternatives in matters of discretion and control	Support with amendments	A number of the controlled activity and restricted discretionary activity rules throughout the plan seek to manage activities which have adverse effects on significant values, including scheduled areas and areas which may be assessed as SNAs. A resource consent is required under these rules as the activities may have adverse effects on these areas and values. It is therefore appropriate that all matters of control and matters of discretion include an assessment of alternatives. This will need to be	Amend matters of control and matters of discretion to include the consideration of an assessment of alternatives, where the rules relate to managing activities within scheduled areas and SNAs.

		adapted to the specific rule depending on the context of the rule and the areas or values to which it relates, e.g. alternatives to the activity, site or location.	
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## Part 1 – Introduction and General Provisions - Te Wāhanga 1 - Te Whakataki me Ngā Kōrero Whānui

### Definitions -Ngā Tautuhinga

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Conservation activities	Support with amendments	The definition of conservation activities requires an amendment to be explicit that it excludes commercial activities to avoid any unintended consequences with the current definition.	<i>means the use of land and/or buildings for any activity undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic and/or ecological values of a natural or historic resource. It includes ancillary activities and activities which assist to enhance the public's appreciation and recreational enjoyment of the resource, <u>and excludes commercial activities.</u></i>
Indigenous vegetation clearance	Support with amendments	Amend the indigenous vegetation clearance definition to make it explicit that this also includes the damage and destruction of indigenous vegetation, including from mob stocking.	Amend the indigenous vegetation clearance definition:  <i>means the clearing-<del>or</del>, <u>damage, destruction or removal</u> of indigenous vegetation by any means, including cutting, crushing, cultivation, irrigation, chemical application, drainage, stopbanking, <u>mob stocking</u> overplanting, or burning.</i>
Riparian Margin	Support with amendments	Amend the definition of riparian margin to remove the term stream, and the definition of river under the RMA includes streams.	Amend the riparian margin definition:  <i>means all land within: 10m of any wetland; 20m of any lake; and</i>



			<i>10m of any <del>stream or</del> river with an average bed width greater than 3m.</i>
Significant Natural Area	Support with amendments	Support the SNA definition as it clearly sets out that SNAs apply to all areas that have been assessed as an area of significant indigenous vegetation or significant habitat of indigenous fauna, not just those that are scheduled. Amend the SNA definition to ensure that SNAs can also be assessed in accordance with any future nationally developed criteria.	Amend the SNA definition:  <i>means</i> <ul style="list-style-type: none"> <li>a. <del>areas that have been assessed as an area</del> of significant indigenous vegetation or significant habitat of indigenous fauna in accordance with the criteria set out in the West Coast Regional Policy Statement, <u>until such time as nationally consistent criteria apply through a National Policy Statement or National Environmental Standards. When nationally consistent criteria apply, these will be used to assess significance; <del>or</del> and</u></li> <li>b. areas that have been identified as Significant Natural Areas in any West Coast Regional or District Plan.</li> </ul>
All other definitions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

### Additional Definitions Sought in Submission

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
New Definition: Compensation	Support with amendments	As the term 'compensation' is used throughout the Plan, define this term so its meaning is clear.	Add a new compensation definition:  <u>Compensation means an outcome that results from actions that are intended to compensate for residual adverse effects after all appropriate avoidance, minimisation, remediation, and offset measures (where appropriate), have been sequentially applied.</u>

			<p><u>In relation to Biodiversity Compensation, the definition above will apply until such time as a National Policy Statement for Indigenous Biodiversity takes effect. The definition of Biodiversity Compensation in the National Policy Statement for Indigenous Biodiversity will then be applied to all Biodiversity Compensation, (including the relevant principles listed in the National Policy Statement for Indigenous Biodiversity that must be complied with for an action to qualify as a Biodiversity Compensation).</u></p>
New Definition: Effects Management Hierarchy	Support with amendments	As a result of several submission points by DOC to include the effects management hierarchy, include a definition for 'effects management hierarchy' to ensure that there is an appropriate cascade of effects management approaches, starting with avoidance, and ending with offsetting or compensation of residual adverse effects, to appropriately manage adverse effects on significant values.	<p>Add a new effects management hierarchy definition:</p> <p><u>Effects management hierarchy means an approach to managing the adverse effects of subdivision, use and development that requires that:</u></p> <ol style="list-style-type: none"> <li>a. <u>adverse effects are avoided where possible;</u></li> <li>b. <u>where adverse effects that cannot be demonstrably avoided, they are minimised where possible;</u></li> <li>c. <u>where adverse effects that cannot be demonstrably minimised, they are remedied where possible;</u></li> <li>d. <u>in relation to adverse effects that cannot be avoided, minimised, or remedied, offsetting is provided where possible (including but not limited to biodiversity offsets and freshwater offsets); and</u></li> <li>e. <u>where offsetting is not demonstrably possible, adverse effects are compensated;</u></li> <li>f. <u>if compensation is not appropriate, and there are more than minor residual adverse effects, the activity is avoided.</u></li> </ol>

<p>New Definition: Net gain</p>	<p>Support with amendments</p>	<p>As the term 'net gain' is used throughout the Plan, define this term so its meaning is clear.</p>	<p>Add a new net gain definition:</p> <p><u>Net gain means the values to be lost through the activity to which the offset applies are counterbalanced and exceeded by the proposed offsetting activity, so that the result is a net gain when compared to that lost.</u></p> <p><u>In relation to Biodiversity Offsetting, the definition above will apply until such time as a National Policy Statement for Indigenous Biodiversity takes effect. The principle of Net Gain in the National Policy Statement for Indigenous Biodiversity will then be applied to all Biodiversity Offsetting.</u></p>
<p>New Definition: Offset</p>	<p>Support with amendments</p>	<p>As the term 'offset' is used throughout the Plan, define this term so its meaning is clear.</p>	<p>Add a new offset definition:</p> <p><u>Offset means a measurable conservation outcome that results from actions that:</u></p> <ol style="list-style-type: none"> <li>a. <u>redress any more than minor residual adverse effects after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and</u></li> <li>b. <u>achieves a measurable net gain compared to that lost.</u></li> </ol> <p><u>In relation to Biodiversity Offsetting, the definition above will apply until such time as a National Policy Statement for Indigenous Biodiversity takes effect. The definition of Biodiversity Offsetting in the National Policy Statement for Indigenous Biodiversity will then be applied to all Biodiversity Offsetting (including the relevant principles listed in the National Policy Statement for Indigenous Biodiversity that must be complied with for an action to qualify as a Biodiversity Compensation).</u></p>
<p>New Definition: Watercraft</p>	<p>Support with amendments</p>	<p>Define watercraft so that the structures the definition applies to are explicit as the term could otherwise be very broadly interpreted.</p>	<p>Add a new watercraft definition:</p> <p><u>Watercraft means a boat or other vessel that travels on water. This excludes use for commercial or residential activities, and excludes fixed structures on water.</u></p>

## Part 2 – District-Wide Matters - Te Wāhanga 2 - Ngā Kaupapa ā-Rohe Whānui

### Strategic Direction - Te Pae Tawhiti

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Strategic Direction Summary Page and subsequent sections	Support with amendments	DoC's feedback on the draft plan raised concerns with the term 'natural heritage' and the ambiguity of this term without it being defined in the Plan. As a result, this has been amended to 'natural environment' in most but not all areas of the plan. This requires amending to 'natural environment' on the Strategic Direction title page, and in other areas throughout the Plan (for example - in SUB-O5). The order and description of the strategic directions on the title page should also follow the same order and descriptions as the strategic direction objectives to avoid confusion.	Amend the strategic Directions title page:  <i>This section of the plan will outline the significant resource management issues for the three districts. It will set the strategic direction for the plan in relation to:</i> <ul style="list-style-type: none"> <li>• <del>Urban form and development</del></li> <li>• <del>Biodiversity and natural heritage management</del></li> <li>• <del>Climate change</del></li> <li>• <del>Mining</del></li> <li>• <del>Natural hazards</del></li> <li>• <del>Tourism</del></li> <li>• <u>Agriculture - Te Ahuwhenua</u></li> <li>• <u>Connections and Resilience - Ngā Hononga me te Manawa Titi</u></li> <li>• <u>Mineral Extraction - Te Tango Kohuke</u></li> <li>• <u>Natural Environment - Te Taiao</u></li> <li>• <u>Poutini Ngāi Tahu</u></li> <li>• <u>Tourism - Te Tāpoi</u></li> <li>• <u>Urban form and development - Te āhua me te whanaketanga o te tāone</u></li> </ul>
Strategic Directions Overview	Oppose	The explanation of the strategic direction does not appropriately recognise the protection of natural and physical resources identified through resource consents from inappropriate	Amend the strategic objectives overview:  <i>The Strategic Directions are intended to demonstrate:</i> <ol style="list-style-type: none"> <li>1. <i>Commitment to, and articulation of the Councils' partnership with Poutini Ngāi Tahu;</i></li> </ol>

		development, and does not recognise that matters of national importance also includes cultural and heritage values.	<ol style="list-style-type: none"> <li>2. <i>Alignment with the communities' aspirations for development while maintaining environmental quality across the West Coast/Te Tai o Poutini;</i></li> <li>3. <i>Integrated management through the grouping of environmental considerations which combine to achieve strategic outcomes; and avoiding strategic objectives becoming isolated within various chapters of Te Tai o Poutini Plan;</i></li> <li>4. <i><u>Fostering Enabling</u> the use and development of natural and physical resources whilst protecting the natural, <u>cultural and heritage</u> values that have been elevated to matters of national importance by the Resource Management Act 1991, <del>and those</del> matters of national and regional significance by National and Regional Policy Statements, <u>and natural, cultural or heritage values identified through resource consents;</u></i></li> </ol>
CR Connections and Resilience - Ngā Hononga me te Manawa Titi Introduction	Support with amendments	Amend the connections and resilience strategic objectives overview so that it applies to all buildings and structures to ensure all development is resilient to natural hazards and the effects of climate change.	Amend the Introduction:  <i>This Chapter sets out the overarching direction for matters relating to <del>infrastructure connections and</del> <u>natural hazards and climate change</u> resilience across the West Coast/Te Tai o Poutini.</i>
Connections and Resilience Strategic Objective CR - O3	Support with amendments	Amend the connections and resilience strategic objectives CR-O3 so that it applies to all buildings and structures to ensure all development is resilient.	Amend Objective CR-O3:  <i>To ensure that new <del>locations for critical infrastructure and connections</del> <u>buildings, structures, and infrastructures</u> take account of the hazardscape and where practicable are built away from natural hazards.</i>
Mineral Extraction Strategic Objective MIN - O2	Support with amendments	Amend mineral extraction objective MIN-O2 to ensure that mineral extraction is only enabled where the adverse	Amend Objective MIN-O2:  <i>To enable mineral extraction and ancillary activities which support it, including specifically within the <del>Buller Coalfield Zone,</del> Mineral Extraction Zone, Rural Zones</i>

		effects on the environment can be appropriately managed.	<i>and Open Space Zone <u>where the adverse effects on the environment can be appropriately managed.</u></i>
Mineral Extraction Strategic Objective MIN - O6	Support with amendments	Amend Objective MIN-O6 to apply the effects management hierarchy and to clarify that offsetting and compensation should be used to mitigate residual adverse effects, to appropriately manage the adverse effects from mining on significant values. Amend matter ii to align with the language used in Section 6(c) of the Act.	Amend Objective MIN - O6:  <i>To:</i> <ul style="list-style-type: none"> <li>a. <i>Avoid, remedy or mitigate the adverse effects of mineral extraction activities on the West Coast/Te Tai o Poutini's significant natural and cultural features, sites and heritage, and amenity values, <u>in accordance with the effects management hierarchy</u>, including:</i> <ul style="list-style-type: none"> <li>i. <i>Poutini Ngāi Tahu cultural resources and taonga including sites and areas of significant to Māori identified in Schedule Three;</i></li> <li>ii. <i>Areas of significant indigenous vegetation, <u>and significant habitats of significant indigenous fauna habitat and protected native fauna;</u></i></li> <li>iii. <i>Outstanding natural landscapes and features;</i></li> <li>iv. <i><del>Waterways and waterbodies;</del></i></li> <li>v. <i>The coastal environment;</i></li> <li>vi. <i>The wellbeing of people and communities; and</i></li> </ul> </li> <li>b. <i><u>Apply the mitigation hierarchy to allow</u> require residual adverse effects to be addressed by alternative mitigation measures such as <del>biodiversity</del> offsetting and <del>environmental</del>-compensation.</i></li> </ul>
Natural Environment Strategic Objective NENV-O1	Support with amendments	Objective NENV-O1 requires amending so that natural environment values are also enhanced.	Amend Objective NENV-O1:  <i>To recognise, <del>and</del> protect <u>and enhance</u> the natural character, landscapes and features, ecosystems and indigenous biodiversity that contribute to the West Coast's character and identify and Poutini Ngāi Tahu's cultural and spiritual values.</i>
Natural Environment Strategic	Oppose	Objective NENV-O3 is ambiguous, contains duplication, and could be	Amend Objective NENV-O3:  <i>To recognise:</i>

Objective NENV-03		interpreted in a number of ways - possibly to the detriment of priority conservation values. Functional need and operational need is defined in the Plan and the objectives should be made more explicit regarding the functional and operation needs of infrastructure to locate in significant areas.	<ul style="list-style-type: none"> <li>a. <i>The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land <del>in</del> <u>protecting significant areas, habitats and features</u>;</i></li> <li>b. <i>The <u>functional need and operational need</u> for infrastructure to sometimes be located in significant areas; and</i></li> <li>c. <i>The need to support the ethic of stewardship and to consider the positive effects of the conservation estate in <u>protecting natural environment values achieving the requirements of the RMA</u>.</i></li> </ul>
Natural Environment Strategic Objective NENV-04	Oppose	Objective NENV-04 should be amended to ensure that the objective is clear that unique and important natural environment areas are protected from inappropriate subdivision, use and development.	<p>Amend Objective NENV-04:</p> <p><i>To clearly identify:</i></p> <ul style="list-style-type: none"> <li>a. <i>Unique and important natural environment areas and features on the West Coast/Te Tai o Poutini which must be protected <u>from inappropriate subdivision, use and development</u>; and</i></li> <li>b. <i>Areas where subdivision, use and development to enable community economic, cultural and social wellbeing can be sustainably managed.</i></li> </ul>
Poutini Ngāi Tahu Strategic Directions All objectives and policies	Support	Support Poutini Ngāi Tahu strategic objectives and policies	Support Poutini Ngāi Tahu strategic objectives and policies.
All other Strategic Direction provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

Energy, Infrastructure, and Transport - Te Pūngao, Te Tūāhanga, me Te Tūnuku

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
<b>Energy, Infrastructure and Transport</b>			
Policy ENG-P8	Support with amendments	Amend Policy ENG-P8 so that it aligns with the functional need definition of the Plan, applies the effects management hierarchy where adverse effects on scheduled or overlay items cannot be avoided, protects values identified in schedules in addition to areas, and removes duplication.	Amend Policy ENG-P8:  <i>Manage the adverse effects of the National Grid by:</i> <ol style="list-style-type: none"> <li>a. <i>Where appropriate, using substantial upgrades as an opportunity to reduce existing adverse effects;</i></li> <li>b. <i>Seeking to avoid adverse effects on areas <u>and values</u> identified in Schedules <u>SNAs, and Overlay Areas</u> and applying the effects management hierarchy where adverse effects cannot be avoided;</i></li> <li>c. <i>Where the National Grid has a functional <u>need</u> or operational need to locate within the Coastal Environment, manage adverse effects by:</i></li> <li>d. <del><i>Seeking to avoid adverse effects on Overlay Chapter areas and where it is not practicable to avoid, to remedy or mitigate;</i></del></li> <li>e. <i>Seeking to avoid significant adverse effects on other areas of natural character, natural attributes and character of natural features and landscapes and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and</i></li> <li>f. <i>recognise that there may be some areas within the sites and areas identified in Schedules where avoidance of adverse effects is required to protect the identified values and characteristics.</i></li> </ol>
Policy INF-P2	Oppose	Amend Policy INF-P2 so that it aligns with the functional and locational needs definitions of the Plan, and applies the effects management hierarchy to	Amend Policy INF-P2:  <i>Manage the design and location of utilities and infrastructure, including when sited in overlays in a way which considers:</i> <ol style="list-style-type: none"> <li>a. <i>Locational, technical and operational constraints <u>in accordance with the infrastructures functional needs and operational needs;</u></i></li> </ol>



		Schedules, SNAs and Overlay Areas.	<ul style="list-style-type: none"> <li>b. Resilience to natural hazards and climate change;</li> <li>c. Poutini Ngāi Tahu requirements for discharge of wastewater to land;</li> <li>d. Benefits of co-location of infrastructure;</li> <li>e. That positive effects of infrastructure may be realised locally, regionally, or nationally; and</li> <li>f. The need to minimise adverse effects on the environment <u>by applying the effects management hierarchy within Schedules, SNAs and Overlay Chapter areas.</u></li> </ul>
All other Energy, Infrastructure and Transport provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

#### Hazards and Risks - Ngā Pūmate me ngā Mōrea

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
<b>Natural Hazards - Ngā Mōreareatanga Aotūroa</b>			
All NH provisions	Oppose all provisions which do not appropriately consider alternatives	Amend the policies, and matters of discretion to include the consideration of alternatives, and to require the consideration of alternatives for hard protection structures, so that alternatives to minimise or avoid coastal hazard effects are appropriately considered through the consent process in accordance with the Act and NZCPS.	Amend the policies, and matters of discretion to include the consideration of alternatives, and to require the consideration of alternatives for hard protection structures.

NH Objectives	Support with amendments	Support the natural hazard policies and introduce an additional policy which requires that subdivision, use and development does not create or exacerbate natural hazards so that these provisions give effect to the NZCPS and sections 31(b) and 106 of the Act.	Add new objective:  <u>NH-07 Subdivision, use and development does not create or exacerbate adverse natural hazard effects on other people, property, infrastructure and the environment.</u>
NH-P4	Support with amendments	Amend Policy NH-P4 to ensure that the effects of changes to severe weather events are considered when assessing the effects of climate change.	Amend Policy NH-P4:  <i>Natural hazard assessment, managed retreat locations and resource consent applications will consider the impacts of climate change.</i>  <i>In particular the following matters will be considered:</i> <ul style="list-style-type: none"> <li>a. Change in sea level;</li> <li>b. Altering of coastal processes;</li> <li>c. Increased inundation of low lying areas;</li> <li>d. Changes in local temperatures;</li> <li>e. Changes in rainfall patterns; <del>and</del></li> <li>f. Increase in cyclonic storms; <u>and</u></li> <li>g. <u>Changes to the magnitude, frequency and duration of severe weather events.</u></li> </ul>
NH-P10	Support with amendments	Strengthen Policy NH-P10 to ensure that development of sensitive activities in these hazard overlays avoids significant natural hazard risk.	Amend Policy NH-P10:  <i>Avoid development of sensitive activities within the Coastal Severe Hazard and Flood Severe Hazard overlays unless it can be demonstrated that:</i> <ul style="list-style-type: none"> <li>a. The activity has an operational and functional need to locate within the hazard area; and</li> </ul>

			<p>b. <u>There is no significant risks from natural hazards; and</u></p> <p>c. <i>That the activity incorporates mitigation of risk to life, property and the environment, and there is significant public or environmental benefit in doing so.</i></p>
NH - P11	Support with amendments	Strengthen Policy NH-P11 to ensure that development in these hazard overlays avoids significant natural hazard risk to adjoining property and people.	<p>Amend Policy NH-P11:</p> <p><i>Allow development in the Land Instability Alert, Coastal Alert and Flood Susceptibility overlays where:</i></p> <p>a. <i>Mitigation measures avoid risk to life and minimise risk to property and the environment; and</i></p> <p>b. <i>The risk to adjacent properties, activities and people <u>is not significant, and is not increased as a result of the activity proceeding.</u></i></p>
NH - P12	Support with amendments	Strengthen Policy NH-P12 to discourage hard protection in accordance with the NZCPS and to protect building and structures from the adverse effects of natural hazards.	<p>Amend Policy NH-P12:</p> <p><i>When assessing the effects of activities in natural hazard overlays consider:</i></p> <p>a. <i>The effects of natural hazards on people, property and the environment;</i></p> <p>b. <i>technological and engineering mitigation measures and other non-engineered options;</i></p> <p>c. <u><i>Discouraging hard protection structures and avoiding hard protection structures in the Coastal Environment;</i></u></p> <p>d. <i>The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;</i></p> <p>e. <i>The clearance or retention of vegetation or other natural features to mitigate natural hazard risk;</i></p> <p>f. <i>The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</i></p> <p>g. <i>The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site;</i></p>

			<p>h. <i>The functional or operational need to locate in these areas; and</i></p> <p>i. <i>Any significant adverse effects on the environment of any proposed mitigation measures.</i></p>
NH - R2 Repairs, Maintenance and Operation of any Existing Natural Hazard Mitigation Structure		Amend Rule NH- R2 so that the earthworks rule is less ambiguous and is measurable.	<p>Amend Rule NH- R2:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p><i>The structure has been lawfully established;</i>  <i>Earthworks and land disturbance is <del>the minimum required to undertake the</del> <u>activity contained wholly within the footprint of the mitigation structure;</u></i>  <i>There is no change to the design, texture, or form of the structure;</i>  <i>The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure; and</i>  <i>There is no reduction in public access....</i></p>
NH- R3 Upgrades to Existing Natural Hazard Mitigation Structures	Support with amendments	Amend Rule NH- R3 so that the earthworks rule is less ambiguous and is measurable, and enables an appropriate level of earthworks to be undertaken as a permitted activity, given this will relate to areas subject to natural hazards where the release of silt and sediment is a higher risk during natural hazard events.	<p>Amend Rule NH- R3:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>1. The structure has been lawfully established;</i></li> <li><i>2. Earthworks and land disturbance is <del>the minimum required to undertake the activity</del> <u>wholly contained within the footprint of the structure, or is otherwise no more than 100m<sup>3</sup> and 200m<sup>2</sup> in area in any 12 month period;</u></i></li> <li><i>3. There is no reduction in public access;</i></li> <li><i>4. There is no change to more than 10% to the overall dimensions, orientation or outline of structure from that originally consented structure; and</i></li> </ol>

			<p>5. <i>It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing....</i></p>
NEW Rule	Support with amendments	Introduce a new rule to enable the demolition and removal of buildings and structures as a permitted activity	<p>Insert new Rule:</p> <p><u><i>NH – RX Demolition and Removal of a Natural Hazard Mitigation Structure within all zones and Overlay Areas</i></u></p> <p><u><i>Activity Status Permitted</i></u></p> <p><u><i>Advice Note: Where structures are identified as Historic Heritage Items in Schedule One, then the Historic Heritage Rules apply</i></u></p> <p><u><i>Activity status where compliance not achieved: N/A</i></u></p>
NH - R4 New Natural Hazard Mitigation Structure	Oppose	Oppose the permitted activity status for new Natural Hazard Mitigation Structures as these structures can have adverse environmental effects that should be assessed through a resource consent.	<p>Amend Rule NH- R4:</p> <p><i>Activity Status <del>Permitted</del> Restricted Discretionary</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>1. The structure is located outside of any Overlay Chapter area identified in Schedules 1-8;</i></li> <li><i>2. <del>Earthworks and land disturbance is the minimum required to undertake the activity;</del></i></li> <li><i>3. There is no reduction in public access;</i></li> <li><i>4. It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation</i></li> </ol>

			<p><i>structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing...</i></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> <li><i>1. <u>The effects of natural hazards on people and property;</u></i></li> <li><i>2. <u>Considering whether the proposed earthworks and land disturbance is the minimum required to undertake the activity;</u></i></li> <li><i>3. <u>Technological and engineering mitigation measures and other non-engineered options;</u></i></li> <li><i>4. <u>Discouraging hard protection structures;</u></i></li> <li><i>5. <u>The location and design of the natural hazard mitigation structure;</u></i></li> <li><i>6. <u>Any freeboard requirements to be included;</u></i></li> <li><i>7. <u>The management of vegetation or other natural features to mitigate natural hazard risk;</u></i></li> <li><i>8. <u>The timing, location, scale and nature of any earthworks in relation to the natural hazard structure;</u></i></li> <li><i>9. <u>Adverse effects on ecosystems and indigenous biodiversity;</u></i></li> <li><i>10. <u>Any other adverse effects on the environment of the proposed natural hazard mitigation structure; and</u></i></li> <li><i>11. <u>Alternative methods to avoid or mitigate the identified hazard risks....</u></i></li> </ol>
<p>NH - R5 Repairs, Maintenance, Operation, Upgrade of Existing Natural Hazard Mitigation Structures and</p>	<p>Support with amendments</p>	<p>Support Rule NH-R5, but amend the rule title as a consequential amendment to the changes proposed to Rule NH-R4.</p>	<p>Amend Rule NH-R5:</p> <p><i>NH - R5 Repairs, Maintenance, Operation, Upgrade of Existing Natural Hazard Mitigation Structures and New Natural Hazard Mitigation Structures not meeting <u>Permitted or Restricted Discretionary Activity Standards</u></i></p>

New Natural Hazard Mitigation Structures not meeting Permitted Activity Standards			
<b>Rules for the Coastal Severe and Coastal Alert Overlays</b>			
NH - R38 Repairs and Maintenance to Existing Buildings in the Coastal Severe and Coastal Alert Overlays Activity Status Permitted	Oppose	Delete 2. so that Rule NH-R38 applies to repairs and maintenance only, and add additional rules so that reconstruction is a restricted discretionary or non-complying activity. This enables adverse effects of reconstruction to be appropriately assessed to give effect to the NZCPS.	<p>Amend Rule NHR38:</p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>For repairs and maintenance there is no increase in the area of the building;</i></li> <li><del>2. For reconstruction of a building lawfully established at the time of notification of the Plan where: <ol style="list-style-type: none"> <li>a. <del>The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God;</del></li> <li>b. <del>The destroyed/damaged building is reconstructed within 5 years in the Coastal Alert overlay and 2 years in the Coastal Severe overlay;</del></li> <li>c. <del>The reconstructed building is similar in character, intensity and scale to the building it replaces.</del></li> </ol> </del></li> </ol> <p>Activity status where compliance not achieved: NA</p> <p>Add new Restricted Discretionary Rule and Non-Complying Rules:</p> <p><u>NH-RXX Reconstruction of a lawfully established building</u></p> <p><u>For reconstruction of a building lawfully established at the time of notification of the Plan where:</u></p> <ol style="list-style-type: none"> <li>1. <u>The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God;</u></li> </ol>

			<p>2. <u>The destroyed/damaged building is reconstructed within 5 years in the Coastal Alert overlay and 2 years in the Coastal Severe overlay;</u></p> <p>3. <u>The reconstructed building is similar in character, intensity and scale to the building it replaces.</u></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>The effects of natural hazards on people and property;</u></p> <p>b. <u>The location and design of proposed buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;</u></p> <p>c. <u>Any freeboard requirements to be included;</u></p> <p>d. <u>The management of vegetation or other natural features to mitigate natural hazard risk;</u></p> <p>e. <u>The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</u></p> <p>f. <u>The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site and adjacent properties;</u></p> <p>g. <u>Any adverse effects on the environment of any proposed natural hazard mitigation measures; and</u></p> <p>h. <u>Alternative methods to avoid or mitigate the identified hazard risks.</u></p> <p><u>Activity status where compliance not achieved: Discretionary</u></p> <p><u>NH-RXX Reconstruction of a lawfully established building not meeting Restricted Activity Standards</u></p> <p><u>Activity Status Discretionary</u></p> <p><u>Activity status where compliance not achieved: N/A</u></p>
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**Hokitika Coastal Overlay**



Mapping of the Hokitika Flood and Coastal Erosion Protection Scheme	Support	Seek that the Hokitika Coastal Overlay is mapped so it is clear where Rule NH-R38 applies.	Map the Hokitika Flood and Coastal Erosion Protection Scheme
NH - R50 New Buildings in the Hokitika Coastal Overlay	Oppose	Delete 2. in Rule NH-R50 so that areas that are not protected by the scheme require a resource consent so that adverse effects can be appropriately assessed, and add new restricted discretionary or non-complying activity rules. This enables adverse	<p>Amend Rule NH - R50:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>1. All new buildings are protected by the Hokitika Flood and Coastal Erosion Protection Scheme from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event, as certified by the West Coast Regional Council.</i></li> <li><del><i>2. Where new buildings are not protected by the Hokitika Flood and Coastal Erosion Protection Scheme from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event:</i></del> <ol style="list-style-type: none"> <li><del><i>a. Buildings for sensitive activities have a finished floor level of 500mm above the 100-year ARI plus 1m sea level rise coastal event;</i></del></li> <li><del><i>b. Commercial and industrial buildings have a finished floor level of 300mm above the 100-year ARI plus 1m sea level rise coastal event.</i></del></li> </ol> </li> </ol> <p><i>Activity status where compliance not achieved: Discretionary</i></p> <p>Add new Restricted Discretionary Rule and Non-Complying Rules:</p> <p><u><i>NH-RXX New Buildings in the Hokitika Coastal Overlay</i></u></p>

			<p>3. <u>Where new buildings are not protected by the Hokitika Flood and Coastal Erosion Protection Scheme from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event:</u></p> <ul style="list-style-type: none"> <li>a. <u>Buildings for sensitive activities have a finished floor level of 500mm above the 100-year ARI plus 1m sea level rise coastal event;</u></li> <li>b. <u>Commercial and industrial buildings have a finished floor level of 300mm above the 100-year ARI plus 1m sea level rise coastal event.</u></li> </ul> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>4. <u>An assessment and consideration of coastal erosion risk;</u></li> <li>5. <u>The effects of natural hazards on people and property;</u></li> <li>6. <u>The location and design of proposed buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;</u></li> <li>7. <u>The management of vegetation or other natural features to mitigate natural hazard risk;</u></li> <li>8. <u>The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</u></li> <li>9. <u>The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site and adjacent properties;</u></li> <li>10. <u>Adverse effects on ecosystems and indigenous biodiversity;</u></li> <li>11. <u>Any other adverse effects on the environment of any proposed natural hazard mitigation measures; and</u></li> <li>12. <u>Alternative methods to avoid or mitigate the identified hazard risks.</u></li> </ul> <p><u>Activity status where compliance not achieved: Discretionary</u></p>
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			<p><u>NH-RXX New Buildings in the Hokitika Coastal Overlay not meeting Restricted Activity Standards</u></p> <p><u>Activity Status Discretionary</u></p> <p><u>Activity status where compliance not achieved: N/A</u></p>
<b>General</b>			
All other Hazards and Risks provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

#### Historical and Cultural Values - Ngā Uara ā-Ahurea, ā-Hītori Hoki

#### Historic Heritage - Ngā Tuku Ihotanga

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Permitted Activities HH-R3 Minor Earthworks in a Historic Heritage Area or Site identified in Schedule One	Support with amendments	Support minor earthworks Rule HH-R3 and amend it to make the rule explicit that earthworks are only permitted where the earthworks provisions in the EW Section are also met:	Amend Rule HH-R3:  <i>Activity Status Permitted</i> <i>Where:</i> <ol style="list-style-type: none"> <li>1. <i>These are earthworks that will not result in damage, demolition or destruction of heritage items and are associated with:</i> <ol style="list-style-type: none"> <li>a. <i>An activity permitted under Rule EW-R1 to EW-R6; and...</i></li> </ol> </li> </ol>
Controlled Activities	Support with amendments	Support Rule HH-R4 and amend it to require that either an Archaeological Authority is	Amend Rule HH-R4:  <i>Activity Status Controlled</i>

<p>HH - R4 Relocation or Repositioning of a Historic Heritage item identified in Schedule One and associated earthworks</p>		<p>provided or the written approval of Heritage New Zealand - Pouhere Taonga (HNZPT) is provided. This is important to ensure that the applicant consults with HNZPT on the appropriateness of any repositioning or relocation of scheduled heritage items; and HNZPT confirm that the repositioning or relocation is in fact appropriate.</p>	<p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>All performance standards for Rule HH - R1 are complied with; and</i></li> <li>2. <i><u>An Archaeological Authority has been issued by Heritage New Zealand - Pouhere Taonga, or the written approval of Heritage New Zealand - Pouhere Taonga is provided; and...</u></i></li> </ol>
<p>HH - R5 New Infrastructure Connections to a Historic Heritage Item identified in Schedule One</p>	<p>Support with amendments</p>	<p>New infrastructure connections to heritage items have the potential to affect the fabric of the building (e.g. overhead lines, water tanks). Support Rule HH-R5 and amend it to require that either an Archaeological Authority is provided or the written approval of Heritage New Zealand - Pouhere Taonga (HNZPT) is provided. This is important to ensure that the applicant consults with HNZPT on the appropriateness of any new infrastructure connections; and HNZPT confirm that these are appropriate.</p>	<p>Amend Rule HH-R5:</p> <p><i>Activity Status Controlled</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>The new infrastructure connection is to a historic heritage building listed in Schedule One.; and</i></li> <li>2. <i><u>An Archaeological Authority has been issued by Heritage New Zealand - Pouhere Taonga, or the written approval of Heritage New Zealand - Pouhere Taonga is provided.</u></i></li> </ol>

<p>HH - R7 Relocation or Repositioning of a Historic Heritage item identified in Schedule One and associated earthworks where compliance with HH - R4 is not achieved</p> <p>HH-R8 New Buildings or Structures and associated earthworks within a Historic Area identified in Schedule One</p>	<p>Support with amendments</p>	<p>The activities in Rules HH-R7 and HH-R8 have the potential to adversely affect heritage items. Support Rules HH-R7 and HH-R8 and amend them to include the consideration of any approved Archaeological Authority, and any consultation feedback provided by HNZPT. This is important to ensure that any feedback from HNZPT on the appropriateness of the activity is considered by council in the assessment of the application.</p>	<p>Amend Rules HH-R7 and HH-R8</p> <p><i>Activity Status Restricted Discretionary</i></p> <p><i>Discretion is restricted to:</i></p> <p><u>1. Whether an Archaeological Authority has been issued by Heritage New Zealand - Pouhere Taonga, and whether any consultation feedback has been provided to the applicant by Heritage New Zealand - Pouhere Taonga; and...</u></p>
<p>All other Historic Heritage provisions</p>	<p>Neutral</p>	<p>DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.</p>	<p>NA</p>

**SASM - Sites and Areas of Significance to Māori - Ngā Wāhi Tāpua ki te Māori**

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
<p>SASAM-P8 Management of Activities on</p>	<p>Support with amendments</p>	<p>Support Policy SASAM-P8 and amend it to also require engagement with HNZPT where</p>	<p>Amend Policy SASAM-P8:</p>

Identified Significant Sites and Areas		the site is also an archaeological site or contains a heritage item, as significant cultural sites and significant heritage sites are not mutually exclusive.	<p>Where an activity is proposed within any site or area of significance to Māori identified in Schedule Three ensure that:</p> <ul style="list-style-type: none"> <li>a. Engagement with Poutini Ngāi Tahu occurs to ensure that effects of the activity on the values of the site or area are understood;</li> <li>b. <u>If the site is an archaeological site and/or contains a heritage item, engagement also occurs with Heritage New Zealand - Pouhere Taonga;..</u></li> </ul>
SASM - P10 Inappropriate Activities	Support with amendments	Support Policy SASAM-P10 and amend it to include disturbance of land for the installation of fence posts, as this activity has the potential to adversely affect the upper slopes and peaks of the ancestral maunga identified in Schedule Three.	<p>Amend Policy SASAM-P10:</p> <p><i>Restrict buildings, structures, forestry, network utility structures, mining, <del>and</del> earthworks, <u>and disturbance of land for the installation of fence posts</u> on the upper slopes and peaks of ancestral maunga as identified in Schedule Three.</i></p>
SASM - R7 Farm Quarries and Mineral Extraction Activities within the Pounamu and Aotea Overlay Areas	Support with amendments	Support Rule SASM-R7 and amend the rule to require that if HNZPT Archaeological Authority is required, that this is obtained, or that HNZPT's written approval is provided.	<p>Amend Rule SASM-R7:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p><i>In relation to extraction of Aotea:</i></p> <ul style="list-style-type: none"> <li>i. Any extraction of Aotea is only undertaken by Te Rūnanga o Makaawhio or their authorised representatives or contractors; <ul style="list-style-type: none"> <li>i. Where an Aotea Management Plan prepared by Te Rūnanga o Makaawhio exists, any extraction of Aotea is in accordance with that plan;</li> <li>ii. Where this is Aotea extraction in the Aotea overlay, notice of the activity is provided to the Westland District Council by Te Rūnanga o Makaawhio, at least 10 working days prior to the activity occurring; <u>and</u></li> </ul> </li> </ul>

			<p>iii. <u>Where an Archaeological Authority is required by Heritage New Zealand - Pouhere Taonga, any extraction is undertaken in accordance with it, or the written approval of Heritage New Zealand - Pouhere Taonga is provided; and</u></p> <p><i>In relation to extraction of Pounamu:</i></p> <p>ii. Any extraction of Pounamu is only undertaken by Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio or their authorised representatives or contractors;</p> <p>i. Where a Pounamu Management Plan prepared by Poutini Ngāi Tahu exists, any extraction of Pounamu is in accordance with that plan;</p> <p>ii. Where this Pounamu extraction is within the Pounamu overlay, notice of the activity is provided to the relevant district council by the relevant Poutini Ngāi Tahu rūnanga, at least 10 working days prior to the activity commencing;</p> <p>iii. <u>Where an Archaeological Authority is required by Heritage New Zealand - Pouhere Taonga, any extraction is undertaken in accordance with it, or the written approval of Heritage New Zealand - Pouhere Taonga is provided; and</u></p> <p>iii. <i>In relation to other mineral extraction and quarrying activity:</i></p> <p>i. Written approval is provided by the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio, that the activity can occur within the Pounamu and/or Aotea overlay(s) and the written confirmation shall be provided to the relevant district council at least 10 working days prior to the activity commencing; <u>and</u></p> <p>ii. <u>Where an Archaeological Authority is required by Heritage New Zealand - Pouhere Taonga, any extraction is undertaken in</u></p>
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			<u>accordance with it, or the written approval of Heritage New Zealand - Pouhere Taonga is provided.</u>
All other Sites and Areas of Significance to Māori provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

#### Natural Environment Values - Ngā Uara Taiao Aotūroa

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Title page	Support with amendments	The overview in the title page requires minor amendments to include the margins of waterbodies.	Amend the overview:  <i>This section will include the provisions for ecosystems and indigenous biodiversity, natural character, natural features and landscapes and <del>public access</del> <u>the margins of waterbodies</u>. It will identify the specific features and places on the West Coast that are important to those values, including any Outstanding Landscapes or Significant Natural Areas. It will also include the Objectives, Policies and any Rules for the management of these areas.</i>
All natural environment provisions not submitted in below.	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

#### Ecosystems and Indigenous Biodiversity - Ngā Pūnaha Rauropi me te Kanorau Koiora

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Overview	Oppose	The overview requires amending to not only recognise	Amend the overview:



		<p>species indigenous to New Zealand, but to also recognise flora and fauna endemic to the west coast and therefore not found anywhere else, threatened ecosystem types, and ecological connectivity.</p> <p>It also requires amending to clarify that SNAs in all districts will be mapped, and notwithstanding this, general vegetation rules shall also apply to all areas of the districts. This is imperative to give effect to s6(c) of the Act, as it appropriately manages adverse effects on flora and fauna habitat, and any significant environments and habitats are often not known until detailed ecological assessments are undertaken as part of a resource consent application or to confirm compliance.</p> <p>Lastly, the paragraph regarding clearance in the coastal environment and adjacent to water bodies also requires amending to clarify that the rules in that chapter as in addition to, not in substitution</p>	<p><i>...The West Coast/Te Tai o Poutini contains a significant amount of intact natural diversity by comparison with other parts of New Zealand/Aotearoa me Te Waipounamu. Continuous tracts of lowland and coastal forests and freshwater as well as coastal wetlands cover large areas. In many places indigenous ecosystems and habitats extend unbroken from the mountains to the sea. <u>Approximately 84% of the land area is under the management of the Department of Conservation. In total an estimated 90% of the West Coast/Te Tai o Poutini is covered in indigenous vegetation - compared with 24% nationally.</u></i></p> <p><i>While the West Coast/Te Tai o Poutini is fortunate to have a wide range of diverse and intact ecosystems and vegetation types, <u>they occur primarily in the uplands, and there are some ecosystems and vegetation types not well represented in the protected areas network. These are generally ecosystems found in the lowland areas of the West Coast/Te Tai o Poutini, and include threatened ecosystems such as coastal turf and wetlands, and vegetation types such as coastal forest and forests on alluvial terraces.</u> Alongside this, parts of the West Coast/Te Tai o Poutini include the last habitats or strongholds of some native species threatened with extinction. <u>The benefits of ecological connectivity from the mountains to the sea on the West Coast/Te Tai o Poutini are shared by all...</u></i></p> <p><i>...In the Grey District, an evaluation process has been underway for a number of years, and this has enabled 37 Significant Natural Areas to be identified within the Grey District. The list of these Significant Natural Areas can be found in Schedule Four and they are also shown on the maps.</i></p> <p><i>In the Buller and Westland Districts, where Significant Natural Areas have not yet been mapped, <u>the mapping of Significant Natural Areas will be undertaken and completed by June 2027.</u></i></p> <p><i>Te Tai o Poutini Plan has general vegetation clearance rules, with <del>an expectation</del> <u>requirement</u> that an assessment against the regionally consistent significance criteria will be undertaken at the time of any resource consent <u>or to confirm whether or not the area proposed to be cleared is not significant before permitted</u></i></p>
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		of, the general vegetation clearance rules in the ECO chapter.	<p><u>clearance occurs. These rules apply in addition to the rules that apply to the Schedule 4 Significant Natural Areas...</u></p> <p><del>...Indigenous vegetation clearance in the Coastal Environment or adjacent to waterbodies</del></p> <p>Where indigenous vegetation clearance is proposed within riparian margins next to rivers, lakes and wetlands refer to the Natural Character and Margins of Waterbodies chapter of the Plan for the <u>additional Rules</u> around this clearance....</p>
Ecosystems and Indigenous Biodiversity Objectives	Support with amendments	Support the objectives subject to amendments and re-order the objectives so that ECO-04 is reordered to become ECO-01 as this objective applies to all indigenous biodiversity.	Re-order the objectives so that ECO-04 become ECO-01.
ECO-04	Support with amendments	Support ECO-04 and amend it to have regard to the maintenance and enhancement of the quality of the environment, and where appropriate restore the range and diversity of ecosystems.	<p>Amend ECO-04:</p> <p><i>ECO - 04<del>1</del> To maintain, <u>enhance and where appropriate restore</u> the range and diversity of ecosystems and indigenous species found on the West Coast/Te Tai o Poutini.</i></p>
ECO-02	Oppose	Amend ECO-02 to only allow development within areas of significant indigenous vegetation and significant habitats of indigenous fauna where natural values are	<p>Amend ECO-02:</p> <p><i>To <del>provide</del> <u>allow</u> for appropriate subdivision, use and development within areas of significant indigenous vegetation and significant habitats of indigenous fauna where the values of the area <del>can be</del> <u>are protected, maintained or and enhanced,</u> and where appropriate restored.</i></p>

		protected and where appropriate, restored.	
ECO-P1	Support with amendments	Amend ECO-P1 to align with terms used in Section 6(c) of the Act, ensure that the criteria used to assess significance is consistent with the RPS and any future national criteria, and that the criteria is also used to assess significant indigenous vegetation and fauna habitat through the resource consent process or if needed, to confirm compliance with permitted standards. Even with robust mapping, the level of significance of indigenous vegetation and fauna habitat at a site scale is often not known until such time as development is proposed through a resource consent application.	<p>Amend ECO-P1:</p> <p><i>Identify areas of significant indigenous vegetation and <u>significant habitats of indigenous fauna-habitat as Significant Natural Areas:</u></i></p> <ol style="list-style-type: none"> <li>1. <i>In the Grey District:</i> <ol style="list-style-type: none"> <li>i. <i>These areas are identified in Schedule Four; and</i></li> <li>ii. <i>The criteria set out in Appendix 1 of the West Coast Regional Policy Statement will be used to assess significance through the resource consent process (or to confirm whether or not the area proposed to be cleared is not significant before permitted clearance occurs), until such time as nationally consistent criteria apply through a National Policy Statement or National Environmental Standards. When nationally consistent criteria apply, these will be used to assess significance;</i></li> </ol> </li> <li>2. <i>In the Buller and Westland Districts:</i> <ol style="list-style-type: none"> <li>i. <i>The criteria set out in Appendix 1 of the West Coast Regional Policy Statement will be used to assess significance, until such time as nationally consistent criteria apply through a National Policy Statement or National Environmental Standards. When nationally consistent criteria apply, this will be used to assess significance;</i></li> <li>ii. <i>Significant indigenous vegetation and significant habitats of indigenous fauna-Areas of significant indigenous vegetation and fauna-habitat will be also identified through the resource consent process (or to confirm whether or not the area proposed to be cleared is not significant before permitted clearance occurs)-until such time as district wide identification and mapping of significant natural areas is undertaken;</i></li> </ol> </li> </ol>

			<p>iii. <i>Buller and Westland district wide assessment, identification and mapping of significant natural areas will be undertaken and completed by June 2027; and</i></p> <p>iv. <i>Identified areas of significant indigenous vegetation and fauna habitat will be added to Schedule Four through a Plan Change.</i></p>
ECO-P2	Support with amendments	Amend ECO-P2 to better manage adverse cumulative effects from lawfully established activities within areas of significant indigenous vegetation or significant habitats of indigenous fauna, and apply the effects management hierarchy to appropriately manage adverse effects. Activities which have a functional need to be located within areas of significant indigenous vegetation or significant habitats of indigenous fauna are already appropriately provided for in other chapters of the Plan (e.g. Infrastructure).	<p>Amend ECO-P2:</p> <p><i>Allow activities within areas of significant indigenous vegetation or significant habitats of indigenous fauna where:</i></p> <p>a. <i>This is for a lawfully established activity <u>and adverse effects are no greater in intensity, scale, or character over time than at the operative date, and do not result in the loss of extent or degradation of ecological integrity;</u> or</i></p> <p>b. <i>It is for a Poutini Ngāi Tahu cultural purpose; or</i></p> <p>c. <i>This is undertaken on Poutini Ngāi Tahu or Te Rūnanga o Ngāi Tahu land in accordance with an Iwi/Papatipu Rūnanga Management Plan; <del>or</del> <u>and</u></i></p> <p><del>d. <i>The activity has a functional need to be located in the area;</i></del></p> <p>e. <i><u>The adverse effects of the activity has no more than minor adverse effects on the significant indigenous vegetation or fauna habitat are managed in accordance with the effects management hierarchy.</u></i></p>
ECO-P3	Support with amendments	Amend ECO-P3 to enable any measures to protect, enhance and restore biodiversity to be considered when applying the policy, and biosecurity programmes to manage plant and predator pests.	<p>Amend Policy ECO-P3:</p> <p><i>Encourage the protection, enhancement and restoration of significant indigenous biodiversity by:</i></p>

			<ul style="list-style-type: none"> <li>a. <i>Allowing additional subdivision rights if an area of significant indigenous vegetation or significant habitat of indigenous fauna within the same property is legally protected as part of the subdivision;</i></li> <li>b. <i>Promoting the creation of connections and ecological corridors between areas of significant indigenous biodiversity;</i></li> <li>c. <i>Promoting the use of eco-sourced species from the relevant ecological district;</i></li> <li>d. <i>Supporting opportunities for Poutini Ngāi Tahu to exercise their cultural rights and responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity; <del>and</del></i></li> <li>e. <i>Supporting initiatives by landowners, community groups and others to protect, restore and maintain areas of significant indigenous biodiversity;</i></li> <li>f. <i><u>Site and landscape scale biosecurity programmes to manage plant and animal pests; and</u></i></li> <li>g. <i><u>Any other measures to protect, enhance and restore biodiversity.</u></i></li> </ul>
ECO-P6	Support with amendments	Amend ECO-P6 to simplify the policy by referring to Threatened or At Risk (Declining) species, and to ensure the policy also captures locally endemic species important to the West Coast.	<p>Amend Policy ECO-P6:</p> <p><i>When assessing consents for subdivision, use and development, avoid activities which will:</i></p> <ul style="list-style-type: none"> <li>a. <i>Prevent an indigenous species or community being able to persist in their habitats within their natural range in the Ecological District;</i></li> <li>b. <i>Result in a degradation of the threat status, further measurable loss of indigenous cover or disruption to ecological processes, functions or connections in land environments in category one or two of the Threatened Environment Classification at the Ecological District level; and</i></li> <li>c. <i>Result in <u>a reduction in the population size or occupancy of Threatened or At Risk (Declining) species</u> <del>a reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Categories 1 – 3a – nationally critical, nationally endangered and nationally</del></i></li> </ul>

			<u>vulnerable or in the population size or occupancy of locally endemic species.</u>
ECO-P7	Support with amendments	Amend Policy ECO-P7 to ensure that when assessing resource consent applications, locational constraints are considered for any critical infrastructure or renewable electricity generation, an assessment of alternative is provided, the effects management hierarchy is applied, and where offsetting and compensation is provided, a net gain is achieved.	<p>Amend Policy ECO-P7:</p> <p><i>When assessing resource consents in areas of significant indigenous vegetation and significant habitats of indigenous fauna, consider the following matters:</i></p> <ol style="list-style-type: none"> <li><i>a. The necessity for the activity to provide for critical infrastructure or renewable electricity generation <u>and the extent to which these activities are locationally constrained;</u></i></li> <li><i>b. <u>Whether an assessment of alternatives has been provided;</u></i></li> <li><i>c. Whether formal protection and active management of all or part of any area of significant indigenous vegetation or habitat will occur as part of the subdivision, use or development;</i></li> <li><i>d. The extent to which the proposed activity recognises and provides for Poutini Ngāi Tahu cultural and spiritual values, rights and interests;</i></li> <li><i>e. The cumulative effects of activities within or adjacent to any area of significant indigenous vegetation or habitat;</i></li> <li><i>f. The effects the activity may have on the introduction or spread of exotic weed species and pest animals both terrestrial and aquatic;</i></li> <li><i>g. The impacts on mahinga kai;</i></li> <li><i>h. The impact of the activity on the values of any area of significant indigenous vegetation or habitat, or threatened species and <del>how</del> <u>extent to which any potential impact could be avoided, remedied or mitigated by applying the effects management hierarchy;</u> and</i></li> <li><i>i. The appropriateness of any biodiversity offsetting or compensation in accordance with Policy 9 to <del>offset</del> <u>address</u> any residual adverse effects that remain after avoiding, <u>minimising, remedying</u> and mitigating measures have been applied; <u>and</u></i></li> </ol>

			<p><i>j. <u>The extent of net gain achieved by biodiversity offsetting or compensation.</u></i></p>
ECO-P8	Support with amendments	Amend Policy ECO-PC8 so the policy seeks to encourage and enable active management, rather than simply recognising the benefits of active management, which are obvious, and to encourage and enable biosecurity programmes to manage plant and predator pests.	<p>Amend Policy ECO-PC8:</p> <p><i>Maintain indigenous habitats and ecosystems across the West Coast/Te Tai o Poutini by:</i></p> <ul style="list-style-type: none"> <li><i>a. Maintaining, and where appropriate enhancing or restoring the functioning of ecological corridors, linkages, dunes and indigenous coastal vegetation and wetlands;</i></li> <li><i>b. Minimising adverse effects on, and providing access to, areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu;</i></li> <li><i>c. Restricting the modification or disturbance of coastal indigenous vegetation, dunes, estuaries and wetlands;</i></li> <li><i>d. Preserving protected wildlife; <del>and</del></i></li> <li><i>e. <u>Encourage and enable site and landscape scale biosecurity programmes to manage plant and animal pests; and</u></i></li> <li><i>f. <del>Recognising the benefits of</del> <u>Encouraging and enabling active conservation management of indigenous biodiversity, including voluntary animal and plant pest and stock control and/or formal legal protection.</u></i></li> </ul>
ECO-PC9	Support with amendments	Amend Policy ECO-PC9 as offsetting and compensation should not be 'provided for', and instead should only be allowed where the effects management hierarchy has been applied, and where a net gain can be achieved.	<p>Amend Policy ECO-PC9:</p> <p><del>Provide for</del> <u>Allow for</u> <i>biodiversity offsets and compensation to manage residual adverse effects of an activity where:</i></p> <ul style="list-style-type: none"> <li><i>a. The goal of the biodiversity offsets is <del>no net loss and, preferably,</del> a net gain of biodiversity;</i></li> <li><i>b. <u>Where a biodiversity offset is proposed it must be based upon measured biodiversity losses and contain a quantitative loss and gain calculation that demonstrates a net gain;</u></i></li> </ul>

			<p>c. <i>The conservation outcomes are measurable, <del>and</del> positive and in addition to outcomes that would have occurred in the absence of the offset; and</i></p> <p>d. <i>The biodiversity offsets or compensation are in accordance with best practice, including but not limited to NZ Government guidance on biodiversity offsetting.</i></p>
ECO-PC10	Support with amendments	Amend Policy ECO-PC10 so it is consistent with the NZCPS, and applies the effects management hierarchy to appropriately manage adverse effects on biodiversity in the coastal environment.	<p>Amend Policy ECO-PC10:</p> <p><i>Protect indigenous biodiversity in the coastal environment from inappropriate subdivision, use and development by:</i></p> <p>a. <i><u>Avoiding adverse effects on indigenous biodiversity set out in Policy 11(a) of the NZCPS, and</u></i></p> <p>b. <i>Avoiding significant adverse effects on <del>significant</del> indigenous biodiversity; and</i></p> <p>c. <i>Avoiding, remedying or mitigating other adverse effects on indigenous vegetation, habitats and species within the coastal environment <u>in accordance with the effects management hierarchy and Policy 11(b) of the NZCPS.</u></i></p>
ECO-R1 Indigenous vegetation clearance and disturbance outside of the coastal environment	Oppose	Amend Rule ECO-R1 and amend it to apply the maximum permitted vegetation clearance area to all areas in the Plan, and to amend rules 3 and 4 so they apply to public track upgrades only, and to exclude new network utilities or the national grid as vegetation and habitat removal for these activities can adversely affect biodiversity values, and these effects should	<p>Amend Rule ECO-R1:</p> <p><i>Indigenous vegetation clearance and disturbance outside of the coastal environment</i></p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p>1. <i>It is outside of a <del>scheduled</del> Significant Natural Area as identified in Schedule Four <u>or outside an areas identified in accordance with the Significant Natural Area criteria; and</u></i></p> <p>2. <i>It is clearance <del>permitted by the Natural Character and the Margins of Waterbodies Rule NC – R1; or</del> <u>The extent of indigenous vegetation</u></i></p>



		<p>be assessed through a resource consent application where the maximum area threshold in Rule 2 is exceeded. Amend the advice note to make the rules explicit that the riparian margin clearance rules apply in addition, not substitution, and to clarify that this rule does not apply to any area which meets the SNA criteria.</p>	<p><u>disturbed and/or cleared per site does not exceed an area of 5000m<sup>2</sup> in any three year period; or</u></p> <p>3. <i>It is necessary for one of the following purposes:</i></p> <ul style="list-style-type: none"> <li>i. <i>It is the removal of windthrown timber through: <ul style="list-style-type: none"> <li>a. <i>Use of helicopter recovery methods; or</i></li> <li>b. <i>Where ground based recovery is only undertaken from areas adjacent to existing vehicle tracks; or</i></li> </ul> </i></li> <li>ii. <i>The maintenance, operation and repair of lawfully established tracks, fences, structures, buildings, critical infrastructure, network utilities, renewable electricity generation activities or natural hazard mitigation activities;</i></li> <li>iii. <i>For the installation of temporary network activities following a regional or local state of emergency declaration;</i></li> <li>iv. <i>To prevent a serious threat to people, property, structures or services;</i></li> <li>v. <i>To ensure the safe and efficient operation (including maintenance and repair) of any formed public road, rail corridor or access;</i></li> <li>vi. <i>For the construction of new fences and traplines associated with Conservation Activities or to exclude stock or pest animals;</i></li> <li>vii. <i>To upgrade <del>or create new</del> an existing public walking or cycling tracks up to 3m in width undertaken by the Council or its approved contractor;</i></li> <li>viii. <i>To comply with section 43 of the Fire and Emergency Act 2017;</i></li> <li><del>ix. <i>For construction or operation of an above ground or below ground network utility or the national grid where: <ul style="list-style-type: none"> <li>a. <i>The construction corridor does not exceed 3m in width; and</i></li> <li>b. <i>All machinery used in construction is cleaned and made free of weed material and seeds prior to entering the site; and</i></li> </ul> </i></del></li> </ul>
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			<p><del>c. Rehabilitation of disturbed areas is undertaken following the completion of construction;</del></p> <p>x. It is cultural harvest undertaken by Poutini Ngāi Tahu; or</p> <p>xi. It is on MPZ - Māori Purpose Zoned land and undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or</p> <p>xii. It is within an area subject to a QEII National Trust Covenant or Ngā Whenua Rahui Kawaneta, a Reserves or Conservation Act covenant or a Heritage covenant under the Heritage New Zealand/Pouhere Taonga Act and the vegetation disturbance is authorised by that legal instrument; and</p> <p>4. Within the Grey District it is clearance outside of an Outstanding Natural Landscape identified in Schedule Five; or</p> <p>5. Within the Buller and Westland Districts:</p> <p>i. It is the removal or clearance of mānuka, kānuka 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:</p> <p>a. Details of the location of the proposed clearance;</p> <p>b. Area of the proposed clearance; and</p> <p>c. Verification by documentary, photographic or other means that the vegetation is less than 15 years old and not part of any wetland; or ii. It is a maximum area of 5000m<sup>2</sup> per site, in total, over any continuous three year period.</p> <p><del>ii. It is a maximum area of 5000m<sup>2</sup> per site, in total, over any continuous three year period.</del></p> <p>Advice Notes:</p> <p>1. <u>For the avoidance of doubt, any area of vegetation that meets the criteria set out in Appendix 1 of the West Coast Regional Policy Statement (until</u></p>
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			<p><i>such time as nationally consistent criteria apply through a National Policy Statement or National Environmental Standards) is a Significant Natural Area.</i></p> <ol style="list-style-type: none"> <li>2. <i>Where clearance of mānuka, kānuka or bracken is proposed under Standard 5(i) of this rule, if proof that the vegetation is less than 15 years old or that the site is not a wetland, is unavailable, then a resource consent will be required.</i></li> <li>3. <i>Where indigenous vegetation clearance is proposed within the riparian margins of a waterbody refer to these sections of the Plan for <u>additional</u> <del>the</del> Rules around this clearance.</i></li> <li>4. <i>Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM - R4 will also apply.</i></li> <li>5. <i>Where indigenous vegetation clearance is proposed within a wetland this is also subject to rules within the NES Freshwater which is administered by the West Coast Regional Council.</i></li> <li>6. <i>This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF in relation to significant natural areas.</i></li> </ol>
ECO-R2 Indigenous Vegetation Clearance in the Coastal Environment	Support with amendments	Amend the rule and advice note to remove ambiguity and to make the rules explicit that the riparian margin clearance rules apply in addition, not substitution, and that SNA areas are not just those areas scheduled in Schedule 4.	<p>Amend Rule ECO-R2:</p> <p><i>Indigenous Vegetation Clearance in the Coastal Environment</i></p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>This is for:</i> <ol style="list-style-type: none"> <li>i. <i>Walking/cycling tracks, roads, farm tracks or fences;</i></li> <li>ii. <i>Operation, maintenance, repair, upgrading and installation of new network utility infrastructure and renewable electricity generation activities; or</i></li> </ol> </li> </ol>

			<p>iii. <i>Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site;</i></p> <p>2. <i>The extent of indigenous vegetation disturbed and/or cleared per site does not exceed an area of 500m<sup>2</sup> <del>in area per site</del> in any three year period;</i></p> <p>3. <i>The indigenous vegetation clearance does not disturb, damage or destroy nesting areas or habitat of protected species; and</i></p> <p>4. <i>The indigenous vegetation clearance does not occur in any area identified as a Significant Natural Area in Schedule Four <u>or in accordance with the Significant Natural Area criteria.</u></i></p> <p><i>Advice Notes:</i></p> <p>1. <i><u>For the avoidance of doubt, any area of vegetation that meets the criteria set out in Appendix 1 of the West Coast Regional Policy Statement (until such time as nationally consistent criteria apply through a National Policy Statement or National Environmental Standards) is a Significant Natural Area, and this rule does not apply.</u></i></p> <p>2. <i>Where indigenous vegetation clearance is proposed within the riparian margins of a waterbody refer to these sections of the Plan for <del>the</del> <u>additional</u> Rules around this clearance.</i></p> <p>3. <i>Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM - R4 will also apply.</i></p> <p>4. <i>Where indigenous vegetation clearance is proposed within a wetland this is also subject to rules within the NES Freshwater which is administered by the West Coast Regional Council.</i></p> <p>5. <i>This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF.</i></p>
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ECO - R4/SUB - R7 Subdivision of Land to Create Allotments Containing an Area of Significant Indigenous Biodiversity	Oppose	This rule duplicates Subdivision Rule SUB-R7 and is unnecessary in the ECO section of the Plan.	Delete Rule ECO - R4.
ECO-R5 Indigenous vegetation clearance not meeting Permitted or Controlled Activity Standards	Support with amendments	Support Rule ECO-R5 and amend it to remove ambiguity and ensure any application made under this rule assesses the adverse effects on Threatened or At Risk (Declining) species.	<p>Amend Rule ECO-R5:</p> <p><i>Activity Status Restricted Discretionary Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>This is not within:</i> <ol style="list-style-type: none"> <li>i. <i>A Significant Natural Area identified in Schedule Four <u>or in accordance with the Significant Natural Area criteria</u>;</i></li> <li>ii. <i>An area of land environment of category one or two of the Threatened Environment Classification;</i></li> <li>iii. <i>An Outstanding Natural Landscape identified in Schedule Five;</i></li> <li>iv. <i>An Outstanding Natural Feature identified in Schedule Six;</i></li> <li>v. <i>An area of High Coastal Natural Character identified in Schedule Seven; or</i></li> <li>vi. <i>An area of Outstanding Coastal Natural Character identified in Schedule Eight.</i></li> </ol> </li> </ol> <p><i>Discretion is restricted to:</i></p> <ol style="list-style-type: none"> <li>2. <i>Whether there are other regulations impacting the site that have meant the land is unable to be used for economic rural uses;</i></li> <li>3. <del>Constraints imposed by</del> <i>consideration of the functional or operational need of network utilities and critical infrastructure;</i></li> <li>4. <del>Effects on habitats of any threatened or protected species</del> <i>threatened or At Risk (Declining) species;</i></li> </ol>

			<p>5. <i>Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;</i></p> <p>6. <i>Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;</i></p> <p>7. <i>Effects on the intrinsic values of ecosystems;</i></p> <p>8. <i>Effects on recreational values of public land; and</i></p> <p>9. <i>The matters outlined in Policies ECO - P6 and ECO - P7.</i></p> <p><i>Advice Note:</i></p> <p>1. <u><i>For the avoidance of doubt, any area of vegetation that meets the criteria set out in Appendix 1 of the West Coast Regional Policy Statement (until such time as nationally consistent criteria apply through a National Policy Statement or National Environmental Standards) is a Significant Natural Area, and this rule does not apply.</i></u></p> <p>2. <i>Where indigenous vegetation clearance is proposed within the riparian margin of a waterbody refer to this section of the Plan for the <u>additional</u> Rules around this clearance.</i></p> <p>3. <i>Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM - R4 will also apply.</i></p> <p>4. <i>Where indigenous vegetation clearance is proposed within a wetland this is also be subject to rules within the NES Freshwater and Regional Land and Water Plan which are administered by the West Coast Regional Council.</i></p> <p>5. <i>This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF and the indigenous vegetation clearance is within the coastal environment.</i></p>
ECO - R6/SUB - R9 Subdivision of Land to create	Oppose	This rule duplicates Subdivision Rule SUB-R9 and is unnecessary in the ECO section of the Plan.	Delete Rule ECO – R6.

Allotments Containing an Area of Significant Indigenous Biodiversity not meeting Rule ECO - R4			
ECO - R7 Indigenous vegetation clearance not meeting ECO - R5	Support	Support Rule ECO - R7.	Support Rule ECO - R7 in its entirety.
ECO - R8/SUB - R15 Subdivision of Land to Create Allotments Containing an Area of Significant Indigenous Biodiversity not meeting Rule ECO - R6	Oppose	This rule duplicates Subdivision Rule SUB-R15 and is unnecessary in the ECO section of the Plan.	Delete Rule ECO – R8.
ECO - R9/SUB - R27 Subdivision of Land within an Area of Significant Indigenous Biodiversity not meeting Rule ECO - R8	Oppose	This rule duplicates Subdivision Rule SUB-R27 and is unnecessary in the ECO section of the Plan.	Delete Rule ECO – R9.
All other ECO provisions	Neutral	DOC is neutral as these do not affect priority conservation	NA

		values, biodiversity values, or DOC's interests.	
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Natural Features and Landscapes (“NFL”) - Ngā Āhua me ngā Horanuku Aotūroa

<b>Natural Features and Landscapes - Ngā Āhua me ngā Horanuku Aotūroa</b>			
Overview	Support	The overview provides a clear description of Outstanding Natural Landscapes and Outstanding Natural Features, and the other Plan provisions that apply in these areas.	Support the overview in its entirety.
All NFL Matters of discretion and control	Support with amendments	Amend all matters of discretion and control to ensure that the assessment of adverse effects for activities within ONLs and ONF consider the adverse effects on amenity and cultural, historic and ecological values.	Add the following matters of control and discretion to all controlled and restricted discretionary NFL provisions: <ol style="list-style-type: none"> <li>1. <u>Adverse effects on historical, cultural, and biodiversity values;</u></li> <li>2. <u>Amenity and visual effects;</u></li> </ol>
Natural Features and Landscapes Objective NFL - O1	Support with amendments	Support Objective NFL - O1, and amend to make it more explicit that ONLs and ONFs should be protected from inappropriate subdivision, use and development in accordance with Section 6(b) of the Act, and development in these areas should only be ‘allowed’ where	Amend Objective NFL - O1: <p><i>To protect the values of outstanding natural landscapes and outstanding natural features on the West Coast/Te Tai o Poutini <u>from inappropriate subdivision, use and development, while providing for allowing subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.</u></i></p>



		the values are maintained or enhanced.	
Policy NFL - P1	Support with amendments	Support Policy NFL - P1 and amend it to delete the provision for new infrastructure, renewable electricity generation, and hazard mitigation as these activities can adversely affect ONFs and ONLs, and should require a resource consent to be obtained, and existing infrastructure is addressed in a.	<p>Amend Policy NFL - P1:</p> <p><i>Provide for activities within outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six where they do not adversely affect the values that contribute to a natural feature or landscape being outstanding and are for:</i></p> <ul style="list-style-type: none"> <li><i>a. Existing land uses and lawfully established activities including existing network utilities, energy activities, agricultural, horticultural and pastoral activities;</i></li> <li><i>b. Conservation activities;</i></li> <li><i>c. Recreational activities;</i></li> <li><del><i>d. Natural hazard mitigation activities;</i></del></li> <li><i>e. Operation, maintenance and upgrade of renewable electricity generation facilities;</i></li> <li><i>f. Operation, maintenance and upgrading of network infrastructure;</i></li> <li><del><i>g. Upgrading and/or new infrastructure and renewable electricity generation facilities where there is a functional need for it to be located in these areas;</i></del></li> <li><i>h. Poutini Ngāi Tahu uses; or</i></li> <li><i>i. The alteration, maintenance or removal of existing buildings or structures.</i></li> </ul>
Policy NFL – P2	Support with amendments	Support Policy NFL – P2 and amend it so it more explicitly set out the sequence of effects assessment methods in accordance with the effects management hierarchy.	<p>Amend Policy NFL – P2:</p> <p><i>Where possible, avoid significant adverse effects on the values that contribute to outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six. Where significant adverse effects cannot be avoided, ensure that the adverse effects are <u>otherwise minimised, remedied or,</u></i></p>

			<i>mitigated, offset or compensated in accordance with the effects management hierarchy.</i>
Policy NFL - P3	Support with amendments	Support Policy NFL – P3 and amend it so that development in these areas should only be ‘allowed’ where the values are not adversely affected.	Amend Policy NFL – P3:  <i>Recognise that there are settlements, farms and infrastructure located within outstanding natural landscapes or outstanding natural features and <del>provide for</del> <u>allow</u> new activities and existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are not adversely affected.</i>
Policy NFL - P4	Support with amendments	Support Policy NFL – P4 and amend it to ensure adverse effects are also managed by limiting landform modification through earthworks.	Amend Policy NFL – P4:  <i>Require that new buildings, <u>and</u> structures within outstanding natural features or landscapes minimise any adverse visual effects by:</i> <ul style="list-style-type: none"> <li><i>a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location;</i></li> <li><i>b. Using naturally occurring building platforms, materials and colour that blends into the landscape <u>and limits landform modification through earthworks; and</u></i></li> <li><i>c. Limiting the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape.</i></li> </ul>
Policy NFL – P5	Support with amendments	Support Policy NFL – P5 and amend it to ensure adverse effects are also managed by limiting landform modification through earthworks, are assessed in accordance with the effects management hierarchy, and the assessment considers effects on amenity, recreation,	Amend Policy NFL – P5:  <i>Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:</i> <ul style="list-style-type: none"> <li><i>a. <u>Whether an assessment of alternatives has been provided;</u></i></li> <li><i>b. <u>Whether the assessment of effects on outstanding natural landscape and outstanding natural feature values is in accordance with the effects management hierarchy;</u></i></li> </ul>

		historical and biodiversity values, so that adverse effects can be appropriately managed to protect outstanding natural landscapes and outstanding natural features from inappropriate subdivision, use and development.	<ul style="list-style-type: none"> <li>c. <i>The <u>nature, scale and extent of modification to the landscape or feature</u>;</i></li> <li>d. <i>Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;</i></li> <li>e. <i>Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;</i></li> <li>f. <i>The temporary or permanent nature of any adverse effects;</i></li> <li>g. <i>The functional, technical, operational or locational need of any activity to be sited in the particular location;</i></li> <li>h. <i>Any historical, spiritual or cultural association held by Poutini Ngāi Tahu;</i></li> <li>i. <i>Any positive effects the development has on the identified characteristics and qualities;</i></li> <li>j. <i>Any positive effects at a national, regional and local level;</i></li> <li>k. <i><u>Management of effects on amenity, recreation, historical and biodiversity values</u>;</i></li> <li>l. <i>Any relevant public safety considerations; and</i></li> <li>m. <i>The measures proposed to mitigate the effects on the values and characteristics, including:</i> <ul style="list-style-type: none"> <li>a. <i>The location, design and scale of any buildings or structures, or earthworks;</i></li> <li>b. <i>The intensity of any activity; and</i></li> <li>c. <i>The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing.</i></li> </ul> </li> </ul>
NFL - R3 Natural hazard mitigation activities including earthworks in an Outstanding	Oppose	Amend Rule NFL - R3 as natural hazard mitigation structures, particularly where these are hard protection structures or a larger scale can have more than minor adverse effects on ONLs	<p>Amend Rule NFL - R3:</p> <p><i>Activity Status <del>Permitted</del> <u>Restricted Discretionary</u></i></p> <p><i>Where:</i></p> <ul style="list-style-type: none"> <li><i><del>1.</del> The natural hazard mitigation activities are to protect critical infrastructure;</i></li> </ul>

<p>Natural Landscape described in Schedule Five</p>		<p>and ONFs. Hazard mitigation structures should therefore be a restricted discretionary activity so the adverse effect of these can be appropriately assessed through a resource consent application. The type of applicant should have no bearing on whether a resource consent for natural hazard mitigation is appropriate, and this should be removed.</p>	<ol style="list-style-type: none"> <li>2. <del>The natural hazard mitigation activities are undertaken by a statutory agency or their nominated contractor; and</del></li> <li>3. <del>The work does not involve modification of an Outstanding Natural Feature described in Schedule Six.</del></li> </ol> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> <li>1. <u>Any requirements for landscape evaluation;</u></li> <li>2. <u>Managing effects on public access and natural character;</u></li> <li>3. <u>Effects on the values that make the feature Outstanding;</u></li> <li>4. <u>Extent and design of earthworks;</u></li> <li>5. <u>Effects on historical, cultural, and biodiversity values;</u></li> <li>6. <u>Amenity and visual effects;</u></li> <li>7. <u>Alternative methods to avoid or mitigate the identified hazard risks and</u></li> <li>8. <u>Landscape measures.</u></li> </ol> <p><u>Advice Notes:</u></p> <ol style="list-style-type: none"> <li>1. Any indigenous vegetation clearance associated with natural hazard mitigation activities is subject to the provisions in the Ecosystems and Biodiversity Chapter</li> <li>2. For any natural hazard mitigation activity within Outstanding Natural Landscapes in the coastal environment, refer to the Coastal Environment Chapter.</li> <li>3. Where activities are located in a Historic Heritage, Notable Tree or Sites and Areas of Significance to Māori Overlay Chapter area, these provisions apply.</li> </ol>
<p>NFL - R5 Additions or alterations to buildings and structures within an Outstanding Natural Landscape described in</p>	<p>Support with amendments</p>	<p>Amend Rule NFL – R5 as additions to ONLs and ONFs should only be a permitted activity where the scale of change is minor and it does not affect the outstanding values of the ONF or ONL. By limiting the permitted size of additions, this</p>	<p>Amend Rule NFL – R5:</p> <p><i>Activity Status Permitted</i></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <li>1. <u>The maximum height of buildings and structures above ground level is 5m.</u></li> <li>2. <u>The maximum size of the addition is no greater than 50m<sup>2</sup>, or 10% of the total floor area, whichever is greater.</u></li> </ol>

<p>Schedule Five or Outstanding Natural Feature described in Schedule Six</p>		<p>enable additions with adverse effects to be appropriately assessed through a resource consent application.</p>	<p><i>Advice Note:</i>  <i>Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply.</i></p> <p><i>Activity status where compliance not achieved: Restricted Discretionary</i></p>
<p>NFL - R6 Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six</p>	<p>Oppose</p>	<p>Amend Rule NFL – R6 as imposing no limits for earthworks on infrastructure providers or network utility operators within ONLs and ONFs can have adverse effects on the outstanding values of those areas. Further the maximum permitted volume for all activities is too high to be permitted within these areas as earthworks within these controls can still have more than minor adverse effects on outstanding values depending on their location.</p>	<p>Amend Rule NFL – R6:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p><del>1. All performance standards for Earthworks Rule EW – R1 are complied with; and</del>  <del>2. This is ancillary to:</del></p> <p style="padding-left: 40px;"><del>a. An infrastructure activity undertaken by a network utility operator in accordance with the Permitted Activity standards in Infrastructure Rule INF – R7; or</del>  <del>b. An energy activity undertaken by a network work utility operator in accordance with the Permitted Activity standards in Energy Rule ENG – R4;</del></p> <p><del>3. For other earthworks, the following standards are complied with:</del></p> <p style="padding-left: 40px;"><del>a. The cut height or fill depth does not exceed one metre vertically;</del>  <del>b. No more than 5200m<sup>3</sup> of earthworks are undertaken/12 month period/site; and</del>  <del>c. The earthworks are undertaken outside of the Coastal Environment.</del></p> <p><i>Advice Note:</i></p> <p><del>1. Earthworks associated with natural hazard mitigation activities are subject to Rule NFL – R3.</del></p> <p>2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF.</p>

			<p>3. <i>Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply.</i></p> <p><i>Activity status where compliance not achieved: <del>Controlled</del> <u>Restricted Discretionary</u></i></p> <p><i>Refer to the Coastal Environment Rules for Earthworks in the Outstanding Coastal Environment</i></p>
NFL - R8 Erection of a building or structure not otherwise provided for as a Permitted Activity within an Outstanding Natural Landscape described in Schedule Five	Support with amendments	Amend Rule NFL – R8 as a consequence to the changes sought in the submission above.	<p>Amend Rule NFL – R8:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where the structure is:</i></p> <ol style="list-style-type: none"> <li>1. <i>A fence; or</i></li> <li>2. <i>Associated with stock water reticulation including tanks, pipes and water troughs; or</i></li> <li>3. <i>For parks facilities or parks furniture in any Open Space Zone; or</i></li> <li>4. <i><del>For a network utility (including customer connections) in accordance with the Permitted Activity standards for Infrastructure in Rule INF – R7; or...</del></i></li> </ol>
NFL - R9 Natural Hazard Mitigation Activities including Earthworks not meeting Rule NFL - R3	Oppose	Oppose Rule NFL - R9 for the same reasons provided in DOCs submission to NFL - R3 above.	Delete Rule NFL - R9 in its entirety.
NFL - R10 Earthworks within an Outstanding Natural Landscape	Oppose	Oppose Rule NFL - R10 and amend it so that resource consent is required for a restricted discretionary activity,	<p>Amend Rule NFL - R10:</p> <p><i>Activity Status <del>Controlled</del> <u>Restricted Discretionary</u></i></p>

<p>described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R6</p>		<p>as earthworks that are not sensitively designed and located can have more than minor adverse effects on ONL and ONF values, and should therefore not be subject to a rule where the application must be granted.</p>	<p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>These are for:</i> <ol style="list-style-type: none"> <li>a. <i>Walking/cycling tracks;</i></li> <li>b. <i>Roads, farm tracks or fences;</i></li> <li>c. <i>Installation of network utility infrastructure; or</i></li> <li>d. <i>Installation of a renewable electricity generation facility; or</i></li> <li>e. <i>Establishment of a building platform and access to a building site in an approved subdivision or for a residential building where there is no existing residential building on the property; and</i></li> <li>f. <i>Protection of critical infrastructure from natural hazards; and.</i></li> </ol> </li> <li><del>2. Earthworks are the minimum required to undertake the activity...</del></li> </ol> <p><u><i>Discretion is restricted to:</i></u></p> <ol style="list-style-type: none"> <li>1. <i>Any requirements for landscape evaluation;</i></li> <li>2. <i>Managing effects on public access and natural character;</i></li> <li>3. <i>Effects on the values that make the feature Outstanding;</i></li> <li>4. <i>Extent and design of earthworks;</i></li> <li>5. <u><i>Effects on historical, cultural, and biodiversity values;</i></u></li> <li>6. <u><i>Amenity and visual effects; and</i></u></li> <li>7. <i>Landscape measures.</i></li> </ol> <p><i>Activity status where compliance not achieved: Discretionary</i></p>
<p>All other natural features and landscapes provisions</p>	<p>Neutral</p>	<p>DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.</p>	<p>NA</p>

Public Access - Te Āheinga Tūmatanui			
Public Access - Te Āheinga Tūmatanui	Oppose	Oppose this chapter as it contains only one objective regarding the maintenance and enhancement of public access, and these matters are already sufficiently addressed in other chapters of this Plan.	Delete the Public Access - Te Āheinga Tūmatanui Chapter in its entirety.

Natural Character and Margins of Waterbodies - Ngā Āhua me ngā Mahi ka Noho Hāngai ki ngā Hopua Wai

Natural Character and the Margins of Waterbodies- Ngā Āhua me ngā Mahi ka Noho Hāngai ki ngā Hopua Wai			
Overview	Support with amendments	Amend the overview to make it explicit that the The Te Tai o Poutini also manages activities on the surface of waterbodies.	Amend paragraph 2 of the overview:  <i>...Under section 31 of the RMA district councils are responsible for the management of activities on land, including the margins of waterbodies. <u>The Te Tai o Poutini also manages activities on the surface of waterbodies.</u> The West Coast Regional Council has responsibility for the management of wetlands, lakes and rivers, including land uses in the beds of rivers. This section of Te Tai o Poutini Plan focuses on the natural character of the margins of wetlands, lakes, and rivers thereby avoiding duplication with Regional Council functions...</i>
NC - O1	Support with amendments	Support Objective NC - O1 with amendments to ensure the effects management hierarchy is applied to appropriately manage adverse effects to protect the natural character of waterbodies and their margins in accordance with Section 6(a) of the Act.	Amend objective NC-O1:  <i>To preserve the natural character of lakes, rivers and wetlands and their margins while <del>providing for</del> <u>allowing</u> appropriate subdivision, use and development where adverse effects can be <del>avoided or mitigated</del> <u>appropriately managed in accordance with the effects management hierarchy.</u></i>



NC - O2	Support	Support Objective NC-O2 as it appropriately recognises and provides for the relationship of Poutini Ngāi Tahu with the margins of waterbodies.	Retain Objective NC-O2 in its entirety.
NC - O3	Support with amendments	Amend objective NC-O3 so that it is more directive, and uses language that better accords with the Act.	Amend Objective NC-O3:  <i>To provide for activities which have a functional need to locate in the margins of lakes, rivers and wetlands <del>in such a way that the impacts</del> <u>while ensuring adverse effects</u> on natural character are minimised.</i>
NC - P1	Support with amendments	Strengthen the intent of Policy NC-P1 by clarifying that subdivision and land use must be of a form and scale that is compatible with the natural character of riparian margins.	Amend Policy NC-P1:  <i>Minimise the adverse effects of activities on the natural character of the riparian margins of lakes, rivers and wetlands by ensuring that subdivision and land use <u>is of a form and scale that maintains the elements, patterns and processes that contribute to their natural character.</u></i>
NC - P2	Support with amendments	Strengthen the intent of Policy NC-P2 by replacing 'provide for' with the term 'allow' as this language is enabling and indigenous vegetation removal and earthworks within riparian margins should only be allowed for these activities where the adverse effects can be appropriately managed to protect the natural character of waterbodies and their margins in accordance with Section 6(a) of the Act.	Amend Policy NC-P2:  <i><del>Provide for</del> <u>Allow</u> indigenous vegetation removal and earthworks within riparian margins of lakes, rivers and wetlands where significant adverse effects on natural character are minimised as far as practicable and:</i> <ol style="list-style-type: none"> <li><i>a. It is for the purpose of natural hazard mitigation; or</i></li> <li><i>b. It is for the maintenance, repair, upgrade and extension of network utilities and infrastructure including the national grid; or</i></li> <li><i>c. It is for the establishment, operation, maintenance or upgrading of renewable electricity generation structures or infrastructure where this has a functional or operational need to be located in a riparian margin; or</i></li> <li><i>d. It is for Poutini Ngāi Tahu cultural purposes; or</i></li> <li><i>e. It is for the repair and maintenance of legally established structures; or</i></li> </ol>

			<i>f. The activity has a functional or operational need to be located adjoining a waterbody.</i>
NC - P3	Support	Support Policy NC-P3 which seeks to provide for buildings and structures within riparian margins only where there is a functional need and natural character is not adversely affected, as this suitably protects the nature character of these areas from inappropriate use and development.	Retain Policy NC-P3 in its entirety.
NC - P4	Support	Support Policy NC-P4 which seeks to encourage the restoration and enhancement of the natural character of the riparian margins of lakes, rivers and wetlands.	Retain Policy NC-P4 in its entirety.
NC - R2 Buildings and Structures within the Riparian Margin of a River, Lake or Wetland	Oppose	Oppose Rule NC-R2 and amend it as a number of these activities can all have adverse effects on the environment that should be assessed through a resource consent application so appropriate conditions can be imposed if required, and the application can be declined if adverse effects are significant and/or the application is contrary to the provisions of the statutory documents.	Amend Rule NC - R2:  <i>Activity Status Permitted</i>  1. <i>Where the buildings and structures are:</i> <ul style="list-style-type: none"> <li><del>a. Network utilities;</del></li> <li>b. Temporary whitebait stands;</li> <li>c. Environmental monitoring facilities;</li> <li>d. <del>Parks facilities and parks furniture within an Open Space and Recreation Zone;</del></li> <li><del>e. Natural hazard mitigation structures constructed by a statutory agency or their nominated contractor; or</del></li> </ul>

			<p><del>f. Renewable electricity generation facilities where these have a functional need to locate within the riparian margin; or</del></p> <p><del>g. Stormwater discharge structures and water supply intake structures constructed in accordance with NZS 4404 Code of Practice for Land Development and Subdivision Infrastructure.</del></p> <p><i>Advice Note: Rules in other Overlay Chapters particularly Historic Heritage, Sites and Areas of Significance to Māori, Natural Hazards and Natural Features and Landscapes may also apply in these locations.</i></p> <p><i>Activity status where compliance not achieved: Discretionary</i></p>
NC - R3 New Natural Hazard Mitigation Structures	Oppose	Oppose Rule NC - R3 for the same reasons provided in DOCs submission to Rule NC-R2 above.	Delete Rule NC-R3 in its entirety.
All other NC provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA
NC – R5 Natural Hazard Mitigation Structures not meeting the Permitted Activity Rules	Oppose	Delete Rule NC – R5 as a consequential amendment to DOCs submission on NC – R3 above.	Delete Rule NC-R5 in its entirety.

## Financial Contributions - Ngā Rourou Pūtea

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
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Overview	Support with amendments	The overview should be amended to remove offsetting which is not a form of compensation.	Amend Paragraph 1 of the Overview:  <i>This section of Te Tai o Poutini Plan contains the objectives, policies and rules for financial contributions for infrastructure <del>and for their use to offset</del> where <u>compensation is required to address</u> adverse effects on the environment of the West Coast/Te Tai o Poutini.....</i>
FC - O2	Support with amendments	Amend Objective FC-O2 to include compensation as a contribution towards addressing adverse effects.	Amend Objective FC-O2:  <i>To ensure that new activities and development contributes fairly and equitably towards the costs of avoiding, <u>minimising</u>, remedying, mitigating <del>or offsetting</del> <u>or compensating for</u> adverse effects on the environment and infrastructure resources of the West Coast/Te Tai o Poutini.</i>
FC - P6	Oppose	Amend Policy FC-P6 as the financial contribution required to address any residual effects on significant values and areas should only be applied to residual adverse effects that cannot otherwise be addressed by applying the effects management hierarchy. The policy should apply to all significant natural values and areas. Delete reference to mineral extraction as the overview is explicit that this chapter relates to infrastructure only.	Amend Policy FC-P6:  <i>To <del>provide for</del> <u>allow</u> the use of financial contributions <del>for managing adverse environmental effects</del> <u>to address residual adverse effects, including those on <del>significant indigenous biodiversity and outstanding natural landscapes</del> <u>outstanding natural landscape and/or features, outstanding natural character, areas of significant indigenous vegetation or areas of significant habitat of indigenous fauna</u> where these cannot be <u>otherwise avoided, minimised, remedied, or mitigated</u> <u>or offset</u> and the activities have specific spatial location requirements or functional and operational needs such as <del>mineral extraction</del>, renewable electricity generation activities and critical infrastructure.</u></i>
FC - P7	Oppose	Delete Policy FC - P7 in its entirety as the spatial location	Delete Policy FC - P7 in its entirety:

		requirements or functional and operational needs of activities is already considered in Policy P6 above, and the benefits of the activity should not have any bearing on whether compensation to address residual effects is needed.	<del>When calculating financial contributions as a method of managing adverse environmental effects of activities, take into account the local, regional and national benefits of the proposed activity.</del>
FC - R1 Financial Contributions as Conditions of Consent	Support with amendments	Amend Rule R1 to accord with similar changes made to Policy FC-P6 as the financial contribution required to address any residual effects on significant values and areas should only be applied to residual adverse effects that cannot otherwise be addressed by applying the effects management hierarchy.	Amend Rule FC - R1:  <i>A condition may be imposed on a subdivision or land use consent to require the applicant, including network utility operators and/or requiring authorities, to make a financial contribution <u>including but not limited to</u> <del>for</del> the following purposes:</i> <ol style="list-style-type: none"> <li>1. <i>The management of potential adverse effects arising from the activity;</i> <ol style="list-style-type: none"> <li>i. <i>Securing environmental compensation where any residual adverse effects of the subdivision, use or development that cannot be avoided, <u>minimised, remedied, or otherwise mitigated or offset;</u></i></li> <li>ii. <i>Providing and/or upgrading public network utility services and transport infrastructure;</i></li> <li>iii. <i>Providing and/or upgrading public reserves, public access and community facilities; and....</i></li> </ol> </li> </ol>
FC - R12 Financial Contribution for Offsetting and Compensation for Adverse Environmental	Oppose	The financial contribution required to address any residual effects on significant values and areas should be the minimum amount of money needed to compensate the effects. The policy should apply	Amend Rule FC - R12: <ol style="list-style-type: none"> <li>1. <i>The <del>maximum</del> <u>minimum</u> financial contribution for <del>offsetting or</del> compensation for adverse environmental effects on outstanding natural landscape <u>and/or feature values, outstanding natural character values, areas of significant indigenous vegetation or areas of significant habitat of indigenous fauna will be the amount of money needed to fully <del>offset or</del></u></i></li> </ol>

Effects on Natural Landscape Values or Biodiversity Values		to all significant natural values and areas, and should be amended to remove offsetting which is not a form of compensation.	<i>compensate (or any combination of these) any adverse environmental effects that cannot otherwise be avoided, <u>minimised, remedied, or mitigated, or offset.</u></i> 2. <i>In assessing the level of financial contribution required for biodiversity <del>offsetting and</del> compensation the principles in Policy ECO - P9 will be adhered to.</i>
All other NC provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

#### Subdivision - Te Wawaetanga

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Overview	Support with amendments	Amend paragraph 3 of the overview to recognise that not all features subject to additional provisions in the Plan are identified in the Plan. These include habitats of significant flora and fauna which may not be mapped, or sites of cultural significance which may not be mapped.	Amend paragraph 3 of the overview:  <i>...Subdivision of land that contains an identified <u>or significant</u> feature, site or area of natural, cultural, historical or ecological significance, or where there are significant natural hazards will be subject to additional provisions - and assessment against the objectives and policies in the relevant Overlay chapter concerning the feature, site or area. Subdivision applications involving identified features, sites or areas may need to be accompanied by expert reports to assess the effect of the subdivision on the identified feature, site or area....</i>
SUB - O3	Support with amendments	Amend Objective SUB-O3 to make the objective explicit that the protection of significant features includes landscapes, and the scale, density and design of the subdivision is compatible with the physical	Amend Objective SUB-O3:  <i>Subdivision design and development protects significant coastal, natural, ecological, <u>landscape, historical and Poutini Ngāi Tahu</u> features and resources and <del>responds is</del> <u>of a scale, density and design that is compatible with</u> <del>to</del> the physical characteristics and constraints of the site and surrounding environment.</i>

		characteristics and constraints of the site.	
SUB - P1	Support with amendments	Amend Policy SUB-P1 to make the policy explicit that the protection of significant features includes landscapes, and not all significant features are mapped in the Plan. For example, these include habitats of significant flora and fauna which may not be mapped, or sites of cultural or heritage significance which may not be mapped.	Amend Policy SUB-P1:  <i>Enable subdivision that creates allotments that:</i> <ol style="list-style-type: none"> <li>a. <i>Are consistent with the purpose, character, and qualities of the applicable zone;</i></li> <li>b. <i>Maintains the integrity of the zone with lot sizes and dimensions sufficient to accommodate intended land uses;</i></li> <li>c. <i>Minimises natural hazard risk to people's lives and properties;</i></li> <li>d. <i>Protects significant cultural, historical, natural and ecological features sites and areas identified on the planning maps and in the Schedules in the Plan <u>or identified as significant through the resource consent process;</u> and</i></li> <li>e. <i>Have legal, physical and safe access to each allotment created by the subdivision.</i></li> </ol>
SUB - P4	Oppose	Subdivision that creates new or exacerbates existing natural hazards should be avoided.	Amend Policy SUB-P4:  <i>Manage significant risks from natural hazards by <del>restricting</del> <u>avoiding</u> subdivision that:</i> <ol style="list-style-type: none"> <li>a. <i>Creates new or exacerbates existing natural hazards including coastal hazards, erosion, slippage, subsidence, falling debris, fault rupture, severe ground shaking or flooding; or</i></li> <li>b. <i>Results in adverse effects on the stability of land and buildings; and</i></li> <li>c. <i>Does not provide safe, flood free and stable building platforms at the time of subdivision.</i></li> </ol>
SUB - P9	Support	Policy SUB-P9 is supported as it enables the vesting of esplanade reserves and strips	Retain Policy SUB-P9 as notified.

		to respond to the natural features, constraints and opportunities of the site.	
SUB - R3 All Zones and All Overlays - Boundary Adjustments  SUB - R4 All Zones and All Overlays - Subdivision for a Network Utilities, Critical Infrastructure, Access or Reserves	Support with amendments	Amend Rule SUB-R3 to ensure the subdivision protects coastal features, natural character and landscapes, and any other features identified as significant in the resource consent.	Amend the matters of control in Rules SUB-R3 and SUB-R4:  <i>...Protection, maintenance or enhancement of natural features and landforms, areas of significant indigenous biodiversity, historic heritage, sites and areas of significance to Māori, archaeological sites, <u>coastal features, natural character, landscapes, or any other identified features identified through the resource consent...</u></i>
SUB-R5 – SUB-R10, and SUBR12	Support with amendments	Amend the matters of control to ensure the subdivision protects any natural, cultural or heritage feature identified as significant through the resource consent.	<i>SUB - R5 Subdivision to create allotment(s) in all RESZ - Residential Zones, CMUZ - Commercial and Mixed Use Zones, INZ - Industrial Zones, SVZ - Scenic Visitor Zone or PORTZ - Port Zones</i>  <i>SUB - R6Subdivision to create allotment(s) in any RURZ - Rural Zone or MPZ - Māori Purpose Zone</i>  <i>SUB - R7/ECO - R4Subdivision to create allotment(s) of Land Containing an Area of Significant Indigenous Biodiversity</i>  <i>SUB - R8 Subdivision to create allotment(s) of Land that contains or is within the Electricity Transmission and Distribution Yard</i>  <i>SUB - R9/ECO - R6Subdivision of Land to create allotment(s) Containing an Area of Significant Indigenous Biodiversity not meeting Rule SUB – R7</i>



			<p><i>SUB - R10 Subdivision of Land to create allotment(s) in Areas of Historic Heritage identified in Schedule One or within Sites or Areas of Significance to Māori identified in Schedule Three not meeting Rule SUB - R5</i></p> <p><i>SUB - R12 Subdivision of land to create allotment(s) within the FUZ - Future Urban Zone</i></p> <p>Amend the Rules to add an additional matter of control or matter of discretion:</p> <p><u><i>Management of adverse effects and the protection of any significant natural, cultural or heritage feature or area identified in the resource consent;</i></u></p>
<p>SUB - R11 Subdivision to create allotment(s) of Land within the Outstanding Natural Landscape identified in Schedule Five or Outstanding Natural Feature identified in Schedule Six</p>	<p>Oppose</p>	<p>Oppose the restricted discretionary activity status for Rule SUB-R11 regarding subdivision in the Outstanding Natural Landscapes and Features. As set out in the overview, subdivision affects the natural and physical environment and introduces long-term development patterns that cannot be easily changed. These patterns directly affect natural landscapes and features and subdivision within outstanding areas should therefore be a fully discretionary activity.</p>	<p>Amend Rule SUB-R11:</p> <p><i>Activity Status <del>Restricted</del> Discretionary...</i></p>
<p>SUB - S2 Requirements for building platforms for each allotment</p>	<p>Support with amendments</p>	<p>Amend Rule SUB-S2 to ensure that building platforms are located outside any significant feature identified in the resource consent, and that they</p>	<p>Amend Rule SUB-S2:</p> <ol style="list-style-type: none"> <li><i>Each allotment must provide a stable, flood free building area suitable for building foundations in accordance with the requirements of the New Zealand Building Code - Acceptable Solution B1/AS4 Approved Document B1/4: Structure Foundations.</i></li> </ol>

		can comply with any applicable overlay area.	<p>2. <i>On sites less than 4ha in size, an indicative building platform on each allotment must be identified in subdivision applications and:</i></p> <ul style="list-style-type: none"> <li>a. <i>Must allow the buildings to comply with the standards for a permitted activity in the underlying zone <u>and any applicable overlay area under this District Plan</u>; and</i></li> <li>b. <i>Must not include any area of land to be used for access or for the disposal of wastewater or stormwater; <del>and</del></i></li> <li>c. <i><u>Must be outside any significant natural, cultural or heritage feature identified in the resource consent</u>; and</i></li> <li>d. <i>Must be outside of any area identified in a Natural Hazard overlay.</i></li> </ul>
All other Subdivision provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

## General District-Wide Matters - Ngā Kaupapa ā-Rohe Whānui

### ASW - Activities on the surface of water - Ngā mahi ki te kārewa o te wai

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
ASW - O1	Support with amendments	Amend objective ASW - O1 so that landscape and natural feature values are also protected from the adverse effects of activities and structures on the surface of water.	Amend Objective ASW - O1:  <i>The ecological, recreational, <u>landscape, natural feature, natural character, amenity and Poutini Ngāi Tahu values of the District's rivers, lakes and lagoons are protected from the adverse effects of activities and structures on the surface of water.</u></i>
ASW-P1 and ASW-P2	Support	Support these policies which enable non-commercial use of	Insert new definition as set out previously.

		watercraft, and define watercraft so that the structures the definition applies to are explicit as the term could otherwise be very broadly interpreted.	
ASW - R4 Installation of Structures on the Surface of Natural Waterbodies	Oppose	Amend the activity status of Rule ASW - R4 to remove temporary swim platforms as these have the potential to affect significant indigenous vegetation and significant habitats of indigenous fauna if located within an ecologically sensitive area.	<p>Amend Rule ASW - R4:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>These are whitebait stands installed in accordance with West Coast Whitebait Fishing Regulations; or</i></li> <li>2. <del><i>These are temporary swimming platforms installed for a single swimming season; or</i></del></li> <li>3. <i>These are structures installed by Poutini Ngāi Tahu that are identified in an Iwi/Papatipu Rūnanga Management Plan for Arahura River, Makaawhio River, Waitangiroto River, Mahinapua Creek/Tuwharewhare, Makatata Stream or Lake Mahinapua and have written approval of the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio.</i></li> </ol> <p><i>Advice Note:</i></p> <ol style="list-style-type: none"> <li>1. <i>Whitebait stands are primarily regulated by the West Coast Regional Council through the West Coast Regional Land and Water Plan.</i></li> <li>2. <i>Where structures are proposed on the surface of waterbodies check the Natural Character and Margins of Waterbodies provisions to determine</i></li> </ol>

			<p><i>whether consent is required for the landward portion of the structure located in any riparian margin.</i></p> <p>3. <i>Where structures are proposed on the surface of waterbodies within Sites and Areas of Significance to Māori these also subject to Rule SASM - R6 in the Sites and Areas of Significance to Māori Chapter.</i></p>
ASW - R5 <del>Permanent</del> Swimming Platforms on the Surface of Natural Waterbodies	Support with amendments	Amend Rule ASW-R5 to apply to temporary swimming platforms and include an additional matter of control regarding the management of effects on ecological and biodiversity values so that swimming platforms appropriately manage any potential effects on aquatic flora and fauna and any effects on conservation values.	<p>Amend Rule ASW-R5:</p> <p><i>Controlled Activities</i></p> <p><i>Activity Status Controlled</i></p> <ol style="list-style-type: none"> <li>1. <i>Where this does not occur in the Arahura River, Makaawhio River, Makatata Stream or Lake Mahinapua—<u>and</u></i></li> <li>2. <i><u>Where installed for a single swimming season.</u></i></li> </ol> <p><i>Matters of control are:</i></p> <ol style="list-style-type: none"> <li>a. <i>Size, design and location of structure;</i></li> <li>b. <i>Water safety measures;</i></li> <li>c. <i>Compliance with any Iwi/Papatipu Rūnanga Management Plan or where this does not exist, advice from the relevant Poutini Ngāi Tahu Rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio; and</i></li> <li>d. <i><u>Management of effects on ecological, biodiversity and conservation values;</u></i></li> <li>e. <i>Management of effects on natural character of the waterbody and its margins.</i></li> </ol> <p><i>Activity status where compliance not achieved: Discretionary</i></p>
ASW - R6 Commercial Activities on the Surface of Rivers, Lagoons and Lakes	Support with amendments	Include an additional matter of discretion regarding the management of effects on ecological and biodiversity values so that these activities	<p><i>Activity Status Restricted Discretionary</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>Any commercial activity on the Makaawhio River, Arahura River, Lake Mahinapua, Mahinapua Creek/Tuwharewhare, Makatata Stream,</i></li> </ol>

		are appropriately manage any potential effects on aquatic flora and fauna.	<p><i>Saltwater Lagoon (at Paroa), Waitangiroto River or Kaimata/New River is in accordance with an Iwi/Papatipu Rūnanga Management Plan and has written approval of the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio.</i></p> <p><i>Discretion is restricted to:</i></p> <ol style="list-style-type: none"> <li><i>a. Effects on public access and recreational use of the waterbody;</i></li> <li><i>b. Effects on landscape, natural features or natural character of the waterbody and its margins;</i></li> <li><i>c. Effects on the amenity values or any adjacent residential activities;</i></li> <li><i>d. Effects on significant natural or historic heritage values including effects on scheduled sites or areas;</i></li> <li><i>e. <u>Effects on ecological, biodiversity and conservation values;</u></i></li> <li><i>f. Effects of noise on the natural character, ecological and amenity values; and</i></li> <li><i>g. Effects on Poutini Ngāi Tahu cultural values including access to mahinga kai and scheduled sites and areas.</i></li> </ol> <p><i>Advice Note:</i></p> <ol style="list-style-type: none"> <li><i>1. Where activities are proposed on the surface of waterbodies within Sites and Areas of Significance to Māori these also subject to rules in the Sites and Areas of Significance to Māori Chapter.</i></li> </ol> <p><i>Activity status where compliance not achieved: Discretionary</i></p>
ASW Rules	Support with amendments	An additional rule is required to capture any other unanticipated activities and structures on the surface of waterbodies.	<p>Add an additional Rule:</p> <p><u>ASW-R8 Permanent Swimming Platforms on the Surface of Natural Waterbodies</u></p> <p><u>Activity status: Discretionary</u></p>

ASW Rules	Support with amendments	An additional rule is required to capture any other unanticipated activities and structures on the surface of waterbodies.	Add an additional Rule:  <i><u>ASW-R9 Activities, watercraft, structures, or buildings not provided for in another Rule</u></i> <i><u>Activity status: Non-complying</u></i>
All other ASW provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

#### Coastal Environment - Te Taiao o te Takutai

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Overview	Support with amendments	Support the overview with amendments to paragraph 3 to make it explicit that to give effect to the NZCPS, coastal environment rules are required to appropriately manage adverse effects on coastal environment values.	Amend Paragraph 3:  <i><u>Approach to managing the coastal environment Te Tai o Poutini Plan must give effect to the New Zealand Coastal Policy Statement 2010 (NZCPS), which requires a strategic approach to managing development on the West Coast/Te Tai o Poutini. Te Tai o Poutini Plan achieves this by identifying and mapping a Coastal Environment overlay that recognises the extent and characteristics of the coastal environment where coastal natural character and coastal processes (including coastal erosion), influences or qualities are significant. Within this coastal environment <u>overlay, adverse effects on the coastal environment are appropriately managed through Te Tai o Poutini Plan rules, and close collaboration with other bodies and agencies with functions relevant to the coastal environment is required.</u></u></i>
Mapping of the Coastal Environment	Oppose	There are a number of areas in the coastal environment which do not extend down to the CMA and do not meet the requirements of Policy	Map the entire coastal environment down to the CMA in accordance with the NZCPS and Policy CE-P1.

		CE-P1 or Policy 1 of the NZCPS.	
Zones and overlays in the CMA	Oppose	There are a number of areas where the zone and overlay areas extend into the CMA, even though the Plan rules do not apply to these areas as they are regulated by the Regional Coastal Plan. This can be confusing to plan users who may think that these areas are regulated by the Plan.	Amend all zoning and overlay maps so they do not extend over the CMA.
Zoning of islands	Oppose	Offshore islands are not zoned and those areas of the islands that are landward of MHWS must be zoned.	Zone offshore islands and map these within the coastal environment.
CE - O1	Support with amendments	Amend Objective CO-O1 so that it accords with Part 2 of the Act, and key provisions of the NZCPS.	Amend Objective CE-O1:  <i>To preserve the natural character, landscapes and biodiversity of the coastal environment, and <u>protect these values from inappropriate subdivision, use and development</u>, while enabling people and communities to provide for their social, economic and cultural wellbeing in a manner appropriate for the coastal environment.</i>
CE - O3	Support with amendments	Amend objective CE-O3 so that it is more directive, and uses language that accords with the Act and is consistent with the NZCPS.	Amend Objective CE-O3:  <i>To provide in appropriate places for activities which have a functional need to locate in the coastal environment <del>in such a way that the impacts</del> <u>while ensuring adverse effects</u> on natural character, landscape, natural features, access and biodiversity values are minimised.</i>

CE - P1	Support with amendments	Amend Policy CE-P1 so that it gives effect to the NZCPS by ensuring that the coastal environment overlay includes all coastal values, elements and characteristics and is consistent with the NZCPS and case law.	<p>Amend Policy CE-P1:</p> <p><i>Identify and map a Coastal Environment overlay that recognises and provides for the extent of the coastal environment and different areas, elements or characteristics within it, including:</i></p> <ul style="list-style-type: none"> <li><i>a. Areas where coastal processes, influences or qualities are significant, <u>including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;</u></i></li> <li><i>b. Elements and features that contribute to the natural character, landscape, visual qualities or amenity values;</i></li> <li><i>c. Areas along the coast and river mouths where coastal erosion and coastal inundation is likely, and within the wider coastal environment where there is a potential hazard risk <del>should accelerated sea level rise occur;</del></i></li> <li><i>d. Historic heritage and Poutini Ngāi Tahu cultural areas or features;</i></li> <li><i>e. <u>islands;</u></i></li> <li><i>f. <u>inter-related coastal marine and terrestrial systems, including the intertidal zone;</u></i></li> <li><i>g. Areas of significant coastal vegetation and habitat of indigenous coastal flora and fauna species, <u>including migratory birds;</u> and</i></li> <li><i>h. The built environment and infrastructure which have modified the coastal environment.</i></li> </ul>
CE – P2	Support	DOC supports Policy CE-P2 as this appropriately accords with s6(a) of the Act and the NZCPS.	Retain Policy CE-P2 as notified.
CE – P3	Support with amendments	Amend Policy CE-P3 so that it ensures the effects management hierarchy is applied and the requirement	Amend Policy P3:



		for avoidance of outstanding values is more explicit in accordance with the NZCPS.	<p><i>Only allow new subdivision, use and development within areas of outstanding and high coastal natural character, outstanding coastal natural landscapes and outstanding coastal natural features where:</i></p> <ul style="list-style-type: none"> <li><i>a. The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained;</i></li> <li><i>b. <u>adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features are avoided;</u></i></li> <li><i>c. Significant adverse effects on natural character, natural landscapes and natural features, <del>and</del> are avoided, and are otherwise managed in accordance with the effects management hierarchy; and</i></li> <li><i><del>d. adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features are avoided;</del></i></li> <li><i>e. The development is of a size, scale and nature that is appropriate to the environment;</i></li> <li><i>f. It is for a Poutini Ngāi Tahu cultural purpose; or</i></li> <li><i>g. It is National Grid infrastructure that has a functional and operational need to locate in these areas; and</i></li> <li><i>h. <u>All other effects on the coastal environment are managed in accordance with the effects management hierarchy.</u></i></li> </ul>
CE – P4	Support with amendments	Support Policy CE-P4 and amend it so that primary production buildings and structures do not degrade the elements, patterns or processes that contribute to the outstanding or high values, and to ensure adverse effects on	<p>Amend Policy CE-P4:</p> <p><i>Provide for primary production activities within the outstanding and high natural character, outstanding natural landscapes and outstanding natural features within the coastal environment where:</i></p> <ul style="list-style-type: none"> <li><i>a. These are existing lawfully established activities; or</i></li> </ul>

		outstanding values are avoided in accordance with Policies 13 and 15 of the NZCPS.	<p>b. <i>The use <u>and any associated buildings and structures</u> does not degrade the elements, patterns or processes that contribute to the <del>outstanding</del> or high values; <u>and</u></i></p> <p>c. <i><u>adverse effects on outstanding natural character, outstanding natural landscapes and outstanding natural features are avoided.</u></i></p>
CE –P5	Support with amendments	Support Policy CE-P5 and amend it so that the policy remains enabling, while making it explicit that there is still a need to ensure that adverse effects on the environment and on coastal values are appropriately managed.	<p>Amend Policy CE-P5:</p> <p><i>Provide for buildings and structures within the coastal environment outside of areas of outstanding coastal natural character, outstanding natural landscape and outstanding natural features where these:</i></p> <p>a. <i>Are existing lawfully established structures; or</i></p> <p>b. <i>Are in the parts of the coastal environment that have been historically modified by built development and primary production activities; or</i></p> <p>c. <i>Have a functional or operational need to locate within the coastal environment; <u>and</u></i></p> <p>d. <i><u>adverse effects on amenity, natural character, historic and cultural values, and biodiversity are appropriately managed; and</u></i></p> <p>e. <i><u>are of a size, scale and nature that is appropriate to the area; and</u></i></p> <p>f. <i><u>is consistent with the NZCPS.</u></i></p>
CE – P6	Oppose	Oppose Policy CE-P6 and amend it so new activities within modified and unmodified coastal environments are still required to manage adverse effects where necessary, and to protect areas of high natural character, and	<p>Amend Policy CE-P6:</p> <p><i>Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini including parts of Westport, Greymouth and Hokitika and enable new subdivision, buildings and structures within and expansion of towns and settlements where:</i></p> <p>a. <i>These are located in areas already modified by built development or primary production activities <u>and the adverse effects on amenity,</u></i></p>

		<p>outstanding natural character in accordance with Policy 13 of the NZCPS.</p>	<p><u>natural character, historic and cultural values, and biodiversity are appropriately managed, or</u></p> <p>b. <u>Where located in unmodified areas, any adverse impact on natural character are managed in accordance with the effects management hierarchy-can be mitigated;</u></p> <p>c. <u>In areas of outstanding or high natural character:</u></p> <ul style="list-style-type: none"> <li>i. <u>Provide for lawfully established land uses and activities to continue;</u></li> <li>ii. <u>Allow for other uses with a functional need to locate in the coastal environment where adverse effects are managed in accordance with the effects management hierarchy;</u></li> <li>iii. <u>Allow for Poutini Ngāi Tahu cultural uses;</u></li> <li>iv. <u>Avoid encroachment into unmodified areas of the coastal environment; and</u></li> <li>v. <u>Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are minimised.</u></li> </ul> <p>d. <u>Significant adverse effects on natural character are avoided;</u></p> <p>e. <u>Adverse effects on natural character are avoided in areas of outstanding natural character.</u></p>
CE – P8	Support with amendments	<p>Amend Policy CE – P8 to apply the effects management hierarchy to ensure that there is an appropriate cascade of effects management approaches, starting with avoidance, and ending with offsetting or compensation</p>	<p>Amend Policy CE-P8:</p> <p><u>Enable the maintenance, repair and operation of the National Grid. Where new development and upgrades of the National Grid are required, seek to avoid and otherwise remedy or mitigate apply the effects management hierarchy to manage adverse effects on Overlay Chapter areas.</u></p>

		of residual adverse effects on coastal environmental overlay values.	
CE - R4 Buildings and Structures in the Coastal Environment	Oppose	Amend Rule CE-R4 to introduce an additional setback rule so that all buildings and structures are appropriately set back from the CMA, and to require resource consent where they are not, so the adverse effects can be assessed. Amend the rule to refer to 'overlay areas' rather than a detailed list as this simplifies the rule and ensures that no overlay areas are inadvertently excluded. Remove energy, natural hazard mitigation and network utilities from the permitted activity list, as all activities, regardless of their type, should comply with the rule.	Amend Rule CE-R4:  <i>Activity Status Permitted</i>  <i>Where:</i>  1. <i>These are not located within: <u>an Overlay Area; and</u></i> <i>a. <del>An Outstanding Natural Landscape identified in Schedule Five;</del></i> <i>b. <del>An Outstanding Natural Feature identified in Schedule Six;</del></i> <i>c. <del>An area of High Coastal Natural Character identified in Schedule Seven and subject to Rule CE - R5;</del></i> <i>d. <del>An area of Outstanding Coastal Natural Character identified in Schedule Eight; and</del></i>  2. <i>These:</i> <i>a. <u>Are set back more than 25m from the Coastal Marine Area;</u></i> <i>and</i> <i>b. 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:</i> <i>i. Maximum height is 7m for new buildings;</i> <i>ii. No height limits apply where this is replacement of a lawfully established building with another building of the same height, in the same location; and</i> <i>iii. The gross ground floor area is:</i>

			<p>I. A maximum of 200m<sup>2</sup> per building for new buildings;</p> <p>II. No maximum area where this is the replacement of a lawfully established building with another building of the same ground floor area, in the same location; <del>or</del></p> <p><del>3. Are Energy Activities or Network Utilities, including ancillary earthworks, subject to provisions in the Energy, Infrastructure and Transport Chapters of the Plan; or</del></p> <p><del>4. Are natural hazard mitigation structures constructed by a Statutory Agency or their authorised contractor.</del></p> <p>Advice Note:</p> <p><del>Refer to the Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and Margins of Waterbodies Overlay Chapters and Zone Chapters for additional rules in relation to buildings and structures in these areas.</del></p> <p>Activity status where compliance not achieved:</p> <p><del>Outside of the scheduled overlay chapter areas and the Rural Zones, the relevant zone rules apply.</del></p> <p><del>In the case of Energy Activities and Network Utilities the relevant Energy, Infrastructure or Transport Rules apply.</del></p> <p><del>Otherwise Restricted Discretionary</del></p>
<b>High Coastal Natural Character Overlay</b>			
CE-R5 Buildings and Structures in the Coastal Environment within the High Coastal Natural Character	Support with amendments	Amend Rule CE-R5 to introduce an additional setback rule so that all buildings and structures are	Amend Rule CE-R5:  <i>Activity Status Permitted</i>

<p>Overlay as identified in Schedule Seven</p>		<p>appropriately set back from the CMA, and to require resource consent where they are not, so the adverse effects can be assessed. Amend the rule to refer to 'overlay areas' so the rule is consistent with CE-R4.</p>	<p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>These buildings and structures are required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or</i></li> <li>2. <i>Within the Open Space and Recreation Zones, this is parks facilities or parks furniture; or</i></li> <li>3. <i>Within the Māori Purpose Zone, these are Māori Purpose Activities; or</i></li> <li>4. <i>In all other zones:</i> <ol style="list-style-type: none"> <li>a. <i>Any new building is no more than 100m<sup>2</sup> ground floor area;</i></li> <li>b. <i>Any addition increases the total building footprint by no more than 50m<sup>2</sup>;</i></li> <li>c. <i>The maximum height above ground level is for any building or structure is 7m; and</i></li> <li>d. <i><u>Buildings and structures are set back more than 30m from the Coastal Marine Area; and</u></i></li> <li>e. <i><u>They are not located within any other Overlay Area.</u></i></li> </ol> </li> </ol> <p><i>Advice Note:</i>  Refer to the <del>Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and Margins of Waterbodies Overlay Chapters and Zone Chapters</del> for <u>additional rules</u> in relation to buildings and structures in these areas.</p> <p><i>Activity status where compliance not achieved: Restricted Discretionary</i></p>
<p>CE-R6  Maintenance, Alteration, Repair and Reconstruction of Natural Hazard Mitigation Structures and associated earthworks in the Coastal Environment within the High</p>	<p>Oppose</p>	<p>Amend Rule CE-R6 to remove reconstruction from the permitted activity rule as reconstruction can have adverse natural character effects that should be assessed through a resource</p>	<p>Amend Rule CE-R6:  <del>CE-R7 Maintenance, Alteration, and Repair and Reconstruction of Natural Hazard Mitigation Structures and associated earthworks in the Coastal Environment within the High Coastal Natural Character Overlay identified in Schedule Seven</del></p>

Coastal Natural Character Overlay identified in Schedule Seven

consent application. Additionally, amend the activity status where compliance is not achieved, from controlled to restricted discretionary, so any application under that rule has the ability to be declined where adverse effects are significant.

*Activity Status Permitted*

*Where:*

1. *The structure has been lawfully established;*
2. *Earthworks and land disturbance is ~~the minimum required to undertake the activity~~ contained wholly within the footprint of the mitigation structure;*
3. *There is no reduction in public access;*
4. *The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure;*
5. *There is no change to more than 10% to the overall dimensions, orientation or outline of structure from the consented structure, and an assessment is provided by a suitably qualified professional confirming the adverse effects are no greater than the consented structure; and*
6. *The activity is undertaken by a Statutory Agency or their designated contractor.*

*Advice Note:*

1. *The rules in the Earthworks Chapter do not apply to Permitted Activities under Rule CE - R6.*
2. *Earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters.*
3. *Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and Biodiversity Chapter.*

*Activity status where compliance not achieved: ~~Controlled~~ Restricted Discretionary*

<p>CE - R7 Earthworks within the Coastal Environment in the High Coastal Natural Character Overlay identified in Schedule Seven</p>	<p>Support with amendments</p>	<p>Support Rule CE-R7 subject to amendments to ensure that the rules apply to existing access and structures, align the rule with similar submission points DOC has made in the Natural Features and Landscapes Chapter, and introduce additional limits for earthworks within 30m of the CMA as the potential adverse effects of earthworks on high natural character is greater the closer earthworks are to the CMA.</p>	<p>Amend Rule CE-R7:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <p><i>These are for:</i></p> <ol style="list-style-type: none"> <li>1. <u>Operation, maintenance, repair, or upgrade of existing Walking/cycling tracks, roads, or farm tracks;</u></li> <li>2. <del>or</del> fences;</li> <li>3. <u>Operation, maintenance, repair, or upgrade of existing or installation of new network utility infrastructure or renewable electricity generation; or</u></li> <li>4. <u>Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site; and</u></li> <li>5. <u>The cut height or fill depth does not exceed one metre vertically;</u></li> <li>6. <u>Any fill, excavation or removal is not more than 2500m<sup>2</sup>/ha and 2500m<sup>3</sup>/ha where earthworks are set back more than 30m from the Coastal Marine Area;</u></li> <li>7. <u>Any fill, excavation or removal is not more than 100m<sup>2</sup>/ha and 100m<sup>3</sup>/ha where earthworks are within 30m from the Coastal Marine Area.</u></li> </ol> <p><i>Advice Note:</i></p> <ol style="list-style-type: none"> <li>1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and Biodiversity Chapter.</li> <li>2. Any earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters.</li> </ol>
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			<p>3. <i>This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF.</i></p> <p><i>Activity status where compliance not achieved: Restricted Discretionary</i></p>
<b>Outstanding Coastal Environment Area</b>			
CE – R8 Additions and Alterations to Buildings and Structures in the Outstanding Coastal Environment Area	Support with amendments	Support Rule CE-R8 and amend it to be explicit that the permitted rule applies to lawfully established buildings and structures only.	<p>Amend Rule CE-R8:</p> <p><i>Additions and Alterations to <u>Lawfully Established Buildings and Structures in the Outstanding Coastal Environment Area...</u></i></p>
CE-R9 Maintenance, Alteration, Repair and Reconstruction of Natural Hazard Mitigation Structures and associated earthworks in the Coastal Environment within the Outstanding Coastal Environment Area	Oppose	Amend Rule CE-R9 to remove reconstruction from the permitted activity rule as reconstruction can have adverse natural character effects that should be assessed through a resource consent application. Additionally, amend the activity status where compliance is not achieved, from controlled to restricted discretionary, so any application under that rule has the ability to be declined where adverse effects are significant.	<p>Amend Rule CE-R9:</p> <p><i>CE-R9 Maintenance, Alteration, <del>and Repair and Reconstruction</del> of Natural Hazard Mitigation Structures within the Outstanding Coastal Environment Area</i></p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>7. The structure has been lawfully established;</i></li> <li><i>8. Earthworks and land disturbance is <del>the minimum required to undertake the activity</del> contained wholly within the footprint of the mitigation structure;</i></li> <li><i>9. There is no reduction in public access;</i></li> <li><i>10. The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure;</i></li> <li><i>11. There is no change to more than 10% to the overall dimensions, orientation or outline of structure from the consented structure, and an</i></li> </ol>

			<p><i>assessment is provided by a suitably qualified professional confirming the effects are no greater than the consented structure; and</i></p> <p><i>12. The activity is undertaken by a Statutory Agency or their designated contractor.</i></p> <p><i>Advice Note:</i></p> <p><i>4. The rules in the Earthworks Chapter do not apply to Permitted Activities under Rule CE – R9.</i></p> <p><i>5. Earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters.</i></p> <p><i>6. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and Biodiversity Chapter.</i></p> <p><i>Activity status where compliance not achieved: <del>Controlled</del> <u>Discretionary</u></i></p>
CE-R10 Erection of a Building or Structure in the Outstanding Coastal Environment Area	Support with amendments	Support Rule CE-R10 and amend it so the rule enables smaller permitted agricultural structures to be established to preserve and protect outstanding natural character and landscape values in accordance with Policies 13 and 15 of the NZCPS.	<p>Amend Rule CE-R10:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where the structure is:</i></p> <ol style="list-style-type: none"> <li><i>1. A fence; or</i></li> <li><i>2. Associated with stock water reticulation including tanks, pipes and water troughs; or</i></li> <li><i>3. Required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or</i></li> <li><i>4. For a network utility customer connections, or environmental monitoring and extreme weather event monitoring; or</i></li> <li><i>5. For agricultural pastoral and horticultural activities or an accessory building; and</i></li> </ol>

			<p>i. The height of any building or structure does not exceed <u>53m</u> above ground level; and</p> <p>ii. The gross floor area of any building does not exceed <u>50100m<sup>2</sup></u></p> <p><i>Advice Note:</i></p> <ol style="list-style-type: none"> <li>1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and Biodiversity Chapter.</li> <li>2. Any earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters.</li> </ol> <p><i>Activity status where compliance not achieved: <del>Restricted</del> Discretionary</i></p>
CE - R11 Earthworks in the Outstanding Coastal Environment Activity Status Permitted	Support with amendments	Support Rule CE-R11 subject to amendments to ensure that the rules applies to existing access areas and structures, and that earthwork are contained to the existing footprints of the access areas and structures.	<p>Amend Rule CE-R11:</p> <p><i>Where these are for:</i></p> <ol style="list-style-type: none"> <li>a. Maintenance repair or upgrade of <u>existing</u> walking/cycling tracks, roads, farm tracks or fences;</li> <li>b. Operation, maintenance, repair and upgrade of <u>existing</u> network utility infrastructure or renewable electricity generation; <u>and</u></li> <li>c. <u>The earthworks are wholly contained within the footprint of the walking/cycling track, road, farm track, fence, network utility infrastructure, or renewable electricity generation infrastructure;...</u></li> </ol>
<b>Controlled, Restricted Discretionary, Discretionary, and Non-Complying Rules</b>			
CE - R12 Natural Hazard Mitigation Structures and Earthworks in the Coastal Environment in High Coastal Natural Character Overlay	Oppose	Amend Rule CE-R12 as a consequential amendment to DOCs submission of the permitted activity rules and to enable applications for	<p>Amend Rule CE-R12:</p> <p><i>Activity Status <del>Controlled</del> <u>Restricted Discretionary</u></i></p> <p><del>Where:</del></p>

Area identified in Schedule Seven and the Outstanding Coastal Environment not provided for as a Permitted Activity

Natural Hazard Mitigation Structures to be appropriate assessed and declined where adverse effects are significant, and/or the application is inconsistent with the objectives and policies of the Plan and/or NZCPS.

- ~~1. These are to protect the coastal State Highway, Special Purpose Roads or other Critical Infrastructure;~~
- ~~2. These are Westport flood and coastal protection works constructed by a statutory agency or its authorised contractor.~~

~~Matters of control are:~~ Discretion is restricted to:

- a. ~~Effects on habitats of any threatened or protected flora or fauna species; indigenous vegetation and habitats of indigenous fauna;~~
- b. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;
- c. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;
- d. Effects on the intrinsic values of ecosystems;
- e. Effects on recreational values of public land;
- f. Effects on Poutini Ngāi Tahu values and any Sites and Areas of Significance to Māori identified in Schedule Three;
- g. Landscape and visual effects;
- h. Effects on natural character and natural features;
- i. Location, dimensions and appearance of the structure;
- j. Effects on public access to the coast-;
- k. Adverse effects on amenity, natural character, and historic heritage; and
- l. Consideration of the extent to which hard protection structures are avoided.

Advice Note:

- ~~1. The rules in the Earthworks Chapter do not apply to Controlled Activities under Rule CE - R11.~~
- 2. This rule also applies to plantation forestry activities where this provision is more stringent than the NES - PF.

Activity status where compliance not achieved: NA

			<i>Restricted Discretionary except Discretionary where these are within the Outstanding Coastal Environment Area</i>
CE-R14 Buildings and Structures not meeting Rule CE - R4 outside of the Outstanding Coastal Environment and High Coastal Natural Character Overlay identified in Schedule Seven	Support with amendments	Strengthen Rule CE-R14 to ensure all relevant adverse effects are considered when assessing applications for buildings and structures in the coastal environment.	<p>Amend Rule CE-R14:</p> <p><i>Activity Status Restricted Discretionary</i></p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li><i>a. Any requirements for landscape evaluation;</i></li> <li><i>b. The extent to which the site is visible from a road or public place;</i></li> <li><i>c. The effects on the natural character of the coast;</i></li> <li><i>d. The effects on Poutini Ngāi Tahu values or any Site and Areas of Significance to Māori identified in Schedule Three;</i></li> <li><i>e. The effects on potential or current public access to the coast;</i></li> <li><i>f. Design and location of any buildings, structures or earthworks;</i></li> <li><i>g. Volume and area of earthworks;</i></li> <li><i>h. Area and location of any vegetation clearance;</i></li> <li><i>i. <u>Adverse effects on amenity;</u></i></li> <li><i>j. <u>Adverse effects on historic heritage;</u></i></li> <li><i>k. <u>Adverse effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;</u></i></li> <li><i>l. <del>Impacts</del> <u>Adverse effects on biodiversity and conservation values;</u> and</i></li> <li><i>m. Landscape measures.</i></li> </ul> <p><i>Activity status where compliance not achieved: N/A</i></p>
CE-R15 Buildings, Structures and Earthworks within the High Coastal Natural Character Overlay not	Support with amendments	Strengthen Rule CE-R15 to ensure all relevant adverse effects are considered when assessing applications for buildings, structures and	<p>Amend Rule CE-R15:</p> <p><i>Activity Status Restricted Discretionary</i></p> <p><i>Discretion is restricted to:</i></p>

meeting Permitted Activity Standards		earthworks in the High Coastal Natural Character Overlay.	<p>a. Any requirements for landscape evaluation;</p> <p>b. The extent to which the site is visible from a road or public place;</p> <p>c. The effects on the natural character of the coast;</p> <p>d. The effects on landscape and natural features of the coast;</p> <p>e. The effects on potential or existing public access to the coast;</p> <p>f. Design and location of any buildings, structure or earthworks;</p> <p>g. Volume and area of earthworks;</p> <p>h. Effects on <del>habitats of any threatened or protected flora or fauna species</del>; <u>indigenous vegetation and habitats of indigenous fauna</u>;</p> <p>i. <u>Adverse effects on biodiversity and conservation values</u>;</p> <p>j. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;</p> <p>k. Effects on recreational values of public land;</p> <p>l. Effects on Poutini Ngāi Tahu values and any Sites and Areas of Significance to Māori identified in Schedule Three;</p> <p>m. <u>Adverse effects on amenity</u>;</p> <p>n. <u>Adverse effects on historic heritage</u>;</p> <p>o. <u>Adverse effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems</u>;</p> <p>p. Landscape and visual effects; and</p> <p>q. Location, dimensions and appearance of any structure</p> <p><i>Advice Note:</i>  This rule also applies to plantation forestry activities where this provision is more stringent than the NES - PF.</p> <p><i>Activity status where compliance not achieved: N/A</i></p>
CE-R16 Additions to Existing Buildings and New Buildings	Oppose	Delete Rule CE-R16 as a consequential amendment	Delete Rule CE-R16 in its entirety.

and Structures and associated Earthworks within the Outstanding Coastal Environment Area not meeting Permitted Activity Standards		to DOCs submission on Rule CE-R10.	
CE-R17 Natural Hazard Mitigation Structures and Activities in the High Coastal Natural Character Overlay not meeting Controlled Activity Standards	Oppose	Delete Rule CE-R17 as a consequential amendment to DOCs submission on Rule CE-R12.	Delete Rule CE-R17 in its entirety.
CE-R18 Earthworks within the Outstanding Coastal Environment Area not provided for as a Permitted Activity	Support with amendments	Strengthen Rule CE-R18 to ensure all relevant adverse effects are considered when assessing applications for earthworks within the Outstanding Coastal Environment Area, remove ambiguity from the rule, and achieve greater alignment with policies 13 and 15 of the NZCPS.	<p>Amend Rule CE-R18:</p> <p><i>Activity Status Restricted Discretionary</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>These are for:</i> <ol style="list-style-type: none"> <li>i. <i>Walking/cycling tracks;</i></li> <li>ii. <i>Roads, farm tracks or fences;</i></li> <li>iii. <i>Installation of network utility infrastructure or renewable electricity generation activities; or</i></li> <li>iv. <i>For establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site; and</i></li> </ol> </li> <li>2. <del><i>Earthworks are the minimum required to undertake the activity.</i></del></li> </ol> <p><i>Discretion is restricted to:</i></p>

			<ul style="list-style-type: none"> <li>a. <u>The extent to which the earthworks preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use, and development;</u></li> <li>b. <u>The extent to which the earthworks protect natural features and natural landscapes from inappropriate subdivision, use, and development;</u></li> <li>c. Any requirements for landscape evaluation;</li> <li>d. <u>The extent to which earthworks are the minimum required to undertake the activity;</u></li> <li>e. The extent to which the site is visible from a road or public place;</li> <li>f. Any effects on the values that make the site Outstanding;</li> <li>g. <del>Effects on habitats of any threatened or protected species;</del> <u>indigenous vegetation and habitats of indigenous fauna;</u></li> <li>h. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;</li> <li>i. The effects on Poutini Ngāi Tahu values and any Sites and Areas of Significance to Māori identified in Schedule Three;</li> <li>j. Design and location of any earthworks;</li> <li>k. Volume and area of earthworks;</li> <li>l. Area and location of vegetation clearance;</li> <li>m. <u>Adverse effects on amenity, natural character, and historic heritage;</u></li> <li>n. Landscape measures to reduce the visual effects on the values of the Outstanding Natural Landscape or Feature; and</li> <li>o. Where relevant, matters included within Policy NFL - P6.</li> </ul> <p>Advice Note:</p> <ul style="list-style-type: none"> <li>1. This rule also applies to plantation forestry activities where this provision is more stringent than the NES - PF.</li> </ul> <p>Activity status where compliance not achieved: Discretionary</p>
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NEW discretionary activity rule	Support with amendments	Insert new discretionary activity rule as a consequential amendment to the submission to rule CE-R10 Erection of a Building or Structure in the Outstanding Coastal Environment Area	<p>Insert new Rule:</p> <p><u>CE-RXX Buildings and Structures within the High Coastal Natural Character Overlay or Outstanding Coastal Environment Overlay not meeting Restricted Discretionary Activity Standards</u></p> <p><u>Activity Status Discretionary</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <li><u>These will not destroy any Outstanding Natural Feature identified in Schedule Six or the values which make it Outstanding.</u></li> </ol> <p><u>Advice Note:</u></p> <ol style="list-style-type: none"> <li><u>When assessing resource consents under this rule, assessment against the relevant Coastal Environment, Ecosystems and Indigenous Biodiversity, Natural Features and Landscapes policies will be required.</u></li> <li><u>This rule also applies to plantation forestry activities where this provision is more stringent than the NES - PF.</u></li> </ol> <p><u>Activity status where compliance not achieved: Non-complying</u></p>
Coastal Environment Rules	Support with amendments	An additional rule is required to capture any other unanticipated activities and structures.	<p>Add an additional Rule:</p> <p><u>XXX Activities, structures, buildings and earthworks not provided for in another Rule</u></p> <p><u>Activity status: Non-complying</u></p>
All other Coastal Environment provisions	Neutral	DOC is neutral as these do not affect priority conservation values,	NA

		biodiversity values, or DOC's interests.	
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## Earthworks - Te Huke Whenua

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Overview	Support with amendments	Amend paragraph 2 of the earthworks overview to make it clear that earthworks not only affect amenity values, but can also affect natural environment values. This more effectively aligns the objective with its subsequent policies, and specifically policy P2.	Amend paragraph 2 of the Overview:  <i>Earthworks can adversely affect amenity values (visual, dust nuisance, noise and traffic), <u>natural environment values (such as indigenous biodiversity, habitat, environmental quality and landscape)</u> and result in changes to natural landforms. Earthworks can cause changes to the appearance and character of the neighbourhoods they are located in and can impact on people's experience of their environment.</i>
EW - O1	Support with amendments	Amend earthworks objective EW-O1 to make it clear that adverse effects on the immediate, as well as surrounding environment, are managed, and to enable adverse effects to be remedied in addition to avoided and mitigated.	Amend Objective EW-O1:  <i>To provide for earthworks to facilitate subdivision, use and development of the West Coast/Te Tai o Poutini's land resource, while ensuring that their adverse effects on the <del>surrounding</del> environment are avoided, <u>remedied</u> or mitigated.</i>
EW - P3	Support with amendments	Minor amendment to clarify that it is the risks <i>of</i> earthworks that are managed, rather than risks <i>to</i> earthworks.	Amend Policy EW-P3:  <i>Require the use of accidental discovery protocols to mitigate the potential risk <del>to</del> of earthworks to archaeological sites and sites and areas of significance to Māori and archaeological sites that are not scheduled in the Plan.</i>

<p>EW – R Earthworks - All Zones</p>	<p>Support with amendments</p>	<p>Amend Rule EW - R2 to remove duplication and simplify the rule.</p>	<p>Amend Rule EW - R2:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>All standards in Rule EW - R1 are complied with; and</i></li> <li>2. <i>These earthworks are:</i> <ol style="list-style-type: none"> <li>a. <i>Associated with the construction of an approved building platform and access; or</i></li> <li>b. <del><i>These are earthworks</i></del> <i>associated with an approved subdivision consent; or</i></li> <li>c. <del><i>These are earthworks</i></del> <i>associated with an approved well or bore; or</i></li> <li>d. <del><i>These are earthworks</i></del> <i>including stockpiles required for network utility or critical infrastructure maintenance, operation, repair, upgrade, or installation of new network utilities including public roads; or</i></li> <li>e. <del><i>These are earthworks</i></del> <i>associated with installation of swimming pools; or</i></li> <li>f. <i>The earthworks are for interments in a cemetery or urupā;</i></li> <li>g. <i>The earthworks are for natural hazard mitigation structures constructed by a statutory agency or their authorised contractor; or</i></li> <li>h. <i>The earthworks are test pits for geotechnical or contaminated land assessment where the land is reinstated within 48 hours; or ...</i></li> </ol> </li> </ol>
<p>EW - R3, EW – R6</p>	<p>Neutral</p>	<p>DOC is neutral in relation to these rules, on the basis that the amendments sought in DOC’s other submission points regarding earthworks are made.</p>	<p>DOC is neutral with regards to:</p> <p><i>EW - R3 Earthworks in the GRUZ - General Rural Zone, RLZ - Rural Lifestyle Zone, any INZ - Industrial Zone, FUZ - Future Urban Zone, AIRPZ Airport Zone, any OSRZ - Open Space and Recreation Zone and the MPZ - Māori Purpose Zone</i></p> <p><i>EW - R6 Earthworks in the BCZ - Buller Coalfield Zone and MINZ - Mineral Extraction Zone</i></p>

All other Earthworks provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA
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Light - Ngā Rama

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
LIGHT - O2	Support with amendments	Amend Objective LIGHT-O2 so that light is managed so that it does not adversely affect the habitats and ecosystems of <i>all</i> native flora fauna, not just nocturnal species.	Amend Objective LIGHT-O2:  <i>Artificial outdoor lighting is located, designed and operated to maintain the character and amenity values within zones, so that it does not adversely affect the health and safety of people, the safe operation of the transport network, protects views of the night sky, the habitats and ecosystems of <del>nocturnal</del> <u>native indigenous vegetation and habitats of indigenous fauna and the species themselves.</u></i>
LIGHT - P3 Control the intensity, location and direction of any artificial outdoor lighting to:	Support with amendments	Amend Policy LIGHT-P3 so that light is managed so that it does not adversely affect the habitats and ecosystems of <i>all</i> native flora fauna.	Amend Policy LIGHT-P3:  <i>Ensure that any artificial outdoor lighting avoids conflict with existing light sensitive areas and uses;</i> <ul style="list-style-type: none"> <li><i>a. Internalise light spill within the site where the outdoor lighting is located;</i></li> <li><i>b. Minimises adverse effects on views of the night sky and intrinsically dark landscapes including in areas of outstanding coastal natural character;</i></li> <li><i>c. Minimises adverse effects <del>on the significant habitats</del> of light sensitive <del>native</del> <u>indigenous vegetation and habitats of indigenous fauna and the species themselves; and</u></i></li> <li><i>d. Minimises adverse effects on the health and safety of people and communities in the surrounding area.</i></li> </ul>
LIGHT - R1	Support with amendments	Amend Rule LIGHT-R1 to include a standard to require that light is directed away from	Amend Rule LIGHT-R1:  <i>Where Activity Status is Permitted</i>

All Zones: General Permitted Activity Standards		any adjoining and adjacent overlay areas. This will protect the significant values of these areas from light spill.	<p><i>All artificial outdoor lighting must:</i></p> <ol style="list-style-type: none"> <li>1. <i>Be directed so that light is emitted away from any adjoining and adjacent properties;</i></li> <li>2. <i><u>Be directed so that light is emitted away from any adjoining and adjacent overlay areas;</u></i></li> <li>3. <i>Be directed so that light is emitted away from any state highway or arterial or principal roads, or any oncoming traffic; and</i></li> <li>4. <i>Where an activity is located on a site which adjoins or is separated by a road from a different zone, the activity on the site must meet the relevant zone standards for light for the adjoining zone at the zone boundary....</i></li> </ol>
LIGHT - R3 Artificial Outdoor Lighting in the NOSZ - Natural Open Space Zone, SETZ - PREC 2 - Settlement Zone - Coastal Settlement Precinct, and in All Zones where the site falls within the Outstanding Coastal Natural Character Overlay	Support with amendments	Amend the heading of Rule LIGHT-R3 so that it also applies to Outstanding Natural Landscapes and Outstanding Natural Features as these contain significant landscape, amenity and natural character values that can be adversely affected by light spill, and specifically exclude conservation activities from the rule.	<p>Amend Rule LIGHT - R3:</p> <p><i>LIGHT - R3 Artificial Outdoor Lighting in the NOSZ - Natural Open Space Zone, SETZ - PREC 2 - Settlement Zone - Coastal Settlement Precinct, and in All Zones where the site falls within the Outstanding Coastal Natural Character Overlay, <u>Outstanding Natural Landscapes Overlay and Outstanding Natural Features Overlay, excluding conservation activities undertaken by the Department of Conservation.</u></i></p>
LIGHT - R4 Artificial Outdoor Lighting in	Support with amendments	Amend the heading of Rule LIGHT-R4 to make it explicit that it applies to all zones and	Amend Rule LIGHT - R4:

locations not provided for in Rule LIGHT - R2 or LIGHT - R3 Activity Status Permitted		overlays not provided for in Rules LIGHT-R2 and LIGHT-R3.	<i>LIGHT - R4 Artificial Outdoor Lighting in locations, zones, and overlays not provided for in Rule LIGHT - R2 or LIGHT - R3 Activity Status Permitted...</i>
All other Light provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

#### Noise - Ngā Oro

<b>PLAN PROVISION</b>	<b>POSITION</b>	<b>REASON</b>	<b>RELIEF SOUGHT</b>
NOISE-R2 Emissions of Noise in All Zones	Support with amendments	Support Rule NOISE-R2 and add an addition rule so that noise from aircraft use for conservation activities such as biodiversity projects and biosecurity activities is exempt. This will avoid the need for any exemptions for the activities to be issued in accordance with Section 7A of the biosecurity act where they are for pest control purposes.	Amend Rule NOISE-R2:  <i>Activity Status Permitted</i> <i>Where the following activities are exempted from meeting Zone noise standards:</i>  <i>12. ....Infrequent aircraft landing for rural production <u>or conservation</u> purposes on an intermittent basis, including aerial topdressing and helicopter movements;....</i>

#### Part 3 – Area-Specific Matters - Te Wāhanga 3 - Ngā Take a Ia Rohe ones - Ngā Takiwā

## Zones - Ngā Takiwā

### Open Space and Recreation Zones - Objectives and Policies - Ngā Mokowā Pōaha me ngā Takiwā Hākinakina Ngā Whāinga me ngā Kaupapa Here

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Overview	Oppose	<p>Oppose the mineral extraction paragraph in the open space introduction. Providing for mineral extraction in the Open Space Zone is contrary to the purpose and values of the Open Space Zone.</p> <p>Amend the explanatory paragraph regarding permissions under other Acts to include concessions as an example of these other permissions that may be needed, as this is a common requirement for activities in the Open Space Zone where activities are on public conservation land.</p>	<p>Amend the Overview:</p> <p><del><i>The nature of the West Coast, with its extensive mineral deposits, combined with 84% of the land area being located in public conservation estate, means that provision is also made for mineral extraction within the Open Space Zone.....</i></del></p> <p><i>Activities and uses on publicly owned land are required to obtain permission (such as a lease, <del>or a</del> licence, or concession) from the relevant administering authority. This is in addition to any requirements under Te Tai o Poutini Plan and the RMA. All activities will also have regard to any relevant reserve management plans or National Park management plans and legislation (Reserves Act 1977 and the Conservation Act 1987).....</i></p>
OSRZ - O1	Support with amendments	<p>Amend Objective OSRZ - O1 as the different functions of open space must be compatible with the values of open space. For example, stock grazing should only be undertaken where significant natural environment values will not be adversely affected.</p>	<p>Amend Objective OSRZ - O1:</p> <p><i>Development and activities should complement and not conflict with the functions and values of the particular open space and the surrounding environment, <u>including any relevant Open Space Management Plan</u>. Where appropriate open space accommodates a range of functions <u>where this is compatible with the values of the open space</u>.</i></p>

OSRZ - P10	Support with amendments	Support Policy OSRZ-P10, and amend it to recognise that new open space areas should consider the addition of SNAs identified through the resource consent process.	Amend Policy OSRZ-P10:  <i>Subdivision and new development should provide for the open space needs generated by the development either through direct provision of land and works, or through a financial contribution. This includes:</i> <ul style="list-style-type: none"> <li><i>a. Additional neighbourhood parks including waterfront areas, <u>Significant Natural Areas</u>, walkways and cycleways needed as a result of additional household and visitor accommodation growth;</i></li> <li><i>b. Additional recreation areas to enhance recreational opportunities and the visual amenity of the built environment; and</i></li> <li><i>c. Development of existing land set aside for neighbourhood parks and recreation areas.</i></li> </ul>
OSRZ - P11	Support with amendments	Support Policy OSRZ-P11, and amend it to recognise natural, cultural and biodiversity values which are all important within the Open Space Zones.	Amend Policy OSRZ-P11:  <i>The OSZ - Open Space Zone primarily provides for passive and active recreation activities, <u>natural, cultural and biodiversity values</u>, community facilities, campgrounds and cemeteries and limited associated facilities and structures.</i>
OSRZ - P12	Support with amendments	Amend Policy OSRZ-P12 as activities within the open space zone should also be managed to minimise effects on environmental values – particularly as most of the public conservation land is zoned Open Space.	Amend Policy OSRZ - P12:  <i>Enable activities and facilities within the OSZ - Open Space Zone that:</i> <ul style="list-style-type: none"> <li><i>a. Are consistent with the intended purpose, character and qualities of the OSZ - Open Space Zone; and;</i></li> <li><i>b. Contribute to the overall health and wellbeing of the community; and</i></li> <li><i>c. Minimise adverse effects on the character, <u>natural environment</u>, and amenity values of the surrounding area.</i></li> </ul>
OSRZ - P13	Support with amendments	Amend OSRZ - P13 to only allow for these activities within Open Space Zone, as these activities do not accord with the primary	Amend Policy OSRZ - P13:



		purpose of the zone, and should only be allowed where the open space values are not compromised.	<del>Provide for</del> <u>Allow</u> activities that are ancillary to the functions of the OSZ - Open Space Zone <u>where adverse effects on open space values are appropriately managed</u> including: <ul style="list-style-type: none"> <li>a. Retail activities;</li> <li>b. Residential activities, including <del>for</del> for caretaker purposes; and</li> <li>c. Agricultural, horticultural or pastoral activities.</li> </ul>
OSRZ - P14	Oppose	Amend OSRZ - P14 to only allow for mineral extraction activities within Open Space Zones where adverse effects on important values are managed in accordance with the effects management hierarchy, as these activities do not accord with the primary purpose of the zone, and should only be allowed where the open space values and significant natural and cultural values are not compromised.	Amend Policy OSRZ - P14:  <del>Provide for</del> <u>Allow</u> mineral extraction activities within the OSZ - Open Space Zone where: <ul style="list-style-type: none"> <li>a. <del>Impacts</del> <u>Adverse effects on open space and recreation values of the site are minimised;</u></li> <li>b. <u>Adverse effects on areas and values identified in Schedules and Overlay Areas are avoided or otherwise managed in accordance with the effects management hierarchy;</u></li> <li>c. <u>This is provided for within any Open Space Management Plan for the area;</u></li> <li>d. <u>Adverse effects on <del>open space and recreation values and</del> the environment are <u>otherwise avoided, mitigated, remedied, offset or compensated;</u></u></li> <li>e. <u>Sites are rehabilitated at the end of the mineral extraction activity to enable the land to be used for an appropriate activity.</u></li> </ul>
OSRZ - P18	Support with amendments	While DOC supports the intent of this policy, it is written passively, and amendments are required to ensure that the policy is more directive.	Amend Policy OSRZ-P18:  <u>Require a</u> <del>A low level of development and built form is anticipated</del> <u>within the this</u> NOSZ - Natural Open Space Zone to retain the natural, cultural and biodiversity values within <del>the</del> natural open space areas.
OSRZ – P19	Support with amendments	Policy P19 is supported, subject to a minor amendment to promote biodiversity restoration.	Amend Policy OSRZ-P19:  <u>Within the NOSZ - Natural Open Space Zone enable activities and facilities that:</u>

			<ul style="list-style-type: none"> <li>a. Are consistent with the intended purpose, character and qualities of the Natural open space zone; and</li> <li>b. Protect, maintain and, where possible, enhance <u>and restore</u> indigenous biodiversity including taonga species, natural values and ecological linkages; and</li> <li>c. Contribute to the health and wellbeing of the community.</li> </ul>
OSRZ - P20	Support with amendments	Support Policy OSRZ-P20, subject to a minor addition to ensure that small-scale buildings and structures do not adversely affect biodiversity values.	<p>Amend Policy OSRZ-P20:</p> <p><i>Within the NOSZ - Natural Open Space Zone provide for small-scale buildings and structures that:</i></p> <ul style="list-style-type: none"> <li>a. Are ancillary to a permitted activity; and</li> <li>b. Do not adversely affect the conservation <u>and indigenous biodiversity</u> values of the site; and</li> <li>c. Are of a scale, form, location and design that is compatible with the purpose, character and qualities of the zone; and</li> <li>d. Do not adversely affect the character and qualities of the surrounding area.</li> </ul>
All other OSRZ provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

#### Natural Open Space Zone - Te Takiwā Pōaha Aotūroa

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Zone mapping	Support with amendments	Support the NOSZ mapping of significant public conservation land, and upzone additional significant public conservation	Rezone public conservation land not otherwise identified as NOSZ to NOSZ, where these contain mapped areas of Outstanding Natural Landscapes, Outstanding Natural Features, Significant Natural Areas, High Coastal Natural Character and Outstanding Coastal Natural Character, and are outside areas of urban zoned land.

		land to NOSZ to ensure that it is managed for conservation purposes.	
NOSZ - R4 Temporary Camping Grounds	Oppose	Amend Rules NOSZ - R4, R5 and R6 to only allow for temporary camping grounds, residential activities and retail activities within the Natural Open Space Zone where adverse effects on important values are appropriately considered, as these activities do not accord with the primary purpose of the zone, and should only be allowed where significant natural and cultural values are not compromised.	<p>Amend Rule NOSZ - R4:</p> <p><i>Activity Status <del>Permitted</del> <u>Restricted Discretionary</u></i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>Written notification to the Council of the activity is provided at least 10 working days prior to the activity commencing; and</i></li> <li>2. <i>Camping activity is restricted to 10 days per calendar year.</i></li> </ol> <p><i><u>Discretion is restricted to:</u></i></p> <ol style="list-style-type: none"> <li>a. <i><u>Design, position and location of buildings;</u></i></li> <li>b. <i><u>Landscape treatment;</u></i></li> <li>c. <i><u>Vehicle access and parking design and location; and</u></i></li> <li>d. <i><u>Management of effects on natural character, landscape, historical and cultural values and biodiversity values.</u></i></li> </ol> <p><i>Advice Note:</i></p> <ol style="list-style-type: none"> <li>1. <i>Temporary Camping Grounds may also be required to comply with the Camping Ground Regulations 1985 administered by the relevant District Council.</i></li> <li>2. <i>Where activities are located in Overlay Chapter Areas the relevant provisions also apply.</i></li> </ol> <p><i>Activity status where compliance not achieved: <del>N/A</del> <u>Discretionary</u></i></p>
NOSZ - R5	Oppose	Amend Rules NOSZ - R4, R5 and R6 to only allow for temporary	Amend Rule NOSZ – R5:

Residential Activities		camping grounds, residential activities and retail activities within the Natural Open Space Zone where adverse effects on important values are appropriately considered, as these activities do not accord with the primary purpose of the zone, and should only be allowed where significant natural and cultural values are not compromised.	<p><i>Activity Status <del>Permitted</del> <u>Restricted Discretionary</u></i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>1. This is ancillary to a conservation activity or recreation activity;</i></li> <li><i>2. The activity has a functional or operational need to locate in a NOSZ - Natural Open Space Zone; and</i></li> <li><i>3. All performance standards for Rule NOSZ - R1 are complied with.</i></li> </ol> <p><i><u>Discretion is restricted to:</u></i></p> <ol style="list-style-type: none"> <li><i>a. <u>Design, position and location of the building;</u></i></li> <li><i>b. <u>Landscape treatment;</u></i></li> <li><i>c. <u>Vehicle access and parking design and location; and</u></i></li> <li><i>d. <u>Management of effects on natural character, landscape, historical and cultural values and biodiversity values.</u></i></li> </ol> <p><i>Activity status where compliance not achieved: Discretionary</i></p>
NOSZ - R6 Retail Activities	Oppose	Amend Rules NOSZ - R4, R5 and R6 to only allow for temporary camping grounds, residential activities and retail activities within the Natural Open Space Zone where adverse effects on important values are appropriately considered, as these activities do not accord with the primary purpose of the zone, and should only be allowed where significant natural and cultural values are not compromised.	<p>Amend Rule NOSZ – R6:</p> <p><i>Activity Status <del>Permitted</del> <u>Restricted Discretionary</u></i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>1. This is ancillary to a recreation activity or a conservation activity; and</i></li> <li><i>2. Performance Standards for Rule NOSZ - R1 are complied with.</i></li> </ol> <p><i><u>Discretion is restricted to:</u></i></p> <ol style="list-style-type: none"> <li><i>a. <u>Design, position and location of the building;</u></i></li> <li><i>b. <u>Landscape treatment;</u></i></li> <li><i>c. <u>Vehicle access and parking design and location; and</u></i></li> <li><i>d. <u>Management of effects on natural character, landscape, historical and cultural values and biodiversity values.</u></i></li> </ol>

			<i>Activity status where compliance not achieved: Discretionary</i>
All other NOSZ provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

#### Open Space Zone - Te Takiwā Pōaha

<b>PLAN PROVISION</b>	<b>POSITION</b>	<b>REASON</b>	<b>RELIEF SOUGHT</b>
Zone mapping	Support with amendments	Support the OSZ mapping of public conservation land not zoned NOSZ. Rezone all public conservation land outside urban areas and not otherwise identified as NOSZ and OSZ as OSZ to ensure that is managed for conservation and public open space purposes.	Rezone all public conservation land, outside areas of urban zoned land, and not otherwise identified as NOSZ and OSZ, as OSZ.
Overview	Support with amendments	Amend the explanatory paragraph regarding permissions under other Acts to include concessions as an example of these other permissions that may be needed, as this is a common requirement for activities in the Open Space Zone where activities are on public conservation land.	Amend paragraph 4:  <i>Activities and uses on publicly owned land are required to obtain permission (such as a lease, <del>or a</del> licence, or concession) from the relevant administering authority. This is in addition to any requirements under Te Tai o Poutini Plan and the RMA. All activities will also have regard to any relevant reserve management plans or National Park management plans and legislation (Reserves Act 1977 and the Conservation Act 1987).....</i>

<p>OSZ - R12 Agricultural, Horticultural or Pastoral Activities</p>	<p>Support with amendments</p>	<p>Support Rule OSZ - R12 provided these activities meet all other rules and standards in the Plan, and do not include activities not anticipated in the Open Space Zone.</p>	<p>Amend Rule OSZ-R12:</p> <p><i>Activity Status Permitted</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>All performance standards for Rule OSZ - R1 are complied with;</i><del>and</del></li> <li>2. <i>The activity does not include:</i> <ol style="list-style-type: none"> <li>a. <i>Intensive indoor primary production;</i></li> <li>b. <i><u>storage of products and initial processing of horticultural and agricultural products produced on that site;</u></i></li> <li>c. <i><u>the storage, treatment and disposal of solid and liquid animal waste;</u></i></li> <li>d. <i><u>rural research;</u></i></li> <li>e. <i><u>farm quarries; or</u></i></li> <li>f. <i><u>Stock sale yards; and</u></i></li> </ol> </li> <li>3. <i><u>All other rules and standards, including within Overlay Areas, are met.</u></i></li> </ol> <p><i>Advice Note: Refer to Rule SASM - R7 in the Sites of Significance to Māori Chapter where a farm quarry is proposed within the Aotea or Pounamu Overlays.</i></p>
<p>OSZ - R13 Park Facilities and Park Furniture not meeting Rule OSZ - R1</p>	<p>Support with amendments</p>	<p>It is not appropriate that Park Facilities and Park Furniture not meeting Rule OSZ - R1 are a controlled activity, as this does not enable an activity to be declined where the scale or extent of the activity is not appropriate for the site and its values.</p>	<p>Amend Rule OSZ - R13:</p> <p><i>Activity Status <del>Controlled</del> <u>Restricted Discretionary</u></i></p> <p><i>Matters of control are:</i></p> <p><i>Discretion is restricted to:</i></p> <ol style="list-style-type: none"> <li>a. <i>Design, position and location of any buildings;</i></li> <li>b. <i>Landscape measures;</i></li> <li>c. <i>Vehicle access and parking design and location; and</i></li> <li>d. <i>Management of effects on natural character, landscape, historical and cultural values, ecological and biodiversity values.</i></li> </ol>

			<u>Activity status where compliance not achieved: Discretionary</u>
OSZ - R15 Residential Activities not meeting Permitted Activity Standards	Support with amendments	It is not appropriate that residential activity defaults to a discretionary activity where Rule R15 is not met. Residential activity that is not ancillary to conservation or recreation or to provide a caretaker unit should therefore be a non-complying activity. There are no objectives or policies which support general residential activity in this zone, and providing residential activity in these areas goes against the purpose and functions of the Open Space Zone.	<p>Amend OSZ-R15:</p> <p><i>Activity Status Restricted Discretionary Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>This is ancillary to a conservation or recreation activity or to provide a caretaker unit for a camping ground</i></li> </ol> <p><i>Discretion is restricted to:</i></p> <ol style="list-style-type: none"> <li>a. <i>Design, position and location of any buildings;</i></li> <li>b. <i>Landscape measures;</i></li> <li>c. <i>Management of effects on conservation or recreation activities;</i></li> <li>d. <i>Vehicle access and parking design and location;</i></li> <li>e. <i>Management of wastewater, stormwater and water supply; and</i></li> <li>f. <i>Management of effects on natural character, landscape, historical and cultural values, ecological and biodiversity values.</i></li> </ol> <p><i>Activity status where compliance not achieved: <del>Discretionary</del> <u>Non-Complying</u></i></p>
OSZ - R19 Mineral Extraction Activities and Mineral Prospecting and Exploration not meeting Permitted Activity Standards	Oppose	Amend OSZ – R19 to amend the activity status of mineral extraction activities to Discretionary within the Open Space Zone, and include in the assessment matters a requirement to consider the provisions of any Open Space Management Plan. This emphasises these activities do not accord with the primary purpose of the zone, and should only be allowed where	<p>Amend Rule OSZ-R19:</p> <p><i>Activity Status <del>Restricted</del> Discretionary</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li>1. <i>The activity does not occur within an Outstanding Natural Landscape, Outstanding Natural Feature, a Historic Heritage site, a Site or Area of Significance to Māori, a Significant Natural Area or an area of High or Outstanding Coastal Natural Character [refer to the relevant Overlay Chapter rules in relation to activities in these areas]</i></li> </ol> <p><i><del>Discretion is restricted to</del> Assessment matters include:</i></p> <ol style="list-style-type: none"> <li>a. <i>Impacts on conservation and recreation activities;</i></li> </ol>

		<p>the open space values and significant natural and cultural values are not compromised. Include an advice note to make it explicit that SNAs include all areas that meet the significance criteria, and not only those that are mapped.</p>	<ul style="list-style-type: none"> <li>b. <i>Management of access, parking, traffic generation and transport of minerals from the site;</i></li> <li>c. <i>Noise, glare, light, dust, blasting and vibration management;</i></li> <li>d. <i>Hours of operation;</i></li> <li>e. <i>Hazardous substances and waste management;</i></li> <li>f. <i>Historic and cultural heritage requirements;</i></li> <li>g. <i>Extent and design of earthworks and indigenous vegetation clearance;</i></li> <li>h. <i>Effects on any threatened fauna or their habitats;</i></li> <li>i. <i>Design and location of ancillary buildings, structures and infrastructure;</i></li> <li>j. <i>Landscape measures;</i></li> <li>k. <i>Overburden management;</i></li> <li>l. <i>Monitoring, reporting and community liaison requirements;</i></li> <li>m. <u><i>The provisions of any Open Space Management Plan for the area</i></u></li> <li>n. <i>Financial contributions and any requirement for bonds; and</i></li> <li>o. <i>Site rehabilitation and mine closure requirements.</i></li> </ul> <p><i>Advice Note: Refer to Rule SASM - R7 in the Sites of Significance to Māori Chapter where mineral extraction is proposed within the Aotea or Pounamu Overlays.</i></p> <p><u><i>For the avoidance of doubt, any area that meets the criteria set out in Appendix 1 of the West Coast Regional Policy Statement (until such time as nationally consistent criteria apply through a National Policy Statement or National Environmental Standards) is a Significant Natural Area.</i></u></p> <p><u><i>Activity status where compliance not achieved: Non-Complying</i></u></p>
<p>OSZ - R21 Residential Activities not meeting Restricted</p>	<p>Oppose</p>	<p>Amend Rule OSZ-R21 as a consequential amendment to Rule OSZ-R15</p>	<p>Amend Rule OSZ-R21:</p> <p><i>OSZ - R21 Residential Activities not meeting <del>Restricted</del> Discretionary Activity Standards</i></p>



Discretionary Activity Standards			<p>Activity Status <del>Discretionary</del> <u>Non-Complying</u></p> <p>Activity status where compliance not achieved: N/A</p>
OSZ - R22 Mineral Extraction Activities not meeting Restricted Discretionary Activity Standards	Oppose	Amend Rule OSZ-R22 as a consequential amendment to Rule OSZ-R19 and remove the advice note, as all relevant objectives and policies should be assessed.	<p>Amend Rule OSZ-R22:</p> <p><i>OSZ - R22 Mineral Extraction Activities not meeting <del>Restricted</del> Discretionary Activity Standards</i></p> <p>Activity Status <del>Discretionary</del> <u>Non-complying</u></p> <p>Advice Note: <del>When assessing resource consent applications for mineral extraction activities assessment against Policies RURZ - P20, RURZ - P22, RURZ - P23, RURZ - P24 and RURZ - P26 should also be undertaken.</del></p> <p>Activity status where compliance not achieved: N/A</p>
All other OSZ provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA

Buller Coalfield Zone - Te Takiwā Waro o Kawatiri and Mineral Extraction Zone - Te Takiwā Tango Kohuke

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
Mineral Extraction Zone - Te Takiwā Tango Kohuke	Oppose	Oppose all provisions in the Mineral Extraction Zone as these largely duplicate the provisions in the Buller Coalfield Zone, and combine these zones into one to simplify	Delete the Mineral Extraction Zone chapter in its entirety, rename the 'Buller Coalfield Zone' to the ' <u>Mineral Extraction Zone</u> ', integrate policies MINZ-P6-P8, and rule MINZ-R5 and any other inconsistent provisions into the one zone chapter.

		the Plan and improve consistency.	
Mapping of BCZ and MEZ	Oppose	<p>The overview for the Buller Coalfield Zone chapters sets out that these zones cover areas where mining is already authorised. Authorisation of these mining activities is by way of licences under the Coal Mining Act 1979 or by resource consents issued under the RMA.</p> <p>Two sites identified in the planning maps as being part of the Mineral Extraction Zone, being the site of the proposed mineral sands mine on Barrytown Flats and the site of the proposed Te Kuha coalmine, do not have a current authorisation as set out in the overview section. The resource consent application for the Barrytown mine was declined, and the resource consent applications for the Te Kuha mine are currently subject to an appeal.</p> <p>Also the overview for the Buller Coalfield Zone chapter states</p>	Amend the mapping of the Mineral Extraction Zone and the Buller Coalfield Zone overlay to exclude any areas in the zone that do not have current authorisation for mining activity through the Coal Mining Act 1979 or resource consent under the RMA.

		<p>that the site at Te Kuha is included in the Buller Coalfield Zone, but in the planning maps it is in the Mineral Extraction Zone.</p> <p>The planning maps should be amended so that the overlay for areas covered by the Buller Coalfield Zone and the Mineral Extraction Zone relate only to existing authorised mining activities and not other areas that hold mineral extraction potential or proposed mining activities.</p>	
Policy BCZ - P4	Support with amendments	Support Policy BCZ - P4, and amend it to enable adverse effects on natural character, landscape, historic values and biodiversity to be considered, as adverse effects on significant indigenous vegetation and significant habitats of indigenous fauna are addressed in Policy BCZ-P5.	<p>Amend Policy BCZ - P4:</p> <p><i>Maintain the quality of the environment, landscape, ecological values, Poutini Ngāi Tahu cultural values, character and amenity of the areas surrounding the BCZ - Buller Coalfield Zone as far as practicable by:</i></p> <ol style="list-style-type: none"> <li>a. <i>Utilising management, monitoring, rehabilitation and mine closure plans as a key tool;</i></li> <li>b. <i>Managing dust, noise, vibration, access and lighting to maintain amenity values and avoid significant adverse effects;</i></li> <li>c. <i>Managing traffic generation impacts on the operation, maintenance and safety of the transport network and avoiding significant adverse effects;</i></li> <li>d. <i>Managing impacts on <del>significant indigenous vegetation and significant indigenous fauna habitat and associated ecological values</del> <u>natural character, landscape, historical values and biodiversity in accordance with the effects management hierarchy, and avoiding or mitigating other adverse effects;</u></i></li> </ol>

			<p>e. Managing and avoiding adverse effects on Poutini Ngāi Tahu cultural values;</p> <p>f. Ensure well located appropriately formed vehicle entrances, parking, loading and manoeuvring areas to sufficiently accommodate the requirements of the activity;</p> <p>g. Ensuring buildings and structures are appropriately located in relation to boundaries and natural features and are of an appropriate scale;</p> <p>h. Undertaking remedial measures during extraction operations; and</p> <p>i. Requiring sites to be rehabilitated and ensuring that appropriate methods are used for this purpose.</p>
Policy BCZ - P5	Support with amendments	Support Policy BCZ - P5 and amend it so that it accords with section 6(c) the Act, and applies the effects management hierarchy to appropriately address adverse effects.	<p>Amend Policy BCZ – P5:</p> <p><i>Where the removal of an area of <del>significant indigenous vegetation or significant fauna habitat</del> <u>significant indigenous vegetation and significant habitats of indigenous fauna</u> in whole or in part is necessary to provide for mineral extraction and processing activities and cannot be avoided, adverse effects should be <del>mitigated, remedied, offset or compensated</del> <u>to achieve no net loss in biodiversity values addressed in accordance with the effects management hierarchy.</u></i></p>
Rules BCZ R2-R3	Support with amendments	Amend Rules BCZ R2-R3 so that a resource consent for a restricted discretionary activity is required where the rules are not met. This is to ensure that the adverse effects of these activities can be appropriately considered through a resource consent process, and resource consent is able to be declined where the adverse effects are significant and/or the activity is inconsistent with the provisions of the Plan and sustainable	<p>Amend Rules BCZ R2 and R3:</p> <p><i>...Activity status where compliance not achieved: <del>Controlled</del> <u>Restricted Discretionary</u>...</i></p>

		management purpose of the Act.	
Rule BCZ R5	Oppose	Amend Rule BCZ R5 as a consequential amendment to the submission to Rules BCZ-R2 and R3 and to simplify the rule. Any areas of vegetation removal should be assessed for significance, and if the area is significant then the SNA rules apply.	<p>Amend Rule BCZ R5:</p> <p><i>BCZ - R5 Mineral Prospecting and Exploration, Mineral Extraction and Processing and Ancillary Activities not meeting Permitted Activity standards</i></p> <p><i>Activity Status <del>Controlled</del> <u>Restricted Discretionary</u></i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>1. This does not occur within an area of indigenous vegetation greater than 5000m<sup>2</sup> in size <del>that has not been assessed for its significance</del>;</i></li> <li><i>2. This includes ancillary activities, buildings, structure and infrastructure required to enable the mineral prospecting, exploration, extraction or processing activity; and</i></li> <li><i>3. This includes all earthworks associated with the mineral extraction and ancillary activities.</i></li> </ol> <p><del>Matters of control are:</del> <i>Discretion is restricted to:</i></p> <ol style="list-style-type: none"> <li><i>a. Management of access, parking and traffic generation effects from the site;</i></li> <li><i>b. Noise, glare, light, dust and vibration management;</i></li> <li><i>c. Hours of operation;</i></li> <li><i>d. Hazardous substances and waste management;</i></li> <li><i>e. Extent and design of earthworks;</i></li> <li><i>f. <u>Management of effects on natural character, landscape, historical and cultural values, and biodiversity;</u></i></li> <li><del><i>g. Effects on ecological values including any threatened fauna or their habitats;</i></del></li> </ol>

			<p>h. Design and location of ancillary buildings, structures and infrastructure;</p> <p>i. Overburden management;</p> <p>j. Monitoring, reporting and community liaison requirements;</p> <p>k. Financial contributions and any requirement for bonds; and</p> <p>l. Site rehabilitation and mine closure requirements.</p> <p>Activity status where compliance not achieved: <del>N/A</del> <u>Discretionary</u></p>
Rule BCZ R6	Oppose	Amend Rule BCZ R6 as a consequential amendment to the submission to Rules BCZ-R2, R3, and R5.	<p>Amend Rule BCZ R6:</p> <p><i>BCZ - R6 Mineral Extraction and Processing and Ancillary Activities not meeting <del>Controlled</del> <u>Restricted Discretionary</u> Activity Standards</i></p> <p><i>Activity Status-<del>Restricted</del> Discretionary...</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>1. This includes ancillary activities, buildings, structure and infrastructure required to enable the mineral prospecting, exploration, extraction or processing activity; and</i></li> <li><i>2. This includes all earthworks associated with the mineral extraction and ancillary activities.</i></li> </ol> <p><i><del>Discretion is restricted to</del> <u>Assessment matters include:</u></i></p> <ol style="list-style-type: none"> <li><i>a. Management of access, parking and traffic generation effects from the site;</i></li> <li><i>b. Noise, glare, light, dust, blasting and vibration management;</i></li> <li><i>c. Hours of operation;</i></li> <li><i>d. Hazardous substances and waste management;</i></li> <li><i>e. Historic and cultural heritage requirements;</i></li> <li><i>f. Extent and design of earthworks and indigenous vegetation clearance;</i></li> </ol>

			<p>g. <u>Management of effects on natural character, landscape, historical and cultural values, and biodiversity;</u></p> <p>h. <del>Effects on ecological values including any threatened fauna or their habitats;</del></p> <p>i. Design and location of ancillary buildings, structures and infrastructure;</p> <p>j. Overburden management;</p> <p>k. Monitoring, reporting and community liaison requirements;</p> <p>l. Financial contributions and any requirement for bonds; and</p> <p>m. Site rehabilitation and mine closure requirements.</p> <p>Activity status where compliance not achieved: <del>N/A</del> <u>Non-complying</u></p>
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#### Other Zones

PLAN PROVISION	POSITION	REASON	RELIEF SOUGHT
<b>Residential Zones - Ngā Takiwā Noho</b>			
RESZ - P2	Support with amendments	Support Policy RESZ-P2 subject to a minor amendment to make the policy explicit that activities in the residential zones should maintain and enhance the natural environment and historic heritage features.	Amend Policy RESZ-P2:  <i>Activities in the RESZ - Residential Zones should:</i> <ol style="list-style-type: none"> <li>Maintain or enhance residential character;</li> <li>Minimise nuisance from noise, light spill and vibration;</li> <li>Maintain and enhance the natural <u>environment</u> and cultural <u>and historic heritage features of the zone</u>;...</li> </ol>
All other RESZ provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA
<b>Rural Zones - Objectives and Policies - Ngā Whāinga me ngā Kaupapa Here</b>			

Overview	Support with amendments	Amend the overview so that it is explicit that the rural zones contain many different natural features including rivers, habitats of indigenous flora and fauna, and important landscapes.	<p>Amend Paragraphs 1 and 2 of the Overview:</p> <p><i>Rural areas represent the majority of private land within the West Coast/Te Tai o Poutini. They are working environments – with farming, mining, tourism, horticulture, and forestry being undertaken alongside a number of smaller industries. They contain native bush, <u>rivers</u>, <u>wetlands</u>, <u>habitats of indigenous flora and fauna</u>, renewable electricity generation sites and national grid infrastructure. Rural areas are also residential environments – characterised by a lower levels of built development and greater separation distance from neighbours.</i></p> <p><i>The rural area is characterised by its open vistas and natural <u>landscapes and features</u> that are of importance to the wider community. Components of the rural area include the coastline, waterbodies, vegetation and the absence of built-up areas.</i></p>
RURZ - P2	Support with amendments	Amend Policy RURZ - P2 to remove ambiguity from matter F so that the policy clearly seeks to ensure growth and change does not compromise natural and cultural landscapes.	<p>Amend Policy RURZ - P2:</p> <p><i>Provide for growth and change to settlements that:</i></p> <ol style="list-style-type: none"> <li><i>a. Improves the long-term viability of the settlements and their communities;</i></li> <li><i>b. Fits with the historic, cultural and environmental character of the existing settlement;</i></li> <li><i>c. Provides new housing opportunities in locations that are away from significant risks to life, safety and property damage from natural hazards;</i></li> <li><i>d. Integrates with the existing residential settlement and maintains a consolidated settlement form;</i></li> <li><i>e. Supports rural community needs by providing for community facilities and educational facilities; and</i></li> <li><i>f. Does not compromise the <del>dominance of the</del> natural and cultural landscape setting and minimises ribbon residential development along the coastline, on prominent spurs, ridges and skylines and avoids development on the ridgelines and peaks of ancestral mountains.</i></li> </ol>



RURZ - P25	Oppose	Amend Policy RURZ – P25 to require that adverse effects on significant indigenous vegetation and significant habitats of indigenous fauna are managed in accordance with the effects management hierarchy so that these effects are appropriately managed, and where there are residual effects, they are offset or compensated.	<p><i>Maintain the quality of the environment and amenity of areas surrounding the mineral extraction activities as far as practicable by:</i></p> <ul style="list-style-type: none"> <li><i>a. Utilising management, mitigation and rehabilitation plans as a key tool;</i></li> <li><i>b. Managing dust, noise, vibration, access and lighting to maintain amenity values;</i></li> <li><i>c. Managing traffic generation impacts on the operation and maintenance of the transport network;</i></li> <li><i>d. <del>Avoiding or mitigating</del> <u>Managing adverse effects</u> <del>impacts</del> on significant indigenous vegetation and significant habitats of indigenous fauna <u>in accordance with the effects management hierarchy</u>;</i></li> <li><i>e. Ensure well located appropriately formed vehicle entrances, parking, loading and manoeuvring areas to sufficiently accommodate the requirements of the activity;</i></li> <li><i>f. Ensuring buildings and structures are appropriately located in relation to boundaries and natural features and are of an appropriate scale;</i></li> <li><i>g. Undertaking progressive remediation to address effects during extraction operations; and</i></li> <li><i>h. Requiring sites to be rehabilitated and ensuring that appropriate methods are used for this purpose.</i></li> </ul>
All other OSZ provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA
<b>Coastal Settlement Precinct</b>			
SETZ - PREC3- P3 - Coastal Settlement Precinct Policy	Oppose	Amend Coastal Settlement Precinct Policy PREC3- P3 to give effect to the matters of national importance in the Act, and the natural hazard policies of the NZCPS, to protect coastal	<p>Subdivision, use and development within the SETZ - PREC3 - Coastal Settlement Precinct should:</p> <ul style="list-style-type: none"> <li><i>a. <del>Take into account</del> <u>Recognise and provide for the coastal natural character and protect the scenic landscape values of the area</u>;</i></li> </ul>

		natural character and landscapes, protect people and property from increased natural hazard risks, and avoid situations which necessitate hard protection structures. Delete reference to the coastal development guidelines as there are no such guidelines in the Plan.	<ul style="list-style-type: none"> <li>b. <i>Have appropriate controls on design and height to protect the landscape and coastal natural character values <del>and be undertaken in accordance with the coastal development guidelines;</del></i></li> <li>c. <i>Recognise and provide for access to mahinga kai and Sites and Areas of Significance to Māori for Poutini Ngāi Tahu; <del>and</del></i></li> <li>d. <i>Be located to avoid <u>increasing the significant risks of from</u> natural hazards; <del>and</del></i></li> <li>e. <i><u>Avoid the need for hard protection structures.</u></i></li> </ul>
All other SETZ provisions	Neutral	DOC is neutral as these do not affect priority conservation values, biodiversity values, or DOC's interests.	NA
<b>Scenic Visitor Zone - Te Takiwā Manuhuru - Tirotiro Taiao</b>			
All provisions	Support	Support all scenic visitor zone provisions as they appropriately enable subdivision, use and development of the zone, while protecting important values, and avoiding significant natural hazards.	Retain all Scenic Visitor Zone provisions as notified.

## Designations

<b>Minster of Conservation</b>			
Fox River	Oppose	Kaipakati Point was gazetted as a scenic reserve in 1980. It is gazetted as Punakaiki Scenic	Delete Designation DOC1:  <del>Fox River</del>

		Reserve. A designation is therefore not needed.	<p><i>Designation unique identifier-DOC1</i></p> <p><i>Designation purpose-Scenic</i></p> <p><i>Site identifier Sections 8 and 9 Block V Brighton Survey District</i></p> <p><i>Lapse date Given effect to</i></p> <p><i>Designation hierarchy under section 177 of the Resource Management Act N/A</i></p> <p><i>Conditions-No</i></p> <p><i>Additional information N/A</i></p>
Te Ana Matuku Caves	Oppose	Te Ana Matuku Caves were classified as a historic reserve by way of gazette in 2006.	<p>Delete Designation DOC2:</p> <p><i>Designation unique identifier-DOC2</i></p> <p><i>Designation purpose-Historic</i></p> <p><i>Site identifier Unformed Legal Road</i></p> <p><i>Lapse date Given effect to</i></p> <p><i>Designation hierarchy under section 177 of the Resource Management Act N/A</i></p> <p><i>Conditions-No</i></p> <p><i>Additional information N/A</i></p>

## Schedules

<b>Schedule Four: Significant Natural Areas - Te Rārangī Tuawhā: Ngā Tāpua o te Aotūroa</b>			
Explanation before Schedule table	Oppose	The Schedule 4 explanation requires amending to clarify that SNAs in all districts will be mapped, and the SNA criteria will apply to all sites, not just those mapped, as set out previously. This is imperative to give effect to s6(c) of the Act, as it appropriately manages adverse effects on flora and fauna habitat, and any significant environments and habitats are often not known	<p>Amend the explanation:</p> <p><i>Only areas within Grey District have been scheduled as Significant Natural Areas in Te Tai o Poutini Plan.</i></p> <p><i>Within the Buller and Westland District <del>where Significant Natural Areas have not yet been mapped,</del> <u>the mapping of Significant Natural Areas will be undertaken and completed by June 2027. an assessment of significance will be undertaken at the time any resource consents are applied for in relation to the Ecosystems and Biodiversity Rules.</u></i></p> <p><i>Significant Natural Areas in the form of Regionally Significant Wetlands are scheduled and identified in the West Coast Regional Land and Water Plan.</i></p>

		until detailed ecological assessments are undertaken as part of a resource consent application.	<u>Areas of significant indigenous vegetation and significant habitats of indigenous fauna will be also identified by a resource consent applicant through the resource consent process, or as required to confirm whether or not the area proposed to be cleared is not significant before permitted clearance occurs. The identification of Significant Natural Areas are therefore not limited to those areas mapped in this schedule.</u>
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