

# **TAI POUTINI PLAN COMMITTEE**

## **Hearing of Submissions on the Proposed Te Tai O Poutini Plan**

### **Recommendation Report of Hearing Panel**

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#### **Recommendation Report**

#### **Natural Features and Landscapes**

#### **- Ngā Āhua me ngā Horanuku Aotūroa**

**Hearing Dates: 4, 5 and 19 March 2024**

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#### **HEARING PANEL**

Dean Chrystal (Chair)

Sharon McGarry

Maria Bartlett

Paul Rogers

Anton Becker

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## PART A – INTRODUCTORY MATTERS

### 1. PRELIMINARY MATTERS

#### 1.1. Introduction

1. Matters to do with our appointment and other preliminary matters applicable to all Hearing Panel’s recommendations on the Proposed Te Tai o Poutini Plan (**pTTPP** or ‘the Plan’) are recorded and addressed in Recommendation Report 1.
2. This Recommendation Report relates to the Natural Features and Landscapes - Ngā Āhua me ngā Horanuku Aotūroa (**NFL**) chapter of the pTTPP; and contains the Hearing Panel’s evaluations and recommendations to the TTPP Committee on the submissions and further submissions received on this section in Part 2, Schedules 5 and 6 in Part 4 and the planning maps locating these landscapes and features of the Plan.
3. The Section 32 Report<sup>1</sup> provided an evaluation of the options for the management of Outstanding Natural Features and Landscapes through the combined Plan, including the regulatory framework, key resource management issues, the evidence base (research and basis for identifying Outstanding Natural Landscapes and Features (**ONFL** or **ONL** and **ONF**), consultation, information and analysis undertaken) and evaluation of the options.
4. The Section 42A Officer’s Report<sup>2</sup> (‘s42A Report’), authored by Ms Lois Easton, a planner with Kererū Consultants acting as the Reporting Officer, was circulated prior to the hearing. The s42A Report provided an analysis of submissions and further submissions received; and made recommendations on changes to the notified plan provisions (the changes were included in Appendix 1 and the recommendation on all submissions as to either accepted, accepted in part or rejected in Appendix 2).
5. Ms Easton subsequently provided an Addendum s42A Report<sup>3</sup>, which responded to a Landscape Report<sup>4</sup> prepared by Ms Bridget Gilbert, who had reviewed the ONL originally identified in the West Coast districts by Mr Stephen Brown of Brown NZ Ltd and provided expert landscape comment in response to specific ONL related submissions on the pTTPP. As a result, the Addendum Report recommended a number of amendments to ONL boundaries. Ms Gilbert was available to us to answer questions on her report during the hearing.
6. The s42A Report assessed a total of 532 submissions points and 491 further submissions points on the Natural Features and Landscapes topic overall i.e. including Schedules 5 and 6 and the planning maps.
7. The matters raised by submitters were grouped in the s42A Report in relation to each of the following key issues for each of the chapter:
  - General/Whole Chapter;
  - Overview;
  - Objective;

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<sup>1</sup> Te Tai o Poutini Plan – Section 32 Evaluation Report Five Natural Environment Values – Ngā Uara Taiao Aotūroa Ecosystems and Biodiversity -Ngā Pūnaha Rauropi me te Kanorau Koiora Natural Features and Landscapes - Ngā Āhua me ngā Horanuku Aotūroa Coastal Environment – Te Taiao o te Takutai Natural Character and Water

<sup>2</sup> Te Tai o Poutini Plan Section 42A Officer’s Report Natural Features and Landscapes - Ngā Āhua me ngā Horanuku Aotūroa

<sup>3</sup> Addendum to Natural Features and Landscapes s42A Report, Response to Landscape Review Report from Bridget Gilbert, 31 January 2024

<sup>4</sup> Te Tai o Poutini Plan Landscape Report prepared for the West Coast Regional Council January 2024

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- Policies;
  - Rules;
  - Subdivision within Outstanding Natural Landscapes; and
  - Schedules Five and Six and the associated Planning Maps
8. This Recommendation Report follows this same structure of the s42A Report and provides a brief summary of the issues raised in submissions and further submissions, the s42A Report analysis and recommendations, submitter evidence and the Reporting Officer's reply evidence, before providing our evaluation and recommendation.
9. This Recommendation Report should be read in conjunction with the s42A Report and the tracked change version of the notified Plan provisions (attached as Appendix 1 to this Report). The tracked change version of the TTPP provisions forms an integral part of the decision and records all recommended amendments (additions and deletions) to the notified TTPP provisions made by the Panel. The tracked change version of the TTPP shows the Panel's recommended changes to the notified provisions in **bold and underlining** indicating additions and ~~striketrough~~ indicating deletions. If there is any discrepancy between this Recommendation Report and the tracked change version of the Plan, the tracked change version of the Plan shown in Appendix 1 of this Report must prevail.
10. This Recommendation Report contains the reasons for the Panel's recommendations. These comprise either adoption of the reasoning and recommendations of the original section 42A Reports or the Reporting Officer's reply evidence (Councils' right of reply post hearing adjournment), or a specific reasoning by the Panel.
11. Where the Panel recommends the TTPP provisions should remain as notified, it is because:
- (a) The Panel has adopted the reasoning and recommendation of the s42A Report or addendum to retain the provision as notified; or
  - (b) The Panel has adopted the reasoning and recommendation to retain the provision as notified as recommended in the Reporting Officer's reply evidence; or
  - (c) The Panel has recommended to retain the provision as notified for reasons set out in this Recommendation Report.
12. Where there is a recommended change to a notified provision of the TTPP, it is because:
- (a) The Panel has recommended amendment to a provision for reasons set out in this Recommendation Report in response to a submission point, which the s42A Report did not recommend; or
  - (b) The Panel adopted the reasoning and recommendation of the s42A Report to change the provision to that recommended in the original s42A Report; or
  - (c) The Panel has adopted the reasoning and recommendation to that recommended in the Reporting Officer's reply evidence; or
  - (d) A consequential change has been necessary following on from a decision in either (a), (b) or (c).

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13. Where there may be a different recommendation between the s42A Report and the Reporting Officer's addendum or reply evidence (i.e., the recommendation by the Reporting Officer has changed as a result of hearing the evidence of submitters), unless the Panel decision specifically adopts the original s42A Report's reasoning and recommendations, the reasoning and recommendations in the (later) reply to evidence has been adopted and it must be taken to prevail.
14. If there are circumstances where the Panel consider that alternative relief is more appropriate than that requested in submissions and further submissions to give effect to the RMA, NZCPS, national policy statements and/or RPS, but are still within the scope of the relief sought, the relevant recommendation clearly sets out the nature of the change and the reason for the change. This is recorded in this Recommendation Report.
15. If any changes are recommended to the provisions (since the Section 32A Report was completed) a further evaluation if required pursuant to section 32AA of the RMA has been undertaken. Any such circumstances are referred to in this Recommendation Report in sufficient detail to demonstrate a further evaluation was undertaken.
16. Clause 16(2) of the First Schedule of the RMA enables the Panel to recommend amendments to alter information, where such an alteration is of minor effect, or may correct any minor errors. In the Panel's recommendations below each section considered in Part C of this Report and in the tracked change version of the notified Plan provisions (Appendix 1 of this Report) records any minor amendments.

**1.2. Terminology in this Report**

17. Throughout this Report, the following abbreviations will be used:

Bathurst	Bathurst Resources Limited and BT Mining Limited
BCZ	Buller Coalfield Zone
BDC	Buller District Council
CE	Coastal Environment
Councils	Buller District Council, Grey District Council, and Westland District Council
Director General	Director General of Conservation
DOC	Department of Conservation
ECO	Ecosystems and Indigenous Biodiversity
EIT	Energy, Infrastructure and Transport
Forest & Bird	Royal Forest & Bird Protection Society of NZ
GDC	Grey District Council

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Hort NZ	Horticulture New Zealand
KiwiRail	KiwiRail Holdings Limited
Manawa	Manawa Energy Limited
MINZ	Mineral Extraction Zone
NES-CF	National Environmental Standards for Commercial Forestry 2023
NFL	Natural Features and Landscapes
NPSIB	National Policy Statement for Indigenous Biodiversity 2023
NPSFM	National Policy Statement for Freshwater Management 2020
NESF	National Environmental Standard for Freshwater
NESCS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
NESCF	National Environmental Standard for Commercial Forestry
NFL	Natural Features and Landscapes
NZCPS	New Zealand Coastal Policy Statement 2010
ONF	Outstanding Natural Feature
ONFL	Outstanding Natural Features and Landscapes
ONL	Outstanding Natural Landscape
Poutini Ngāi Tahu	Te Rūnanga o Ngāi Tahu, Te Runanga o Ngāti Waewae, Te Rūnanga o Makaawhio
pTTPP	Proposed Te Tai Poutini Plan
Planning standards	National Planning Standards
RMA or the Act	Resource Management Act 1991
RPS	West Coast Regional Policy Statement

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RSI	Regionally Significant Infrastructure
SNA	Significant Natural Area
SASM	Sites and Areas of Significance to Māori
Te Tumu Paeroa	The Office of the Māori Trustee
Transpower	Transpower New Zealand Limited
NZTA Waka Kotahi	NZ Transport Agency Waka Kotahi
WCRC	West Coast Regional Council
WDC	Westland District Council

### **1.3. Hearing Arrangements**

18. The hearing was held in two parts. The first was at the RSA Hokitika, 22 Sewell Street, Hokitika on the 4 and 5 of March 2024. The second part was at the NBS Theatre, 105 Palmerston Street, Westport on the 19 March 2024. A number of submitters appeared by internet connection.
19. At the hearing, Ms Easton tabled a Planning Summary Statement to her s42A Report and an Addendum Report.
20. We received a legal opinion from Wynn Williams dated 20 June 2024 which addressed the scope of Forest & Bird's further submission (FS 34) on the Te Tai o Poutini Plan Committee's submission (S171.001) as to whether it provided scope for the Panel to make changes to the pTTPP to increase the mapped ONL areas. The advice from Wynn Williams considers the TTPP Committee submission<sup>5</sup> only provides scope to decrease the extent of ONL areas.
21. We received a written Right of Reply from Ms Easton on 8 January 2025, which included reply evidence from Ms Gilbert.

### **1.4. Appearances**

22. The following submitters appeared at the hearing:

**Section 42A Reporting Officer** – Ms Lois Easton, Principal Consultant with Kererū Consultants Limited

**Section 42A Technical Advisor** – Ms Bridget Gilbert, Landscape Architect

**Mr Murray Stewart** for himself

**Mr Vance Boyd** for himself

**Mitchells 2021 Limited** - Mr Paul Lynch

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<sup>5</sup> Te Tai o Poutini Plan Committee (S171.001)

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**Totally Tourism Limited and Skyline Enterprises Limited** - Mr Sean Dent, Planner

**Bathurst Resources Limited and BT Mining Limited**

- Mr Joshua Leckie, Legal Counsel
- Ms Claire Hunter, Planner

**Te Tumu Paeroa - The Office of the Māori Trustee** - Ms Ngahua Huirama, Ms Vanesa Griffiths and Ms Hannah McKinlay

**Westpower Limited**

- Mr Roger Griffiths, General Manager – Generation and Technology for Westpower
- Ms Sylvie Saskova, Technical Administrator, for Westpower
- Mr Martin Kennedy, Planner

**Director General of Conservation ('Director General')**

- Mr Matt Pemberton, Legal Counsel
- Ms Amy Young, Planner and

**Mr Neil Mouat** for himself

**Karamea Lime Company Ltd**

- Mr Geoff Volckman, Director
- Mr Leicester Murray, Landscape Architect

**Mr Dean van Mierlo** for himself

**Ms Frida Inta** for herself and on behalf of the **Buller Conservation Group**

**Mr Hadley Mills** for himself

**Manawa Energy Limited**

- Ms Stephanie Styles, Planner
- Mr James Bentley, Landscape Architect

### **1.5. Overview of submitter evidence and statements received**

23. For those appearing at the hearing legal submissions were received from Mr Joshua Leckie for Bathurst (dated 26 February 2024) and Mr Matt Pemberton for the Director General (dated 26 February 2024).
24. For those appearing at the hearing the following evidence and/or statements were received:
  - (a) Ms Claire Hunter, planner for Bathurst (dated 12 February 2024);
  - (b) Ms Amy Young, planner for DOC (dated 12 February 2024);
  - (c) Ms Stephanie Styles, planner for Manawa (date 12 February 2024);
  - (d) Mr James Bentley, landscape architect for Manawa (date 12 February 2024);
  - (e) Mr Sean Dent, planner for Skyline Enterprises Limited and Totally Tourism Limited (date 12 February 2024);
  - (f) Mr Martin Kennedy, planner for Westpower Limited (dated 12 February 2024);

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- (g) Mr Leicester Murray, landscape architect for Karamea Lime Co Ltd (dated 12 February 2024);
  - (h) Ms Ngahuia Huirama, Ms Vanesa Griffiths and Ms Hannah McKinlay for Te Tumu Paeroa - The Office of the Māori Trustee;
  - (i) Mr Murray Stewart (received 4 March 2024) on behalf of himself;
  - (j) Mr Paul Lynch (dated 23 February 2024) on behalf of Mitchells 2021 Ltd;
  - (k) Mr Dean van Mierlo (dated 18 March 2024) on behalf of himself;
  - (l) Mr Geoff Volckman, Director (dated 11 March 2024) on behalf of Karamea Lime Co Ltd;
  - (m) Mr Hadley Mills (dated 19 March 2024) on behalf of himself; and
  - (n) Ms Frida Inta (dated 19 March 2024) on behalf of Buller Conservation Group and herself.
25. Following the receipt of the s42A Report and the Addendum to the s42A Report:
- (a) Transpower advised<sup>6</sup> it did not intend to appear at the hearing and that the substance of the relief it had sought had been accepted by the Reporting Officer. Transpower identified two exceptions relating to NFL-P5 and NFL-R6 where it sought further amendments.
  - (b) Horticulture New Zealand (Hort NZ) did not attend the hearing and provided an industry statement by Ms Emily Levenson, Environmental Policy Advisor (dated 2 February 2024). Ms Levenson said Hort NZ continued to seek an amendment to NFL-R1 to provide for rural production activities to support NFL-P1, which provides for lawfully established horticultural activities in areas of ONFL.
  - (c) KiwiRail provided a letter<sup>7</sup> that confirmed it would not be filing evidence or attending the hearing. The letter indicated that KiwiRail continued to seek amendments to NFL-P1, NFL-P3 and NFL-R1, but accepted the Reporting Officer's recommendations in relation to NFL-P2, NFL-P5 and NFL-R6.
  - (d) Terra Firma Mining Limited (Terra Firma) provided a letter<sup>8</sup> confirming it would not be filing evidence and did not wish to be heard at the hearing. The letter provided responses to the Reporting Officer's recommendations on Terra Firma's submission points which were essentially in support of the changes proposed.
  - (e) Chris Horne, Planner on behalf of Chorus, Spark, One NZ and Forty South advised<sup>9</sup> that the Companies wished to record their support for the s42A recommendations in relation to all of their submissions on this topic and confirmed they would not be filing any evidence. Mr Horne noted that in terms of NFL-R8 the Reporting Officer agreed with the submission (in paragraph 274 of the s42A Report) but that the recommended change had not flowed through to paragraph 280 and Appendix 1 of the s42A Report, which he assumed was a typographical error.

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<sup>6</sup> Letter from Rebecca Eng, Technical Lead – Policy, Transpower New Zealand Limited dated 8 February 2024.

<sup>7</sup> Letter from Sheena McGuire, Senior RMA Advisor, KiwiRail dated 7 February 2024

<sup>8</sup> Letter from Lucy Smith, Managing Director dated 19 February 2024

<sup>9</sup> Letter from Chris Horne, Consultant Planner dated 23 January 2024

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- (f) WCRC provided a letter<sup>10</sup> indicated that they did not wish to appear at the hearing but noted it had provided written evidence that addressed the mapping of ONL54 in relation to a Council-managed quarry and various provisions which would relate to it. WCRC sought changes to NFL-R2(2) and (2)(a) and ECO-R1 (5)(i) to address their concerns. The evidence noted that the Council still intends to relodge a Notice of Requirement seeking that designation for its assets, including quarries, be added to the pTTPP. However, it stated that if the changes sought in WCRC's submission and written evidence relating to its assets were within scope and were accepted by the Hearing Panel, the Council may not need to seek the designation.
- (g) Legal Counsel for Russell Robinson and Brunner Builders Limited, Ms Kelsey Barry, filed a memorandum (dated 12 February 2024) along with a statement of evidence by Russell Robinson (dated 12 February 2024). The memorandum sought leave to present the brief in the Settlement Zone Hearing, alongside other technical evidence for the site-specific zoning.

Note: Leave was granted

26. Following the hearing the subsequent information was received as follows:

- (a) Additional mapping material from Mr Mouat (dated 16 May 2024);
- (b) A supplementary statement of planning evidence from Ms Styles for Manawa (dated 27 March 2024);
- (c) A response on behalf of the Director General (dated 21 March 2024) from Mr Pemberton to questions from the Panel;
- (d) A joint statement of position and recommendations to the Hearing Panel from Poutini Ngāi Tahu and Te Tumu Paeroa – the Office of the Māori Trust (dated 14 August 2024); and
- (e) Formal withdrawal of submission point S440.031 by Te Tumu Paeroa<sup>11</sup> in relation to NFL-P7.

27. Following the hearing, the Panel issued a Minute (Minute 21) identifying ONL where we considered specific review, over and above the general review and refinement of all ONL boundaries discussed at the hearing, was necessary. We noted that in considering the identified ONL areas, boundaries could not be extended beyond what was notified, unless this was sought in submissions, but that ONL could be reduced from that notified.

### **1.6. Right of Reply**

28. Ms Easton provided a written Right of Reply (dated 30 December 2024) it included an updated Appendix 1 showing tracked changes to the notified provisions (Appendix 1), a response to the ONL review by Ms Gilbert and the memorandum from Ms Alice Balme, Wynn Williams to the TTPP Committee regarding matters scope (dated 20 June 2024).

### **1.7. Procedural Steps and Issues**

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<sup>10</sup> Letter from Selva Selvarajah, Acting Planning Manager for West Coast Regional Council dated 2 February 2024.

<sup>11</sup> Letter dated 22 August 2022 to Hearing Panel from Ngahua Huirama on behalf of Te Tumu Paeroa – the Office of the Māori Trustee

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29. One procedural matter arose at this hearing, whereby Commissioner Chrystal stepped aside from hearing the submission by Mr Paul Lynch for Mitchells 2021 Limited due to a potential conflict of interest. The Panel records Commissioner Chrystal has taken no part in any recommendations on submissions from Mitchells 2021 Limited.

**1.8. Site Visits**

30. As part of this hearing, we undertook a number of site visits informed by responses received to Minute 21 (dated 11 April 2024) and matters raised in submissions.

**PART B - STATUTORY REQUIREMENTS AND DOCUMENTS**

31. Natural Features and Landscapes one of four chapters within the Natural Environment Values – Ngā Uara Taiao Aotūroa section of seven sections located in Part 2 – District-Wide Matters – Te Wāhanga 2 – Ngā Kaupapa ā-Rohe Whānui.
32. The Section 32 Report outlined the relevant statutory considerations applicable to natural features and landscapes; and the relationships between the sections of the RMA and higher order documents.
33. The section 42A Report highlighted the relevant section 6, 7 and 8 of the RMA, the New Zealand Coastal Policy Statement 2010 (NZCPS), National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**), National Policy Statement for Renewable Electricity Generation 2011 (**NPS-REG**), Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (**NESETA**), Resource Management (National Environmental Standards for Commercial Forestry) Amendment Regulations 2023 (**NES-CF**), and the National Planning Standards.
34. The Panel accepts the NPS-IB does not apply to the development, maintenance to the upgrade of renewable electricity generation assets and activities, and electricity transmission network assets and activities.
35. The Panel notes the NES-CF replaced the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (**NES-PF**). The s42A Report highlights the NES-CF species the activity status for new plantation forestry within a Significant Natural Area (**SNA**) and Outstanding Natural Feature or Landscape (**ONFL**) must be a restricted discretionary activity. However, it does enable a district plan to have more stringent rules to give effect to the National Policy Statement for Freshwater Management (**NPS-FM**) and Policies 11, 13, 15 and 22 of the New Zealand Coastal Policy Statement (**NZCPS**).
36. Clause 10 of the First Schedule states that it is not necessary to provide decisions on individual submissions. Recommendation of the Panel are made within the scope of requested relief, either individual submissions or groups of submissions making similar requests, as specified in reasons for recommendation.
37. The National Planning Standards mandatory direction 7.21 requires provisions relating to natural features and landscapes be the Natural Feature and Landscape chapter of the Plan. We are satisfied the Plan structure is consistent with this national direction.
38. The Panel accepts the advice of Wynn Williams that the relief sought by Forest & Bird in further submission (F34) to extend ONL boundaries is outside the scope of the submission from the TTPP Committee to amend the boundaries of ONL to a lesser extent than the Brown mapping (2022).

## PART C – SUBMISSIONS, EVIDENCE, EVALUATION AND RECCOMENDATIONS

### 2. NATURAL FEATURES AND LANDSCAPES

#### 2.1. NFL General/Whole Chapter

##### Submissions and Further Submissions

39. Twenty-five submission points and 15 further submission points relating to general matters or the whole NFL chapter were summarised in a Table on pages 15-19 of the s42A Report. Seven submission points supported the provisions; one was neutral and seventeen sought amendments.
40. The Panel has considered the relevant submissions and further submissions received and adopts the summaries of each within the s42A Report.
41. In addition to these specific submission and further submission points, the Panel has considered the implications of making Plan wide changes for consistency to replace the use of 'critical infrastructure' with 'regionally significant infrastructure' within the context of the NFL Chapter.

##### Section 42A Report

42. The s42A Report did not support removing references to sites and areas of significance to Māori (**SASM**) given this gives effect to RMA section 6 matters of national importance.
43. In response to the submission points by Skyline Enterprises Limited to enable the development of a proposed aerial cableway, the s42A Report considered no amendment were required. It concluded such a development would require resource consent as a discretionary activity and that this was appropriate.
44. The s42A Report considered the relationship between the Energy Chapter and the NFL Chapter were clear given the statements in the overview section of those chapters. It noted these clearly state that the overlay provisions apply to energy activities, transport activities and infrastructure activities. It highlighted the national grid infrastructure did not traverse through identified ONL and had its own designation. It stated no opposition to providing a specific policy for the national grid in the NFL Chapter, subject to consideration of appropriate wording.
45. The s42A Report supported amendments to recognise the importance of energy activities and to provide for maintenance and enhancement of the generation and supply of renewable energy, including new activities.
46. The s42A Report agreed there needs to be a consistent approach across the overlays in the Plan but noted there are points of difference too.
47. In responding to submission points relating to the methodology, approach and overall extent of the ONL overlay, the s42A Report outlined the background to development of the overlay. It noted the joint 2013 landscape and natural character assessment undertaken by Stephen Brown for the Councils, the ONL and ONC maps within the coastal environment produced by WCRC in 2016 and the subsequent digitization process of the maps by the WCRC GIS planning team. It noted problems with the accuracy of the ONL boundaries due to differences in the scale of the original maps and the online maps; and modification in the intervening period of

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- the environment to the extent it was no longer 'outstanding'. It confirmed that a full review of the entire map set was not able to be completed until after the TTPP was notified but that the changes sought as the result of this were in the TTPP Committee's submission.
48. The s42A Report concluded the process and criteria used to assess ONL on the West Coast was consistent with the draft Te Tangi a Te Manu: Aotearoa New Zealand Landscape Assessment Guide. It noted the reassessment by the TTPP Committee and the recent review of the mapping by Ms Bridget Gilbert and concluded the methodology used was appropriate. It supported a more detailed description of the landscape values of each ONL with information available in the Brown Reports.
49. The Landscape Report concluded the updated ONL mapping (January 2024) and notified ONL Schedules were broadly in accordance with landscape assessment best practice and were generally sound. It recommended the following amendments to the notified ONL mapping and Schedules:
- (a) Include reference to SASM that coincide with ONL areas in the relevant ONL Schedule;
  - (b) Incorporate any available detailed evidence on tangata whenua values on any relevant ONL Schedule;
  - (c) Include clear guidance (perhaps in the preamble) that explains the reasonably high level nature of the Schedules, that the landscape values identified relate to the ONL as a whole (rather than specific sites) and other landscape values may be identified as part of an application specific landscape assessment;
  - (d) Careful review by a landscape/GIS expert to ensure sizeable pastoral areas, sizeable plantation forestry areas and landscape dominated by built development are excluded from ONL areas;
  - (e) ONL boundaries are 'clipped' to obvious landform and/or contiguous native vegetation cover edges in the immediate vicinity of the ONL;
  - (f) Extend mapping of the southern end of ONL 5 to align with the district boundary; and
  - (g) Refinement of a number of ONL boundaries in response to submissions.
50. In response to questions, Ms Gilbert considered that to be consistent with Te Tangi a Te Manu a thorough and transparent assessment of landscape values was required. She noted the Chapter would benefit from a preface statement that the assessment undertaken was quite high level and that a site-specific assessment could identify additional values. She considered the assessments undertaken were a good starting point for a further review and that landscape values could be added to the ONL Schedule.
51. The s42A Report did not support removing the overlays and disagreed that the Conservation Act provided for the protection of RMA section 6 matters of national importance. It considered land tenure was not relevant to assessing landscape values and noted land adjacent to public conservation land may form a key part of the wider landscape values. Similarly, it did not support excluding existing lawfully established activity.
52. The s42A Report noted the TTPP Committee's submission sought to excluded Treaty Settlement redress lands and original land still in the ownership of Poutini Ngāi Tahu from the ONL overlay to give effect to both section 6(b) and (e).

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53. The s42A Report noted the Poutini Ngāi Tahu submission sought further work to review the ONL and ONF sites against the SASM. It noted the consideration of the cultural significance was part of the Brown assessment but that no specific consultation was undertaken with Poutini Ngāi Tahu to inform the assessment. It acknowledged this was a gap and that engagement had occurred with Poutini Ngāi Tahu about how to provide for this within the ONFL schedule. In addition, an analysis of the overlap between ONL and SASM had been undertaken, and it was recommended that reference to the presence of SASM be added to the description of the relevant ONL in Schedule Five of the Plan.
54. The s42A Report recommended the notified ONL mapping be replaced with the September 2022 ONL maps by Brown Limited (as included with the TTPP Committee submission), where these cover an area less than proposed maps.
55. Ms Easton supported amending references to '*critical infrastructure*' to '*regionally significant infrastructure*' on the basis the new term is consistent with the West Coast Regional Policy statement (**RPS**). She acknowledged this matter related to other topic hearings and that any decision in terms of the NFL provisions would need to align with the decisions made on other topics.

**Hearing and Submitter Evidence/Statements**

56. Mr Sean Dent, for Skyline Enterprises Ltd, provided background to a proposed aerial cableway in Franz Josef Valley and indicated an intention to address the specific provisions for the NFL Chapter in the rezoning hearing in Franz Josef. Mr Dent provided comments on the s42A Report and considered the author should not put weight on the processing and outcome of the Department of Conservation's (**DOC**) draft Management Plan to provide for an Amenities Area for the proposal. He sought a provision of an Amenities Area through the Plan's zoning to enable the development, subject to the Department of Conservation's process under the Conservation Act and the National Parks Act.
57. Skyline Enterprises Ltd also presented evidence to the Panel at the Franz Josef Special Purpose and Settlement Zones hearing held in Franz Josef on 8 October 2024. The Panel's recommendations in relation to Skyline Enterprises Ltd submissions requesting a special zone are addressed in the Recommendation Report for the Special Purpose Zones.
58. Ms Stephaine Styles, for Manawa Energy Limited ('Manawa'), outlined their various Schemes (Kumara, McKays Kanierie, Wahapo and Arnold) locations in relation to identified ONL. She raised concerns regarding the robustness of the assessments undertaken and the age of the information. She noted Manawa sought a review of the methodology behind the mapping and schedules, and inclusion of the values of the ONFL areas. She considered there was a lack of recognition of existing activities and modifications within each ONFL to enable changes from the effects of activities to be judged. She noted the policy required effects on values to be managed and to do this the values need to be described in the Schedules.
59. Ms Styles highlighted the requirement to give effect to the RMA and NPS-REG. She considered changes to provisions to '*maintain and enhance*' rather than '*avoiding adverse effects*' were inconsistent with RMA s6(b) and applied a different test to '*protection*'. She considered the criteria and methodology for the identification and assessment of ONFL needed to be included within the Plan, as set out in the s32 Report; and that the policies should provide a clear hierarchy setting out what activities are enabled, provided for, managed and avoided.

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60. Mr James Bentley provided expert evidence on the ONL overlays of relevance to the renewable electricity generation operations of Manawa. Mr Bentley noted that the overall landscape methodology used had not been undertaken according to best practice and was 'high level', resulting in errors. He acknowledged that Mr Brown had used best practice at the time but considered it needed reviewing in line with Te Tangi a te Manu guidelines. He was concerned that only part of the West Coast Landscape had been assessed, and that landscape characterisation had not been done.
61. Mr Bentley noted the ONF were identified on a geological and geomorphological basis, rather than a landscape basis. He stated the identification of ONL appeared to be primarily a '*land use mapping exercise*' and not an assessment of attributes of landscape such as geomorphological or perceptual. He considered the mapping technique had led to '*cut outs*' and '*carve outs*' that do not respond to landscape such as excluding private land. He considered this required a '*finer grade review*' and more detail in the Schedules on the values and existing modifications within ONL. He was concerned the assessment commentary suggested boundaries had been realigned to exclude private land, when landownership is not the question. He considered title boundaries are secondary considerations to landscape values.
62. Mr Bentley highlighted the importance of recognising Manawa's existing activities within the descriptions of ONFL areas. He agreed with Ms Gilbert that despite the age of the original Brown assessments, the fundamentals of identifying relevant landscape attributes for that work were prepared using best practice. He also agreed with Ms Gilbert that further work was needed to look at identified ONFL and SASM given there was little tāngata whenua involvement in the landscape study.
63. In response to questions, Mr Bentley confirmed he did not support withdrawing the ONL overlay and considered the matters raised could be addressed. He acknowledged that mapping errors had occurred when the notified Brown printed maps were digitised. He considered a finer review was required to ensure the ONL line work is correct. He confirmed he had not seen the updated digitised mapping (January 2024). He supported adding a preamble, further work to identify existing modification within ONL and adding more detail into the Schedule's description for each ONL, as well as references to SASM and infrastructure.
64. Mr Leckie's legal submissions for Bathurst highlighted the need to review the accuracy of the notified mapping and the GIS shape files to address uncertainty. He considered there was no justification for including parts of the BCZ, which recognises and provides for mineral extraction activities, within an ONL.
65. Ms Whitney's evidence for Transpower confirmed it no longer sought the relocation of all earthwork provisions to the EW Chapter based on the National Grid specific Rule EW-R7.<sup>12</sup>
66. Mr Kennedy, for Westpower, noted the s42A Report had not proposed any amendments to address the recommendations of Ms Gilbert with regards to a preamble and review of the updated ONL mapping.
67. Mr Hadley Mills spoke to his submission and provided a copy of his speaking notes addressing ONL areas and the need for a permitted activity rule for multi-use tracks. He highlighted the ONL areas were 78% of the entire region and 7% of New Zealand's land area. He considered the Brown Reports did not provide enough evidence to support the ONL classification over

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<sup>12</sup> The Panel notes that its recommendation in relation to Rule EW-R7 is to delete this rule as notified and replace it with new Rule EW-RX, in relation to the National Grid.

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such large areas and need ground truthing. He noted the ONL boundaries appeared to have been derived from a map layer following an inaccurate and unchecked vegetation layer. He considered only a small proportion of land identified in the Brown Reports had been ground truthed.

68. Mr Mills highlighted the meaning of 'Outstanding' in Te Tangi a Te Manu: Aotearoa New Zealand Landscape Assessment Guidelines. He suggested the approach taken to the assessment was judging 'excellence' within a national or international context and that this was inconsistent with the guidance to assess outstanding within the West Coast context. He considered that 78% of land could not stand out because effectively the whole region is of this landscape typology. He said it was not obvious that forest clad mountains were outstanding when there is no place you cannot see them. He noted the very high proportion of ONL areas in the Queenstown-Lakes District and the problems for that district.
69. Mr Mills considered that because the majority of the ONL layer was within the DOC estate the values were already protected under the Conservation Act. He considered the ONL layer would duplicate this protection and add unreasonable cost to future applicants who already must do a full assessment of effects under the Conservation Act.

**Reporting Officer Reply Evidence**

70. In the Addendum s42A Report, Ms Easton supported the recommendations in Ms Gilbert's Landscape Report as follows:

*For the reasons set out earlier, I recommend the following amendments to the notified ONL Mapping and Schedules:*

- a) Reference to the SASMs that coincide with ONLs are included in the relevant ONL Schedule.*
- b) Any more detailed evidence with respect to tāngata whenua values for ONL areas provided by submitters during the hearing process is incorporated in the relevant ONL Schedule text.*
- c) Clear guidance is included in the TTPP (perhaps by way of a Preamble to TTPP Part 4: Schedule Five: Outstanding Natural Landscapes), that explains:
  - i. the reasonably high-level nature of the ONL Schedules;*
  - ii. that the landscape values identified relate to the ONL as a whole, rather than specific sites; and*
  - iii. that other landscape values may be identified as part of an application-specific landscape assessment, including landscape modifications that are an accepted part of the landscape (e.g. infrastructure, buildings) and more negative landscape attributes (e.g. pests).**
- d) The updated ONL mapping (January 2024) is carefully reviewed by a landscape/GIS expert to ensure:
  - i. The following areas are excluded from the mapped ONLs:
    - Sizeable pastoral areas.
    - Sizeable plantation forestry areas, particularly on the edges of ONLs.**

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- *Areas where the arrangement, scale, and/or prominence of built development exerts a dominant influence on landscape character.*
  - ii. *ONL linework is ‘clipped’ to obvious landform and or contiguous native vegetation cover edges in the immediate vicinity of the mapped ONL.*
  - iii. *The mapping of the southern end of ONL 5 is amended to extend to the district boundary.*
- e) *In response to location specific ONL submissions, the following mapping amendments are recommended:*
- i. *Minor refinement of the ONL 14 mapping in the vicinity Donovan Drive, Franz Joseph is recommended to follow a ‘landscape’ rather than a zone boundary. (S449 Totally Tourism Limited.)*
  - ii. *Minor refinement of the ONL 31 mapping to exclude the patterning of dwellings throughout the lower slopes on Darkies Terrace and include the elevated and contiguous bush area that sits above the dwellings. (S506 Claire and John West and others.)*
  - iii. *Minor refinement of the ONL 29 mapping to exclude grazing land. (S515 Russell Robinson.)*
  - iv. *Minor refinement of the ONL 26 mapping to exclude grazing land and plantation forestry areas around the edges of the ONL. (S599 WMS Group (HQ) Limited and WMS Land Co. Limited.)*
  - v. *Refinement of the updated ONL mapping (January 2024) so that areas of pine plantation on the following properties are excluded from the ONL mapping:*
    - *Site between Waitaha River and Poerua River that coincides with ONL 17*
    - *Lot 1 Deposited Plan 3135 (near The Forks) ONL15*
    - *Site between Lake Hochstetter and Lake Haupiri ONL32 (S620.158 Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio.)*

71. In the Right of Reply, Ms Easton recommended replacing ‘renewable energy generation’ with ‘renewable electricity generation’ for consistency throughout the Plan.

72. In the response to Westpower’s evidence in relation to Rule NFL-R5 and Manawa’s evidence in relation to Rule NFL-R6, Ms Easton recommended adding the following new definition for ‘Minor Upgrade’:

***Minor upgrade*** means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.

73. Ms Easton confirmed she had discussed the recommended definition with Ms Styles and Mr Kennedy to get their input. She also noted that the definition would be very useful in the ECO Chapter and potentially other chapters.

**Hearing Panel’s Evaluation**

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74. The Panel agrees with Ms Easton that it is not appropriate to remove references to overlays or to remove all references to Sites and Areas of Significance to Māori (**SASM**) in the NFL Chapter.
75. The Panel notes that Te Tangi a Te Manu: Aotearoa New Zealand Landscape Assessment Guide is no longer in a draft form and has been adopted by the Tuia Pita Ora New Zealand Institute of Landscape Architects. The guidelines outline professional best practice and promote both Te Ao Māori and Te Ao Pākehā perspectives, connections between perspectives and flexibility for practice to continue evolving.
76. The Panel accepts the evidence of Ms Gilbert that the identified ONL and ONF have been assessed and reviewed using methodologies that are consistent with the best practice guidance. Ms Gilbert has recommended changes to the preface of the Schedule to acknowledge this was undertaken at a relatively 'high level' and to add description regarding the landscape values considered and that of existing activities. Mr Bentley agreed with Ms Gilbert and her suggested addition of a preamble to Schedule Five.
77. Te Tangi a te Manu states:

***Meaning of 'outstanding'***

*'Outstanding' encapsulates both quality and relativity: "conspicuous, eminent, especially because of excellence" and "remarkable in". It is a matter of reasoned judgement. An ONF or ONL will often be obvious. The value of a professional assessment in such circumstances is therefore to explain the reasons (justification) that an ONF or ONL is outstanding and describe the values (and the attributes on which the values depend).*

*While 'outstanding' is a high threshold, it does not mean 'the best' or 'uniquely superior'. ONF/ONLs are not regulated by quota. A district may comprise a high proportion of natural landscapes of such quality as to be ONLs (for instance Queenstown-Lakes). Conversely, it does not mean 'the best of a poor choice': A district may contain few or no ONF/ONLs.*

*A natural feature or landscape might be considered outstanding for many different reasons – it may have outstanding values that derive from its physical and/or perceptual and/or associative dimensions (although often the values arise from the interplay between all three dimensions). It is important that such values (and the attributes that embody the values) are identified precisely because they are what is to be protected.*

*An ONF or ONL is considered outstanding in the context of a region or district. ONFs and ONLs do not have to be outstanding in a national context. (Rather, it is a matter of national importance to protect such regional or district ONFs and ONLs).*

78. The Panel accept the assessments undertaken by Mr Brown and the reviews by Ms Gilbert are consistent with this approach and meaning of 'outstanding'. The assessment process undertaken looked at the natural landscape and features values within both a district and regional context and identified those areas that meet the outstanding threshold. It did not incorrectly identify only the best or highest value areas or have regard to quota. Te Tangi a te Manu specifically anticipates that some districts may have a high proportion of natural landscapes, and some may have few or none. The West Coast districts and the region has a high proportion of outstanding natural landscapes and features. This fact does not negate the requirement to protect outstanding natural areas as matters of national importance.
79. The Panel agree with Mr Mills that taking an assessment of outstanding within a national or international context only is not appropriate considering the guidance of Te Tangi a te Manu but consider the wording of the meaning is deliberate. It requires an assessment of

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‘outstanding’ in the context of a region or district but clarifies ONL do not have to be outstanding nationally. In this case the assessment was undertaken in the context of the region and while deemed to be ‘outstanding’ within this context, it is fair to say that many of the natural landscape values could be ‘reasonably judged’ to be outstanding both nationally and internationally, even if this is not required to warrant protection. The mere fact that most people living on the West Coast are surrounded by views of outstanding natural landscape and features does not diminish the significant natural values or the importance of protecting these as a matter of national importance.

80. The Panel finds the approach to the assessment in terms of identifying ‘outstanding’ landscapes and features was consistent with best practise guidelines. The further assessments and reviews undertaken have corrected mapping errors from the digital transfer process and the planning process has enabled further reviews and corrections to be made.
81. The Panel accept that many identified ONL meet the criteria with existing activities and infrastructure occurring within the boundaries of the area. This can be due to the sheer nature and scale of the ONL and its sensitivity to change or the nature and scale of the activities and adverse effects. The Panel consider the further detail included in the Schedules assists with acknowledging the activities and infrastructure that currently coexist with the ONL values identified. The Panel finds the NFL provisions sufficiently provide for these while giving effect to RMA section 6(b).
82. The Panel has considered the changes to the ONL boundaries sought by the TTPP Committee to reflect the further map review undertaken. The Panel agrees that where this can be achieved within the scope of the ONL boundaries, as notified (i.e. there is no increase in the extent of area include within the identified ONL), this should be considered. The Panel relies on the expert evidence of Ms Gilbert in this regard given she has reviewed all areas subject to submissions.
83. The Panel does not agree with Mr Mills that the Conservation Act provides for RMA section 6(b) protection. Landscape values are not affected by land tenure. The protection of outstanding landscapes values is not a matter to be achieved under the Conservation Act. There is no duplication of statutory requirements.
84. The Panel agrees with Ms Easton that Skyline Enterprises Limited’s proposed aerial cableway at Franz Josef needs to be considered through a resource consent process. No changes to the NFL Chapter are required to enable this to occur. The Panel is satisfied that a consent pathway is provided for in the Plan for such use and development proposals within ONL areas.<sup>13</sup>
85. The Panel consider there is sufficient clarity regarding the relationship between the Energy Chapter and the NFL Chapter. We are satisfied the NFL Chapter recognises the importance of energy activities and infrastructure by the additions to the description of values in Schedules Five and Six and by recording the existence of energy infrastructure within identified ONL areas.
86. The Panel agrees with the Buller District Council that there is a need for a consistent approach to the ONL and SNA overlays given their close correlation and the need to provide for critical infrastructure, lawfully established activities and hazard mitigation.
87. In general, the Panel accepts amending ‘critical infrastructure’ to ‘regionally significant infrastructure’ and this is considered on a case by case within the context of each provision

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<sup>13</sup> This matter is addressed further in the Panel’s Special Purpose Zone Recommendation Report

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where it is used below. Similarly, the Panel accepts replacing ‘renewable energy generation’ with ‘renewable electricity generation’ for consistency throughout the Plan.

88. The Panel finds there is no justification to delete the ONL overlay and policy framework; and consider this would not give effect to Part 2 of the RMA or the objectives and policies of the RPS. The Panel notes the evidence of the ongoing loss of outstanding natural landscape values that has occurred since the first assessment was undertaken by Mr Brown, primarily from cumulative effects of development. This underscores the critical importance of protecting these identified outstanding natural values through the overlays and schedules and the NFL provisions. The Councils have invested significant time and resources into this approach to meet the statutory requirements.
89. The Panel notes Ms Styles’ evidence in relation to the requirement to give effect to the RMA and NPS-REG and her request to change the provisions to ‘*maintain and enhance*’ rather than ‘*avoiding adverse effects*’. The Panel considers this in relation to the specific NFL provisions below.
90. The Panel accepts Ms Easton’s recommendation to include a new definition for ‘*minor upgrades*’ to assist with enabling renewable electricity generation activities and network utility infrastructure within ONFL under rule NFL-R5 and associated earthworks within ONFL under rule NFL-R6. The Panel considers this gives effect to the RPS, NPS-REG and NESETA.
91. The Panel notes that the issue of the preamble is addressed under the Schedule 5 heading later in this recommendation.

**Hearing Panel’s Recommendation**

92. No specific changes to the provisions are required in relation to issues raised in submissions and further submission made on general matters or the whole NFL Chapter, other than addressed in relation to Schedule 5 later in the recommendation.
93. The Panel accepts Ms Easton’s recommendation to replace ‘*renewable energy generation*’ with ‘*renewable electricity generation*’ for consistency throughout the Plan. This is a consequential amendment to the submission by Manawa (S438.035) to use the language of the NPS-REG.
94. The Panel recommends inserting the following definition in the Plan:

**Minor upgrade means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.**<sup>14</sup>

95. The Panel’s recommended changes to the NFL Overview wording are set out in the below section and in Appendix 1 of the Right of Reply.

**2.2. NFL Overview**

**Submissions and Further Submissions**

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<sup>14</sup> Consequential amendment to Westpower Limited (S547.295) and Manawa Energy (S438.096)

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96. Fourteen submissions points and five further submission point relating to the Overview were summarised in a Table on pages 26-27 of the s42A Report. All submission points sought amendments to include additional wording in the Overview, except one submission which supported the wording be retained as notified.
97. The Panel adopts these summaries and has considered the relevant submissions and further submissions.

**Section 42A Report**

98. The s42A Report did not support any specific reference to ‘*mature indigenous trees*’ given this was only one aspect of the criteria; or specific reference to RMA sections 5(b) and 7(d) or ‘*ecosystem services*’. It concluded this was unnecessary given the ECO Chapter.
99. The s42A Report did not support adding reference to ‘*natural character*’ give the NFL Chapter addressed RMA section 6(a) matters. However, it acknowledged natural character is a matter than can contribute to making a landscape outstanding.
100. The s42A Report supported Poutini Ngāi Tahu’s submission to include an additional paragraph outlining the values to be protected through the ONL and ONF provisions. It supported some additional text to address Westpower’s submission point, but not the full detail sought.
101. The s42A Report supported reference in the NFL Chapter to the Strategic Objectives but noted this would need to be developed in light of the decisions on the Strategic Objectives.
102. The s42A Report supported Transpower’s submission (S299.082) on the NFL policies as a whole, to move the statement ‘*also where relevant refer to policies in the Energy, Infrastructure and Transports Chapters*’ to the Overview section, indicating that this was consistent with how other relevant matters are referred to within the pTTPP.
103. The s42A Report (page 76) recommended the following amendments:

**Overview**

*...The Outstanding Natural Features and Outstanding Natural Landscapes identification applies to areas which have been assessed and identified as having high levels of scientific, biophysical, sensory or associative landscape values, which makes them outstanding. In almost all instances these areas are also bush covered and provide habitat for native fauna. These areas may also include critical infrastructure, renewable electricity generation activities, and other elements of the built environment and have varying degrees of modification. **Given the topography and extent of outstanding natural features and landscapes on the West Coast, practical management solutions are required to ensure maintenance and enhancement of the supply of renewable energy to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable energy.***

*The process supporting the identification of the Outstanding Natural Landscape overlay and the associated values is described in the West Coast Landscape and Natural Character Reports produced in 2013, 2021 and 2022.*

**Outstanding natural landscapes (ONLs) have been identified as having the following values:**

- **Biophysical values – including the landforms, vegetation type, presence of waterbodies and the sea, evidence of natural processes and land uses within the landscape**

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- Perceptual/ Aesthetic values – including composition and structure, vividness, expressiveness and legibility, dynamic and transient values, the presence of landmarks and key views, coherence, and unity
- Associative values – naturalness and endemic value (distinctive NZ/West Coast sense of place), including Poutini Ngāi Tahu values and associations, and historical/ heritage associations.

....

Other relevant Te Tai o Poutini Plan provisions ....

- Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters
- Strategic Objectives – The Strategic Objectives are particularly relevant when assessing matters under the Natural Features and Landscape Chapter. The Natural Environment, Poutini Ngāi Tahu, Tourism, Mineral Extraction, and Connections and Resilience Strategic Objectives are particularly relevant.

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### Hearing and Submitter Evidence/Statements

104. Mr Kennedy, for Westpower, highlighted the need to ensure the overview was consistent with all other chapters to guide Plan users.

### Reporting Officer Reply Evidence

105. No further amendments to the Overview were recommended in Ms Easton’s Right of Reply.

### Hearing Panel’s Evaluation

106. The Panel accepts Ms Easton’s recommended amendments to the Overview provide important clarifications for Plan users.

107. The Panel accepts the additional paragraph requested by Poutini Ngāi Tahu provides clarity regarding the landscape values assessed in identifying ONL.

108. The Panel considers reference to ‘*natural character*’ is appropriate in relation to the coastal environment and should not be included in the NFL Chapter.

109. The Panel agrees with Ms Easton that additional words sought by Westpower are too detailed and accept that the recommended amendments sufficiently address energy activities and infrastructure.

110. The Panel notes Appendix 1 of the s42A Report includes an additional bullet point that was not identified in paragraph 81 of her recommendations but is addressed in her recommendation on the policies as a whole, in response to Transpower (S299.08). The Panel considers this additional sentence clarifies that the policies in the Energy, Infrastructure and Transport Chapters may be relevant. However, we consider the additional sentence should follow the wording sequence ‘*Energy, Infrastructure, Transport – objectives, policies and rules.*’

111. The Panel considers it is appropriate to replace the outdated reference to the NES-PF, which has now been replaced with the NES-CF. Schedule 1 Part 2(1) of the NPS-CF requires that every reference in any document to the NES-PF must be read as a reference to the NES-CF.

### Hearing Panel's Recommendation

112. For the reasons outlined above, and subject to our consideration of Part 2 of the RMA, the Panel recommends that the relevant submissions identified in the footnotes below are accepted or accepted in part, and recommend changes are made to the NFL – Ngā Āhua me ngā Horanuku Aotūroa Overview as follows:

#### **Overview**

The Natural Features and Landscapes chapter contains provisions that relate to the Outstanding Natural Features and Outstanding Natural Landscapes which are identified as overlays on the Planning Maps and described in Schedule Five and Schedule Six. The identification of these areas is in response to section 6(b) of the RMA, which requires outstanding natural features and landscapes to be protected from inappropriate subdivision, use and development.

The Outstanding Natural Features and Outstanding Natural Landscapes identification applies to areas which have been assessed and identified as having high levels of scientific, biophysical, sensory or associative landscape values, which makes them outstanding. In almost all instances these areas are also bush covered and provide habitat for native fauna. These areas may also include critical regionally significant<sup>15</sup> infrastructure, renewable electricity generation activities, and other elements of the built environment and have varying degrees of modification. **Given the topography and extent of outstanding natural features and landscapes on the West Coast, practical management solutions are required to ensure maintenance and enhancement of the supply of renewable energy to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable energy.**<sup>16</sup>

The process supporting the identification of the Outstanding Natural Landscape overlay and the associated values is described in the West Coast Landscape and Natural Character Reports produced in 2013, 2021 and 2022.

The West Coast/Te Tai o Poutini Outstanding Natural Landscapes are identified in Schedule Five and Outstanding Natural Features are identified in Schedule Six.

The rules in this chapter relate to earthworks, buildings, structures, plantation forestry and Māori Purpose Activities in Outstanding Natural Landscapes and Outstanding Natural Features. Where Outstanding Natural Landscapes and Outstanding Natural Features are located in the Coastal Environment, the Objectives, Policies and Rules of the Coastal Environment Chapter apply.

#### **Outstanding natural landscapes (ONL) have been identified as having the following values:**

- **Biophysical values – including the landforms, vegetation type, presence of waterbodies and the sea, evidence of natural processes and land uses within the landscape**
- **Perceptual/ Aesthetic values – including composition and structure, vividness, expressiveness and legibility, dynamic and transient values, the presence of landmarks and key views, coherence, and unity**
- **Associative values – naturalness and endemic value (distinctive NZ/West Coast sense of place), including Poutini Ngāi Tahu values and associations, and historical/ heritage associations.**<sup>17</sup>

<sup>15</sup> Consequential Plan wide amendment, as a result of the Panel's Energy, Infrastructures and Transport Recommendation Report.

<sup>16</sup> Westpower Limited S547.277 and S547.0507

<sup>17</sup> Te Rūnanga O Ngāti Waewae, Te Rūnanga O Makaawhio and Te Rūnanga O Ngāi Tahu S620.159

## Plantation Forestry

Plantation forestry is principally regulated by the Resource Management (National Environmental Standard for **Commercial Plantation Forestry**) **Amendment** Regulations **2017** (NES-CPF)<sup>18</sup>. However the NES-CPF<sup>19</sup> allows that district plans can be more stringent to protect ONLs, and ONFs and their values. Where provisions within this chapter over-rule the requirements of the NES - CPF<sup>20</sup> an advice note to that effect is included within the Rule.

## Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to the zone chapters, a number of Part 2: District-wide Matters chapters also contain provisions that may be relevant for certain activities within outstanding natural features and landscapes, including:

- **Ecosystems and Indigenous Biodiversity** - the Ecosystems and Indigenous Biodiversity Chapter contains objectives, policies and rules relating to native vegetation clearance including that within outstanding natural features and landscapes.
- **Natural Character and Activities Adjacent to Waterbodies** - the Natural Character and Margins of Waterbodies **Chapter**<sup>21</sup> contains the objectives, policies and rules relating to activities adjacent to waterbodies.
- **Coastal Environment** - the Coastal Environment Chapter contains the objectives, policies and rules for activities within the coastal environment overlay - including buildings and structures and earthworks.
- **Activities on the Surface of Water** - objectives, policies and rules for activities undertaken on the surface of a lake or river (including jetties, pontoons, fish farms and boating activities), are found in the Activities on the Surface of Water Chapter.
- **Energy, Infrastructure and Transport Chapters – objectives policies and rules.**<sup>22</sup>
- **Strategic Objectives – The Strategic Objectives are particularly relevant when assessing matters under the Natural Features and Landscape Chapter. The Natural Environment, Poutini Ngāi Tahu, Tourism, Mineral Extraction, and Climate Change and Resilience Strategic Objectives are particularly relevant.**<sup>23</sup>

## 2.3. NFL Objective

### Submissions and Further Submissions

113. Twelve submissions points and one further submission point relating to NFL-O1 were summarised in a Table on pages 29-30 of the s42A Report. Six submission points supported the wording as notified, one submission point requested it be deleted, one submission point supported in part and four submission points sought amendments to the wording.

114. The Panel adopts these summaries and has considered the relevant submissions and further submissions.

<sup>18</sup> First Schedule Clause 16(2) amendment to reflect the enactment of the Resource Management (National Environmental Standard for Commercial Forestry) Regulations 2017, which replaces the NES-PF.

<sup>19</sup> First Schedule Clause 16(2) amendment to reflect the enactment of the Resource Management (National Environmental Standard for Commercial Forestry) Regulations 2017, which replaces the NES-PF.

<sup>20</sup> First Schedule Clause 16(2) amendment to reflect the enactment of the Resource Management (National Environmental Standard for Commercial Forestry) Regulations 2017, which replaces the NES-PF.

<sup>21</sup> First Schedule Clause 16(2) correction

<sup>22</sup> Transpower New Zealand Limited S299.082

<sup>23</sup> Westpower Limited S547.279 and S547.0507

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**Section 42A Report**

115. The s42A Report supported Poutini Ngāi Tahu's submission to retain the objective subject to including mana whenua values in Schedules Five and Six of the Plan.
116. The s42A Report did not support deleting NFL-O1 because it is consistent with the clear direction of Chapter 7B – Natural Features and Landscapes (**7B**), Objective 2 of the RPS.
117. The s42A Report supported a combination of the wording sought by the Director General and Manawa to make it more explicit that ONL and ONF must be protected from inappropriate development. However, it did not support replacing 'provide for' with 'allowing' given 'providing for' signals a resource consent may be required.
118. The s42A Report did not support Westpower's submission to delete the objective and replace it with two objectives, considering that it is not necessary or appropriate that the Plan objectives are identical to the RPS.
119. The s42A Report recommended the following amendments:

***NFL – O1** ~~To protect~~ The values of outstanding natural landscapes and outstanding natural features on the West Coast/Te Tai o Poutini **are protected from inappropriate subdivision, use and development**, while providing for subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.*

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120. Ms Styles, for Manawa, sought to remove the unreasonable expectation of 'maintained and enhanced' and to simplify the wording of NFL-O1 as follows:

*~~To protect~~ The values of outstanding natural landscapes and outstanding natural features on the West Coast/Te Tai o Poutini **are protected from inappropriate subdivision, use and development** while providing for subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.*

121. Ms Young for the Director General considered the wording recommended in the s42A Report was more consistent with the wording of RPS Chapter 7B Objectives 1 and 2.
122. Mr Kennedy, for Westpower, sought replacement of NFL-O1 with the following two objectives to reflect the wording of the objectives of the RPS (Chapter 7B, Objectives 1 and 2):

- 1. Protect the region's outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development; and*
- 2. Provide for appropriate subdivision, use and development on, in, or adjacent to outstanding natural features and outstanding natural landscapes to enable people and communities to maintain or enhance social, economic and cultural wellbeing*

123. Ms Inta for herself and Buller Conservation Group sought to replace 'avoided and mitigated' with reference to 'follow the adverse effects hierarchy'. However, in response to questions, she acknowledged that offsetting and compensation would not be appropriate in all cases.

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124. Having considered the evidence of Ms Styles, Ms Easton agreed with deleting 'or enhanced' from NFL-O1. However, she disagreed with Ms Styles that 'maintaining the values' does not give effects to RMA s6 and provides an additional hurdle beyond the RMA s6 requirements. She considered maintaining the values was effectively a way in which the overall s6 direction is achieved and was consistent with RPS Chapter 7B Policies 1, 2 and 3.
125. Ms Easton recommended the following changes to NFL-O1:

*NFL – O1 ~~To protect~~ The values of outstanding natural landscapes and outstanding natural features on the West Coast/Te Tai o Poutini **are protected from inappropriate subdivision, use and development**, while providing for subdivision, use and development where the values that make the landscape or feature outstanding can be maintained-~~or enhanced~~.*

**Hearing Panel's Evaluation**

126. The Panel accepts the reasoning set out in the s42A Report and agree that the definition of RMA 'environment' is broad and includes natural and physical resources. The Panel agrees the changes recommended are appropriate and are consistent with the wording of the RMA.
127. The Panel notes RMA s6(b) requires the protection of outstanding natural feature and landscapes from inappropriate development. RPS Chapter 7B Objective 1 is consistent with the wording of RMA s6(b). It is RPS Chapter 7B Policy 2 that changes the focus to the protection of 'the values which together contribute to a natural feature or landscape being outstanding'.
128. The Panel considers Mr Kennedy's requested replacement of NFL-O1 with two objectives simply repeats the RPS objective wording.
129. The Panel considers Ms Styles' requested wording simplifies the objective wording to require the protection of the values of outstanding natural landscapes and features from inappropriate subdivision, use and development. The Panel is satisfied the NFL policies provide guidance for assessing 'appropriate' activities and the rule framework provides for activities within limits and standards. The Panel consider this gives effect to RPS Chapter 7B Objective 2 to provide for appropriate subdivision, use and development. The Panel notes this Objective to 'provide for' is worded as a policy and the Panel has relied on the NFL policies to give effect to Objective 2.
130. The Panel also notes the rule framework only addresses activities within ONFL. The Panel is concerned there is also potential for significant adverse effects on ONFL values from inappropriate activities located adjacent to ONFL areas. The Panel considers Ms Styles' wording of OFL-O1 would enable any assessment of fully discretionary activities and non-complying activities adjacent to ONFL to have regard to objective NFL-O1 and any relevant policies.

**Hearing Panel's Recommendation**

131. For the reasons outlined above, and subject to our consideration of Part 2 of the RMA, the Panel recommends that the submissions identified in the footnotes below are accepted or accepted in part, and recommend changes are made to the Natural Feature and Landscape Objective as follows:

<b>NFL – O1</b>	<del>To protect</del> The values of outstanding natural landscapes and outstanding natural features on the West Coast/Te Tai o Poutini <b>are protected from inappropriate subdivision, use and development.</b> <del>while providing for subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.</del> <sup>24</sup>
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## 2.4. NFL Policies

### Submissions and Further Submissions

132. Six submissions points and nine further submission point relating to the **policies as a whole** were summarised in a Table on pages 31-32 of the s42A Report. Two submission points supported retention of the policy as notified, one sought to move words into the Overview and three submissions requested wording amendments.
133. Thirty submission points and 74 further submission points relating to **NFL-P1** were summarised in a Table on pages 34-39 of the s42A Report. Eight submissions supported the policy as notified, two sought to delete the policy and 20 submissions sought amendments. Nearly all the further submission points supported submission points seeking addition of a new clause 'Activities with a functional or operational need to locate in these areas.
134. Eighteen submission points and three further submission points relating to **NFL-P2** were summarised in a Table on pages 44-46 of the s42A Report. Eleven submission points supported the policy as notified and seven submission points sought the amendments to the wording.
135. Twenty-six submission points and 71 further submission points relating to **NFL-P3** were summarised in a Table on pages 47-51 of the s42A Report. Sixteen submission points supported retention of the policy as notified and ten submission points sought wording amendments. Seventy further submissions supported submission points to include 'minerals extraction, exploration and prospecting'.
136. Twelve submission points relating to **NFL-P4** were summarised in a Table on pages 52-54 of the s42A Report. Six submission points supported the policy as notified, one sought clarification of the term 'minimise' and five submission points sought the amendments to the wording.
137. Twenty-seven submission points and seven further submission points relating to **NFL-P5** were summarised in a Table on pages 55-58 of the s42A Report. Eight submission points supported the policy as notified and 19 submission points sought the amendments to the wording.
138. Eight submissions points relating to **NFL-P6** were summarised in a Table on pages 61-62 of the s42A Report. Five submissions points supported the policy as notified and three submission points sought the amendments to the wording.
139. Eight submissions points and three further submission points relating to **NFL-P7** were summarised in a Table on pages 63-64 of the s42A Report. Eleven submissions points supported the policy as notified and seven submission points sought the amendments to the wording.

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<sup>24</sup> Manawa Energy Limited S438.085

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140. The Panel has considered the relevant submissions and further submissions and adopts the summaries in the s42A Report.

**Section 42A Report**

141. In relation to the **policies as a whole**, the s42A Report did not support Manawa's request for a substantial revision of the policies to include the criteria and methodology for identification of ONFL in the policies and a new policy. It considered this was not necessary given the criteria and methodology were outlined in the s32 Report and the entire West Coast had been assessed. It stated that 'It is not anticipated that further ONFL will be identified' (para, 93, pg.33).
142. The s42A Report did not support Manawa's request to replace '*minimise*' with '*manage*' given the difference in meaning and highlighted the RPS widely used '*minimise*'. In response to questions, Ms Easton agreed this depended on the context and also the final recommended wording of the Strategic Objectives.
143. The s42A Report supported the inclusion of additional information characterising the landscapes and describing their values in the Schedules. However, it did not support including information on existing activities and modifications, as this information would inevitably become out of date. It supported modifications to the mapping to improve accuracy through updated mapping.
144. The s42A Report did not support adding policy direction, explanation or definitions for 'non-biodiversity offsetting or compensation', as requested by Forest & Bird.
145. In relation to the **NFL-P1**, the s42A Report did not support Ms Inta and the Buller Conservation Group's request to delete the policy considering there were a range of activities that could be undertaken in NFL without significantly adversely affecting their values. However, in response to questions, Ms Easton agreed that to protect outstanding values the threshold for adverse effects would need to be '*no more than minor*' rather than no '*significant*' adverse effects.
146. The s42A Report supported replacing the words '*do not adversely affect*' with '*maintain*', as requested by Chorus NZ Ltd, Spark NZ Trading Ltd and Vodaphone NZ Ltd, given this was clearer; but did not support replacing the wording '*where they do not adversely affect the values that contribute to a natural feature or landscape being outstanding and are for*' with '*which have no more than minor adverse effects*', sought by GDC because it considered this changes the intent from the values. It noted the Manawa submission seeking to add '*do not significantly adversely affect*' is addressed by replacing this with '*maintain*'.
147. The s42A Report partly supported the wording changes sought by Westpower to include the word 'together'; but did not support replacing '*provide for*' with '*allow*' or rewording to require adverse effects on values being avoided, remedied or mitigated. In response to questions regarding adding '*together*', Ms Gilbert agreed it was important to consider values individually and as well as collectively. Ms Easton agreed that '*individually and collectively*' would be clearer than '*together*'.
148. The s42A Report did not support amendments to NFL-P1 to allow for residential activities, as requested by five individual submitters; and considered this required careful design and implementation through the resource consent process to avoid, remedy and mitigate significant cumulative adverse effects on ONL and ONF. However, it agreed the wording could be clearer with regard to providing for existing residential activities. In response to questions

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about the appropriate threshold of adverse cumulative effects to protect outstanding values, Ms Easton considered the threshold of *'no more than minor'* normally related to the coastal environment.

149. The s42A Report did not support including *'mineral extraction, mineral exploration and anticipated activities in the BCZ and MINZ'*, as requested by Bathurst Resources, given the recommended definition for 'lawfully established' provides for mineral extraction activities permitted through a Coal Mining License issued under the Coal Mines Act. It did not support expanding the policy but recommend replacing *'existing'* with *'lawfully established'* and adding *'mineral extraction activities'*
150. The s42A Report did not support the request by Birchfield Coal Mines Limited, Birchfield Ross Mining Limited, TiGa Minerals and Metals Limited and WMS Group Limited to include a new clause (j) *'Activities with a functional or operational need to locate within these areas, including mineral extraction, exploration and prospecting'* in NFL-P1. It considered the environmental effects of new activities in ONFL need to be assessed via a resource consent process. While it acknowledged minerals are fixed in location, it concluded there was no policy direction to support providing for mineral activities within ONFL as permitted activities.
151. The s42A Report supported Manawa's request to replace *'energy'* with *'renewable electricity generation'*; but did not support use of *'energy activities'* given all activities are captured by the term *'network utility operation'* and regionally significant infrastructure (**RSI**), except for small scale generation.
152. The s42A Report supported the Director General's request to delete clause NFL-P1(g). In relation to the Director General's request to delete clause (d) relating to natural hazard mitigation activities, it highlighted the need to be consistent with the Natural Hazards Chapter which differentiated between structures constructed by a statutory agency and those constructed by private individuals. It recommended amendments to clause (d) to add *'maintenance and repair'* of hazard mitigation *'structures'*; and a new clause (e) for the upgrade of hazard mitigation structures where this is undertaken by a statutory agency or their nominated contractor. It considered new infrastructure and renewable energy generation activities should be excluded from the policy because it was hard to argue that such activity would have more than minor adverse effects.
153. The s42A Report supported Ngāi Tahu's submission to replace *'uses'* with *'activities'* in NFL-P1(h) given this is a defined term. It did not support adding *'and Māori Landowner'* to clause (h), as requested by Te Tumu Paeroa, given the direct link to the permitted activity rule in relation to *'Poutini Ngāi Tahu activities'* and this terms definition. It noted it would be inappropriate to put the Councils in a position of needing to investigate the whakapapa of individual Māori landowners.
154. The s42A Report highlighted the RMA section 6 directives, NPS-REG, NPS-ET, Policies 2 and 3 of the RSI Chapter of the RPS, and Policy 4 of the Natural Features and Landscapes Chapter of the RPS. It noted these provisions required an understanding of the scale, placement and parameters of new infrastructure to ensure there would be no more than minor adverse effects on ONL and ONF.
155. The s42A Report did not support Westpower's request to include reference to *'energy activities and critical infrastructure'*, it recommended adding *'regionally significant infrastructure'* to address this and for consistency across the Plan.

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156. In relation to **NFL-P2**, the s42A Report supported replacing *'possible'* with *'practicable'*, as requested by Manawa; and including *'otherwise minimised'* and *'or compensated in accordance with the effects management hierarchy'* at the end, as sought by the Director General.
157. The s42A Report did not support deleting *'offset'*, as sought by the Director General, on the basis that both offset and compensation were appropriate in the context. In response to questions regarding whether it is appropriate to use offsetting and compensation to protect outstanding NFL values and the higher order policy direction, Ms Easton requested time to consider this in her Right of Reply.
158. The s42A Report did not support deletion of *'significant'* in front of adverse effects, as sought by the Director General, given the direction of the RPS that appropriate activities have *'no more than minor adverse effects'*. However, in response to questions, Ms Easton agreed that avoiding significant adverse effects was not the correct threshold to apply to protect outstanding NFL values.
159. The s42A Report did not support including *'Where possible take precautionary approach'*, as sought by Te Mana Ora, given the adverse effects of earthworks and structures on landscape values were reasonably certain and understood. It did not support including *'together'*, as requested by Westpower to be consistent with the RPS, given the context where significant effects on one value could be considered acceptable.
160. In relation to **NFL-P3**, the s42A Report noted that the purpose was to recognise existing activities and land uses using examples, but that this was not intended to be an exhaustive list. It supported including *'land uses'* and *'other activities'* to capture the matters raised in submissions, including energy activities and critical infrastructure as sought by Westpower.
161. The s42A Report supported replacing *'not adversely affected'* with *'maintain and enhanced'*, as requested by Terra Firma Mining Limited, given it better reflected the RPS direction. It also supported replacing *'provide for'* with *'allow'*, as sought by the Director General, again because it better reflected the directives in the higher order documents.
162. The s42A Report supported improving the sentence structure of the policy to provide more clarity, as requested by Waka Kotahi.
163. Transpower requested clarification NFL-P3 did not apply to the National Grid.
164. In relation to **NFL-P4**, the s42A Report supported replacing *'minimise'* with *'avoid, remedy or mitigate'*, as requested by Westpower, given the context used. It also considered its replacement with *'manage'*, as requested by Manawa, but concluded the term *'avoid, remedy or mitigate'* was clearer.
165. The s42A Report supported the addition of a new clause - *'Landscaping buildings and structures with appropriate vegetation to soften outlines'*, as requested by the Buller Conservation Group and Ms Inta, as a useful and practicable mitigation measure for structures.
166. The s42A Report also supported the addition of a new clause - *'Limiting landform modification through earthworks'*, as requested by the Director General, given this could have significant adverse effects on ONFL.

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167. In response to submissions from Manawa and Westpower, the s42A Report supported adding a sentence applying to all clauses - '*where these mitigation measures are practicable*'. It did not support adding new clauses to exempt energy activities and infrastructure providers, but recognised infrastructure may need to locate in ONFL, particularly in South Westland and around the Paparoa Ranges. It did not support replacing '*limiting*' with '*reducing*' in NFL-P4(c), as requested by Transpower given the rules framework limits height.
168. In relation to **NFL-P5**, the s42A Report supported the submissions of Forest & Bird and Terra Firma Mining Limited to replace the beginning of the policy and to refocus it. It recommended amendments as follows:
- ~~*Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:*~~
- ~~***When assessing whether a proposal for land use or subdivision is appropriate, in addition to the above policies, consider the following matters:***~~
169. The s42A Report supported the addition of '*nature*', 'and '*extent*' and '*feature*' to NFL-P5(a); and the addition of '*short term*' to NFL-P5(d), as requested by the Director General.
170. The s42A Report supported the addition of a new clause – 'The extent to which an activity or structure is lawfully established', as requested by Bathurst; and a new clause - 'The management of effects on natural character, amenity, recreation, historical and biodiversity values', as requested by the Director General.
171. The s42A Report did not support adding a new clause requiring an assessment of alternatives or reference to the effects management hierarchy, as requested by the Director General. It stated an assessment of alternatives is only required where there are significant adverse effects on ONFL and that advice notes were recommended for rule NFL-R11 and NFL-12 to reference Schedule 4 of the RMA.
172. The s42A Report rejected a similar submission from Te Tumu Paeroa requesting additional wording to NFL-P5(e) requiring the consideration of the adverse effect of all practicable alternatives.
173. The s42A Report supported the addition of '*and Māori landowners*', as requested by Te Tumu Paeroa, but considered there was a difference between Māori landowners and Poutini Ngāi Tahu. It noted Māori landowners can whakapapa to Poutini Ngāi Tahu, while not being registered with the iwi, and may have been in continuous ownership of their land since before Te Tiriti was signed. It considered this was appropriate where the relationship whakapapa was in place and recommended adding '*or Māori landowners who whakapapa to Poutini Ngāi Tahu*' to address the further submission by Ngai Tahu opposing Te Tumu Paeroa's submission.
174. The s42A Report did not support rewriting NFL-P5 to reflect the wording of the RPS, as requested by Westpower, given it assists with practical detail of matters to be considered. It also did not support adding '*constraints or requirements*' to clause (e) given the use of '*functional need and operation need*' elsewhere in the Plan. It supported deletion of (j)(i)-(iii) to remove duplication with NFL-P4.
175. In response to questions, Ms Easton noted new clause NFL-P5(k) may not be required depending on the definition of '*lawfully established activity*'. She also agreed adding '*proposed*' would make it clearer.

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176. In relation to **NFL-P6**, the s42A Report supported Ngāi Tahu's submission in part to amend the policy to include reference to the Iwi/Papatipu Rūnanga Management Plan. It considered this would help achieve Part 2 of the RMA. It noted the NPS-IB has specific provision for 'specified Māori Land' and considered the approach to SNA and ONL should parallel each other. It suggested that Māori Purpose Zone land in the Plan also be identified as '*specified Māori Land*' in terms of the NPS-IB.
177. The s42A Report did not support amending the policy to be subject to policies NFL-P1 to NFL-P5 given RMA section 6 matters of national importance must be balanced and none have more weight than any others. It considered the policies and rules of the NFL chapter balanced RMA section 6(b) and (e) requirements in accordance with Treaty principles.
178. In relation to **NFL-P7**, the s42A Report recommended adding '*or Māori landowners who whakapapa to Poutini Ngāi Tahu*' to address the request of Te Tumu Paeroa and the opposing further submission by Ngāi Tahu. Again, the s42A Report did not support amending the policy to be subject to policies NFL-P1 to NFL-P5 to balance RMA section 6 matters.

**Hearing and Submitter Evidence/Statements**

179. Mr Pemberton, counsel for the Director General, highlighted RPS Policy 4 which allows activities that have no more than minor adverse effects in ONFL areas. He considered NFL-P3 and NFL-P4 appeared to reflect this but NFL-P2 was inconsistent with the '*no more than minor*' threshold.
180. Ms Young, for the Director General, confirmed support for the s42A Report recommendations in relation to policies.
181. Following the hearing, Mr Pemberton provided a further written response to questions regarding the effects management hierarchy, including national direction and court decisions. He noted the effects management hierarchy is used in the NPS-FM and NPS-IB, which do not relate to natural landscapes and features. He acknowledged difficulty in offsetting and compensation in relation to effects on natural landscape and features, and concluded '*avoid, remedy or mitigate*' was appropriate to ensure effects were '*no more than minor*' in line with Policy 4 of the RPS.
182. Mr Leckie, for Bathurst, highlighted the need to ensure the treatment of lawfully established activities was consistent throughout the Plan. He submitted special purpose zones, such as the MINZ and BCZ, needed careful consideration in terms of the interplay between the purpose of the zones with matters relating to landscape and biodiversity values. He noted opposition to removing '*significant*' from NFL-P2 given this would require the avoidance of all adverse effects as a priority and the RMA is not a no effects statute.
183. Ms Hunter, for Bathurst, supported the recommended amendment to NFL-P1 but questioned the need for the second '*lawfully established*'. In response to questions, she agreed that deleting the second reference changed the intent but considered it wasn't necessary.
184. In relation NFL-P5, Ms Hunter stated that in assessing landscape values consideration should be given to existing modifications of the environment (including those which may be able to be developed either through consents or other existing approvals such as Coal Mining Licenses). However, in response to questions, she agreed unlawful modifications would not be part of the '*existing environment*'. She highlighted the importance of a consenting pathway for activities that can demonstrate functional or operational need to locate within ONL areas.

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185. Mr Kennedy, for Westpower, noted that NFL-P1 was wider by using 'provide for' than Policy 4 of the RPS which uses 'allow'. He emphasised the importance of providing a consenting pathway for new infrastructure within ONFL areas. He noted a policy was required that recognises the need to provide for RSI in certain circumstances. He considered NFL-P1, NFL-P2, NFL-P3 and NFL-P4 should be reworded as follows:

**NFL-P1**

*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~~ ~~maintain~~ **adverse effects on** the values that together contribute to a natural feature or landscape being outstanding **are avoided, remedied or mitigated**, for:*

*a. – g.*

*h. **New regionally significant infrastructure where there is a functional or operational need to locate in these areas.***

*Items h. and i. to become i. and j.*

**NFL-P2**

*Where practicable, avoid significant adverse effects on the values that together contribute to ... cannot be avoided, ensure that the adverse effects are **otherwise remedied or mitigated, including any proposed offsetting or compensation.***

**NFL-P3**

*Recognise that there are settlements, farms, land uses, ~~and~~ infrastructure (**including RSI**) and other activities located within outstanding natural ~~landscapes~~ **features** or outstanding natural ~~landscapes features~~ and ~~provide for~~ **allow** new activities and existing uses in these areas where **adverse effects on** the values that together contribute to the outstanding natural landscape or feature are ~~not adversely affected~~ ~~maintained~~ ~~or enhanced~~ **no more than minor.***

**NFL-P4**

*Require that new building **and** structures within outstanding natural features or landscapes ~~minimise~~ **avoid, remedy or mitigate** any adverse visual effects **including** by:*

*a. ... d.*

*where these mitigation measures are practicable **and taking into account the function and operational needs of RSI.***

186. Ms Styles, for Manawa, requested the addition of 'existing' in NFL-P1(e) and (f) to provide further clarity. Ms Styles considered replacing 'do not adversely affect' with 'maintain and enhance' was inconsistent with RMA section 6(b) and recommended it be retained as notified. She supported the reframing of NFL-P5

187. In supplementary evidence, Ms Styles recommended inclusion of a new policy as follows:

**NFL PX**

**Ensure that the landscapes of the West Coast Region are recognised by:**

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- a. assessing the values and characteristics of the landscapes according to the following criteria:
- i. biophysical (abiotic, biotic);
  - ii. sensory (leqibility, naturalness, vividness, coherence, aesthetic, transient values); and
  - iii. associative (shared and recognised values, mana whenua values, historic heritage associations); and
- b. identifying and mapping those areas that are Outstanding Natural Features and Outstanding Natural Landscapes, based on their values and characteristics; and
- c. describing the values and characteristics of each Outstanding Natural Feature or Outstanding Natural Landscape within Schedules Five and Six.

188. In her supplementary evidence, Ms Styles also recommended the following amendments to address Manawa's submission points:

**NFL - P1**

*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~~ protect the values that together contribute to a natural feature or landscape being outstanding and are for:*

- a. Existing land uses and lawfully established activities including ~~existing~~ lawfully established residential activities, regionally significant infrastructure, network utilities, renewable energy electricity generation activities, mineral extraction, agricultural, horticultural and pastoral activities;*
- b. Conservation activities;*
- c. Recreational activities;*
- d. Maintenance and repair of natural hazard mitigation activities structures;*
- e. Upgrading of natural hazard mitigation structures where this is undertaken by a statutory agency or their nominated contractor*
- e. f. Operation, maintenance and upgrade of existing renewable electricity generation facilities;*
- f. g. Operation, maintenance and upgrading of network infrastructure; and regionally significant infrastructure;*
- g. ~~Upgrading and/or~~ Establishment of new regionally significant infrastructure and renewable electricity generation facilities where there is a functional need for them to be located in these areas;*
- h. Poutini Ngāi Tahu ~~uses~~ activities; or*
- i. The alteration, maintenance or removal of existing buildings or structures.*

**NFL - P2**

*Where ~~possible~~ practicable, avoid significant adverse effects on the values that contribute to outstanding natural landscapes described in Schedule Five and outstanding natural*

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*features described in Schedule Six. Where significant adverse effects cannot practicably be avoided, ensure that the adverse effects are otherwise minimised, remedied, mitigated ~~or offset or compensated~~ as appropriate ~~in accordance with the effects management hierarchy.~~*

**NFL - P3**

*Recognise that there are settlements, farms, land uses, ~~and~~ infrastructure and other activities located within outstanding natural ~~landscapes~~ features or outstanding natural landscapes features and ~~provide for~~ allow new activities and existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are not adversely affected ~~maintained or enhanced~~.*

189. In relation to NFL-P4, Ms Styles recommended replacing ‘Limiting’ with ‘Reducing’ in clause (d).
190. Transpower advised it supported the replacement of ‘minimise’ in NFL-P4 and accepted the recommended changes based on ENG-P8. It continued to seek the addition of ‘within outstanding features or landscapes’ in NFL-P5; and ‘An energy activity undertaken’ at the beginning of NFL-R6(b).
191. Ms Inta, on behalf of herself and the Buller Conservation Group, requested that ‘minerals extraction’ not be added to NFL-P1(a) given this would not protect ONFL from inappropriate activities; and clauses (f) and (g). In relation to NFL-P2, she considered the amendments recommended were not consistent with their submissions and noted Policy 4 of the RPS directed allowing activities that have ‘no more than minor’ adverse effects not the avoidance of significant adverse effects, which was a much higher threshold. She suggested replacing ‘The management of’ with ‘Adverse’ at the beginning of NFL-P5(l).
192. Ms Leveson for Horticulture New Zealand (‘Hort NZ’) noted support for the recommended s42A Report amendments to NFL-P1 and NFL-P3.
193. At the hearing, Te Tumu Paeroa acknowledged the Māori Trustee’s submission points relating to NFL-P1, NFL-P5 and NFL-P7 could have been expressed more clearly. The Trustee requested provision for the traditional activities of owners of Māori freehold land and considered this submission point provided scope for changes sought to the policies and rules. The Trustee disagreed with Ms Easton’s recommended additional wording in NFL-P5 and NFL-P7 and remained of the view that this should be ‘or owners of Māori land’.
194. Following the hearing, the Panel received a joint statement provided by Ngāi Tahu and Te Tumu Paeroa<sup>25</sup> advising of their agreement to add a new clause – ‘Use and development of Māori Land’ in NFL-P1 instead of adding ‘and Māori Landowner’ to clause (h). However, subsequent to this, Te Tumu Paeroa withdrew S440.031 seeking the addition of Māori Landowners to NFL – P7.
195. KiwiRail sought to retain ‘do not adversely affect’ in NFL-P1 and NFL-P3, as it considered ‘maintain’ implied there would be no adverse effects.

**Reporting Officer Reply Evidence**

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<sup>25</sup> A joint statement of position and recommendations to the Hearing Panel from Ngāi Tahu and Te Tumu Paeroa – the Office of the Māori Trust (dated 14 August 2024)

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196. In response to Ms Styles and the expert evidence of Ms Gilbert and Mr Bentley, Ms Easton agreed it would be helpful to add a new policy outlining the criteria for identifying ONL. She noted it was likely that further mapping amendments would be likely to address areas identified as outstanding but are outside the scope of what was notified. She considered a new policy would support both further analysis at the resource consent stage and the future identification of additional ONL areas to be included through a plan change process. She recommended the following new policy be included as the first policy in the chapter:

**NFL- PXXX**

To identify Outstanding Natural Landscapes on the West Coast/Te Tai o Poutini by:

a. Assessing the values and characteristics of the landscapes according to the following factors:

i. Physical characteristics and values;

ii. Perceptual characteristics and values;

iii. Associative characteristics and values

b. Including these on the planning maps as Outstanding Natural Landscapes; and

c. Describing the characteristics and values of each Outstanding Natural Landscape within Schedule Five.

197. Also, in response to the evidence of Ms Styles and the direction of the NPS-REG, Ms Easton agreed there should be provision for new renewable electricity generation in NFL-P1. She recommended amendments to clause (h) to achieve this.

198. In relation to the evidence from KiwiRail, Ms Easton did not support retaining 'do not adversely affect' given the words have an 'avoid' connotation. She considered the intent of the NFL-P1 was clearer with replacing 'do not adversely affect' with 'maintain'. She also agreed that there should be consistency in the wording between NFL-P1 and NFL-P3; and recommended 'or enhanced' be deleted from NFL-P3.

199. In response to questions from the Panel, Ms Easton considered whether there was scope in the submissions to use 'protect' instead of 'maintain' in NFL-P1 and NFL-P3. She concluded there was no scope to make this amendment. The Panel also asked whether there should be consistency of wording between these two policies and Ms Easton agreed that there should be consistency and preferred the term 'maintain' without reference to 'enhance'.

200. Ms Easton acknowledged the supplementary legal submissions on behalf of the Director General and the practical difficulties in applying the offsetting and compensation components of the effects hierarchy to natural landscapes and natural features. For this reason, she recommended including 'or where appropriate offset or compensated' and confirmed she no longer recommended adding reference to the effects hierarchy in NFL-P2.

201. In considering whether the wording recommended in NFL-P2 is consistent with the 'no more than minor' threshold in RPS Policy 7B4, Ms Easton noted this related to activities that are 'allowed' in ONFL. She considered NFL-P2 related to activities that may have 'significant adverse effects' that would be subject to the resource consent process and the policy would be used as part of that assessment.

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202. Ms Easton responded to the Panel's questions regarding use of 'soften outlines' in NFL-P4(e) and recommended '*landscaping buildings and structures to reduce visual effects*' was more appropriate to capture screening of buildings or filtering of views.
203. Ms Easton confirmed she had revisited her recommendations based on Te Tumu Paeroa's withdrawal of their submission point relating to NFL-P7. She noted she no longer recommended adding '*or Māori Landowners who whakapapa to Poutini Ngāi Tahu*' to clause (f) to address the withdrawn submission point.
204. Ms Easton confirmed her recommended amendments to the NFL policies in Appendix 1 of the Right of Reply as follows:

**NFL – P1** *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~~ **maintain** the values that **together** contribute to a natural feature or landscape being outstanding and are for:*

- a. *Existing land uses and lawfully established activities including ~~existing~~ **lawfully established residential activities, regionally significant infrastructure, network utilities, renewable energy generation activities, mineral extraction, agricultural, horticultural and pastoral activities;***
- b. *Conservation activities;*
- c. *Recreational activities;*
- d. ***Maintenance and repair of natural hazard mitigation ~~activities~~ structures;***
- e. ***Upgrade of natural hazard mitigation structures where this is undertaken by a statutory agency or their nominated contractor;***
- e. f. *Operation, maintenance and upgrade of renewable electricity generation facilities;*
- f. g. *Operation, maintenance and upgrade of network infrastructure **and regionally significant infrastructure;***
- h. *~~Upgrading and/or n-New infrastructure and~~ renewable electricity generation **activities** ~~facilities~~ where there is a functional need for **them** ~~it~~ to be located in these areas;*
- i. *Poutini Ngāi Tahu ~~uses~~ **activities;** or*
- j. *The alteration, maintenance or removal of existing buildings or structures.*

**NFL – P2** *Where ~~possible~~ **practicable**, 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 **otherwise minimised**, remedied, mitigated ~~or~~ offset **or were appropriate compensated.***

**NFL – P3** *Recognise that there are settlements, farms, **land uses, and** infrastructure **and other activities** located within outstanding natural ~~landscapes~~ **features** or outstanding natural **landscapes** ~~features~~ and ~~provide for~~ **allow** new activities and existing uses in these areas where the values that contribute to the*

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*outstanding natural landscape or feature are ~~not adversely affected~~  
maintained.*

**NFL – P4** *Require that new buildings, and structures within outstanding natural features or landscapes ~~minimise~~ avoid, remedy or mitigate any adverse visual effects including by:*

- a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location;*
- b. Using naturally occurring building platforms, materials and colour that blends into the landscape;*
- c. Limiting landform modification through earthworks; ~~and~~*
- d. Limiting the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape; and*
- e. Landscaping buildings and structures with appropriate vegetation to soften outlines reduce visual effects where these mitigation measures are practicable.*

**NFL – P5** *Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:*

**When assessing whether a proposal for land use or subdivision is appropriate, in addition to the above policies, consider the following matters:**

- a. The nature, scale and extent of modification to the landscape;*
- b. Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;*
- c. Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;*
- d. The temporary, short term or permanent nature of any adverse effects;*
- e. The functional, technical, operational or locational need of any activity to be sited in the particular location;*
- f. Any historical, spiritual or cultural association held by Poutini Ngāi Tahu;*
- g. Any positive effects the development has on the identified characteristics and qualities;*
- h. Any positive effects at a national, regional and local level;*
- i. Any relevant public safety considerations; and*
- j. The measures proposed to mitigate the effects on the values and characteristics, ~~including:~~*
  - ~~i. The location, design and scale of any buildings or structures, or earthworks;~~*

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~~ii. The intensity of any activity; and~~

~~iii. The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing;~~

**k. The extent to which an activity or structure is lawfully established; and**

**l. The management of effects on natural character, amenity, recreation, historical and biodiversity values.**

**NFL – P6** Enable the use of Māori Purpose Zoned land in outstanding natural landscapes and on outstanding natural features **by identifying this as specified Māori land** where land use and subdivision is consistent with tikanga and mātauranga Māori ~~and minimises adverse effects on the outstanding values of the landscape or feature~~ **as outlined within an Iwi/Papatipu Rūnanga Management Plan.**

**NFL – P7** Consider the incorporation of mātauranga Māori principles into the design, development and/or operation of activities in outstanding natural features and landscapes with cultural, spiritual and/or historic values, interests or associations of importance to Poutini Ngāi Tahu and opportunities for Poutini Ngāi Tahu **and Māori landowners who whakapapa to Poutini Ngāi Tahu** to exercise their customary responsibilities as mana whenua and kaitiaki in respect of the feature or landscape.

~~Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.~~

**Hearing Panel’s Evaluation**

205. The Panel accepts Ms Easton’s recommendation to add a new policy guiding the identification of ONL areas. The Panel acknowledges the evidence of Ms Gilbert in relation to areas meeting the criteria for ONL that were not included in the notified Plan. The Panel agrees these areas should be included as part of a future plan change process and the new recommended policy is appropriate to guide this process.
206. In relation to **NFL-P1**, the Panel considers the intent is to provide for activities that do not adversely affect the values that contribute to the ONL or ONF being outstanding. To give effect to RMA section 6(b) and the RPS provisions, these outstanding natural features and landscapes must be protected from inappropriate subdivision, use and development. Ms Easton’s view is that replacing ‘not adversely affect’ with ‘maintain’ better reflects the ‘no more than minor’ direction of the RPS. Whereas, Ms Styles considered maintenance and enhancement is not supported by the higher order documents. The Panel considers the word ‘maintain’ is required in the absence of the word ‘protect’ and the direction of the higher order statutory documents. The Panel considers this is more enabling than ‘not adversely affect’
207. The Panel notes the wording in Appendix 1 for NFL-P1 does not reflect the wording recommended in Ms Easton’s Right of Reply which recommended adding ‘that individually and together’. This recommendation responds to questions from the Panel to Ms Easton, Ms Gilbert, Mr Bentley and Mr Leckie regarding the requested addition of ‘together’ from Mr Kennedy on behalf of Westpower. While the Panel agrees that adding both ‘individually and together’ is desirable, it is mindful that this is not what was requested by Westpower in submissions. The Panel therefore considers not adding ‘together’ is appropriate in the

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absence of scope to add both *'individually and together'*. The Panel considers maintenance of the values generally encompasses both.

208. The Panel agrees with Ms Easton that the recommended amendments to NFL-P1 to give effect to the direction of the NPS-REG are appropriate. The Panel also agrees with Ms Styles that it is appropriate to add *'existing'* to clauses (f) and (g). However, the Panel considers this should be *'existing lawfully established'* and that for consistency this same phrasing should also apply to clauses (d), (e) and (i). The Panel also considers the wording of clause (a) can be improved by deleting *'lawfully established'* in front of *'residential'* given it is superfluous.
209. The Panel agrees with Ms Easton's recommendation to add a new clause to NFL-P1(e) to include *'Upgrade of natural hazard mitigation structures where this is undertaken by a statutory agency or their nominated contractor'* but also consider this should be *'or authorised contractor acting on its behalf'* at the end to make it clear the statutory agency is in control of the works. This wording is consistent with the Panel's recommended wording Plan wide.
210. Ms Easton's Right of Reply did not further discuss the Poutini Ngāi Tahu and Te Tumu Paeroa memorandum of 14 August 2024 with agreed changes to Policy NFL-P1. The memorandum recommended addition of new clause (j) *'Use and development of Māori land'* which the Panel agrees is appropriate given the interaction of outstanding natural landscapes with Māori land.
211. In relation to **NFL-P2**, the Panel disagrees with Ms Easton that use of *'otherwise minimised, remedied, mitigated or where appropriate offset or compensated'* gives effect to the RMA s6 and RPS Chapter 7B Objective 71 direction to *'protect'* outstanding natural features and values from inappropriate use and development. The Panel also disagrees that the *'more than minor'* threshold only relates to allowing activities, as jurisprudence directs that the protection of significant (outstanding) environmental values requires the avoidance of more than minor effects.
212. The Panel questioned Mr Pemberton and Ms Young in relation to the appropriate threshold of acceptable adverse effects to protect outstanding natural features and landscapes, and both agreed this would be *'no more than minor'* adverse effects.
213. The Panel considers it is appropriate to delete *'significant'* to give effect to RMA section 6(b) and the RPS Chapter 7B Objective 1 that require the protection of outstanding natural features and landscapes. Outstanding natural features and landscapes values are finite and are irreplaceable and therefore it is not necessarily appropriate to offset or compensate for any loss of values. There is no higher order direction enabling offsetting or compensation to achieve the protection of outstanding natural feature and landscapes at a policy level. To enable such *'trade offs'* of outstanding areas would result in an overall reduction in values and adverse cumulative effects. The Panel considers it is appropriate to direct that where adverse effects on outstanding NFL values cannot be avoided, these must be remedied and mitigated to be no more than minor to ensure these values are protected as matters of national importance.
214. The Panel therefore accept the submission points of Forest & Bird, the Buller Conservation Group and Ms Inta that *'significant'* should be deleted from NFL-P2 to give effect to RMA s6 and RPS. However, this does recognise that minor adverse effects may be appropriate where the outstanding natural features and landscapes can be protected. The Panel considers this should be recognised in the policy by including the *'no more than minor'* threshold as a consequential amendment to deleting *'significant'*.

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215. In relation to **NFL-P3**, the Panel agrees it is unnecessary to include specific reference to *'minerals extraction, exploration and prospecting'* or *'rural production activities'* given the recommended inclusion of *'land uses'* and *'other activities'*. However, the Panel consider the word *'other'* is superfluous. The Panel finds changing the order of *'landscape'* and *'feature'* as recommended is also unnecessary and does not improve clarity. The Panel acknowledges the RPS uses *'together'* in reference to values but accept the opinion of the two experts questioned that effects on individual values are also important to consider as well as effects on the collective values. The Panel consider it is not necessary to add *'together'* as any assessment on the *'values'* would include both individually and collectively.
216. The Panel's consideration of the replacement of *'not adversely affected'* with *'maintained'* in relation to NFL-P1 also applies to NFL-P3. This is addressed above.
217. In relation to Transpower's request for clarification as to whether NFL-P3 applies to the National Grid, the Panel consider it does. However, the Panel considers any concerns regarding providing for the National Grid are addressed by amendments to rule NFL-R5 to clarify that additions and alteration to building and structures and minor upgrades, including Network Utility Infrastructure, are provide for; and any new activities or infrastructure have a discretionary activity pathway. The Panel also note that NFL-P3 would need to be read in conjunction with NFL-P5 which consideration of functional and operational needs amongst other matters.
218. In relation to **NFL-P4**, the Panel agrees with Ms Easton that use of *'avoid, remedy or mitigate'* is appropriate given the context used. The Panel accepts the recommended addition of a new clause *'and limits landform modification through earthworks'* (as requested by the Director General S602.090) but considers this should be *'and minimises landform modification from earthworks'* to be clearer and to use consistent wording with the other clauses. The Panel considers replacing *'soften outlines'* (requested by Ms Inta) with *'reduce visual effects'* in the wording of new clause (e) would be clearer and was supported by Ms Gilbert in response to Panel questions at the hearing.
219. The Panel agree that *'limiting'* is appropriate given the rules limit structure height. However, the Panel consider use of *'limiting'* in the context of clauses (c) and (d) is unclear and should be replaced with *'minimising'* rather than *'reducing'* as sought by Manawa. The Panel notes that inclusion of a new definition for *'minimise'* was recommended in Appendix 1 of the s42A Report for the Introduction and General Provisions Hearing; and consider the use of *minimising* is therefore more appropriate and that this definition<sup>26</sup> avoids the need to add the qualifier *'where these mitigation measures are practicable'*, as requested by Manawa (S438.090) and Westpower (S547.288).
220. The Panel accepts Ms Easton's recommended amendments in relation to **NFL-P5** to reframe the policy as requested by Forest & Bird (S250.231) and Terra Firma Mining Limited (S537.016). However, the Panel considers the words *'in addition to the above policies'* is superfluous given any assessment must consider all relevant policies.
221. The Panel rejects the amendment sought by Transpower (S299.081) in its tabled statement (dated 8 February 2024) to insert *'within outstanding natural features or natural landscapes'* for clarity, as this policy may be relevant when assessing land use or subdivision activities adjacent to ONFL areas.

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<sup>26</sup> Recommended definition - **Minimise** means to reduce to the smallest amount reasonably practicable.

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222. The Panel accepts the Director General’s submission point (S602.091) in relation to providing an assessment of alternatives. The Panel considers this requirement would assist an assessment under clause (e) of *‘The functional, technical, operational or locational need of any activity to be sited in the particular location’*. The Panel therefore recommends adding *‘including an assessment of alternative sites’* at the end of clause (e).
223. The Panel notes Appendix 1 of the Right of Reply did not include *‘or features’* on the end of clause (a), as requested by the Director General. This appears to be an omission given the statement in paragraph 169 of the s42A Report that this addition was supported to correct an error. The Panel accepts the Director General’s submission point and agrees with the s42A Report that *‘features’* should be added to clause (a).
224. The Panel considers Ms Easton’s recommendation to add a new clause NFL-P5(k) *‘The extent to which an activity or structure is lawfully established’* to address the submission point of Bathurst (S491.022) is unnecessary. Any assessment of the effects of a proposal on the *‘existing environment’* requires consideration of the presence of existing lawfully established activities, including existing land use activities, existing authorisations and land use zoning, as highlighted by Ms Young for the Director General. The Panel also notes clause (a) (as amended by the Panel) would require consideration of the nature, scale and extent of modification of the of existing environment. For these reasons, the Panel is unconvinced the addition of new clause (k) is required.
225. The Panel accepts Ms Easton’s recommendation to add a new clause NFL-P5(l) (now new clause (k)) to address the submission points of the Director General, and Ms Inta and the Buller Conservation Group.
226. The Panel also accepts Ms Easton’s recommendation to delete *‘Also where relevant refer to the policies in the Energy, Infrastructure and Transport Chapters’* after NFL-P7 given this is an error and it is unnecessary.
227. Ms Easton’s Right of Reply did not further discuss the Poutini Ngāi Tahu and Te Tumu Paeroa memorandum of 14 August 2024 with agreed changes to Policy NFL-P5. The memorandum recommended addition of new clause (k) *‘any effects on values or attributes of Māori land’*. The Panel is unsure what *‘or attributes’* might refer and recommends instead adding the words *‘any effects on values of Māori land’*.
228. In relation to **NFL-P6**, the Panel accepts Ms Easton’s recommended amendments to partly accept the submission point of Poutini Ngāi Tahu. The Panel accepts the recommendation to add *‘as outlined within an Iwi/Papatipu Rūnanga Management Plan’* but consider this should be *‘including as outlined’*. The Panel also accept the submission point to delete reference to minimising adverse effects. The Panel considers there is no scope to add *‘specified Māori land’* within the Poutini Ngāi Tahu submission.
229. In relation to **NFL-P7**, the Panel notes that following the hearing and further discussions with Poutini Ngāi Tahu, Te Tumu Paeroa withdrew submission point S440.031 on NFL-P7<sup>27</sup>. The Panel considers Ms Easton’s recommended amendment shown in Appendix 1 of the Right of Reply responds to this submission and therefore is no longer within scope given the withdrawal of the submission. However, the Panel notes that Appendix 1 of the Right of Reply deletes *‘Also where relevant refer to policies in the Energy, Infrastructure and Transport*

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<sup>27</sup> Letter dated 22 August 2024 to Hearing Panel from Ngahuia Huirama on behalf of Te Tumu Paeroa – the Office of the Māori Trustee

*Chapter* from below the policies and adds it to the Overview. The Panel accept this recommended change, which is addressed above in relation to the Overview.

### **Hearing Panel's Recommendations**

230. For the reasons outlined above, and subject to our consideration of Part 2 of the RMA, the Panel recommends that the relevant submissions identified in the footnotes below are accepted or accepted in part, and recommend that changes are made to the Natural Landscape and Features policies as follows (noting that the policies have been renumbered as a result of a new NFL-P1):

<b><u>NFL- P1</u></b>
<b><u>To identify Outstanding Natural Landscapes on the West Coast/Te Tai o Poutini by:</u></b>
<b><u>a. Assessing the values and characteristics of the landscapes according to the following factors:</u></b>
<b><u>i. Physical characteristics and values;</u></b>
<b><u>ii. Perceptual characteristics and values;</u></b>
<b><u>iii. Associative characteristics and values</u></b>
<b><u>b. Including these on the planning maps as Outstanding Natural Landscapes; and</u></b>
<b><u>c. Describing the characteristics and values of each Outstanding Natural Landscape within Schedule Five.</u></b>
<b><u>NFL – P2</u></b>
Provide for activities within outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six where they <del>do not adversely affect</del> <b><u>maintain</u></b> <sup>28</sup> the values that contribute to a natural feature or landscape being outstanding and are for:
a. Existing land uses and lawfully established activities including <del>existing residential activities,</del> <sup>29</sup> <b><u>regionally significant infrastructure,</u></b> <sup>30</sup> network utilities, energy <del>renewable electricity generation</del> <sup>31</sup> activities, <b><u>mineral extraction,</u></b> <sup>32</sup> agricultural, horticultural and pastoral activities;
b. Conservation activities;
c. Recreational activities;

<sup>28</sup> Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd S663.046

<sup>29</sup> Chris and Jan Coll S558.108, Chris J Coll Surveying Limited S566.108, Neil Mouat S535.021, William McLaughlin S567.189 and Laura Coll S574.108

<sup>30</sup> Westpower Limited S547.284

<sup>31</sup> Manawa Energy Limited S438.087

<sup>32</sup> Bathurst Resources Limited and BT Mining Limited S491.021

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- d. Maintenance and repair of existing lawfully established<sup>33</sup> ~~natural hazard mitigation activities-structures;~~<sup>34</sup>
- e. Upgrading of existing lawfully established<sup>35</sup> natural hazard mitigation structures where this is undertaken by a statutory agency or authorised contractor acting on its behalf;<sup>36</sup>
- e.f. Operation, maintenance and upgrade of existing lawfully established<sup>37</sup> renewable electricity generation facilities;
- f.g. Operation, maintenance and upgrade of existing lawfully established<sup>38</sup> network infrastructure and regionally significant infrastructure;<sup>39</sup>
- ~~g.h. Upgrading and/or n~~ New infrastructure and renewable electricity generation activities facilities where there is a functional need for it to be located in these areas;<sup>40</sup>
- ~~h.i. Poutini Ngāi Tahu uses activities;~~<sup>41</sup>
- i.j. The alteration, maintenance or removal of existing lawfully established<sup>42</sup> buildings or structures; and<sup>43</sup>
- k. Use and development of Māori land.**<sup>44</sup>

**NLF – P3**

~~Where possible a~~ Avoid significant<sup>45</sup> 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<sup>46</sup> adverse effects cannot be avoided, ensure that the adverse effects are remedied, and mitigated ~~or offset~~<sup>47</sup> to be no more than minor.<sup>48</sup>

**NFL – P4**

Recognise that there are settlements, farms, land uses,<sup>49</sup> and infrastructure and activities<sup>50</sup> located within outstanding natural landscapes or outstanding natural features ~~and by~~ providing for new activities and allowing<sup>51</sup> existing uses in these areas where the values that

<sup>33</sup> Consequential amendment Manawa Energy Limited S438.087

<sup>34</sup> Director General of Conservation S602.087

<sup>35</sup> Consequential amendment Manawa Energy Limited S438.087

<sup>36</sup> Director General of Conservation S602.087

<sup>37</sup> Manawa Energy Limited S438.087

<sup>38</sup> Manawa Energy Limited S438.087

<sup>39</sup> Westpower Limited S547.284

<sup>40</sup> Director General of Conservation S602.087

<sup>41</sup> Te Rūnanga o Ngāi Tau, Te Rūnanga of Ngāti Waewae and Te Rūnanga o Makaawhio S620.161

<sup>42</sup> Consequential amendment Manawa Energy Limited S438.087

<sup>43</sup> Clause 16(2) First Schedule of the RMA

<sup>44</sup> Te Tumu Paeroa – the Office of the Māori Trustee S440.029 and Te Rūnanga o Ngāi Tau, Te Rūnanga of Ngāti Waewae and Te Rūnanga o Makaawhio FS41.451

<sup>45</sup> Buller Conservation Group S552.213, Frida Inta S553.217 and Royal Forest and Bird Protection Society of New Zealand Inc S560.230

<sup>46</sup> Buller Conservation Group S552.213, Frida Inta S553.217 and Royal Forest and Bird Protection Society of New Zealand Inc S560.230

<sup>47</sup> Royal Forest and Bird Protection Society of New Zealand Inc S560.230

<sup>48</sup> Consequential amendment Buller Conservation Group S552.213, Frida Inta S553.217 and Royal Forest and Bird Protection Society of New Zealand Inc. S560.230

<sup>49</sup> Straterra S536.051

<sup>50</sup> Horticulture New Zealand S486.032

<sup>51</sup> Director General of Conservation S602.089

contribute to the outstanding natural landscape or feature are ~~maintained~~ not adversely affected.<sup>52</sup>

#### NFL – P5

Require that new buildings, and structures within outstanding natural features or landscapes ~~minimise~~ **avoid, remedy or mitigate**<sup>53</sup> any adverse visual effects **including**<sup>54</sup> by:

- a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location;
- b. Using naturally occurring building platforms, materials and colour that blends into the landscape;

**c. Minimising landform modification from earthworks;**<sup>55</sup> and

~~e.d. Limiting~~ **Minimising**<sup>56</sup> the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape; **and**<sup>57</sup>

**e. Landscaping buildings and structures with appropriate vegetation to reduce visual effects.**<sup>58</sup>

#### NFL – P6

~~Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:~~

**When assessing whether a proposal for land use or subdivision is appropriate, consider following matters:**<sup>59</sup>

- a. The **nature**, scale **and extent** of modification to the landscape **or feature**;<sup>60</sup>
- b. Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;
- c. Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;
- d. The temporary, **short term**<sup>61</sup> or permanent nature of any adverse effects;
- e. The functional, technical, operational or locational need of any activity to be sited in the particular location, **including an assessment of alternative sites**;<sup>62</sup>

<sup>52</sup> Terra Firma Mining Limited S537.015

<sup>53</sup> Westpower Limited S547.288

<sup>54</sup> Consequential amendment to Manawa Energy Limited S438.090 and Westpower Limited S547.288 below

<sup>55</sup> Director General of Conservation S602.090

<sup>56</sup> Manawa S438.090

<sup>57</sup> Clause 16(2) First Schedule of the RMA

<sup>58</sup> Buller Conservation Group S552.082 and Frida Inta S553.082

<sup>59</sup> Royal Forest and Bird Protection Society of New Zealand Inc S560.231 and Terra Firma Mining Limited S537.016

<sup>60</sup> Director General of Conservation S602.091

<sup>61</sup> Birchfield Coal Mines Limited S601.047, Birchfield Ross Mining Limited S604.041, TiGa Minerals and Metals Limited S493.061, and WMS Group (HQ) Limited and WMS Land Company Limited S599.066

<sup>62</sup> Director General of Conservation S602.091

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- f. Any historical, spiritual or cultural association held by Poutini Ngāi Tahu;
- g. Any positive effects the development has on the identified characteristics and qualities;
- h. Any positive effects at a national, regional and local level;
- i. Any relevant public safety considerations; ~~and~~<sup>63</sup>
- j. The measures proposed to mitigate the effects on the values and characteristics;
  - i. ~~The location, design and scale of any buildings or structures, or earthworks;~~
  - ii. ~~The intensity of any activity; and~~
  - iii. ~~The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing;~~<sup>64</sup>
- k. The management of effects on natural character,<sup>65</sup> amenity, recreation, historical and biodiversity values; and<sup>66</sup>**
- l. Any effects on values of Māori land.**<sup>67</sup>

**NFL – P7**

Enable the use of Māori Purpose Zoned land in outstanding natural landscapes and on outstanding natural features where land use and subdivision are ~~is~~<sup>68</sup> consistent with tikanga and mātauranga Māori ~~and minimises adverse effects on the outstanding values of the landscape or feature~~ **as outlined within an Iwi/Papatipu Rūnanga Management Plan.**<sup>69</sup>

**NFL – P8**

Consider the incorporation of mātauranga Māori principles into the design, development and/or operation of activities in outstanding natural features and landscapes with cultural, spiritual and/or historic values, interests or associations of importance to Poutini Ngāi Tahu and opportunities for Poutini Ngāi Tahu and to exercise their customary responsibilities as mana whenua and kaitiaki in respect of the feature or landscape.

~~Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.~~

## **2.5. NFL Rules**

### **Submissions and Further Submissions**

231. The s42A Report grouped the NFL rules into those relating to:

<sup>63</sup> Clause 16(2) First Schedule of the RMA

<sup>64</sup> Westpower Limited S547.292

<sup>65</sup> Buller Conservation Group S552.083 and Frida Inta S553.083

<sup>66</sup> Director General of Conservation S602.091

<sup>67</sup> Te Tumu Paeroa – the Office of the Māori Trustee S440.030 and Te Rūnanga o Ngāi Tau, Te Rūnanga of Ngāti Waewae and Te Rūnanga o Makaawhio FS41.453

<sup>68</sup> Clause 16(2) First Schedule of the RMA

<sup>69</sup> Te Rūnanga o Ngāi Tau, Te Rūnanga of Ngāti Waewae and Te Rūnanga o Makaawhio S620.163

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- natural hazard mitigation;
  - residential activities;
  - other permitted activities;
  - activities requiring resource consent; and
  - subdivision within ONL.
232. In relation to **hazard mitigation**, a Table on pages 64-67 of the s42A Report summarised 18 submission points and five further submission points on rule **NFL-R3**; and eight submission points on **NFL-R9**. Three submission points supported NFL-R3 as notified, 14 sought amendments and one requested it be deleted. Six submission points requested amendments to NFL-R9 and two requested it be deleted.
233. In relation to **residential activities**, a Table on pages 70-74 of the s42A Report summarised nine submission points relating to rule **NFL-R1**; 13 submission points relating to **NFL-R5**, 14 submission points relating to **NFL-R6**; and 16 submission points relating to **NFL-R8**. All submission points sought amendments.
234. In relation to **other permitted activities**, a Table on pages 76-86 summarised 11 submission points and one further submission point relating to rule **NFL-R1**; six submission points relating to **NFL-R2**, nine submission points relating to **NFL-R4**; five submission points and one further submission point relating to **NFL-R5**; 18 submission points and 75 further submission point relating to **NFL-R6**; nine submission points relating to **NFL-R7**; and 12 submission points and four further submission point relating to **NFL-R8**.
235. In relation to **activities requiring resource consent**, a Table on pages 94-100 summarised 23 submission points and five further submission points across multiple rules; 15 submission points and two further submission points relating to rule **NFL-R10**; two submission points relating to **NFL-R11**, seven submission points relating to **NFL-R12**; two submission points relating to **NFL-R13**; 10 submission points **NFL-R14**; and 14 submission points relating to **NFL-R15**.
236. In relation to **subdivision with ONL**, a Table on pages 106-108 summarised 16 submission points and three further submission points.
237. The Panel adopts these summaries and has considered the relevant submissions and further submissions.

**Section 42A Report**

238. The s42A Report highlighted submissions that sought a consistent approach in the rule framework for activities within SNA and ONL. It supported this but noted some differences in the statutory documents to give effect to.
239. The s42A Report considered the submissions to the natural hazard mitigation activity rules for **NFL-R3** and **NFL-R9** together given the latter rule is the default to the former rule. It did not support submissions that sought more enabling rules within ONFL areas. It also noted the opposition to the permitted and controlled activity rules for natural hazard mitigation activities within ONFL areas and recommended to change this to restricted discretionary status. It considered '*natural hazard mitigation activities*' was too wide and recommended

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*'natural hazard mitigation structures'* only be permitted. It considered who constructed the structure was a relevant matter because a statutory agency would look at the wider hazard and have a higher degree of oversight, design and awareness of unintentional environmental effects. It recommended permitting the maintenance and repair of lawfully established natural hazard mitigation structures; and the upgrading of lawfully established natural hazard structures by a statutory agency. It recommended new natural hazard mitigation structures and upgrading lawfully established structures within ONFL areas should require resource consent as a restricted discretionary activity under NFL-R9.

240. The s42A Report recommended changes to NFL-R3 to permit the repair and maintenance of lawfully established structures; and the upgrade of hazard mitigation structures undertaken by a statutory agency or their nominated contractor.

241. In relation to NFL-R9, the s42A Report recommended changes to make hazard mitigation structures that do not meet NFL-R3 a restricted discretionary activity. It noted the submission points made by Manawa may warrant a separate rule for temporary energy activities. It supported the addition of the following three new clauses in response to submissions –

- *Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;*
- *Managing adverse effects on historical, cultural and biodiversity values; and*
- *Amenity and visual effects*

242. The s42A Report considered the submissions to rules **NFL-R1, NFL-R5, NFL-R6** and **NFL-R8** relating to residential activities within ONFL together. Overall, it did not support any changes to make the rules more enabling or to amend the limits, given the requirement to protect ONFL values. It did not support providing for residential development within ONFL as a permitted activity, due to the potential to create cumulative effects. It considered the 5m height limit for new buildings was appropriate given it provided for a single storey building and anything higher than this would need careful design and implementation to avoid cumulative effects on outstanding values. It also noted the ability to refuse consent was important within ONFL areas. Similarly, it concluded the 1m cut height and 500m<sup>3</sup> volume for earthworks within ONFL were appropriate to avoid significant adverse effects. It did not support removing reference to the *'coastal environment'* given the structure of the Plan and the requirements of the National Planning Standards. It noted the NFL Overview stated that where buildings and structures located within ONFL areas were in the coastal environment, the Coastal Environment Chapter provisions applied. However, to make this clearer to Plan users, it recommended including the following Advice Note in NFL-R8:

*Where buildings and structures are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply.*

243. The s42A Report considered the submission points relating to rules **NFL-R1, NFL-R2, NFL-R4, NFL-R5, NFL-R6, NFL-R7** and **NFL-R8** relating to other permitted activities together.

244. In relation to **NFL-R1**, it recommended deleting *'railway'* from NFL-R1 and replacing *'critical'* with *'regionally significant'* to be consistent with the wider Plan. It did not support creating a hierarchy between the provisions in the ECO and CE Chapters given all matters of national importance must be provided for. It did not support including *'minor upgrading'* given this was not defined but *'upgrading'* was defined but recommended NFL-R5 be amended to allow for the upgrading of buildings and structures associated with energy activities and infrastructure. It did not support the addition of *'energy activities'* given these were included

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in definitions of 'infrastructure', 'network utilities' and 'regionally significant infrastructure'. It also did not support adding 'rural production activities' given this was undefined and the term was very wide. It supported removing reference to 'vegetation clearance' given this is addressed in the ECO Chapter.

245. In response to questions regarding the 5m height limit in NFL-R1, Ms Easton noted that the Buller District Council's plan provisions had been quite restrictive and that some consider 5m is too high to avoid cumulative effects on outstanding values.
246. In relation to **NFL-R2**, the s42A Report highlighted that the rule was deliberately restrictive to minimise cumulative effects and therefore it did not support changes to be more enabling. It did not support recognising the proposed aerial cableway sought by Skyline Enterprises Ltd as a permitted activity and considered such a development should be appropriately considered as a discretionary activity under NFL-R15.
247. In relation to **NFL-R4**, the s42A Report did not support making the rule more enabling without further information from submitters. No changes were recommended.
248. In relation to **NFL-R5**, the s42A Report supported amendments to clarify it applied to 'Energy Activities and Infrastructure' and that the 5m height limit applied to the addition or alteration. It did not support Manawa's request to enable 30% increases in height given this would allow a 9m high structure to be increase to 12m as a permitted activity.

It recommended the addition two new clauses to limit the scale of any additions or alterations and to require compliance with the permitted activity standards in Rule INF-R7 and Rule ENG-R4, as follows:

- The maximum area of any addition is no greater than 50m<sup>2</sup>, or 10% of the total floor area, whichever is the greater; and
  - Any upgrades to infrastructure are undertaken by a network utility operator in accordance with the relevant Permitted Activity standards in Infrastructure Rule – INF – R7 and Energy Rule ENG – R4.
249. In relation to **NFL-R6**, the s42A Report recommended several deletions in response to submission points. It did not support changes to further permit the development, use and maintenance of multi-use recreation trails given conservation activities are permitted and NFL-R6 provides for 500m<sup>3</sup> of earthworks in any 12-month period. It noted the ECO chapter rules specifically provide for vegetation clearance for track formation; and that no land use consents are required for such work undertaken by DOC if it is consistent with the Conservation Management Strategy and Park Management Plans, regardless of the scale of the activity. It did not support adding 'or 4ha whichever is the larger' to clause (3)(b) because only a 'handful' of properties in Iveagh Bay at Lake Brunner were affected and this did not justify making the plan more complex. It did not support amendments to NFL-R6 to permit energy activities, transport infrastructure undertaken by statutory agencies, or mineral extraction given the potential for adverse effects on ONFL values. It did not consider reference to the need to comply with the ECO chapter rules for vegetation clearance was necessary.
250. The s42A Report did not address the Director General submission point S602.094 to change NFL-R6 default from a controlled activity to a restricted discretionary activity. However, the Panel consider this submission point below.

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251. In relation to **NFL-R7**, the s42A Report recommended an amendment to include *'Poutini Ngāi Tahu Activities'* to correct a drafting error. It did not consider adding a new clause *'subject to rules in the ECO chapter and rules and policies in NFL'* was necessary given the compliance with the ECO provisions is a requirement of the Plan and as a permitted activity an assessment of the NFL policies was not required.
252. In relation to **NFL-R8**, the s42A Report recommended amendments to delete the word *'stock'* from clause (2) and to add *'and for energy network utilities Rule ENG-R4'* to clause (4) but did not support widening this to include *'energy activities'*. It supported adding *'single'* and *'per allotment'* to clause (5) and a new subclause (b) *'The gross floor area of any building does not exceed 100m<sup>2</sup>'*. It recommended adding *'and mahinga kai activities'* to clause (6); and a new clause to include *'A bridge constructed for Temporary Military Training Activity'*.
253. The s42A Report did not support deleting the provision for new network utility structures within ONFL in rule NFL-R8 given the direction of the NPSET and the RPS. Similar to NFL-R7, it did not consider cross referencing to the ECO rules was necessary. It also did not consider a standard for parks facilities and park furniture within ONFL was necessary given areas managed by DOC were not subject to the Plan provisions.
254. In response to questions regarding the changes supported to NFL-R8(4) in paragraph 274 of the s42A Report, Ms Easton agreed to adding the words addressing height and area limits, as requested by Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd (S663.049). She acknowledged these had been inadvertently omitted from the recommendation and Appendix 1.
255. The s42A Report considered the submission points relating to rules **NFL-R10, NFL-R11, NFL-R12, NFL-R13, NFL-R14, and NFL-R15** relating to activities requiring resource consent together. It supported adding the following three new clauses to all controlled and restricted NFL rules:
- *Adverse effects on historical, cultural and biodiversity values;*
  - *Amenity and visual effects; and*
  - *Identifying and avoiding impacts on Poutini Ngāi Tahu values.*
256. The s42A Report did not support a new restricted discretionary activity rule for mineral extraction and noted this would be subject to rules NFL-R14 and NFL-R15. It considered the strategic direction to support minerals extraction does not outweigh RMA section 6. It concluded a discretionary activity status for mineral extraction was appropriate to address uncertainty as to adverse effects and to give a high degree of oversight the ONFL status warrants. It also did not support downgrading discretionary activity rules to restricted discretionary for these reasons. It did not support adding a new clause *'subject to rules in the ECO chapter and rules and policies in NFL'*.
257. In relation to **NFL-R10**, the s42A Report recommended adding *'Upgrade, Maintenance, Operation and Repair'* to clause (1)(d) and replacing *'facility'* with *'activity'*. It recommended replacing *'critical'* with *'regionally significant'* and deleting clause (2). It recommended the same new clauses as matters of discretion, as recommended above in relation to NFL-R9. It supported changing the rule activity status from a controlled activity to restricted discretionary to be consistent with the approach taken in the Natural Character of Waterbodies and other ONFL rules.

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258. The s42A Report considered that it was appropriate to have a new restricted discretionary activity rule for earthworks associated with mineral extraction within MINZ and BCZ special zones that overlap with ONL. It noted the areas of overlap with ONL related to:

- Dunganville Mineral Extraction Zone;
- Buller Coalfield Zone: Denniston Plateau – Escarpment Mine and Te Kuha Mine;
- Reefton Mineral Extraction Zone;
- Inangahua Mineral Extraction Zone; and
- Paparoa Range – Paparoa Coalfield Mineral Extraction Zone.

259. The s42A Report recommend the following wording for the new rule:

**NFL 10A Mineral Extraction in the Buller Coalfield Zone and Mineral Extraction Zone within an Outstanding Natural Landscape described in Schedule 5.**

Activity Status Restricted Discretionary

Where:

1. These are on land within the Buller Coalfield Zone or a Mineral Extraction Zone; and

2. This includes earthworks and buildings associated with the activity. Discretion is restricted to:

a. Any requirements for landscape evaluation;

b. Managing adverse effects on historical, cultural, and biodiversity values;

c. Amenity and visual effects;

d. Managing effects on public access and natural character;

e. Effects on the values that make the feature Outstanding;

f. Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;

g. Extent and design of earthworks; and

h. Landscape measures.

Activity status where compliance not achieved: Discretionary

260. In relation to **NFL-R11**, the s42A Report recommended including ‘Poutini Ngāi Tahu Activities’ to correct the same drafting error identified in NFL-R7.

261. In relation to **NFL-R12**, the s42A Report recommended including the three new matters of discretion recommend above in relation to NFL-R9 and NFL-R10, and three new additional matters, as follows:

- Any functional or operational needs that relate to the proposal and its location;
- Any matters of public safety; and

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- Any positive effects at a local, regional or national level.
262. The s42A Report did not support changing the activity status from restricted discretionary to discretionary given the degree of restriction proposed and the direction of the RMA and RPS. It considered that providing there were clear and appropriate matters of discretion, there were a range of appropriate activities that could be located within ONFL without degrading the values. It noted that given the large extent of ONFL, it was important to provide a consent pathway for activities that have a functional and operational need to occur in these areas and for appropriately designed and located residential activities.
263. The s42A Report noted Manawa sought the deletion of 'landscape measures', as a matter of discretion, due to overlaps with other matters of discretion. However, it did not support this as it could include planting or requirements on the colour and reflectivity of materials.
264. In relation to **NFL-R13**, the s42A Report recommended the activity status be changed from discretionary to non-complying due to the potential for plantation forestry to have very significant adverse effects on ONFL values.
265. In relation to **NFL-R14**, the s42A Report recommended a consequential change to delete 'controlled' given the amendments to change the two controlled activity rules to restricted discretionary.
266. In relation to **NFL-R15**, the s42A Report did not recommend any changes, except a consequential change to add 'mineral extraction' from the recommendation to include a new rule for mineral extraction in the MINZ and BCZ zones.
267. The s42A Report also considered the relevant submission points on subdivision within ONL in relation to Rule **SUB-R11**. It supported the addition of three new clauses as follows:
- Matters outlined in Policies NFL P1 – NFL -P9 as relevant;
  - Measures to address any natural hazards or geotechnical constraints; and
  - Management of potential reverse sensitivity effects on existing land uses, including network utilities and regionally significant infrastructure, rural activities or significant hazardous facilities
268. The s42A Report did not support replacing SUB-R11(b) with a 15mx15m building platform; or deleting 'and the need for access to be provided to any esplanade reserve or strip created' from SUB-R11(f) given no reasons were provided for the requested changes sought by submitters.
269. The s42A Report did not support changing the activity status of SUB-R11 to a discretionary activity, given the high degree of management of activities provided by the overlays which restrict activities within these areas, ONFL, SNA and the coastal environment. It outlined the approach taken in other districts was predominantly as a discretionary activity but noted that most Councils do not have the number and extent of ONL identified on the West Coast. It considered Tasman was the most similar and that it is restricted discretionary or discretionary depending on the rural zone type.

**Hearing and Submitter Evidence/Statements**

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270. Transpower advised it continued to seek the replacement of clause NFL-R6(2)(b) with ‘An energy activity undertaken’.
271. Ms Young, for the Director General, confirmed support for the s42A Report recommendations in relation to the rules, except for the 500m<sup>3</sup> volumetric limit for earthworks in NFL-R6(3)(b) which she sought be reduced to 200m<sup>3</sup> due to potential disturbance of high geodiversity. In relation to NFL-R8, she highlighted that the wording of RPS Policy 3 indicates regionally and nationally significant electricity transmission, distribution and renewable electricity generation infrastructure will require a resource consent and would not be permitted activities.
272. In relation to SUB-R11, Ms Young accepted the s42A Report recommendation to retain a restricted activity status based on the inclusion of a new matter of discretion – ‘Matters outlined in Policies NFL P1 – NFL P9 as relevant’. She said “*Provided the matters of restriction do allow for an assessment against the policies of the Plan, that a Restricted Discretionary Activity is appropriate.*”
273. Mr Leckie, for Bathurst, highlighted the need to not intentionally undermine the anticipated mineral extraction activities within the MINZ and BCZ where earthworks are permitted.
274. Ms Hunter, for Bathurst, agreed with the s42A Report recommendation that new mineral extraction activities within ONL should be a restricted discretionary activity under new rule NFL-10A. However, she highlighted the need to review these overlaps to ensure these special purpose zones were free of any ONL encumbrance. She noted the matters of discretion appeared to cover broader matters than landscape and visual amenity and considered ‘landscape measure’ was unclear. She recommended redrafting the list as follows:
- *The effects on landscape and visual amenity values, and view of the activity particularly from public roads and areas; and*
  - *Mitigation and remediation measures.*
275. Ms Styles noted that Manawa is not a statutory agency and that NFL-R3 and NFL-R9 were therefore unreasonably restrictive given other parties establish, operate and maintain hazard mitigation structures to provide for RSI and protect infrastructure from natural hazards. To resolve this, she requested the following amendments to NFL-R3:

**NFL - R3**

*Repair and Maintenance, and Upgrading of Natural hazard mitigation ~~activities~~ structures including earthworks in an Outstanding Natural Landscape described in Schedule Five*

*Activity Status Permitted*

*Where:*

- 1. The natural hazard mitigation structure has been lawfully established and is to protect regionally significant infrastructure ~~activities are to protect critical infrastructure;~~*
- 2. Any upgrading of natural hazard mitigation ~~activities~~ structures is ~~are~~ undertaken by a statutory agency or their nominated contractor or the owner of the regionally significant infrastructure where there is no change to more than 10% to the overall dimensions, orientation or outline of the structure as of 14 July 2022; and*

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3. *The work does not involve modification of an Outstanding Natural Feature described in Schedule Six.*

*Activity status where compliance not achieved: Controlled*

276. Ms Styles supported the controlled activity status for rule NFL-R10 and deletion of 'landscape measures' as a matter of discretion in NFL-R12, unless the meaning was clarified.
277. In her supplementary evidence for Manawa, Ms Styles recommended inclusion of the following to NFL-R1:

Where:

1. Earthworks, structures and vegetation clearance associated with renewable electricity generation activities are permitted under the Energy and Ecosystems and Biodiversity chapters.

278. In relation to NFL-R5 and NFL-R6, Ms Styles recommended the following amendments:

**NFL - R5**

*Additions or alterations to buildings and structures including upgrades to Energy Renewable Electricity Generation Activities, Electricity Generation Activities and Regionally Significant Infrastructure within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six*

*Activity Status Permitted*

- 1. The maximum height of any addition or alteration to buildings and structures above ground level is 5m or a 10% increase above the existing building / structure height, whichever is the greater; and*
- 2. The maximum area of any addition is no greater than 50m<sup>2</sup>, or 10% of the total floor area, whichever is the greater; and*
- 3. Any upgrades to infrastructure are undertaken by a network utility operator are in accordance with the relevant Permitted Activity standards in Infrastructure Rule – INF – R7 and Energy Rule ENG – R4.*

*Advice Note: Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply. Activity status where compliance not achieved: Restricted Discretionary*

**NFL - R6**

*Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six*

*Activity Status Permitted*

*Where:*

- 1. All performance standards for Earthworks Rule EW - R1 are complied with; and*
- 2. This is ancillary to:*

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*a. An infrastructure activity undertaken by a network utility operator ~~in accordance with the Permitted Activity standards in Infrastructure Rule INF - R7; or~~*

*b. An Electricity Transmission or Distribution Activity, or Renewable Electricity Generation Activity, in accordance with the Permitted Activity standards in Energy Rule ENG - R4; or*

*3. For other earthworks (other than those provided for in clause 1 and 2 above), the following standards are complied with:*

*a. The cut height or fill depth does not exceed one metre vertically; and*

*b. No more than 500m<sup>3</sup> of earthworks are undertaken/12 month period/site.; and*

*c. ~~The earthworks are undertaken outside of the Coastal Environment.~~*

279. Mr Bentley noted that the meaning of ‘landscape measures’ as a matter of discretion was ambiguous and that it needed to be either deleted or clarified.
280. Ms Leveson for Hort NZ sought amendments to insert ‘rural production activities’ to NFL-R1 to ensure that horticulture activities were provided for. She considered NFL-R1 was a fitting place to provide for horticultural activities enabled under NFL-P1. She supported the s42A Report recommended amendments to NFL-R8 but considered it was unclear whether the rule provided for activities that do not occur within a building.
281. Mr Kennedy, for Westpower, highlighted their support for a controlled activity status for NFL-R9 and considered the recommended change to restricted discretionary for any RSI as they related to Westpower activities required resolution. He requested the addition of a new matter of discretion - ‘The operational and functional needs of infrastructure, including regionally significant infrastructure.’
282. In relation to NFL-R5, Mr Kennedy supported the recommended amendments to link any upgrades to infrastructure undertaken by a network utility operator to rules INF-R7 and ENG-R4 to avoid the 5m height limit in clause (1).
283. In relation to NFL-R10, Mr Kennedy supported retention of a controlled activity status for the maintenance, operation and upgrading of existing network infrastructure. He noted NFL-R10 was not intended to apply to the installation of network infrastructure (given recommended NFL-R6(2)(a)) and NFL-R12 applied to all other network infrastructure activities. He considered these rules needed to be rationalised on this basis; and that the matters of discretion should be the same for both rules if the restricted discretionary status is recommended.
284. KiwiRail supported deleting ‘railway’ in NFL-R1 on the basis that the recommended definition of ‘Regionally Significant Infrastructure’ includes ‘rail network’.
285. Ms Inta for herself and the Buller Conservation Group requested the inclusion of ‘per title or 4ha, whichever is the larger’ in NFL-R6; and considered NFL-R12(k) making ‘positive effects’ a matter of discretion was a nonsensical inclusion.
286. Mr Mills requested a series of permitted activity rules to allow for future bush clearing, earthworks, waterway culverts, bridge building and any activities associated with the development, use and maintenance of multi-use recreation trails. He considered these rules should cut across all overlays except for wetland layers.

**Reporting Officer Reply Evidence**

287. Ms Easton highlighted the intention of the Plan is that where ONL and ONF are located in the Coastal Environment, the provisions of the Coastal Environment Chapter apply, as outlined in the Overview and the provision of advice notes. She recommended the addition of an advice note to rule NFL-R8 based on the advice notes included for NFL-R5 and NFL-R6 but with the following consistent wording:

*Where activities are located in the Coastal Environment, the provisions **are located** in the Coastal Environment Chapter **and this rule does not** apply.*

288. Ms Easton highlighted the withdrawal of Te Tumu Paeroa's three submission points relating to the NFL policies removed any scope for requested amendments to the rules, as no submission were made on the NFL rules.

289. Ms Easton highlighted the recommended definition for 'minor upgrade' and considered this enabled providing for minor upgrade of renewable energy generation activities and network utility infrastructure (as defined in the Plan) as a permitted activity under Rule NFL-R5. She considered this avoided the need to cross reference to the Energy and Infrastructure Chapters.

290. In response to Ms Styles' evidence in relation to NFL-R6, Ms Easton noted that the recommended deletion of clause (b) because electricity generators do not meet the definition of 'network utility operator'. She remained of the view it was not appropriate to add 'ancillary earthworks and vegetation clearance' associated with additions/alterations to structures and buildings permitted in Rule NFL-R5. However, on reflection she agreed that ancillary earthworks associated with additions/alterations to buildings and structures should be provided for in Rule NFL-R6 by replacing clause (b) with the following:

**Additions or alterations to a building or structure, including minor upgrades of renewable electricity generation and network utility infrastructure provided for in Rule NFL – R5.**

291. Ms Easton confirmed her recommended further amendments to the Rules NFL-R5 and NFL-R6 shown in yellow highlight in Appendix 1 of the Right of Reply, as follows:

**NFL – R5** *Additions or alterations to buildings and structures **including minor upgrades to Energy Renewable Electricity Generation Activities and Network Utility Infrastructure** within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six*

*Activity Status Permitted*

1. **This is a minor upgrade of infrastructure undertaken by a Network Utility Operator or of a Renewable Electricity Generation Activity; or**

**2. For all other activities:**

*i. The maximum height of **any addition or alteration** to buildings and structures above ground level is 5m; and*

*ii. **The maximum area of any addition is no greater than 50m<sup>2</sup>, or 10% of the total floor area, whichever is the greater.***

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- ~~3. Any upgrades to infrastructure are undertaken by a network utility operator in accordance with the relevant Permitted Activity standards in Infrastructure Rule INF - R7 and Energy Rule ENG - R4.~~

*Advice Note: Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply.*

*Activity status where compliance not achieved: Restricted Discretionary*

- NFL – R6** *Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six*

*Activity Status Permitted*

*Where:*

1. *All performance standards for Earthworks Rule EW - R1 are complied with; and*
2. *This is ancillary to:*
  - a. *An infrastructure activity undertaken by a network utility operator ~~in accordance with the Permitted Activity standards in Infrastructure Rule INF - R7; or~~*
  - b. *An energy activity undertaken by a network work utility operator in accordance with the Permitted Activity standards in Energy Rule ENG - R4; **Additions or alterations to a building or structure, including minor upgrades of renewable electricity generation and network utility infrastructure provided for in Rule NFL - R5.***
3. *For other earthworks, the following standards are complied with:*
  - a. *The cut height or fill depth does not exceed one metre vertically; **and***
  - b. *No more than 500m<sup>3</sup> of earthworks are undertaken/12 month period/site.; and*
  - c. ~~*The earthworks are undertaken outside of the Coastal Environment.*~~

*Advice Note:*

- ~~1. Earthworks associated with natural hazard mitigation activities are subject to Rule NFL - R340.~~
2. *This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - CF.*
3. *Where activities are located in the Coastal Environment, the provisions **are located** in the Coastal Environment Chapter **and this rule does not apply.***

*Activity status where compliance not achieved: Controlled*

*Refer to the Coastal Environment Rules for Earthworks in the Outstanding Coastal Environment*

**Hearing Panel's Evaluation**

292. The Panel notes the s42A Report concludes the limits in rules NFL-R1, NFL-R5, NFL-R6 and NFL-R8, relating to activities within ONFL are sufficient to avoid significant adverse effects. The

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Panel considers this is not consistent with the direction of the RMA s6 or the provisions of the RPS which require the protection of ONFL from inappropriate use and development. As discussed above, the Panel accepts that protection requires the avoidance of more than minor adverse effects. The Panel has kept this threshold of effects in mind in making its recommendations on the rules.

293. The Panel has carefully considered the submissions seeking more enabling rules and those seeking more restrictive rules and is satisfied the rules strike a balance between protecting outstanding ONFL and enabling appropriate use, development and subdivision. The Panel accepts the limits and standards recommended by Ms Easton are appropriate to avoid adverse cumulative effects.
294. The Panel rejects the submission point of Mr Mills requesting permitted activity rules to allow for future bush clearing, earthworks, waterway culverts, bridge building and any activities associated with the development, use and maintenance of multi-use recreation trails, which would cut across all overlays except for wetland layers. The Panel is satisfied the rules appropriately provide for activities that have minor adverse effects on ONFL.
295. In relation to **NFL-R1**, the Panel accepts Ms Easton's recommendation to retain the rule as notified, except for deleting 'railway' replacing 'critical' with '*regionally significant*' to be consistent with the wider Plan.
296. In relation to **NFL-R2**, the Panel agree with Ms Easton that permitted conservation activities is intended to be restrictive to minimise cumulative adverse effects on outstanding values. The Panel agrees that any proposed aerial cable should not be provided for as a permitted activity under NFL-R2.
297. In relation to **NFL-R3** and **NFL-R9**, the Panel agree that a consistent approach in the rule framework for activities within SNA and ONL is desirable. The Panel also agree with Ms Easton that '*natural hazard mitigation activities*' is too wide in NFL-R3 and accept the recommendation this should be limited to '*natural hazard mitigation structures*'. The Panel recommends this change is also made in Advice Notes (1) and (2) and in NFL-R9, which were not shown in Appendix 1 of the Right of Reply.
298. In relation to **NFL-R3**, the Panel agrees with Ms Easton that the entity that constructs the natural hazard mitigation structure is a relevant matter; and accept a statutory agency would need take a wider assessment to hazard mitigation than an individual property would, with clear responsibility for controlling the design, construction and maintenance of the structure. The Panel accepts the recommended changes to the rule to permit the maintenance and repair of lawfully established natural hazard mitigation structures only; and the upgrading of lawfully established natural hazard structures by a statutory agency or their nominated contractor. The Panel considers it appropriate to include 'or authorised contractor acting on its behalf' as a consequential amendment to be consistent Plan wide.
299. The Panel has considered Ms Styles' request to add '*or the owner of the regionally significant infrastructure*' to NFL-R3 in recognition that Manawa is not a statutory agency but agree with Ms Easton that this is too broad. The Panel notes that Manawa's activities would be enabled by rule NFL-R5, which permits additions or alterations to buildings and structures, including minor upgrades to renewable electricity generation activities and network utility infrastructure within ONFL. The Panel considers this is appropriate.

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300. The Panel agrees with Ms Easton that new natural hazard mitigation structures and upgrades to structures within ONFL areas not meeting NFL-R3 should require resource consent as a restricted discretionary activity. The Panel consider it is critical that the consent authority retains the ability to refuse consent to ensure ONFL values are protected.
301. In relation to **NFL-R9**, the Panel considers the wording '*will not destroy*' is not consistent with RMA section 6 and the RPS. This wording suggests significant adverse effects may be acceptable if the values that make it outstanding are not destroyed. This does not give effect to the RMA or RPS, which require the protection of outstanding NFL. The Panel recommends this is reworded to require protection of the outstanding values.
302. The Panel considers the wording of NFL-R9 should clarify that it relates to '*structures*' undertaken '*in Outstanding Natural Landscapes identified in Schedule Five and Outstanding Natural Features identified in Schedule Six*', as the default to NFL-R3. The Panel considers NFL-R9(h) '*landscape measures*' is unclear and should be corrected to '*measures to mitigate landscape effects*'. The Panel recommends changes to NFL-R9 address these matters.
303. The Panel accepts Ms Easton's recommended changes to **NFL-R5** and **NFL-R6** (in Appendix 1 of her Right of Reply) to permit additions or alterations to buildings and structures, including minor upgrades to renewable electricity generation activities and network utility infrastructure within ONFL; and earthworks associated with these activities. However, the Panel considers the wording of NFL-R5(2)(i) is unclear and recommends this is reworded as follows:
- The maximum height of any addition or alteration ~~to buildings and structures~~ **is 5m** above ground level ~~is 5m~~; **and***
304. In relation **NFL-R6**, the Panel agrees with Ms Inta and the Buller Conservation Group that NFL-R6(3)(b) is improved by adding '*or 4ha, whichever is the greater*' and do not consider this makes the rule any more complex.
305. The Director General submitted that where the activity status of Rule NFL-R6 is not complied with, the default activity status should be restricted discretionary and not controlled. The Panel agrees and considers it is appropriate that the consent authority has the ability to refuse consent for earthworks within an ONL or ONF area to protect these outstanding values as matters of national importance under RMA s6.
306. The Panel notes that in paragraph 166 of the s42A Report, Ms Easton's recommends adding an Advice Note to NFL-R11 and RFL-R12 in response to the Director General's submission point (S602.091) in relation to the requirement to assess alternatives where there are significant adverse effects on an RMA s6 matter of national importance. However, this was not reflected in Appendix 1 of the s42A Report or Appendix 1 of the Right of Reply. The Panel consider adding advice notes is not necessary. The Panel notes the addition to NFL-P5(e) requires the consideration of alternative sites and consider this is sufficient.
307. The Panel agree with the recommendation to add new Rule NFL-10A and consider this addresses the concerns raised in relation to mining activities within the BCZ and MINZ zones.
308. The Panel notes Manawa sought the deletion of '*landscape measures*' from NFL-R12(h). The Panel accepts Ms Easton's view that the intent is to control measures to mitigate landscape effects such as planting, screening and the colour and reflectivity of materials. The Panel agrees and considers this is addressed by rewording '*Landscape measures*' to read '*Measures to mitigate landscape effects*'. The Panel tested this wording with Ms Gilbert at the hearing,

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and she agreed that ‘landscape measures’ was unclear and supported the suggested wording. The Panel considers this change should be made to all references in the NFL rules to ‘*landscape measures*’ to clarify what this means without changing the intent.

309. The Panel is not convinced that adding a new clause NFL-R12(k) making ‘*positive effects*’ a matter of discretion is necessary given it is a consideration under RMA s104.
310. The Panel acknowledge the view of Ms Young who now considers that the subdivision of land with an ONL or ONF under SUB-R11 can be addressed as a restricted discretionary activity with the amendments to the matters of discretion now proposed. The Panel considers there are sufficient matters of discretion to assess the potential environmental effects of activities on identified outstanding values and attributes, and we recommend these addition matters now be included.
311. Overall, the Panel accepts Ms Easton’s recommended changes in Appendix 1 of the Right of Reply, subject to the minor amendments outlined above.

**Hearing Panel’s Recommendation**

312. For the reasons outlined above, and subject to our consideration of Part 2 of the RMA, the Panel recommends that the relevant submissions identified in the footer below are accepted or accepted in part and that changes are made to the Natural Features and Landscapes Rules and Rule SUB11 as follows:

<b>Natural Feature and Landscapes Rules</b>	
Note: There may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity are provided in General Approach.	
<b>Permitted Activities</b>	
<b>NFL -R1</b>	<b>Maintenance, operation and repair of lawfully established buildings, structures, network utilities, renewable electricity generation activities, fence lines, drains, roads, <del>railway, critical</del> <u>regionally significant</u><sup>70</sup> infrastructure and tracks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six</b>
<b>Activity Status Permitted</b>	
<b>Advice Note:</b>	
1. Any indigenous vegetation clearance associated with maintenance and repair is subject to the provisions in the Ecosystems and Biodiversity Chapter.	
2. Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply.	

<sup>70</sup> Manawa Energy Limited S438.092 and West Coast Regional Council S488.009

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.

**Activity Status where compliance not achieved:** Refer to other relevant Overlay Chapter where these activities occur in multiple overlays.

**NFL -R2 Conservation Activities within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six**

**Activity Status Permitted**

**Advice Note:**

Any indigenous vegetation clearance associated with Conservation Activities is subject to the provisions in the Ecosystems and Biodiversity Chapter

**Activity Status where compliance not achieved:** N/A

**NFL- R3 Repair, maintenance and upgrading of<sup>71</sup> ~~Natural hazard mitigation structures~~<sup>72</sup> including earthworks in an Outstanding Natural Landscape described in Schedule Five**

**Activity Status Permitted**

Where:

1. The natural hazard mitigation **structure has been lawfully established**~~activities are to protect critical infrastructure;~~<sup>73</sup>
2. ~~The~~ **Any upgrading of**<sup>74</sup> natural hazard mitigation ~~activities~~ **structures**<sup>75</sup> are undertaken by a statutory agency or their nominated **authorised**<sup>76</sup> contractor **acting on its behalf**<sup>77</sup>, **where there is no change to more than 10% to the overall dimensions, orientation or outline of the structures as of 14 July 2022;**<sup>78</sup> and
3. The work does not involve modification of an Outstanding Natural Feature described in Schedule Six.

**Advice Notes:**

1. Any indigenous vegetation clearance associated with natural hazard mitigation ~~activities~~ **structure**<sup>79</sup> is subject to the provisions in the Ecosystems and Biodiversity Chapter
2. For any natural hazard mitigation ~~activity~~ **structure**<sup>80</sup> within Outstanding Natural Landscapes in the coastal environment, refer to the Coastal Environment Chapter.
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.

<sup>71</sup> Forest and Bird S560.233 and the Director General of Conservation S602.092

<sup>72</sup> Director General of Conservation S602.087 consequential amendment

<sup>73</sup> Manawa Energy Limited S438.092

<sup>74</sup> Consequential amendment - Forest and Bird (S560.233) and the Department of Conservation S602.092

<sup>75</sup> Director General of Conservation S602.087 consequential amendment

<sup>76</sup> Plan wide consequential amendment [discussed in EW, LIGHT, TEMP]

<sup>77</sup> Plan wide consequential amendment [discussed in EW, LIGHT, TEMP]

<sup>78</sup> Plan wide consequential amendment [discussed in EW, LIGHT, TEMP]

<sup>79</sup> Director General of Conservation S602.087 consequential amendment

<sup>80</sup> Director General of Conservation S602.087 consequential amendment

**Activity Status where compliance not achieved:** Controlled

**NFL – R4 Demolition and Removal of a Structure within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six**

**Activity Status Permitted**

**Advice Note:** Where structures are identified as Historic Heritage Items in Schedule One, then the Historic Heritage Rules apply.

**Activity Status where compliance not achieved:** N/A

**NFL -R5 Additions or alterations to buildings and structures, including minor upgrades to Energy—Renewable Electricity Generation Activities and Network Utility Infrastructure,<sup>81</sup> within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six**

**Activity Status Permitted**

Where:

1. **This is minor upgrade of infrastructure undertaken by a Network Utility Operator or Renewable Electricity Generation Activity; or<sup>82</sup>**
2. For all other activities:
  - a. The maximum height of **any addition or alteration<sup>83</sup> buildings and structures is 5m** above ground level ~~is 5m~~; **and<sup>84</sup>**
  - b. **The maximum area of any addition is no greater than 50m<sup>2</sup>, or 10% of the total floor area, whichever is the greater.<sup>85</sup>**

**Advice Notes:**

1. Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply **and this rule does not apply.<sup>86</sup>**

**Activity Status where compliance not achieved:** Restricted Discretionary

**NFL – R6 Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six**

**Activity Status Permitted**

Where:

1. All performance standards for Earthworks Rule EW - R1 are complied with; and
2. This is ancillary to:

<sup>81</sup> Manawa Energy Limited S438.092 and Westpower S547.293

<sup>82</sup> Consequential amendment Manawa Energy Limited S438.092 and Westpower S547.293

<sup>83</sup> Consequential amendment Manawa Energy Limited S438.092 and Westpower S547.293

<sup>84</sup> Consequential amendment Manawa Energy Limited S438.092 and Westpower S547.293

<sup>85</sup> Director General of Conservation S602.092

<sup>86</sup> Consequential amendment Westpower S547.297

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- a. An infrastructure activity undertaken by a network utility operator in accordance with the Permitted Activity standards in Infrastructure Rule INF – R7; or<sup>87</sup>
  - b. An energy activity undertaken by a network work utility operator in accordance with the Permitted Activity standards in Energy Rule ENG – R4; **Additions or alterations to a building or structure, including minor upgrades of renewable electricity generation and network utility infrastructure provided for in Rule NFL – R5.**<sup>88</sup>
3. For other earthworks, the following standards are complied with:
- a. The cut height or fill depth does not exceed one metre vertically; **and**
  - b. No more than 500m<sup>3</sup> of earthworks are undertaken ~~/ per~~<sup>89</sup> 12 month period ~~/ per~~<sup>90</sup> site **or per 4 hectares, whichever is the greater.**<sup>91</sup>; ~~and~~
  - c. The earthworks are undertaken outside of the Coastal Environment.<sup>92</sup>

**Advice Notes:**

- ~~1. Earthworks associated with natural hazard mitigation activities are subject to Rule NFL – R3.~~<sup>93</sup>
- ~~2. 1.~~ This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - CPF.<sup>94</sup>
- ~~3. 2.~~ Where activities are located in the Coastal Environment, the provisions **are located** in the Coastal Environment Chapter apply **and this rule does not apply.**<sup>95</sup>

**Activity Status where compliance not achieved: ~~Controlled~~ Restricted Discretionary**<sup>96</sup>

Refer to relevant Coastal Environment Rules for Earthworks in the Outstanding Coastal Environment.

**NFL – R7      Poutini Ngāi Tahu Activities or<sup>97</sup> **Māori Purpose Activities within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six****

**Activity Status Permitted**

Where:

1. These are:
  - a. Poutini Ngāi Tahu activities, including cultural harvest of vegetation, mahinga kai, Pounamu, Aotea stone or rock; or
  - b. Māori Purpose Activities in the Māori Purpose Zone undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; and

<sup>87</sup> Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd S663.048

<sup>88</sup> Manawa Energy Limited S438.096

<sup>89</sup> RMA Schedule 1, Clause 16 correction

<sup>90</sup> RMA Schedule 1, Clause 16 correction

<sup>91</sup> Buller Conservation Group S552.089 Frida Inta S553.089

<sup>92</sup> Westpower S547.286

<sup>93</sup> Director General of Conservation S602.094

<sup>94</sup> First Schedule Clause 16(2) amendment to reflect the enactment of the Resource Management (National Environmental Standard for Commercial Forestry) Regulations 2023, which replaces the NES-PF.

<sup>95</sup> Westpower S547.297 consequential amendment

<sup>96</sup> Director General of Conservation S602.094

<sup>97</sup> Te Rūnanga o Ngāi Tau, Te Rūnanga of Ngāti Waewae and Te Rūnanga o Makaawhio S620.164

2. All Permitted Activity standards in Rule EW - R1 are complied with.

**Activity Status where compliance not achieved:** Restricted Discretionary

**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**

**Activity Status Permitted**

**Where the structure is:**

1. A fence; or
2. Associated with ~~stock~~<sup>98</sup> water reticulation including tanks, pipes and water troughs; or
3. For parks facilities or parks furniture in any Open Space Zone; or
4. For a network utility (including customer connections) in accordance with the Permitted Activity standards for Infrastructure in Rule INF - R7 **and for energy network utilities Rule ENG-R4,<sup>99</sup> underground lines or small network utility structures not exceeding 3m in height and 5m<sup>2</sup> in area;<sup>100</sup> or**
5. For a **single**<sup>101</sup> small-scale renewable electricity generation activity **per allotment, where:** ~~with a~~ maximum height above ground level of 5m<sup>102</sup>
  - a. **The maximum height is 5m above ground level; and**<sup>103</sup>
  - b. **The gross floor area of any building does not exceed 100m<sup>2</sup>; or**<sup>104</sup>
6. For agricultural, pastoral and horticultural activities and **mahinga kai activities**<sup>105</sup> or any accessory building where:
  - a. The maximum height is 3m above ground level; and
  - b. The gross floor area of any building does not exceed 100m<sup>2</sup>; **or**
7. **A bridge constructed as part of a Temporary Training Activity.**<sup>106</sup>

**Advice Note:**

1. **Where buildings and structures are located in the Coastal Environment, the provisions located in the Coastal Environment Chapter apply and this rule does not apply.**<sup>107</sup>

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

**Controlled Activities**

<sup>98</sup> Horticulture New Zealand S486.034

<sup>99</sup> Westpower Limited S547.297

<sup>100</sup> Chorus NZ Ltd, Spark NZ Trading Ltd and Vodafone NZ Ltd S663.049

<sup>101</sup> Manawa Energy Limited S438.097

<sup>102</sup> Manawa Energy Limited S438.097

<sup>103</sup> Manawa Energy Limited S438.097

<sup>104</sup> Manawa Energy Limited S438.097

<sup>105</sup> Te Rūnanga o Ngāi Tau, Te Rūnanga of Ngāti Waewae and Te Rūnanga o Makaawhio S620.165

<sup>106</sup> New Zealand Defence Force S519.032

<sup>107</sup> Westpower S547.297 consequential amendment

**NFL – R9 Natural Hazard Mitigation Activities Structures<sup>108</sup> in an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature in Schedule Six,<sup>109</sup> including Earthworks not meeting Rule NFL - R3**

**Activity Status** ~~Controlled~~ Restricted Discretionary<sup>110</sup>

**Where:**

1. ~~These are to protect Critical Infrastructure; and~~
2. ~~These will not destroy~~ **Any Outstanding Natural Landscape identified in Schedule Five or**<sup>111</sup>  
 Outstanding Natural Feature identified in Schedule Six **and** ~~of~~ the values which make it Outstanding **are protected.**<sup>112</sup>

~~Matters of control~~ **Discretion is restricted to:**<sup>113</sup>

- a. Any requirements for landscape evaluation;
- b. **Managing adverse effects on historical, cultural and biodiversity values;**<sup>114</sup>
- c. **Amenity and visual effects;**<sup>115</sup>
- d. Managing effects on public access and natural character;
- e. Effects on the values that make the feature Outstanding;
- f. **Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;**<sup>116</sup>
- g. Extent and design of earthworks; and
- h. **Measures to mitigate** ~~landscape measures~~ **effects.**<sup>117</sup>

**Notification:** Applications which will substantially modify an Outstanding Natural Feature will be notified to the Geosciences Society and may be publicly notified.

**Activity status where compliance not achieved:** Discretionary

**NFL – R10 Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R6**

**Activity Status** ~~Controlled~~ Restricted Discretionary<sup>118</sup>

**Where:**

1. These are for:

<sup>108</sup> Director General of Conservation S602.087 consequential amendment

<sup>109</sup> Buller District Council S538.646 for clarity and to be consistent with the header of other rules

<sup>110</sup> Director General of Conservation S602.092 and Royal Forest and Bird Protection Society of New Zealand Incorporated S560.233

<sup>111</sup> Buller District Council S538.646 for clarity and to be consistent with the header of other rules

<sup>112</sup> Consequential amendment Manawa Energy Limited S438.085

<sup>113</sup> Consequential amendment to Director General of Conservation S602.096 and Royal Forest and Bird Protection Society of New Zealand Incorporated S560.234

<sup>114</sup> Director General of Conservation S602.085

<sup>115</sup> Director General of Conservation S602.085

<sup>116</sup> Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu S620.169

<sup>117</sup> Consequential amendment Manawa Energy Limited S438.100

<sup>118</sup> Director General of Conservation S602.097 and Royal Forest and Bird Protection Society of New Zealand Incorporated S560.570

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- a. Walking/cycling tracks; or
  - b. Roads, farm tracks or fences; or
  - c. Installation of network utility infrastructure; or
  - d. Installation, upgrade, maintenance, operation and repair<sup>119</sup> of a renewable electricity generation facility activity; <sup>120</sup> ~~or~~
  - e. 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; or
  - f. Protection of ~~critical~~ regionally significant<sup>121</sup> infrastructure from natural hazards; ~~and~~
- ~~2. Earthworks are the minimum required to undertake the activity.~~<sup>122</sup>

**Discretion is restricted to:**

- a. Any requirements for landscape evaluation;
- b. Managing adverse effects on historical, cultural, and biodiversity values; <sup>123</sup>
- c. Amenity and visual effects; <sup>124</sup>
- d. Managing effects on public access and natural character;
- e. Effects on the values that make the feature Outstanding;
- f. Identifying and avoiding adverse effects on Poutini Ngāi Tahu values; <sup>125</sup>
- g. Extent and design of earthworks; and
- h. Mitigation measures for landscape effects ~~measures~~. <sup>126</sup>

**Advice Note:**

1. Within the Coastal Environment, For Rule NFL-R10 Earthworks within Outstanding Natural Features and Landscapes does not apply in the Coastal Environment Refer to the Coastal Environment Rules.<sup>127</sup>
2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PCF.<sup>128</sup>

**Activity status where compliance not achieved:** Discretionary

**Restricted Discretionary Activities**

<sup>119</sup> Manawa Energy Limited S438.099 and Westpower Limited S547.300

<sup>120</sup> Manawa Energy Limited S438.097

<sup>121</sup> Manawa Energy Limited S438.099

<sup>122</sup> Russell and Joanne Smith S477.009, Stewart & Catherine Nimmo S559.009, Claire & John West S506.009, Joel and Jennifer Watkins S565.016, Lauren Nyhan Anthony Phillips S533.009, Tim and Phaedra Robins S579.016, Tim Macfarlane S482.009, Director General of Conservation S602.097

<sup>123</sup> Director General of Conservation S602.085 and S602.085

<sup>124</sup> Director General of Conservation S602.085 and S602.085

<sup>125</sup> Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu S620.169

<sup>126</sup> Consequential amendment Manawa Energy Limited S438.100

<sup>127</sup> Westpower Limited S547.300

<sup>128</sup> RMA Schedule 1, Clause 16 correction

**NFL – R10A Mineral Extraction in the Buller Coalfield Zone and Mineral Extraction Zone within an Outstanding Natural Landscape described in Schedule Five.<sup>129</sup>**

**Activity Status Restricted Discretionary**

**Where:**

- 1. These are on land within the Buller Coalfield Zone or a Mineral Extraction Zone; and**
- 2. This includes earthworks and buildings associated with the activity.**

**Discretion is restricted to:**

- a. Any requirements for landscape evaluation;**
- b. Managing adverse effects on historical, cultural, and biodiversity values;**
- c. Amenity and visual effects;**
- d. Managing effects on public access and natural character;**
- e. Effects on the values that make the feature or landscape Outstanding;**
- f. Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;**
- g. Extent and design of earthworks; and**
- h. Mitigation measures for landscape effects.<sup>130</sup>**

**Activity status where compliance not achieved: Discretionary**

**NFL – R11 Poutini Ngāi Tahu Activities or<sup>131</sup> Māori Purpose Activities within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R7**

**Activity Status Restricted Discretionary**

**Where:**

- 1. These are on land within a Māori Purpose Zone; and**
- 2. This includes earthworks and buildings associated with the activity.**

**Discretion is restricted to:**

- a. Any requirements for landscape evaluation;**
- b. Managing adverse effects on historical, cultural, and biodiversity values;<sup>132</sup>**
- c. Amenity and visual effects;<sup>133</sup>**
- d. Managing effects on public access and natural character;**
- e. Effects on the values that make the feature Outstanding;**

<sup>129</sup> Bathurst Resources Limited S491.023

<sup>130</sup> Consequential amendment Manawa Energy Limited S438.100

<sup>131</sup> Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu S620.168

<sup>132</sup> Director General of Conservation S602.085

<sup>133</sup> Director General of Conservation S602.085

f. **Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;**<sup>134</sup>

g. Extent and design of earthworks; and

h. **Mitigation measures for landscape effects** measures.<sup>135</sup>

**Activity status where compliance not achieved:** Discretionary

**NFL – R12 Buildings or Structures and associated Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Permitted Activity rules.**

**Activity Status Restricted Discretionary**

Where:

1. This is an addition to an existing building or a building accessory to an existing building; or
2. The building is identified on an approved subdivision plan for the site or for a residential building where there is no existing residential building on the property; or
3. This is required for:
  - a. A network utility;
  - b. A renewable electricity generation activity;
  - c. An agricultural pastoral or horticultural activity;
  - d. A conservation activity; or
  - e. A recreational activity in an Open Space Zone.

**Discretion is restricted to:**

- a. Any requirements for landscape evaluation;
- b. **Managing adverse effects on historical, cultural, and biodiversity values;**<sup>136</sup>
- c. **Amenity and visual effects;**<sup>137</sup>
- d. Managing effects on public access and natural character;
- e. Effects on the values that make the feature Outstanding;
- f. **Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;**<sup>138</sup>
- g. Extent and design of earthworks; and
- h. **Mitigation measures for landscape effects** measures;<sup>139</sup>
- i. **Any functional or operational needs that relate to the proposal and its location; and**<sup>140</sup>

<sup>134</sup> Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu S620.167, S620.169 and S620.170

<sup>135</sup> Manawa Energy Limited S438.100 consequential amendment

<sup>136</sup> Director General of Conservation S602.085

<sup>137</sup> Director General of Conservation S602.085

<sup>138</sup> Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu S620.169

<sup>139</sup> Manawa Energy Limited S438.100

<sup>140</sup> Manawa Energy Limited S438.100 and Westpower Limited S547.304

**j. Any matters of public safety.**<sup>141</sup>

**Activity status where compliance not achieved:** Discretionary

**Discretionary Activities**

**NFL – R13      Afforestation with Plantation Forestry within an Outstanding Natural Landscape or Outstanding Natural Feature**

**Activity Status** ~~Discretionary~~ **Non-complying**<sup>142</sup>

**Activity status where compliance not achieved:** N/A

**NFL – R14      Buildings and Structures within Outstanding Natural Landscapes and Outstanding Natural Features not meeting Permitted, ~~Controlled~~<sup>143</sup> or Restricted Discretionary rules**

**Activity Status** Discretionary

**Activity status where compliance not achieved:** N/A

**NFL – R15      Earthworks, Mineral Extraction<sup>144</sup> and Natural Hazard Mitigation Activities within Outstanding Natural Landscapes and Outstanding Natural Features not meeting Permitted or Restricted Discretionary Rules**

**Activity Status** Discretionary

**Notification:**

1. Applications to destroy any Outstanding Natural Feature or the Values which make it Outstanding will always be Notified to the Geosciences Society of New Zealand and may be publicly notified.
2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - CPF.<sup>145</sup>

**Activity status where compliance not achieved:** N/A

**NFL – R16      Poutini Ngāi Tahu and Māori Purpose Activities within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R11.**<sup>146</sup>

**Activity Status** Discretionary

**Activity status where compliance not achieved:** N/A

**Subdivision Rules**

<sup>141</sup> Manawa Energy Limited S438.100

<sup>142</sup> Royal Forest and Bird Protection Society of New Zealand Inc S560.240

<sup>143</sup> Consequential changes to Director General of Conservation S602.092 and S602.097; and Royal Forest and Bird Protection Society of New Zealand Incorporated S560.233 and S560.570

<sup>144</sup> Consequential amendment to Bathurst Resources Limited S491.023

<sup>145</sup> First Schedule Clause 16(2) amendment to reflect the enactment of the Resource Management (National Environmental Standard for Commercial Forestry) Regulations 2023, which replaces the NES-PF.

<sup>146</sup> Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu S620.170

**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**

**Activity Status Restricted Discretionary**

**Where:**

1. The site is outside of the Coastal Environment;
2. The area has not been identified as an Area of Significant Biodiversity subject to Rules SUB – R8, SUB – R9 or SUB – R14
3. The area is not a Significant Natural Area identified in Schedule Four; and
4. All Subdivision Standards are complied with.

Discretion is restricted to:

- a. **Matters outlined in Policies NFL P1 – NFL -P9 as relevant;**<sup>147</sup>
- b. Ensuring that landscape or natural feature values within the overlay for which the area or feature is scheduled are maintained;
- c. The size, design, shape, location and layout of allotments;
- d. The provision of infrastructure and services for **transport,**<sup>148</sup> drinking water, wastewater and stormwater, telecommunications and energy;
- e. The adequacy of water supply for firefighting;
- f. **Measures to address any natural hazards or geotechnical considerations;**<sup>149</sup>
- g. **Management of potential reverse sensitivity effects on existing land uses, including network utilities and regionally significant infrastructure, rural activities or significant hazardous facilities;**<sup>150</sup>
- h. The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; and
- i. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created.

**Advice Note:** This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB - R4.

**SUB – R16 Subdivision of Land within the Coastal Environment subject to an Outstanding Natural Landscape, Outstanding Natural Feature or High Coastal Natural Character Overlay**

**Activity Status Discretionary**

**Where:**

<sup>147</sup> Director General of Conservation S602.126

<sup>148</sup> Grey District Council (S608.641)

<sup>149</sup> Buller District Council (S608.641)

<sup>150</sup> Westpower Limited (S547.381)

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1. No new allotments are proposed within Outstanding Coastal Natural Character areas as identified in Schedule Eight.

**Activity status where compliance not achieved:** Non-complying

**2.6. Recommendation on Schedule Five: Outstanding Natural Landscapes - Te Rārangī  
Tuarima: Ngā Whenua Aotūroa Puru Rourou**

**Submissions and Further Submissions**

313. The s42A Report summarised nine submission points supporting Schedule Five which sought it be retained as notified.
314. One submission from the TTPP Committee sought amendments to reflect the updated boundaries of the ONL from the landscape assessment review, where these cover a lesser area of land than the notified mapping (Brown Ltd September 2022 mapping). Two further submissions supported or supported this in part.
315. One submission from the BDC sought careful consideration of the individual submissions regarding land use implications and the accuracy of boundaries.
316. Six submission point sought to continue to have land excluded from an ONL. One submission point was supported by two further submissions.
317. One submission point sought new ONL area for the Denniston Plateau.
318. Three submission points sought to include 'The Pyramids' feature at Karamea in an ONL. Sixty-nine further submissions opposed the three submissions points requesting a new ONL to include 'The Pyramids'.
319. Submission points relating to specific ONL boundary adjustments are addressed in the section below.

**Section 42A Report**

320. The s42A Report supported using the most up to date and accurate boundaries for identified ONL.
321. The s42A Report noted the Koiterangi Lime Company's quarry is adjacent to ONL 23 but confirmed it remains outside the ONL boundaries.
322. The s42A Report did not consider the Denniston Plateau met the criteria to be identified as an ONL and rejected the submission to include it as an ONL. The Landscape Report confirmed Ms Gilbert had visited the area and considered the map of Environment Court's view on outstanding natural landscape on Denniston Plateau (as provide at the hearing by Bathurst) to inform her assessment of the landscape values of the Denniston Plateau. She considered the updated digitised mapping (January 2024) was correct given the level of modification across the Plateau meant it failed to meet the 'naturalness test'. She considered there was no need to remove any overlap of the ONL with the BCZ and noted there were other overlaps between ONL and MINZ areas.
323. The s42A Report noted the proposed lime quarry expansion at Fenian Road, Karamea is 'quarry reserve' that is outside but adjacent to Kahurangi National Park. It highlighted the area

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of land known as 'The Pyramids' did not meet the criteria to be identified as an ONL. It noted Ms Gilbert would be asked to confirm this view.

324. Ms Gilbert's Landscape Report confirmed she had reviewed the updated digitised mapping (January 2024) and visited the area. She considered the general extent and configuration of ONL 1 in the vicinity to be correct - capturing the elevated undeveloped land with contiguous bush cover and excluding the elevated landform where quarrying activities are prominent and dominant. She recommended no change to the updated digitised mapping (January 2024).
325. The Addendum to the s42A Report acknowledged the poor quality of the updated Brown Ltd maps in the s42A Report. It noted that this mapping had now been digitised into the Council's Geographic Information System (GIS) mapping and updated maps for the relevant parts of the ONL discussed in Section 11 of the s42A Report were now provided.

**Hearing and Submitter Evidence**

326. Mr Leckie, for Bathurst, highlighted the overlap between the BCZ and ONL 41 and considered there was no clear justification in the landscape studies as to why a portion of the BCZ has been identified within the ONL and that there was inconsistency between the notified TTPP maps and the GIS shapefiles. He noted a previous Environment Court decision<sup>151</sup> had confirmed the Denniston Plateau did not qualify as an ONL.
327. Mr Geoff Volckman, a director of Karamea Lime Co Ltd (**KLC**), present a statement of evidence outlining background to the Fenian Road quarry site and the importance of the quarry to the community. He sought more permissive framework for mineral extraction and farming operations. He highlighted the importance of the small KLC operated lime quarry at Fenian Road, Karamea to the Buller area. He noted the TTPP Committee had recognised the mapping error in only partially zoning the quarry land in the MINZ. He noted 70 submitters opposed a new ONL overlay over the quarry area.
328. Mr Leicester Murray, a landscape architect for KLC, considered the quarry area should not be included within the coastal environment overlay and did not meet the criteria to be included as an ONL. He assessed the site with reference to Te Tangi a Te Manu and agreed with Ms Gilbert that the land should not be categorised as an ONL. He considered the quarry area should remain outside any the ONL overlay.

**Evidence in Reply**

329. In Reply, Ms Easton advised that Ms Gilbert had worked with the Council GIS consultant to refine the mapping of ONL. She confirmed that any of Ms Gilbert's recommendations to increase any ONL areas were largely restricted to public conservation land; and that in most cases Ms Gilbert's review had reduced the ONL areas that affect private land.
330. Ms Easton identifies four areas where Ms Gilbert recommends extension of the ONL area across private land, as follows:
- (a) ONL 29 at Whataroa where there is a wetland and low likelihood of development due to restrictions around wetland modification;

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<sup>151</sup> *West Coast Environmental Network Inc. v Royal Forest and Bird Society of New Zealand Incorporated* [2013] NZEnvC 047.

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- (b) ONL 27 at Inchbonnie where the area is river flats and there is a low likelihood of development, except for modification for improved farming (e.g. vegetation clearance and humping and hollowing);
  - (c) ONL 52 at Kongahu/Karamea where the area has been subdivided into lifestyle/bush lots, but the houses have not yet been built (13 lots affected); and
  - (d) ONL 54 at Little Wanganui where the area is river flats and there is a low likelihood of development, except for modification for improved farming (e.g. vegetation clearance and humping and hollowing).
331. Ms Easton referred to the legal advice from Wynn Williams and considered there was limited scope to expand ONL boundaries. However, she highlighted the submission of Brian Anderson (S576.007) which seeks to amend the boundaries to objectively identify areas with particular values provides some scope for increasing ONLs; as well as the submission point of Manawa Energy (S438.142) to *'Review and amend the entire landscape study methodology and outputs to follow best practice and to include the necessary assessment against national guidance including review of all of the ONFL mapping to improve accuracy and appropriate identification of areas.'*
332. Ms Easton confirmed Ms Gilbert had reviewed the ONL boundary in relation to the Denniston Plateau and agrees there is an overlap of the Buller Coalfield Zone and the ONL area. Ms Easton did not recommend the removal of the ONL from the Buller Coalfield Zone on the basis of Ms Gilbert's review.
333. Ms Easton noted she had approached all three electricity distribution companies about providing GIS data to enable a non-statutory information layer to be built to acknowledge existing modifications to the environment when the ONL assessment was undertaken. She considered this could be done outside of the plan process when all the relevant information can be provided.
334. In reply evidence, Ms Gilbert confirmed she had reviewed the ONL mapping to exclude:
- (a) sizeable pastoral areas;
  - (b) sizeable plantation forestry areas, particularly on the edges of the ONLs; and
  - (c) areas where the arrangement scale, and/or prominence of built development exerts a dominant influence on landscape character.
335. Ms Gilbert noted the review exercise had also included 'clipping the ONL linework' to obvious landform and or contiguous native vegetation cover edges in the immediate vicinity of the mapped ONL and amended the southern end of ONL 5 to extend it to the district boundary.

**Hearing Panel's Evaluation**

336. The Panel accepts Ms Easton's recommended wording for a new 'Preamble' section, which stemmed from the discussion in the NFL General/Whole Chapter section above, to be added at the beginning of Schedule Five, as shown in Appendix 1 of the Right of Reply. The Panel is satisfied this wording goes some way towards addressing the Manawa submission and we note was supported by Mr Bentley and that it is consistent with the evidence of Ms Gilbert in relation to acknowledging the assessments undertaken are 'high-level' and that ONL include modifications existing at the time the assessment was undertaken.

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337. The Panel also accepts the addition of wording to the ‘*Site Type and Values*’ column of Schedule Five to include reference to any identified SASM in ONL, where relevant as detailed in Appendix 1.
338. The Panel accepts there has now, post notification, been careful consideration and review of the ONL boundaries. However, where these would extend the ONL and affect private land, the Panel considers the ONL boundary should be retained as notified for reasons of natural justice as any extension might otherwise have been opposed in submission. In the Panel’s view, any such changes would need to be part of a subsequent plan change process.
339. The Panel acknowledges that there may be some, albeit limited scope, to extend ONL boundaries where these affect public land administered by DOC. However, the Panel considers there is difficulty in including only further DOC land in ONL because this would create a series of anomalies (for example private land inside an ONL which might otherwise have been part of the ONL) and/or hard edges, which are then not reflective of the ONL values.
340. Given the above circumstances, the Panel considers retaining the notified ONL boundaries, except where they are reduced via submissions or refinement through the review, is the most appropriate course of action at this stage for reasons of natural justice and plan integrity. To introduce the amendments to ONL boundaries, as proposed by Ms Gilbert to increase the extent of ONL, would in our view require a Schedule 1 of the RMA plan change process.
341. The Panel accepts the evidence of Ms Gilbert that the area known as ‘The Pyramids’ in Karamea does not meet the criteria to be identified as an ONL. The Panel agrees with Ms Easton’s recommendation to not include this area in an ONL and has rejected the relevant submissions<sup>152</sup>.
342. The Panel accepts there is no evidence to support creating a new ONL on the Denniston Plateau and has rejected that submission<sup>153</sup>. The Panel also accepts that there are overlaps between the ONL and BCZ, and that this reflects the existing landscape values and the evidence of Ms Gilbert. The Panel considers the appropriateness of the BCZ boundaries in recommendation report on Mineral Extraction.
343. Submissions on individual ONL or ONF boundary adjustments are considered below.

Recommendation

344. For the reasons outlined above, and subject to our consideration of Part 2 of the RMA, the Panel recommends that the submission identified in the footer below be accepted in part and that changes are made to the **Natural Features and Landscapes – Schedule 5** as follows:

**Preamble**

**Schedule Five identifies and describes 55 Outstanding Natural Landscapes (ONLs). The ONL Schedules are a tool to assist with the identification of the landscape values that are to be protected within an area. They contain both factual information and evaluative content and are to inform plan development and plan implementation processes and assist technical landscape assessment. The ONL Schedules are based on the scale of the relevant ONL and form a relatively ‘high-level’ summary of the more natural landscape values of the area. This means that the landscape values identified in an ONL Schedule may not apply to a site within**

<sup>152</sup> Fernando Tarango S342.001, Laurence Rueter S381.001, Lanah Hake Tarango S337.002

<sup>153</sup> Karen Lippiatt S439.008

**the ONL. The ONL Schedules do not address established modifications that form part of the landscape to which they apply, such as infrastructure, rural buildings, farmhouses, roads, pastoral land use and production forestry. It is acknowledged that this existing modification is of a scale, character and/or location such that the area still qualifies as ONL. Given the scale of the landscape assessment underpinning the ONL schedules and the high-level nature of the schedules themselves, a finer grain proposal-specific assessment of landscape values will typically be required for plan development or plan implementation purposes (including plan changes or resource consent applications). Through any proposal-specific landscape assessment, landscape modifications and/or additional landscape values may be identified that are not recorded in the ONL Schedules.**<sup>154</sup>

Add to the 'Site Type and Values' column of Schedule Five reference to identified SASM in ONL's 1, 2, 3, 4, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 26, 27, 29, 31, 32, 39, 41, 43, 44, 46 and 55 as detailed in Appendix 2 to this recommendation.

## **2.7. Recommendation on Schedule Six: Outstanding Natural Feature - Te Rārangī Tuano: Ngā Ahuatanga Aotūroa Puru Rourou**

345. The s42A Report summarised four submission points supporting the ONF boundaries and sought the ONF be retained as notified.
346. Four submission points sought identified properties remain excluded from ONF generally; one submission point sought the exclusion of land within the Punakaiki Village.
347. The Panel notes the identified properties and land within the Punakaiki Village remain outside any ONF.
348. The Panel recommends the Schedule Six is retained as notified.

## **2.8. Recommendation on specific ONL and ONF boundary adjustments**

### **ONL 4**

349. Five submission points relating to ONL 4 sought adjustments to the boundary to remove properties in the settlement at Hannahs Clearing. One of the submission points sought to include a spatial description of the ONL within the schedule. One further submission supported the removal of the ONL from the southern end of Hannahs Clearing.
350. The s42A Report noted these submission points would be addressed after Ms Gilbert's further review.
351. In the Addendum to the s42A Report, Ms Easton supported the submission points of Ms Raylene Black (S420.001 and S420.002) and Mr Vance and Mrs Carol Boyd (S447.008 and S447.009); and recommended the updated digitised maps (January 2024) to exclude this area from the ONL, as recommended by Ms Gilbert in her Landscape Report.
352. The Panel is satisfied that the updated ONL boundaries recommended by Ms Gilbert address the requests of submitters and align with the natural character mapping. The Panel agrees Ms

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<sup>154</sup> Manawa Energy Limited S438.83

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Easton's recommendation to amend the boundaries of ONL 4, as shown in the updated digitised mapping (January 2024) and accepts the relevant submissions<sup>155</sup>.

**ONL 10**

353. One submission point relating to ONL 10 sought adjustments to the boundary to remove Section 8, Weld at Bruce Bay.
354. The s42A Report recommended rejecting this submission because the whole property is within the ONL area, as well as within the Outstanding Coastal Natural Character overlay, and that there is no current development on this part of the coastline.
355. The Addendum to the s42A Report provided an updated map of ONL 10 and recommended amending the boundaries to reflect the updated digitised maps (January 2024).
356. The Landscape Report confirmed Ms Gilbert's review of the updated digitised mapping (January 2024) at Bruce Bay. She considered the ONL boundaries were correct – capturing the contiguous bush-clad land and the undeveloped river flats. She did not support excluding the submitter's land given its similarity to surrounding land and the very limited extent of development that is anticipated because of the zoning and lot arrangements.
357. The Panel is satisfied the ONL boundary across the submitter's land is appropriate and have rejected the submission.<sup>156</sup> However, while we acknowledge the recommended update by Ms Gilbert may well be appropriate given the outstanding natural landscape values and the absence of development along this part of the coastline the property concerned is private property, as are some others in the vicinity, and in line with our previous expressed concerns in this regard, we do not recommend the seaward extension of the ONL boundary.

**ONL 14 and ONF 16**

358. Two submission points relating to ONL 14 sought adjustments to the boundary. One from Totally Tourism Limited to remove Lot 33 Deposited Plan 409401 at Donovan Drive, Franz Josef; and one from Skyline Enterprises Ltd opposing ONF 16 to enable development of a proposed aerial cableway.
359. The s42A Report supported the Totally Tourism Limited submission in part by recommending adjustments to the boundary so that slightly less of the property was affected. However, it noted Ms Gilbert had been asked to review the ONL boundaries.
360. The s42 Report rejected the submission from Skyline Enterprises Ltd given the location of the proposed aerial cableway is within the ONL area, as notified and the updated digitised mapping (January 2024).
361. In her Landscape Report, Ms Gilbert confirmed she had reviewed the extent and configuration of ONL 14 and ONF 16. She noted that her assessment had appropriately taken into account the existing environment 'as it is' and not as it may be as a result of future development that may or may not occur. She recommended minor changes to the updated digitised mapping

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<sup>155</sup> Vance & Carol Boyd S447.008 and S447.009, Raylene Black S305.002

<sup>156</sup> A & S Marshal S542.001

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(January 2024) in the vicinity of Donovan Drive to align the ONL boundary to the landform, vegetation and unmodified land, and to the Settlement Zone boundary.

362. Mr Dent, for Totally Tourism Limited, sought to ensure the extent of ONL 14 at the Franz Alpine Resort did not 'afflict' the permitted residential and commercial activities. He confirmed the updated map in his Figure 3 showing the refined GIS mapping would resolve the submitter's concerns but that there was insufficient information from Ms Gilbert to comment on her recommendation following her review of the ONL boundaries.
363. In Reply, Ms Gilbert confirmed her recommendation to make minor refinements to the ONL 14 mapping in the vicinity Donovan Drive to follow a '*landscape*' rather than a zone boundary.
364. The Panel accept the evidence of Ms Gilbert that ONL boundaries should follow the landscape and not zone boundaries. The Panel consider the recommended ONL 14 boundaries will not prevent residential and commercial activities within those zones.
365. The Panel do not consider any amendments to the ONL or ONF boundaries are appropriate to recognise future development proposals and accept Ms Easton's recommendation to reject Skyline Enterprises Ltd submission point<sup>157</sup>.
366. The Panel is satisfied that the updated ONL boundaries recommended by Ms Gilbert are appropriate given the outstanding natural landscape values of the existing environment. The Panel accepts Ms Easton's recommendation to amend the boundaries of ONL 14, as shown in the updated digitised maps (January 2024) except where it increases in extent.
367. The Panel accepts Ms Easton's recommendation to reject the Skyline Enterprises Ltd submission opposing ONF 16 and recommends retaining ONF 16 as shown in the updated digitised maps (January 2024).

**ONL 15**

368. Ngāi Tahu sought the removal of specific areas used for plantation forestry from ONL 15.
369. Manawa requested review of the landscape methodology and the accuracy of the boundary of ONL 15 to better follow landform or landcover.
370. In the Addendum to the s42A Report, Ms Easton supported in part submission points of Ngāi Tahu (S620.015) and recommended the ONL mapping be amended to remove plantation forestry areas, with the revised ONL boundary configured to follow a legible landform and/or contiguous bush boundaries, as recommended by Ms Gilbert in her Landscape Report.
371. The Landscape Report confirmed Ms Gilberts review of the notified mapping of ONL 15. She considered the updated digitised mapping (January 2024) to be correct but acknowledged this assessment was based on a desktop review, without detailed field work. Ms Gilbert invited Manawa to provide further detail on any refinements to be reviewed in the hearing.
372. In relation to the submission from Ngāi Tahu, Ms Gilbert recommended amendments to the updated digitised mapping (January 2024) to exclude pine plantations near 'The Forks' that coincide with ONL 15.

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<sup>157</sup> Skyline Enterprises Limited S250.008, S250.010

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373. Mr Bentley's evidence for Manawa noted the ONL boundary has shifted slightly in the updated mapping (January 2024). He broadly agreed that the Manawa scheme on this location should be within the ONL but considered there should be reference to the existing infrastructure in the ONL description. No further information was received from Manawa after the hearing.
374. In response, Ms Easton didn't agree it was necessary to detail all the existing modifications in the ONL descriptions.
375. In Reply, Ms Gilbert confirmed her recommendation to make minor refinement of the boundaries of ONL 15 to exclude substantial areas of pine plantation.
376. The Panel agrees with Ms Easton's recommendation to amend the boundaries of ONL 15, as shown in updated digitised mapping (January 2024) except where it increases in extent and accepts in part the relevant submissions.<sup>158</sup>

**ONL 16**

377. Manawa requested review of the landscape methodology and the accuracy of the boundary of ONL 16 to better follow landform or landcover.
378. The Landscape Report confirmed Ms Gilbert's review of the notified mapping of ONL 16. She considered the updated digitised mapping (January 2024) to be correct but acknowledged this assessment was based on a desktop review, without detailed field work. Ms Gilbert invited Manawa to provide further detail on any refinements to be reviewed in the hearing.
379. Similar to ONL 15, Mr Bentley considered there should be reference to Manawa's existing infrastructure in the ONL description.
380. In response, Ms Easton didn't agree it was necessary to detail all the existing modifications in the ONL descriptions.
381. The Panel accepts Ms Easton's recommendation to amend the boundaries of ONL 16, as shown in updated digitised mapping (January 2024) except where it increases coverage.

**ONL 17**

382. Ngāi Tahu sought the removal of specific areas used for plantation forestry from ONL 17.
383. In the Addendum to the s42A Report, Ms Easton supported in part the submission points of Ngāi Tahu (S620.015) and recommended the ONL mapping be amended to remove plantation forestry areas, with the revised ONL boundary configured to follow a legible landform and/or contiguous bush boundaries, as recommended by Ms Gilbert in her Landscape Report.
384. The Landscape Report confirmed Ms Gilbert's review the notified mapping of ONL 17. She recommended amendments to the updated digitised mapping (January 2024) to exclude pine plantations between the Waitaha River and the Poerua River that coincide with ONL 17.
385. In Reply, Ms Gilbert confirmed her recommended minor refinement of the boundaries of ONL 17 to exclude substantial areas of pine plantation.

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<sup>158</sup> Manawa S438.142, Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio S620.158

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386. The Panel agrees with Ms Easton’s recommendation to accept the submission<sup>159</sup> and amend the boundaries of ONL 17, as shown in updated digitised mapping (January 2024) except where it increases coverage.

**ONL 20**

387. One submission point sought adjustments to the boundaries of ONL 20 to reflect the on the ground landscape values at Ross.

388. The s42A Report supported the submission and noted the updated Brown Ltd maps of the Ross area substantially altered the extent of the ONL.

389. The Landscape Report confirmed Ms Gilbert’s review of the updated digitised mapping (January 2024) of ONL 20. She considered the general extent and configuration aligned with the landform and/or bush edges to be correct in the vicinity of Ross and no further changes were required. She considered the ONL aligned with the landform and/or bush edges; and the areas of modification (limestone quarry and disused mine) included do not influence the impression of the ONL from Ross or dominate the landscape character of the ONL.

390. The Panel agrees with Ms Easton’s recommendation accept the submission and to amend the boundaries of ONL 20, as shown the updated digitised mapping (January 2024) except where it increases coverage and accepts in part the relevant submission<sup>160</sup>.

**ONL 22**

391. Ngāi Tahu sought the removal of specific areas used for plantation forestry from ONL 22.

392. One submission point sought adjustments to the boundaries of ONL 22 to remove paddocks and reflect the bush.

393. In the Addendum to the s42A Report, Ms Easton supported in part submission points of Ngāi Tahu (S620.015) and recommended the ONL mapping be amended to remove plantation forestry areas, with the revised ONL boundary configured to follow a legible landform and/or contiguous bush boundaries, as recommended by Ms Gilbert in her Landscape Report. Ms Easton noted the exception to this is Lot 1 DP 3156 (between Hokitika and Ross) which appears to be in contiguous bush cover.

394. The Landscape Report confirmed Ms Gilbert’s review of the updated digitised mapping (January 2024) of ONL 22. In relation to the submission from Ngāi Tahu, Ms Gilbert did not recommend amendments to the updated digitised mapping (January 2024) given Lot 1 3156 (between Hokitika and Ross) appeared to be in contiguous bush cover. She considered the updated mapping to be correct in this location.

395. The Panel agrees with Ms Easton’s recommendation accept both submissions<sup>161</sup> and to amend the boundaries of ONL 22, as shown the updated digitised mapping (January 2024) except where it increases coverage.

**ONL 25**

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<sup>159</sup> Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio S620.158

<sup>160</sup> Lynley Hargreaves S481.022

<sup>161</sup> Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio S620.158, Chris Boxall S24.001

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396. Manawa requested review of the landscape methodology and the accuracy of the boundary of ONL 25 to better follow landform or landcover.
397. Two submission points sought adjustments to the boundaries of ONL 25 to remove the ONL from Lot 2 DP 324352 at Lake Kaniere Road and Lots 1 and 2 DP 55403 at Hans Bay Road.
398. The s42A Report noted there had been significant modification to the mapping around the Blue Bottle Terrace Area and some modifications at Lake Kaniere. It confirmed the updated Brown Ltd maps do not include Lot 2 DP32352.
399. The Landscape Report noted Ms Gilbert had reviewed the updated digitised mapping (January 2024) and confirmed Lot 2 DP 324352 was excluded from the ONL; and that the general extent and configuration of the boundaries around 31 Hans Bay Road is correct – capturing elevated and bush clad land, including on the site. She recommended no changes to the boundaries of ONL 25 shown in updated digitised mapping (January 2024).
400. In relation to the submission from Manawa, Ms Gilbert also considered the updated digitised mapping (January 2024) to be correct but acknowledged this assessment was based on a desktop review, without detailed field work. Ms Gilbert invited Manawa to provide further detail on any refinements to be reviewed in the hearing.
401. Mr Bentley’s evidence for Manawa noted the ONL boundary in the updated mapping (January 2024) included aspects of Manawa’s McKays and Kaniere power schemes, including the lake, canals and part of the penstocks. He supported the Brown corrections around Kennedy Creek and Ms Gilbert’s amendments around the Blue Bottle Terrace area. He considered there should be reference to the existing infrastructure in the in the ONL description.
402. Again, in response, Ms Easton didn’t agree it was necessary to detail all the existing modifications in the ONL descriptions.
403. The Panel accepts Ms Easton’s recommendation to amend the boundaries of ONL 25, as shown in updated digitised mapping (January 2024) except where it increases coverage and accepts in part the relevant submissions.<sup>162</sup>

**ONL 26**

404. On submission point from WMS Group sought the removal of Lot 1 DP 3854 from ONL 26 to reflect consent decisions.
405. In the Addendum to the s42A Report, Ms Easton supported in part the submission point of WMS Group (S599.062) and recommended a minor refinement of the ONL 26 boundary to exclude grazing land and plantation forestry areas around the edges of the ONL.
406. The Landscape Report confirmed Ms Gilbert had considered the updated digitised mapping (January 2024) of ONL 26 to be correct in the vicinity of Lake Mahingapua, with minor refinement near Ruatapu Road to exclude grazing land.
407. In Reply, Ms Gilbert recommended minor refinement of the boundaries of ONL 26 to exclude grazing land and plantation forestry areas around the edges of the ONL.

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<sup>162</sup> Manawa S438.142, Stuart Marshall and Susan Gooch S433.001, Paul & Barbara Dunn, Helen & Steve Boon, Ian & Lynley Preston, Jane & Mike Rogers S556.002

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408. The Panel accepts Ms Easton’s recommendation to amend the boundaries of ONL 26, as shown in the updated digitised mapping (January 2024) except where it increases coverage and accepts in part the submission<sup>163</sup>.

**ONL 27 and 28**

409. Manawa requested review of the landscape methodology and the accuracy of the boundary of ONL 27 to better follow landform or landcover.
410. Mr Murray Stewart sought to remove property in the Hohonu area at 746 Taramakau Settlement Road from ONL 27 and ONL 28.
411. Mr Stewart spoke to his submission at the hearing raising concern that the boundaries of ONL 27 and ONL 28 include areas of regenerating indigenous bush and gorse. He was concerned the ONL appeared to be used as a *de facto* SNA and would hinder the development and maintenance of farmland and infrastructure, including the access to rock for river protection works. He requested all private land be excluded from the ONL.
412. The Landscape Report by Ms Gilbert had noted that no ONL overlay applied to Mr Stewart’s property. She recommended no change to the updated digitised mapping (January 2024). The Panel noted however that Mr Stewart presentation at the hearing had referred to land on the southern side of State Highway 73 which we noted was in Mr Stewart’s ownership and was impacted by ONL 27. He also owned land impact by ONL 28 above the Taramakau Settlement Road.
413. As a result of the Panel’s Minute 21, Ms Gilbert’s 4 April 2025 response indicated that the mapping of ONL 27 has been amended to exclude the small-scale quarries on the edge of the area located on southern side of SH73. She confirmed that no other changes are recommended to the mapping of ONL 27 in this location as it would appear from the aerial photography of the area that any river protection works are of a scale that they do not form a dominant or prominent element that shapes landscape values. She also noted that the Schedule 5 Preamble recommended by Ms Easton, acknowledges that the Schedules do not address modifications, such as infrastructure, and that such existing modifications are of a scale, character and/or location that the area still qualifies as outstanding.
414. The Landscape Report confirmed Ms Gilbert’s review the notified mapping of ONL 27 and ONL 28. She considered the updated digitised mapping (January 2024) to be correct but acknowledged this assessment was based on a desktop review, without detailed field work. Ms Gilbert invited Manawa to provide further detail on any refinements to be reviewed in the hearing. However, no further detail was provided after the hearing.
415. Mr Bentley’s evidence for Manawa noted the ONL boundary in the updated mapping had shifted to include the Taramakau River; and to remove part of the Kapitia Reservoir. He supported these amendments but considered further refinement was necessary to the north of the reservoir. He considered there should be reference to the Manawa’s existing infrastructure (Dillman, Duffers and Kumara Power Scheme) in the in the ONL description.
416. The Panel notes that the boundary of ONL 27 has been principally reduced from the notified version in the areas of concern to Manawa and Mr Stewart. However, there has been an increase in extent to include the Taramakau River, as noted by Mr Bentley. This increase, while principally incorporating Crown land in the form of the riverbed, includes some additional

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<sup>163</sup> WMS Group (HQ) Limited and WMS Land Co. Limited S599.062

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private property, and in line with our previous expressed concerns in this regard, we do not recommend this extension of the ONL boundary.

417. The Panel recommends that the boundaries of ONL 27 and ONL 28 are amended only where they reduce the notified boundaries and accepts in part the relevant submissions.<sup>164</sup>

**ONL 29**

418. Mitchells 2021 Ltd sought to remove their proposed subdivision area from ONL 29.
419. Mr Paul Lynch presented a statement at the hearing on behalf of Mitchells 2021 Ltd (dated 23 February 2024) in relation to the boundaries of ONL 29 and its request to exclude areas it intends to subdivide. He noted ONL 29 was now larger than notified and affected the lower-lying proposed subdivision area. He estimated an additional 21ha were now included in the ONL boundaries. He considered the ONL boundary should follow the toe of the mountain range behind, removing 34ha from the ONL (as shown in his Appendix 1).
420. Mr David Ellerm sought to amend the ONL 29 boundary at Iveagh Bay.
421. Russell Robinson sought to amend the ONL 29 boundary at Moana to more accurately reflect the forest vegetation associated with the reserve and Arnold River environment.
422. In the Addendum to the s42A Report, Ms Easton supported in part the submission point of Russell Robinson (S515.002) and recommended the ONL mapping be amended to exclude grazing land, as recommended by Ms Gilbert in her Landscape Report.
423. The Landscape Report confirmed Ms Gilbert's review of the updated digitised mapping (January 2024) of ONL 29. She considered the general extent and configuration to be correct, as it aligned with the landform and/or bush edges. She recommended no change to the updated digitised mapping (January 2024).
424. In relation to Mitchells 2021 Ltd submission, Ms Gilbert noted that her assessment had appropriately taken into account the existing environment 'as it is' and not as it may be as a result of future development that may or may not occur. She recommended no change to the updated digitised mapping (January 2024). Further, as a result of the Panel's Minute 21, Ms Gilbert's 4 April 2025 response indicated that no change to the mapping of ONL 29 near Mitchells is supported from a landscape perspective.
425. In relation to Mr Ellerm's submission, Ms Gilbert considered the updated digitised mapping (January 2024) to be correct in the vicinity of Iveagh Bay.
426. In Reply, Ms Gilbert confirmed that she recommended no changes to the updated digitised mapping (January 2024) of ONL 29, other than minor refinement of the boundaries to exclude grazing land in the vicinity of the reserve and Arnold River area.
427. The Panel accepts Ms Easton's recommendation to amend the boundaries of ONL 29, as shown in the Addendum to the s42A Report except where it increases coverage and accepts in part the relevant submissions.<sup>165</sup>

**ONL 31**

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<sup>164</sup> Manawa S438.142, Murray Stewart S217.003

<sup>165</sup> Mitchells 2021 Limited S448.003, David Ellerm S581.028, Russell Robinson S515.002

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428. Thirteen submission points sought adjustment to the boundaries of ONL 31 to remove private properties to the boundary with the Rapahoe Scenic Range Reserve.
429. The Addendum to the s42A Report noted the Landscape Report advised that the updated digitised mapping (January 2024) of ONL 31 had amended the notified mapping. The Landscape Report recommended minor refinement to exclude the patterning of dwellings throughout the lower slopes across the western side of the Rapahoe Range and include the elevated and contiguous bush area that sits above the dwellings. On this basis, Ms Easton supported in part submission points of Claire & John West (S506.001 and S506.023), Lauren Nyhan Anthony Phillips (S533.001, S533.023), Russell and Joanne Smith (S477.001, S477.023), Tim Macfarlane (S482.001, S482.023, S482.023), Stewart & Catherine Nimmo (S559.001, S559.023), Tim and Phaedra Robins (S579.001, S579.004) and Joel and Jennifer Watkins (S565.002).
430. In Reply, having heard the evidence in support of submissions, Ms Gilbert confirmed her recommended minor refinements of the ONL 31 mapping, as addressed in her Landscape Report. She indicated in response to the Panel's Minute 21 that ONL 31 had been amended to remove large scale production forestry areas.
431. The Panel is satisfied that the areas of contiguous indigenous vegetation above the dwellings in the Port Elizabeth Heights subdivision meets the criteria to be included within ONL 31. The Panel accepts that this may differ from the boundary of the Rapahoe Scenic Reserve.
432. The Panel agrees with Ms Easton's recommendation to accept the submissions<sup>166</sup> in part and amend the boundaries of ONL 31, as shown in updated digitised mapping (January 2024) except where it increases coverage.

**ONL 32**

433. Ngāi Tahu sought the removal of specific areas used for plantation forestry from ONL 32.
434. In the Addendum to the s42A Report, Ms Easton supported in part submission points of Ngāi Tahu (S620.158) and recommended the ONL mapping be amended to remove plantation forestry areas, with the revised ONL boundary configured to follow a legible landform and/or contiguous bush boundaries, as recommended by Ms Gilbert in her Landscape Report.
435. In Reply, Ms Gilbert recommended further minor refinement of the boundaries of ONL 32 to exclude substantial areas of pine plantation.
436. The Panel agrees with Ms Easton's recommendation to accept the submission in part<sup>167</sup> and amend the boundaries of ONL 32, as shown in updated digitised mapping (January 2024) except where it increases coverage.

**ONL 33**

437. Ngāi Tahu sought the removal of specific areas used for plantation forestry from ONL 33.
438. In the Addendum to the s42A Report, Ms Easton supported in part submission points of Ngāi Tahu (S620.158) and recommended the ONL mapping be amended to remove plantation

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<sup>166</sup> Claire & John West S506.001 & S506.023, Lauren Nyhan Anthony Phillips S533.001 & S533.023, Russell and Joanne Smith S477.001 & S477.023, Tim Macfarlane S482.001 & S482.023, Stewart & Catherine Nimmo S559.001 & S559.023, Tim and Phaedra Robins S579.001 & S579.004, Joel and Jennifer Watkins S565.002

<sup>167</sup> Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio S620.158

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forestry areas, with the revised ONL boundary configured to follow a legible landform and/or contiguous bush boundaries, as recommended by Ms Gilbert in her Landscape Report.

439. The Panel agrees with Ms Easton's recommendation to accept the submission in part<sup>168</sup> and amend the boundaries of ONL 33, as shown in updated digitised mapping (January 2024) except where it increases coverage.

**ONL 41**

440. New Zealand Carbon Coal & Carbon Limited sought adjustments to the boundary of ONL 41 to exclude mining areas.
441. The Landscape Report confirmed Ms Gilbert's review of the updated digitised mapping (January 2024) of ONL 41. She considered the general extent and configuration aligned with the landform and/or bush edges was correct in the vicinity of the Paparoa Coalfield and no changes were required to excluded active mining areas.
442. As a result of the Panel's Minute 21, Ms Gilbert's 4 April 2025 response indicated that the overlap of ONL 41 with the Buller Coalfield Zone is supported from a landscape perspective, as there is nothing in the overlap area that sets it apart from the balance of the ONL.
443. The Panel agrees with Ms Easton's recommendation to accept the submission in part<sup>169</sup> and amend the boundaries of ONL 41, as shown in updated digitised mapping (January 2024) except where it increases coverage.

**ONL 43 and ONL 49**

444. Terra Firma Mining Limited sought adjustments to ONL 43 and ONL 49 to remove the green line or clarify what feature it indicates.
445. The s42A Report noted that the green lines indicated the boundaries between landscape units. It accepted the submission and considered an amendment to the map key was necessary to clarify this.
446. The Panel agrees with Ms Easton's recommendation to accept the submission<sup>170</sup> and amend the map key to identify the boundary line between landscape units.

**ONL 44**

447. Seven submission points sought adjustments to the ONL 44 boundaries to remove parts of properties, correct inaccuracies, revisit the north boundary and extend the ONL, and retain the Te Miko area within the ONL.
448. The tabled statement by Mr Dean van Mierlo (dated 18 March 2024) addressed his submission point requesting the amendment of the boundaries for ONL 44 to remove the eastern/upper part of Lot 2 DP 307444, Blk V Brighton SD. Mr van Mierlo noted the Addendum to the s42A Report appeared to recommend a substantially larger ONL area than was originally notified and considered there was no scope for this movement of the ONL boundary through the submission of the TTPP Committee.

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<sup>168</sup> Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio S620.158

<sup>169</sup> New Zealand Coal & Carbon Limited S472.003

<sup>170</sup> Terra Firma Mining Limited S537.033

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449. Mr Neil Mouat spoke to his submission at the hearing emphasising the extremely limited land available for development at Punakaiki given the multiple Plan overlays and physical constraints. He highlighted the need for a development strategy to ensure areas are available for development to support and complement the existing tourist infrastructure.
450. In the Addendum to the s42A Report, Ms Easton supported in part the submission point of Mr John Baltrop (S572.001) and recommended the ONL mapping be amended to remove a stand of pine trees on the submitter's land. She noted the general extent and configuration of ONL 44 in the vicinity of Pahautane, including on the submitter's land, is correct, as recommended by Ms Gilbert in her Landscape Report.
451. The Landscape Report confirmed Ms Gilbert's review of the updated digitised mapping (January 2024) of ONL 44 and her field work in the area. She considered the general extent and configuration to be correct as it aligned with the landform and/or bush edges. She noted that the mapping excluded parts of the local area where dwellings and other modification are a dominant landscape element.
452. In relation to Mr van Mierlo's submission (S570.004), Ms Gilbert noted that the ONL appropriately included the elevated and contiguous bush clad land on his property. She recommended no changes to the updated mapping were required.
453. In relation to 'Mr Baltrop and others' submissions, Ms Gilbert noted the updated digitised mapping (January 2024) had been amended to exclude the stand of pine trees on the submitter's land. She recommended no changes to the updated mapping were required.
454. In relation to Ms Jenkin's submission (S575.001), Ms Gilbert noted that the ONL appropriately included the elevated and contiguous bush clad land on her property. She recommended no changes to the updated mapping were required.
455. In relation to Mr Mouat (S535.081), Ms Gilbert considered the ONL appropriately included the elevated and contiguous bush areas on his property. She recommended no changes to the updated mapping were required.
456. As a result of the Panel's Minute 21, Ms Gilbert's 4 April 2025 response indicated that the mapping of ONL 44, 45 and 46 had been reduced (and extended in places), in the vicinity of Fox River, near Pahautane in the October 2024 mapping version, so that it better aligns with the extent of mature contiguous bush cover.
457. The Panel accepts the recommendations of Ms Gilbert and agrees with Ms Easton's recommendation to amend the boundaries of ONL 44, as shown in updated digitised mapping (January 2024) except where it increases coverage. As a result, the various submissions are accepted in part<sup>171</sup>.

**ONL 45 and ONL 46**

458. One submission sought to not schedule land within the Punakaiki Village.

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<sup>171</sup> Neil Mouat S535.081, Suzanne Hills S443.030, Amanda Jenkins S575.001, Dean Van Mierlo S570.004, Teresa Wyndham-Smith S312.009, Fiona McDonald S561.001, Jon Barltrop S572.001

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459. The Landscape Report confirmed Ms Gilbert’s review of the updated digitised mapping (January 2024) of ONL 46. She considered the general extent and configuration aligned with the landform and/or bush edges to be correct and no changes were required.
460. The Panel agrees with Ms Easton’s recommendation to accept the submission<sup>172</sup> given the settlement area at Punakaiki is not included in any ONL.

**ONL 54**

461. The WCRC sought the removal of a small area (Section 27, Block XV, Oparara SD) of private land within the MINZ on the western boundary of ONL 54. WCRC are concerned the ONL may make it difficult in the future to undertake quarry activities as part of the MINZ for the WCRC’s hazard mitigation activities. In its tabled statement, the WCRC noted the area contained suitable lag deposit (quarry rock) from an old debris slip but advised that the landowner had recently confirmed they were happy for the ONL to remain over the south-east corner of their property. The WCRC advised it intends to ‘relog a Notice of Requirement’ seeking those designations for its assets, including quarries, be added to the pTTPP.
462. The WCRC also raised concerns with Rule MINZ-R2 and Rule ECO-R1 in relation to operating a quarry in the MINZ, however, this is addressed in the Mineral Extraction and Ecosystems and Indigenous Biodiversity Recommendation Reports.
463. The s42A Report noted the updated ONL showed the area within the ONL.
464. The Landscape Report confirmed Ms Gilbert’s review of the updated digitised mapping (January 2024) of ONL 54. She considered the general extent and configuration to be correct in the vicinity Section 27, Block XV, Oparara SD and aligned with the landform and/or bush edges. No changes were recommended to the updated mapping (January 2024). She reconfirmed that position again in her response to the Panel’s Minute 21, noting there was nothing in the overlap that sets it apart from the balance of the ONL.
465. The Panel accepts the recommendations of Ms Gilbert and agrees with Ms Easton’s recommendation to amend the boundaries of ONL 54, as shown in updated digitised mapping (January 2024) except where it increases coverage and accepts in part the submissions<sup>173</sup> give there is some reduction in the ONL.

**Dean Chrystal**  
**Hearings Panel – Chair**

**Anton Becker**  
**Hearings Panel Member**

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<sup>172</sup> Jane Whyte & Jeff Page S467.032, S467.033

<sup>173</sup> West Coast Regional Council S488.007

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**Sharon McGarry**  
Hearings Panel Member



**Maria Bartlett**  
Hearings Panel Member



**Paul Rogers**  
Hearings Panel Member

**Date: 8 September 2025**

## APPENDIX 1 - RECOMMENDATIONS

### Definitions

<b>Minor upgrade</b>	<b><u>means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities</u></b>
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### Landscape and Natural Features Chapter

#### **Overview**

The Natural Features and Landscapes chapter contains provisions that relate to the Outstanding Natural Features and Outstanding Natural Landscapes which are identified as overlays on the Planning Maps and described in Schedule Five and Schedule Six. The identification of these areas is in response to section 6(b) of the RMA, which requires outstanding natural features and landscapes to be protected from inappropriate subdivision, use and development.

The Outstanding Natural Features and Outstanding Natural Landscapes identification applies to areas which have been assessed and identified as having high levels of scientific, biophysical, sensory or associative landscape values, which makes them outstanding. In almost all instances these areas are also bush covered and provide habitat for native fauna. These areas may also include ~~critical~~ **regionally significant** infrastructure, renewable electricity generation activities, and other elements of the built environment and have varying degrees of modification. **Given the topography and extent of outstanding natural features and landscapes on the West Coast, practical management solutions are required to ensure maintenance and enhancement of the supply of renewable energy to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable energy.**

The process supporting the identification of the Outstanding Natural Landscape overlay and the associated values is described in the West Coast Landscape and Natural Character Reports produced in 2013, 2021 and 2022.

The West Coast/Te Tai o Poutini Outstanding Natural Landscapes are identified in Schedule Five and Outstanding Natural Features are identified in Schedule Six

The rules in this chapter relate to earthworks, buildings, structures, plantation forestry and Māori Purpose Activities in Outstanding Natural Landscapes and Outstanding Natural Features. Where Outstanding Natural Landscapes and Outstanding Natural Features are located in the Coastal Environment, the Objectives, Policies and Rules of the Coastal Environment Chapter apply.

#### **Outstanding natural landscapes (ONL) have been identified as having the following values:**

- **Biophysical values – including the landforms, vegetation type, presence of waterbodies and the sea, evidence of natural processes and land uses within the landscape**
- **Perceptual/ Aesthetic values – including composition and structure, vividness, expressiveness and legibility, dynamic and transient values, the presence of landmarks and key views, coherence, and unity**
- **Associative values – naturalness and endemic value (distinctive NZ/West Coast sense of place), including Poutini Ngāi Tahu values and associations, and historical/ heritage associations.**

## Plantation Forestry

Plantation forestry is principally regulated by the Resource Management (National Environmental Standard for **Commercial Plantation Forestry**) **Amendment** Regulations **2017** (NES-CPF). However the NES -CPF allows that district plans can be more stringent to protect ONLs, and ONFs and their values. Where provisions within this chapter over-rule the requirements of the NES - CPF an advice note to that effect is included within the Rule.

## Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to the zone chapters, a number of Part 2: District-wide Matters chapters also contain provisions that may be relevant for certain activities within outstanding natural features and landscapes, including:

- **Ecosystems and Indigenous Biodiversity** – the Ecosystems and Indigenous Biodiversity contains objectives, policies and rules relating to native vegetation clearance including that within outstanding natural features and landscapes.
- **Natural Character and Activities Adjacent to Waterbodies** – the Natural Character and Margins of Waterbodies **Chapter** contains the objectives, policies and rules relating to activities adjacent to waterbodies.
- **Coastal Environment** – the Coastal Environment Chapter contains the objectives, policies and rules for activities within the coastal environment overlay - including buildings and structures and earthworks
- **Activities on the Surface of Water** - objectives, policies and rules for activities undertaken on the surface of a lake or river (including jetties, pontoons, fish farms and boating activities), are found in the Activities on the Surface of Water Chapter.
- **Energy, Infrastructure and Transport Chapters – objectives policies and rules.**
- **Strategic Objectives – The Strategic Objectives are particularly relevant when assessing matters under the Natural Features and Landscape Chapter. The Natural Environment, Poutini Ngāi Tahu, Tourism, Mineral Extraction, and Climate Change and Resilience Strategic Objectives are particularly relevant.**

**NFL – O1** To protect the values of outstanding natural landscapes and outstanding natural features on the West Coast/Te Tai o Poutini **are protected from inappropriate subdivision, use and development.** while providing for subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.

### **NFL- P1**

**To identify Outstanding Natural Landscapes on the West Coast/Te Tai o Poutini by:**

- Assessing the values and characteristics of the landscapes according to the following factors:**
  - Physical characteristics and values;**
  - Perceptual characteristics and values;**
  - Associative characteristics and values**
- Including these on the planning maps as Outstanding Natural Landscapes; and**

**c. Describing the characteristics and values of each Outstanding Natural Landscape within Schedule Five.**

**NFL – P2**

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~~ **maintain** the values that contribute to a natural feature or landscape being outstanding and are for:

- a. Existing land uses and lawfully established activities including ~~existing~~ **residential activities, regionally significant infrastructure**, network utilities, ~~energy~~ **renewable electricity generation** activities, **mineral extraction**, agricultural, horticultural and pastoral activities;
- b. Conservation activities;
- c. Recreational activities;
- d. **Maintenance and repair of existing lawfully established** ~~Natural hazard mitigation activities~~ **structures**;
- e. **Upgrading of existing lawfully established natural hazard mitigation structures where this is undertaken by a statutory agency or authorised contractor acting on its behalf**;
- e.f. Operation, maintenance and upgrade of **existing lawfully established** renewable electricity generation facilities;
- f.g. Operation, maintenance and upgrade of **existing lawfully established** network infrastructure **and regionally significant infrastructure**;
- g.h. ~~Upgrading and/or n~~ **New infrastructure and renewable electricity generation activities** ~~facilities where there is a functional need for it to be located in these areas;~~
- h.i. ~~Poutini Ngāi Tahu uses~~ **activities**; ~~or~~
- i.j. The alteration, maintenance or removal of existing **lawfully established** buildings or structures; **and**

**k. Use and development of Māori land.**

**NLF – P3**

~~Where possible a~~ **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 remedied, **and** mitigated ~~or offset~~ **to be no more than minor.**

**NFL – P4**

Recognise that there are settlements, farms, **land uses**, and infrastructure **and activities** located within outstanding natural landscapes or outstanding natural features ~~and by~~ **providing** for new activities and **allowing** existing uses in these areas where the values that

contribute to the outstanding natural landscape or feature are **maintained** ~~not adversely affected~~.

#### NFL – P5

Require that new buildings, and structures within outstanding natural features or landscapes ~~minimise~~ **avoid, remedy or mitigate** any adverse visual effects **including** by:

- a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location;
- b. Using naturally occurring building platforms, materials and colour that blends into the landscape;

**c. Minimising landform modification from earthworks; and**

~~e.d. Limiting~~ **Minimising** the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape; **and**

**e. Landscaping buildings and structures with appropriate vegetation to reduce visual effects.**

#### NFL – P6

~~Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:~~

**When assessing whether a proposal for land use or subdivision is appropriate, consider following matters:**

- a. The **nature**, scale **and extent** of modification to the landscape **or feature**;
- b. Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;
- c. Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;
- d. The temporary, **short term** or permanent nature of any adverse effects;
- e. The functional, technical, operational or locational need of any activity to be sited in the particular location, **including an assessment of alternative sites**;
- f. Any historical, spiritual or cultural association held by Poutini Ngāi Tahu;
- g. Any positive effects the development has on the identified characteristics and qualities;
- h. Any positive effects at a national, regional and local level;
- i. Any relevant public safety considerations; ~~and~~
- j. The measures proposed to mitigate the effects on the values and characteristics;

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<ul style="list-style-type: none"> <li>i. <del>The location, design and scale of any buildings or structures, or earthworks;</del></li> <li>ii. <del>The intensity of any activity; and</del></li> <li>iii. <del>The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing;</del></li> </ul> <p><b><u>k. The management of effects on natural character, amenity, recreation, historical and biodiversity values; and</u></b></p> <p><b><u>l. Any effects on values of Māori land.</u></b></p>
<b>NFL – P7</b>
<p>Enable the use of Māori Purpose Zoned land in outstanding natural landscapes and on outstanding natural features where land use and subdivision <b>are</b> consistent with tikanga and mātauranga Māori and <del>minimises adverse effects on the outstanding values of the landscape or feature</del> <b>as outlined within an Iwi/Papatipu Rūnanga Management Plan.</b></p>
<b>NFL – P8</b>
<p>Consider the incorporation of mātauranga Māori principles into the design, development and/or operation of activities in outstanding natural features and landscapes with cultural, spiritual and/or historic values, interests or associations of importance to Poutini Ngāi Tahu and opportunities for Poutini Ngāi Tahu and to exercise their customary responsibilities as mana whenua and kaitiaki in respect of the feature or landscape.</p> <p><del>Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.</del></p>

<b>Natural Feature and Landscapes Rules</b>	
<p>Note: There may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity are provided in General Approach.</p>	
<b>Permitted Activities</b>	
<b>NFL -R1</b>	<p><b>Maintenance, operation and repair of lawfully established buildings, structures, network utilities, renewable electricity generation activities, fence lines, drains, roads, <del>railway, critical</del> <u>regionally significant</u> infrastructure and tracks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Siz</b></p>

<b>Activity Status Permitted</b>
<p><b>Advice Note:</b></p> <ol style="list-style-type: none"> <li>1. Any indigenous vegetation clearance associated with maintenance and repair is subject to the provisions in the Ecosystems and Biodiversity Chapter</li> </ol>

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2. Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply.
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.

**Activity Status where compliance not achieved:** Refer to other relevant Overlay Chapter where these activities occur in multiple overlays.

**NFL -R2 Conservation Activities within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six**

**Activity Status Permitted**

**Advice Note:**

Any indigenous vegetation clearance associated with Conservation Activities is subject to the provisions in the Ecosystems and Biodiversity

**Activity Status where compliance not achieved:** N/A

**NFL- R3 Repair, maintenance and upgrading of natural hazard mitigation structures activities including earthworks in an Outstanding Natural Landscape described in Schedule Five**

**Activity Status Permitted**

Where:

1. The natural hazard mitigation **structure has been lawfully established** activities are to protect critical infrastructure;
2. ~~The~~ **Any upgrading of** natural hazard mitigation activities **structures** are undertaken by a statutory agency or their nominated **authorised** contractor **acting on its behalf, where there is no change to more than 10% to the overall dimensions, orientation or outline of the structures as of 14 July 2022;** and
3. The work does not involve modification of an Outstanding Natural Feature described in Schedule Six.

**Advice Notes:**

1. Any indigenous vegetation clearance associated with natural hazard mitigation activities **structure** is subject to the provisions in the Ecosystems and Biodiversity Chapter
2. For any natural hazard mitigation activity **structure** within Outstanding Natural Landscapes in the coastal environment, refer to the Coastal Environment Chapter.
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.

**Activity Status where compliance not achieved:** Controlled

**NFL – R4 Demolition and Removal of a Structure within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six**

**Activity Status Permitted**

**Advice Note:** Where structures are identified as Historic Heritage Items in Schedule One, then the Historic Heritage Rules apply.

**Activity Status where compliance not achieved:** N/A

**NFL -R5** Additions or alterations to buildings and structures, including minor upgrades to Energy—Renewable Electricity Generation Activities and Network Utility Infrastructure within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six

**Activity Status Permitted**

Where:

1. This is minor upgrade of infrastructure undertaken by a Network Utility Operator or Renewable Electricity Generation Activity; or
2. For all other activities:
  - a. The maximum height of any addition or alteration buildings and structures is 5m above ground level is 5m; and
  - b. The maximum area of any addition is no greater than 50m<sup>2</sup>, or 10% of the total floor area, whichever is the greater.

**Advice Notes:**

1. Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply and this rule does not apply.

**Activity Status where compliance not achieved:** Restricted Discretionary

**NFL – R6** Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six

**Activity Status Permitted**

Where:

1. All performance standards for Earthworks Rule EW - R1 are complied with; and
2. This is ancillary to:
  - a. An infrastructure activity undertaken by a network utility operator ~~in accordance with the Permitted Activity standards in Infrastructure Rule INF – R7; or~~
  - b. An energy activity undertaken by a network work utility operator ~~in accordance with the Permitted Activity standards in Energy Rule ENG – R4;~~ Additions or alterations to a building or structure, including minor upgrades of renewable electricity generation and network utility infrastructure provided for in Rule NFL – R5.
3. For other earthworks, the following standards are complied with:
  - a. The cut height or fill depth does not exceed one metre vertically; and

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- b. No more than 500m<sup>3</sup> of earthworks are undertaken ~~/ per 12 month period/ per site~~ **or per 4 hectares, whichever is the greater.** ~~;~~ ~~and~~
- c. ~~The earthworks are undertaken outside of the Coastal Environment.~~ **Advice Notes:**
- ~~4. Earthworks associated with natural hazard mitigation activities are subject to Rule NFL - R3.~~
5. **1.** This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - CPF.
6. **2.** Where activities are located in the Coastal Environment, the provisions **are located** in the Coastal Environment Chapter apply **and this rule does not apply.**

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

Refer to relevant Coastal Environment Rules for Earthworks in the Outstanding Coastal Environment.

**NFL – R7      Poutini Ngāi Tahu Activities or Māori Purpose Activities within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six**

**Activity Status Permitted**

Where:

1. These are:
  - a. Poutini Ngāi Tahu activities, including cultural harvest of vegetation, mahinga kai, Pounamu, Aotea stone or rock; or
  - b. Māori Purpose Activities in the Māori Purpose Zone undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; and
2. All Permitted Activity standards in Rule EW - R1 are complied with.

**Activity Status where compliance not achieved:** Restricted Discretionary

**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**

**Activity Status Permitted**

**Where the structure is:**

1. A fence; or
2. Associated with stock water reticulation including tanks, pipes and water troughs; or
3. For parks facilities or parks furniture in any Open Space Zone; or
4. For a network utility (including customer connections) in accordance with the Permitted Activity standards for Infrastructure in Rule INF - R7 **and for energy network utilities Rule ENG-R4, underground lines or small network utility structures not exceeding 3m in height and 5m<sup>2</sup> in area;** or
5. For a **single** small-scale renewable electricity generation activity **per allotment, where:** ~~with a maximum height above ground level of 5m~~

- a. The maximum height is 5m above ground level; and
  - b. The gross floor area of any building does not exceed 100m<sup>2</sup>; or
6. For agricultural, pastoral and horticultural activities and mahinga kai activities or any accessory building where:
- a. The maximum height is 3m above ground level; and
  - b. The gross floor area of any building does not exceed 100m<sup>2</sup>; or
7. A bridge constructed as part of a Temporary Training Activity.

**Advice Note:**

1. Where buildings and structures are located in the Coastal Environment, the provisions located in the Coastal Environment Chapter apply and this rule does not apply.

Activity status where compliance not achieved: Restricted Discretionary

**Controlled Activities**

**NFL – R9** Natural Hazard Mitigation Activities Structures in an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature in Schedule Six, including Earthworks not meeting Rule NFL - R3

Activity Status ~~Controlled~~ Restricted Discretionary

**Where:**

1. ~~These are to protect Critical Infrastructure; and~~
2. ~~These will not destroy any~~ Outstanding Natural Landscape identified in Schedule Five or Outstanding Natural Feature identified in Schedule Six and ~~or~~ the values which make it Outstanding are protected.

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

- a. Any requirements for landscape evaluation;
- b. Managing adverse effects on historical, cultural and biodiversity values;
- c. Amenity and visual effects;
- d. Managing effects on public access and natural character;
- e. Effects on the values that make the feature Outstanding;
- f. Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;
- g. Extent and design of earthworks; and
- h. Measures to mitigate ~~landscape measures~~ effects.

**Notification:** Applications which will substantially modify an Outstanding Natural Feature will be notified to the Geosciences Society and may be publicly notified.

**Activity status where compliance not achieved:** Discretionary

**NFL – R10 Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R6**

**Activity Status** ~~Controlled~~ Restricted Discretionary

**Where:**

1. These are for:
  - a. Walking/cycling tracks; or
  - b. Roads, farm tracks or fences; or
  - c. Installation of network utility infrastructure; or
  - d. Installation, upgrade, maintenance, operation and repair of a renewable electricity generation ~~facility~~ activity; ~~or~~
  - e. 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; or
  - f. Protection of ~~critical~~ regionally significant infrastructure from natural hazards; ~~and~~
2. ~~Earthworks are the minimum required to undertake the activity.~~

**Discretion is restricted to:**

- a. Any requirements for landscape evaluation;
- b. Managing adverse effects on historical, cultural, and biodiversity values;**
- c. Amenity and visual effects;**
- d. Managing effects on public access and natural character;
- e. Effects on the values that make the feature Outstanding;
- f. Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;**
- g. Extent and design of earthworks; and
- h. Mitigation measures for landscape effects measures.**

**Advice Note:**

1. **Within the Coastal Environment, For Rule NFL-R10** Earthworks within Outstanding Natural Features and Landscapes **does not apply** in the Coastal Environment Refer to the Coastal Environment Rules.
2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PCF.

**Activity status where compliance not achieved:** Discretionary

**Restricted Discretionary Activities**

**NFL – R10A Mineral Extraction in the Buller Coalfield Zone and Mineral Extraction Zone within an Outstanding Natural Landscape described in Schedule Five.**

**Activity Status Restricted Discretionary**

**Where:**

1. **These are on land within the Buller Coalfield Zone or a Mineral Extraction Zone; and**
2. **This includes earthworks and buildings associated with the activity.**

**Discretion is restricted to:**

- a. **Any requirements for landscape evaluation;**
- b. **Managing adverse effects on historical, cultural, and biodiversity values;**
- c. **Amenity and visual effects;**
- d. **Managing effects on public access and natural character;**
- e. **Effects on the values that make the feature or landscape Outstanding;**
- f. **Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;**
- g. **Extent and design of earthworks; and**
- h. **Mitigation measures for landscape effects.**

**Activity status where compliance not achieved: Discretionary**

**NFL – R11 Poutini Ngāi Tahu Activities or Māori Purpose Activities within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R7**

**Activity Status Restricted Discretionary**

**Where:**

1. These are on land within a Māori Purpose Zone; and
2. This includes earthworks and buildings associated with the activity.

**Discretion is restricted to:**

- a. Any requirements for landscape evaluation;
- b. **Managing adverse effects on historical, cultural, and biodiversity values;**
- c. **Amenity and visual effects;**
- d. Managing effects on public access and natural character;
- e. Effects on the values that make the feature Outstanding;
- f. **Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;**
- g. Extent and design of earthworks; and
- h. **Mitigation measures for landscape effects** measures.

**Activity status where compliance not achieved: Discretionary**

**NFL – R12 Buildings or Structures and associated Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Permitted Activity rules.**

**Activity Status Restricted Discretionary**

Where:

1. This is an addition to an existing building or a building accessory to an existing building; or
2. The building is identified on an approved subdivision plan for the site or for a residential building where there is no existing residential building on the property; or
3. This is required for:
  - a. A network utility;
  - b. A renewable electricity generation activity;
  - c. An agricultural pastoral or horticultural activity;
  - d. A conservation activity; or
  - e. A recreational activity in an Open Space Zone.

**Discretion is restricted to:**

- a. Any requirements for landscape evaluation;
- b. Managing adverse effects on historical, cultural, and biodiversity values;**
- c. Amenity and visual effects;**
- d. Managing effects on public access and natural character;
- e. Effects on the values that make the feature Outstanding;
- f. Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;**
- g. Extent and design of earthworks; and
- h. Mitigation measures for landscape effects measures;**
- i. Any functional or operational needs that relate to the proposal and its location; and**
- j. Any matters of public safety.**<sup>174</sup>

Activity status where compliance not achieved: Discretionary

**Discretionary Activities**

**NFL – R13 Afforestation with Plantation Forestry within an Outstanding Natural Landscape or Outstanding Natural Feature**

**Activity Status ~~Discretionary~~ Non-complying**

<sup>174</sup> Manawa Energy Limited S438.100

Activity status where compliance not achieved: N/A

**NFL – R14 Buildings and Structures within Outstanding Natural Landscapes and Outstanding Natural Features not meeting Permitted, ~~Controlled~~ or Restricted Discretionary rules**

**Activity Status Discretionary**

Activity status where compliance not achieved: N/A

**NFL – R15 Earthworks, Mineral Extraction and Natural Hazard Mitigation Activities within Outstanding Natural Landscapes and Outstanding Natural Features not meeting Permitted or Restricted Discretionary Rules**

**Activity Status Discretionary**

**Notification:**

1. Applications to destroy any Outstanding Natural Feature or the Values which make it Outstanding will always be Notified to the Geosciences Society of New Zealand and may be publicly notified.
2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - CPF.

Activity status where compliance not achieved: N/A

**NFL – R16 Poutini Ngāi Tahu and Māori Purpose Activities within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R11.**

**Activity Status Discretionary**

**Activity status where compliance not achieved: N/A**

**Subdivision Rules**

**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**

**Activity Status Restricted Discretionary**

**Where:**

1. The site is outside of the Coastal Environment;
2. The area has not been identified as an Area of Significant Biodiversity subject to Rules SUB – R8, SUB – R9 or SUB – R14
3. The area is not a Significant Natural Area identified in Schedule Four; and
4. All Subdivision Standards are complied with.

Discretion is restricted to:

- a. **Matters outlined in Policies NFL P1 – NFL -P9 as relevant;**

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- b. Ensuring that landscape or natural feature values within the overlay for which the area or feature is scheduled are maintained;
- c. The size, design, shape, location and layout of allotments;
- d. The provision of infrastructure and services for **transport**, drinking water, wastewater and stormwater, telecommunications and energy;
- e. The adequacy of water supply for firefighting;
- f. **Measures to address any natural hazards or geotechnical considerations;**
- g. **Management of potential reverse sensitivity effects on existing land uses, including network utilities and regionally significant infrastructure, rural activities or significant hazardous facilities;**
- h. The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; and
- i. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created.

**Advice Note:** This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB - R4.

**SUB – R16 Subdivision of Land within the Coastal Environment subject to an Outstanding Natural Landscape, Outstanding Natural Feature or High Coastal Natural Character Overlay**

**Activity Status Discretionary**

Where:

1. No new allotments are proposed within Outstanding Coastal Natural Character areas as identified in Schedule Eight.

**Activity status where compliance not achieved:** Non-complying

## APPENDIX 2 – AMENDMENTS TO SCHEDULE 5

### Preamble

**Schedule Five identifies and describes 55 Outstanding Natural Landscapes (ONLs). The ONL Schedules are a tool to assist with the identification of the landscape values that are to be protected within an area. They contain both factual information and evaluative content and are to inform plan development and plan implementation processes and assist technical landscape assessment. The ONL Schedules are based on the scale of the relevant ONL and form a relatively 'high-level' summary of the more natural landscape values of the area. This means that the landscape values identified in an ONL Schedule may not apply to a site within the ONL. The ONL Schedules do not address established modifications that form part of the landscape to which they apply, such as infrastructure, rural buildings, farmhouses, roads, pastoral land use and production forestry. It is acknowledged that this existing modification is of a scale, character and/or location such that the area still qualifies as ONL. Given the scale of the landscape assessment underpinning the ONL schedules and the high-level nature of the schedules themselves, a finer grain proposal-specific assessment of landscape values will typically be required for plan development or plan implementation purposes (including plan changes or resource consent applications). Through any proposal-specific landscape assessment, landscape modifications and/or additional landscape values may be identified that are not recorded in the ONL Schedules.**

Unique Identifier	Site Identifier	Site Type and Values
ONL1	Malcolm, McKenzie, & Hope Blue River Ranges	<p>Series of remote low elevation ranges and valleys that are heavily dissected with high relief. Contains a sequence of steep coastal slopes, cliffs and headlands (Awarua Point) with a series of rocky shoals, outcrops, and broad beaches.</p> <ul style="list-style-type: none"> <li>• Unmodified and continuous mature coastal and lowland forest together with the dramatic terrain imparts a strong sense of naturalness.</li> <li>• Dramatic interaction of the landscape with Te Tai-o-Rēhua/ the Tasman Sea with its continuous vegetation cover providing a consistent patterning to this exposed landscape.</li> <li>• Extremely limited modification / human activities.</li> <li>• The highly distinctive and glacial shorn profile of Awarua Point is a key landmark within this Landscape</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 214 Huruheru Manu/Spoon River traditional nohoanga, mahinga kai and SASM 215 Hautai kāinga, mahinga kai</u></li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL1.</p>
ONL2	Bonar Knob & Katake/Cascade Point	Remote series of elevated plateaux, glacial shorn slopes, broad alluvial valleys, and deeply incised river gorges together with coastal cliffs and bluffs, and craggy headlands.

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		<ul style="list-style-type: none"> <li>• Unmodified and continuous mature coastal, lowland, and swamp forest giving way to alpine scrub and tussock on the plateaux, together with the dramatic terrain imparts a strong sense of naturalness.</li> <li>• Evidence of erosion, stream / river downcutting and entrenchment, tidal variation and coastal exposure as well as formative glacial processes.</li> <li>• The coastal exposure and orientation of the landscape creates a dramatic and expressive environment that abuts Te Tai-o-Rēhua/ the Tasman Sea.</li> <li>• The highly distinctive and glacial shorn profile of Katake/Cascade Point &amp; Plateau is a key landmark within this landscape</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 212 Cascade River kāinga Mahinga kai, Traditional nohoanga, SASM 211 Cascade River Nohoanga, mahinga kai and SASM 213 Barn Bay kāinga, urupā</u></li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL2.</p>
ONL3	Jackson Head & Stafford Ranges	<p>Prominent craggy headland backed by a series of low elevation ranges and valleys that are heavily dissected.</p> <ul style="list-style-type: none"> <li>• The coastal outlook, exposure and orientation of the landscape creates a dramatic and expressive environment that abuts Te Tai-o-Rēhua/ the Tasman Sea</li> <li>• Interplay of coastal landforms and vegetation – regenerating scrubland on exposed slopes reinforce areas of coastal erosion, river and stream entrenchment.</li> <li>• Amalgam of very steep ranges, highly exposed headlands and unmodified windswept forest give the landscape a rawness and pronounced sense of naturalness.</li> <li>• The dramatic projection of Jackson Head out into Te Tai-o-Rēhua/ the Tasman Sea and the tranquil enclosed waters of Lake Ellery are key landmarks with this landscape</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 209 No. 1 Arawata Native Reserve - West Reserve Block Māori Reserve</u></li> </ul> <p>Jackson Head also scheduled in Proposed Regional Coastal Plan as ONL3.</p>
ONL4	Ōkahu/Jackson Bay	<p>Vast and remote windswept stony beach immediately flanked by coastal forest that extends into an expansive plain. Includes several forest clad hill formations which rise dramatically from the plains.</p> <ul style="list-style-type: none"> <li>• Highly expressive of the landscapes formative and ongoing natural processes – post glacial alluvial plain, interplay of river mouths and Te Tai-o-Rēhua/ the Tasman Sea. Vegetation patterns reinforce the exposure to Te Tai-o-Rēhua/ the Tasman Sea and the expansive planar landform.</li> <li>• Pristine lowland and swamp forest predominates with wetland areas surrounding the numerous waterbodies within this landscape.</li> <li>• Strongly defined by enclosing mountain ranges.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Key landmarks within this landscape are the forest clad hills of Mt Mclean and Mosquito Hill rising dramatically from the plains, the Arawhata, Waiatoto, Okuru, and Haast Rivers, and the vast stony beach of Jackson Bay</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu and area of habitation for Ngāti Māhaki including eleven sites of significance to Māori - SASM 189 Waita River Nohoanga, SASM 190 Waita River kāinga, urupā, mahinga kai, SASM 191 Tawharekiri Lake (Māori Lakes) mahinga kai, SASM 192 Awarua Māori Reserve, SASM 196 Ōkuru River Nohoanga, SASM 197 Ōkuru Nohoanga, kāinga, urupā, mahinga kai, SASM 198 Ōkuru Mātaitai Reserve mahinga kai, SASM 199 Mussel Point wāhi tapu, SASM 202 Waiatoto Lagoon, North Bank Nohoanga, mahinga kai, SASM 204 Waiatoto Lagoon, South Bank Nohoanga, mahinga kai and SASM 205 No. 2 Waiatoto Native Reserve</u></li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL4.</p>
ONL5	Olivine & Haast Ranges	<p>Broad alluvial valleys flanked by prominent high altitude mountain ranges.</p> <ul style="list-style-type: none"> <li>• Assemblage of predominately north-south running ridges, peaks, and mountaintops of similar attitudes, vegetative cover and appearance.</li> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Extremely limited modification / human activities.</li> <li>• Landmarks – Olivine Range, Haast Range, and the Arawhata River.</li> </ul>
ONL6	Tititea/Mt Aspiring & Hinemakawe/Mt Castor	<p>Wild, remote, and dramatic sequence of mountain ranges, peaks, glaciers, lakes, and strongly defined valley systems.</p> <ul style="list-style-type: none"> <li>• Combination of glacial sculpted terrain, etched ridgelines, rocky outcrops, expansive permanent ice flows, glacial lakes, vegetation sequences giving way to raw and exposed peaks and ridges are highly natural.</li> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Evidence of erosion revealing underlying geology and glacial erosion are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Landmarks – Tititea/Mt Aspiring, Upper and Lower Volta Glaciers, Hinemakawe/Mt Castor and Mt Pollux.</li> </ul>
ONL7	Selborne, Browning, Mark, & Bealey Ranges	<ul style="list-style-type: none"> <li>• Extensive landscape consisting of strongly defined valley systems flanked by high altitude mountain ranges.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Assemblage of ridges, peaks, and mountaintops of similar attitudes, vegetative cover and appearance.</li> <li>• Extremely limited modification / human activities.</li> <li>• Combination of glacial sculpted terrain, etched ridgelines, rocky outcrops, permanent ice flows, vegetation sequences giving way to raw and exposed peaks and ridges are highly natural.</li> </ul>
ONL8	Awarua/Haast River	<p>Very extensive braided river channel and gravel beds flanked by high altitude mountain ranges.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Dramatically eroded landforms clearly express the Haast Rivers power and varying flow. Broken vegetation and expansive depositional landforms reinforce these qualities.</li> <li>• Very high relief, steep to very steep mountain ranges that dramatically enclose the river valley.</li> <li>• Exposed upper peaks and rocky outcrops are apparent on the Bealey Range.</li> <li>• Awarua/Haast River is a key landmark within this landscape.</li> </ul>
ONL9	Landsborough River Valley & Mt Hooker	<p>Wild, remote, and dramatic sequence of mountain ranges, peaks, glaciers, and valley systems.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Combination of glacial sculpted terrain, etched ridgelines, rocky outcrops, expansive permanent ice flows, glacial lakes, vegetation sequences giving way to raw and exposed peaks and ridges imbue a strong sense of naturalness.</li> <li>• Assemblage of ridges, peaks, and mountaintops of similar orientation, attitudes, vegetative cover and appearance.</li> </ul>
ONL10	Bald, Moeraki and Paringa Hills	<p>Series of steep craggy headlands backed by forest clad foothills and valleys that are heavily dissected and contain two prominent lake basins: Lake Moeraki and Tāwhirirāupo/Lake Paringa.</p> <ul style="list-style-type: none"> <li>• Dramatic interaction of the landscape with Te Tai-o-Rēhua/ the Tasman Sea with its continuous mature coastal and lowland forest vegetation cover providing a consistent patterning to this exposed landscape.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Combination of glacial sculpted terrain with continuous vegetation cover, high relief, and the tranquility of the lakes opening up views up and down the valley basins reinforce the natural qualities of this landscape.</li> <li>• Assemblage of ridges, peaks, and mountaintops of similar orientation, altitude, vegetative cover and appearance.</li> <li>• Lake Moeraki, Tāwhirirāupo/Lake Paringa, and Heretaniwha Point are key landmarks with this unit.</li> <li>• Knights Point lookout provides dramatic elevated views of the coastline</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu and area of habitation for Ngāti Māhaki including SASM 180 No. 3 Paringa Native Reserve, SASM 184 Lake Pāringa, Statutory Acknowledgement, Mahinga kai, SASM 185 Lake Moeraki Reserve, Māori Reserve, Mahinga kai, SASM 186 Whakapoai Māori Reserve and SASM 187 Arnott Point Traditional nohoanga, Cave, Battle site, wāhi tapu</u></li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL10.</p>
ONL11	Mahitahi/ Bruce Bay to Cook Bluff	<p>Remote and isolated coastline comprising broad sandy beaches, coastal cliffs, bluffs, and craggy headlands backed by expansive low lying swampland, glacial shorn hills, and braided river mouths.</p> <ul style="list-style-type: none"> <li>• Varied amalgam of raw and exposed landforms, windswept vegetation and isolated beach fronts impart a strong sense of naturalness.</li> <li>• Dramatic interaction of the landscape with Te Tai-o-Rēhua/ the Tasman Sea – sheer cliffs at Mahitahi, Makaawhio/Jacobs, Karangarua, and Cook Bluff plunge dramatically into the sea – Weheka/Cook &amp; Karangarua River mouths are highly expressive of the landscapes natural processes.</li> <li>• High coastal exposure and orientation towards Te Tai-o-Rēhua/ the Tasman Sea.</li> <li>• Vast unmodified sequences of native forest enclosed by glacial shorn hills reinforce the natural qualities of this landscape. Mature wind swept rimu forest on Sandy Beach</li> <li>• Mahitahi/Bruce Bay was the landing place of Polynesian explorer Maui</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu and area of habitation for Ngāti Māhaki with ten sites of significance to Māori including SASM 144 Karangarua Lagoon Statutory Acknowledgement, Mahinga kai, SASM 146 Puketahi - The Sugar Loaf, SASM 147 Karangarua River Nohoanga, Mahinga kai, SASM 151 Bruce Bay/Manakaiaua Māori Reserve, SASM 156 Te Puku o te Wairapa sacred maunga, Ancestors embedded in the landscape, SASM 157 No. 10 Makāwhio Native Reserve Māori Reserve, Pā site, Urupā, SASM 158 No. 8 Makāwhio and No. 9 Makāwhio Māori Reserve, Pā site, Urupā, Mahinga kai, SASM 159 Tikitiki o Rehua sacred maunga, Ancestors embedded in the landscape, SASM 172 Pāpākeri Creek Mahinga kai, SASM 183 Makāwhio River Catchment (Jacobs River) Ancestors embedded in the landscape, Wāhi taonga, wāhi tapu, Mahinga kai</u></li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL11.</p>
ONL12	Mahitahi, Makaawhio/Jacobs River, and Karangarua foothills	<p>Sequence of north-west facing mountain ranges that front on to an expansive swamp and farming plain.</p>

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		<ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Combination of etched ridgelines, rocky outcrops, expansive permanent ice flows, glacial lakes, vegetation sequences giving way to raw and exposed peaks and ridges reinforce the natural qualities of this landscape.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including the awa of Ngāti Māhaki – the Makaawhio River – SASM 166 and SASM 183. Poutini Ngāi Tahu have a statutory acknowledgement on the river, and the catchment is significant for ancestors embedded in the landscape, Wāhi taonga, Wāhi tapu and Mahinga kai</u></li> </ul> <p>Assemblage of ridges, peaks, and mountaintops of similar orientation, attitudes, vegetative cover and appearance.</p>
ONL13	Strachan & Bannock Brae Ranges	<p>Wild, remote, and dramatic sequence of mountain ranges, peaks, glaciers, and valley systems.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Combination of etched ridgelines, rocky outcrops, expansive permanent ice flows, glacial lakes, expansive braided rivers (Ōtoko, Mahitahi, and Makaawhio Rivers) vegetation sequences giving way to raw and exposed peaks and ridges are highly natural.</li> <li>• Assemblage of ridges, peaks, and mountaintops of similar orientation, attitudes, vegetative cover and appearance.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including the awa of Ngāti Māhaki – the Makaawhio River – SASM 166 and SASM 183. Poutini Ngāi Tahu have a statutory acknowledgement on the river, and the catchment is significant for ancestors embedded in the landscape, Wāhi taonga, Wāhi tapu and Mahinga kai</u></li> </ul>
ONL14	Aoraki / Mt Cook	<p>Extensive landscape consisting of dramatic mountain ranges that extend westward from the main divide, high altitude peaks, glaciers, permanent snowfields, and incised valley systems.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief – particularly where horizontal vegetation patterns including seral beech forest and scrub mark glacial retreat.</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes. Dramatic etched bluffs are highly expressive of formative glacial processes.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Combination of etched ridgelines, rocky outcrops, expansive permanent ice flows, glacial lakes, vegetation sequences giving way to raw and exposed peaks and ridges are highly natural.</li> <li>• Te Moenga-o-Tuawe/ Fox Glacier &amp; Ngā Roimata-a-Hinehukatere/Franz Josef Glacier, Douglas Neve, Mt Tasman, Sefton, Elie De Beaumont, Hicks, &amp; Aoraki are key / representative landmarks within this landscape.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 177 Copland Track, Ara tāwhito, SASM 145 Kā Roimata-a-Hinehukatere / Franz Josef Glacier, and SASM 148 Te Moeka-o-Tuawe / Fox Glacier are for Poutini Ngāi Tahu ancestors embedded in the landscape.</u></li> </ul>
ONL15	Koihahai/ Gillespies Point to Te Kohumarua Bluff	<p>Series of steep craggy headlands and isolated sandy beaches backed by glacial shorn foothills covered in native forest which contain a number of lake and swamp basins.</p> <ul style="list-style-type: none"> <li>• Dramatic interaction of the landscape with Te Tai-o-Rēhua/ the Tasman Sea with its sheer cliffs and scarps, continuous coastal and lowland forest cover providing a consistent patterning to this exposed landscape.</li> <li>• Combination of glacial sculpted terrain with continuous vegetation cover, moderate relief, and the tranquility of the lakes opening up views up and down the valley basins reinforce the natural qualities of this landscape.</li> <li>• Unmodified vegetation sequences from dunefields to mature coastal forest.</li> <li>• Māpouriki/Lake Mapourika, Wahapo, Matheson, Three &amp; Five Mile Lagoons, and Ōmoeroa Range are key landmarks within this unit</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 136 No. 15 Omoeroa Native Reserve Māori Reserve, Traditional nohoanga, SASM 137 No. 17 Waiahope Native Reserve Māori Reserve, Traditional nohoanga, SASM 138 No. 16 Waikohai Native Reserve Māori Reserve, Traditional nohoanga, kainga, SASM 139 Gillespies Beach Māori Reserve, kainga, SASM 140 Lake Matheson Mahinga kai</u></li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL15.</p>
ONL16	Ōkārīto Lagoon to Mt Bird	<p>Vast and remote lagoon systems enclosed by extensive beaches and dune fields and flanked by mature low lying coastal forest which extends inland to Mt Bird across a broad gentle inclined glacial terrace.</p> <ul style="list-style-type: none"> <li>• Unmodified sequences of dunefield and wetland vegetation through to mature coastal forest.</li> <li>• Highly dynamic and dramatic interaction / relationship between the Ōkārīto River mouth, associated sand bars and the open waters of the Tasman Sea.</li> <li>• Enclosure of the lagoon is expressive of formative coastal processes.</li> <li>• Combination of the enclosing terrain, continuous and vast expanse of vegetation cover, the tranquility of the Lagoons expansive open waters opening up views up and down the coast reinforce the natural qualities of this landscape.</li> <li>• Ōkārīto is a key landmark within this landscape.</li> </ul>

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		<ul style="list-style-type: none"> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 128 Whataroa Native Reserves Sec 22, SASM 129 Waitangiroto Nature Reserve Former Māori Reserve, Mahinga kai, SASM 130 Whataroa Native Reserves Secs 21 wāhi tapu, SASM 131 Ōkārīto Lagoon, Statutory Acknowledgement, Mahinga kai, Mātaitai, Ancestors embedded in the landscape, SASM 132 Ōkārīto Mātaitai Reserve, mahinga kai, SASM 133 No.19 Ōkarito Native Reserve, kainga, SASM 134 Ōkārīto River/Lagoon Nohoanga, mahinga kai, SASM 135 Ōkārīto (No. 18 Koamaru Native Reserve) wāhi tapu</u></li> </ul>
ONL17	Lower Waitangitāhuna/Waitangitaona, Whataroa, Pouerua-tāhuna/Poerua, and Whakanui/Wanganui Rivers	<p>Expansive braided river channels flanked by a series of steep and dramatic river escarpments covered in indigenous forest.</p> <ul style="list-style-type: none"> <li>• Highly dynamic and dramatic interaction / relationship between the river mouths, associated sand bars and the open waters of the Tasman Sea.</li> <li>• Assemblage of river escarpments of similar orientation, altitude, vegetative cover and appearance – the dramatic profile of the escarpment features accentuate this landscapes endemic character.</li> <li>• Unmodified sequences of dunefield and wetland vegetation through to mature coastal and low land native forest.</li> <li>• Dynamic natural processes associated with the meandering braids and gravel beds, grading of aggregate sizes, downcutting, river terracing, flood events and inundation</li> <li>• Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL17.</li> </ul>
ONL18	Mt Elie De Beaumont – Mt Whitcome	<p>Extensive landscape consisting of dramatic mountain ranges that extend westward from the main divide, high altitude peaks, glaciers, permanent snowfields, and incised valley systems.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief – particularly where horizontal vegetation patterns including seral beech forest and scrub mark glacial retreat.</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes. Dramatic etched bluffs are highly expressive of formative glacial processes.</li> <li>• Combination of etched ridgelines, rocky outcrops, expansive permanent ice flows, glacial lakes, vegetation sequences giving way to raw and exposed peaks and ridges are highly natural.</li> <li>• The Garden of Eden Ice Plateau, Garden of Allah, Mt Elie De Beaumont, Whitcome, Mannering, Moffat, and Newton Peak are key / representative landmarks within this landscape</li> </ul>
ONL19	Pouerua hāpua/Saltwater Lagoon	<p>Vast and remote lagoon system enclosed by extensive beaches, dune fields and flanked by mature low lying coastal forest which extends inland across a broad elevated terrace.</p> <ul style="list-style-type: none"> <li>• Unmodified sequences of dunefield and wetland vegetation through to mature coastal forest.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Highly dynamic and dramatic interaction / relationship between the Lagoon mouth, associated sand bars and the open waters of the Tasman Sea.</li> <li>• Enclosure of the lagoon is expressive of formative coastal processes.</li> <li>• Combination of the enclosing terrain, continuous and vast expanse of vegetation cover, the tranquility of the Lagoons expansive open waters and islands reinforce the natural qualities of this landscape.</li> <li>• Pouerua hāpua/ Saltwater Lagoon is a key landmark within this landscape</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 125 Lake Matahi/Lake Ianthe mahinga kai</u></li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL19.</p>
ONL20	Wakanui/Wanganui Bluff to Waitaha River	<p>Isolated sandy beaches backed by a series of bluffs / cliffs, forest covered slopes, and swampland.</p> <ul style="list-style-type: none"> <li>• Dramatic interaction of the landscape with Te Tai-o-Rēhua/ the Tasman Seawith its sheer cliffs and scarps, continuous coastal and lowland forest cover providing a consistent patterning to this exposed landscape.</li> <li>• Varied amalgam of raw and exposed coastal landforms, strong elevated relief, windswept vegetation which impart a strong sense of naturalness.</li> <li>• Combination of bluffs and scarps, continuous vegetation cover, saltwater lagoons, dune fields, and wetlands and the tranquility of the extensive swampland reinforce the natural qualities of this landscape.</li> <li>• Unmodified vegetation sequences from dunefields and wetland vegetation through to mature coastal and low land native forest.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 162 Heretaniwha wāhi tapu, SASM 167 Mahitahi Mussel &amp; Pipi Bed mahinga kai, SASM 168 No. 4 Heretaniwha Native Reserve wāhi tapu, SASM 169 No. 5 Mahitahi Native Reserve, kainga, SASM 170 Porangirangi to Mahitahi kāinga, SASM 171 Mahitahi River Nohoanga, SASM 181 Paringa River Reserve - Rural Section 727A, Māori Reserve and SASM 182 Paringa River Reserve - Lot 1 DP 3785, Māori Reserve</u></li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL20.</p>
ONL21	Matahi/ Lake Ianthe	<p>Enclosed lake basin that is strongly defined by steep slopes covered in mature indigenous forest.</p> <ul style="list-style-type: none"> <li>• Very extensive and homogenous mature forest around the entire lake fringe that directly interacts with the open waters of the Lake. Intact sequences of wetland and swamp species through to canopy native forest.</li> <li>• Intact sequences of wetland and swamp species through to canopy native forest.</li> <li>• High transient values associated with evident bird life on the lake and surrounding indigenous forest.</li> <li>• The tranquility of the lake, vast unmodified sequences of native forest amplify the natural qualities of this landscape.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Due to its intimate scale and enclosure this landscape as a whole is a landmark.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 125 Lake Matahi/Lake Ianthe mahinga kai</u></li> </ul>
ONL22	Bonar, Rangitoto & Bald Hill Ranges	<p>Assemblage of heavily dissected ranges, foothills, and valley systems with broad rounded peaks whose underlying geology set them apart visually from the high altitude ranges to the east.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Assemblage of ridges, peaks, and mountaintops of similar orientation, altitudes, vegetative cover and appearance. Contiguous mountain range and foothills. Mature beech forest giving way to alpine vegetation at higher altitudes.</li> <li>• The Hokitika Gorge is a well known landmark within this landscape.</li> </ul>
ONL23	Mt Camelback & Kokiraki/ The Doughboy	<p>Two distinct forest clad hill formations that rise dramatically from the flat pastoral landscape which surrounds them.</p> <ul style="list-style-type: none"> <li>• Interplay / contrast of mature indigenous forest and surrounding pasture reinforces the dramatic topography and pronounced relief.</li> <li>• Striking and highly distinctive landforms that remain visually separate from nearby mountain ranges.</li> <li>• Homogenous mature forest cover.</li> <li>• Mt Camelback and Kokiraki/The Doughboy are themselves landmarks within the wider landscape.</li> </ul>
ONL24	Kea Pass – Arthurs Pass – Amuri Pass	<p>Extensive landscape consisting of dramatic mountain ranges along the main divide, high altitude peaks, glaciers, and incised valley systems.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes. Erosion, scree slopes and depositional landforms clearly express the erosive nature of the mountain landscape and uplifted landforms.</li> <li>• Combination of etched ridgelines, rocky outcrops, expansive permanent ice flows, glacial lakes, vegetation sequences giving way to raw and exposed peaks and ridges are highly natural.</li> <li>• Lake Christabel, Whakarewa/Lake Browning, &amp; Kāurupātaka/Lake Kaurapataka as well as the numerous peaks along the main divide are key / representative landmarks within this landscape.</li> <li>• Nōti Taramakau (Harper Pass) was a significant Māori trail across the alps.</li> </ul>
ONL25	Lake Kaniere	<p>Elongated lake basin dramatically enclosed by an assemblage of broad ranges and hills whose underlying granite geology set them apart visually from the high altitude schist ranges to the east.</p>

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		<ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief. Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Very extensive and homogenous mature forest around the entire lake fringe that directly interacts with the open waters of the Lake. Intact sequences of wetland and swamp species through to canopy native forest.</li> <li>• Lake Kaniere, Mt Upright, &amp; Turiwhati/Turiwhate are key / representative landmarks within this landscape.</li> <li>• Association with Ngāi Tahu – pounamu source and route to east coast.</li> </ul>
ONL26	Lake Mahinapua	<p>Low lying lake basin that is strongly defined by surrounding mature indigenous forest.</p> <ul style="list-style-type: none"> <li>• Very extensive and homogenous mature swamp forest around the entire lake fringe that directly interacts with the open waters of the Lake. Intact sequences of wetland and swamp species through to canopy native forest.</li> <li>• High transient values associated with evident bird life on the lake and surrounding indigenous forest.</li> <li>• The tranquility of the lake, unmodified sequences of native forest amplify the natural qualities of this landscape.</li> <li>• Due to its intimate scale this landscape as a whole is a landmark.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 111 Lake Māhinapua wāhi tapu</u></li> </ul>
ONL27	Lower Taramakau River & Kawhaka Forest	<p>Extensive braided river channel and gravel beds flanked by steep escarpments covered in mature native forest that extends across an elevated plateau housing a number reservoirs.</p> <ul style="list-style-type: none"> <li>• Dramatically eroded landforms clearly express the rivers power and varying flow. Broken vegetation and expansive depositional landforms reinforce these qualities.</li> <li>• Very extensive and homogenous swamp forest. Vegetation directly interacts with the river beds and the open waters of the reservoirs.</li> <li>• High transient values associated with evident bird life on the reservoirs and surrounding indigenous forest.</li> <li>• The Kapitea and Kumara Reservoirs are key landmarks within this unit.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 104 Kawhaka Creek Catchment Pounamu legends, Ancestors embedded in the landscape</u></li> </ul>
ONL28	Taramakau & Ōtira River Valleys	<p>Very broad river valley consisting of extensive braided river channels and gravel beds that are dramatically enclosed by mountain ranges and high altitude peaks.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Very extensive and homogenous swamp forest. Vegetation directly interacts with the river beds and the open waters of the reservoirs</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes. Erosion, scree slopes and depositional landforms clearly express the erosive nature of the mountain landscape and uplifted landforms.</li> <li>• Coherent rhythm and orientation of landforms.</li> <li>• Views from SH73.</li> </ul>
ONL29	Kōtukuwhakaoka/Lake Brunner – Ōhonu/Hohonu Range & Tekimoka/Mt Te Kinga	<p>Extensive fluvio-glacial lake basin strongly contained by the broad landforms of the Hohonu Range and Mt Te Kinga to the south.</p> <ul style="list-style-type: none"> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes. Erosion, scree slopes and depositional landforms clearly express the erosive nature of the mountain landscape and uplifted landforms.</li> <li>• Dramatically eroded landforms clearly express the rivers power and varying flow. Broken vegetation and expansive depositional landforms reinforce these qualities.</li> <li>• Homogenous and extensive wetland and swamp forest around the lake fringes. Vegetation directly interacts the open waters of the lake. High transient values</li> <li>• Kōtukuwhakaoka/Lake Brunner is a key landmark within this unit.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 67 (part) Kōtukuwhakaoko/Arnold River mahinga kai, SASM 79 Cashmere Bay, Te Kinga Pā site, SASM 82 Kōtukuwhakaoko/Lake Brunner (Moana) Statutory Acknowledgement, Mahinga kai, SASM 81 Takataka Islands Pā site, SASM 84 Knoll Point Pā site, SASM 85 Ta Kinga, Kōtukiwhakaoko urupā, SASM 86 Ōrangipuku Creek Mouth Tauranga waka</u></li> </ul>
ONL31	Rapahoe Range	<p>Highly prominent and distinctive cuesta type formation comprising a sequence of coastal bluffs and escarpments with rocky shoals and bays closer to Point Elizabeth.</p> <ul style="list-style-type: none"> <li>• Dramatic assemblage of ridges of similar orientation, attitudes, vegetative cover and appearance. Distinctive limestone cuesta formation.</li> <li>• Interplay of coastal landforms and vegetation – regenerating scrubland on exposed slopes reinforce areas of coastal erosion, river and stream entrenchment.</li> <li>• Striking interface with the Tasman Sea. Sheer cliffs and scarps at Point Elizabeth which plunge dramatically into the sea.</li> <li>• The coastal outlook, exposure and orientation of the landscape creates a dramatic and expressive environment that abuts the Tasman Sea.</li> <li>• Given the ranges elevated profile above the surrounding terrain and its proximity to Greymouth this unit as a whole is a landmark.</li> </ul>

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		<ul style="list-style-type: none"> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 46 Point Elizabeth Tohu whenua, Wāhi taonga</u> Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL31.</li> </ul>
ONL32	Haupiri fluvio-glacial lakes	<p>Sequence of enclosed fluvio-glacial lake basins flanked by moderate to steep glacial shorn terrain covered in native forest.</p> <ul style="list-style-type: none"> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes. Erosion, scree slopes and depositional landforms clearly express the erosive nature of the mountain landscape and uplifted landforms.</li> <li>• Dramatically eroded landforms clearly express the rivers power and varying flow. Broken vegetation and expansive depositional landforms reinforce these qualities.</li> <li>• Homogenous and extensive wetland and swamp forest around the lake fringes. Vegetation directly interacts the open waters of the lake. High transient values associate with prolific bird life</li> <li>• Lake Hochstetter, Ahaura, Haupiri, Kangaroo &amp; Lady Lake, and the Ahaura River are a key landmarks within this unit.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 74 Lake Haupiri Nohoanga, mahinga kai, SASM 78 Lady Lake Nohoanga, mahinga kai</u></li> </ul>
ONL33	Victoria Range west	<p>Steep to very steep mountain range with high relief and dissected by deeply incised valleys.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes. Erosion, scree slopes and depositional landforms clearly express the erosive nature of the mountain landscape and uplifted landforms.</li> <li>• A mountain range sequence of deeply etched ridgelines or similar heights, displaying rock formations in upper elevations and alpine vegetation patterns.</li> <li>• Mt Puttick, Haast, Hunter, &amp; Beckham are key / representative landmarks within this landscape – as seen from SH7 approaching springs junction.</li> </ul>
ONL34	Upper Māwhera/Grey Valley	<p>Series of steep ranges and peaks that enclose Te Māwherataka-o-kā-kuha-o-Tū-te-rakiwhanoa/Upper Grey River.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> <li>• Exposed upper slopes revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes. Erosion, scree slopes and depositional landforms clearly express the erosive nature of the mountain landscape and uplifted landforms.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Pristine beech forest, unmodified and dramatic landforms combine with the natural vegetation sequence to impart a strong sense of naturalness.</li> <li>• Pockets of farmland, buildings / dwellings, and modification have been excluded from this unit.</li> </ul>
ONL35	Lewis Pass – Freyberg Range	<p>Steep to very steep mountain ranges with deeply incised valleys and heavily etched and exposed rock formations.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Freyberg Range, continuous vegetation cover, elevation and alpine wetland / lake assemblage create a very cohesive landscape.</li> <li>• Pristine beech forest, unmodified and dramatic landforms, scree slopes and rock formations combined with the natural vegetation sequences reinforce the natural qualities of this alpine landscape.</li> <li>• Lake Daniells and Mt Freyburg (as seen from SH7) are key landmarks within this landscape.</li> </ul>
ONL36	Maruia River Valley east	<p>Steep to very steep hill country and escarpments flanking the eastern side of the Maruia Valley and denotes the confluence of the Maruia and Alfred Rivers.</p> <ul style="list-style-type: none"> <li>• Erosion, scree slopes and depositional landforms clearly express the erosive nature of the mountain landscape and uplifted landforms.</li> <li>• Mature beech forest, steep landforms and lack of development create a strong sense of naturalness.</li> <li>• Consistent orientation, elevation and appearance of landforms flanking the eastern margins of the Maruia Valley.</li> <li>• Baldy is a key landmark within this landscape.</li> </ul>
ONL37	Victoria Range east	<p>Very steep, etched ridgelines with high relief and exposed rock formations and deeply incised valleys. Depositional landforms, outwash fans and river terracing.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Contiguous mountain range and foothills.</li> <li>• Extensive beech forest, devoid of development and unmodified / pristine landforms impart a strong sense of naturalness.</li> <li>• Continuous beech forest giving way to alpine tundra at higher elevations.</li> </ul>
ONL38	Reefton Saddle	<p>Distinctive sequence of steep dissected hillcountry that sits between the Paparoa and Victoria Ranges.</p>

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		<ul style="list-style-type: none"> <li>• Homogenous mature lowland forest cover.</li> <li>• Cohesive assemblage of ridges, peaks, and mountaintops of similar orientation, attitudes, vegetative cover and appearance. Contiguous unmodified landforms, pristine forest cover, moderate relief, incised river channels, and</li> <li>• vegetation patterns reinforce the natural qualities of the landscape.</li> <li>• Views of dramatic cliff / bluffs and steep slopes along the Inangahua River from SH69.</li> </ul>
ONL39	Te Paparoa/Paparoa Range foothills	<p>Assemblage of steep to very steep ridges and peaks, with deeply incised valleys that flank the Inangahua Valley.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Pristine beech forest, unmodified and dramatic landforms, exposed ridge tops with the natural vegetation sequences reinforce the natural qualities of this alpine landscape.</li> <li>• Abuts areas of regenerating native scrub, farmland and exotic forestry in the Inangahua Valley.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 23 No. 45 Watarakau Native Reserve, Māori Reserve, Mahinga kai and SASM 25 Tiroroa Pā site</u></li> </ul>
ONL40	Otututu River	<p>Expansive broad outwash plain characterised by multiple channels, and exposed gravel beds flanked by numerous cliffs and terraces that extend down from Te Paparoa/ Paparoa Range toward the Māwhera/Grey River Valley.</p> <ul style="list-style-type: none"> <li>• Dramatically eroded landforms clearly express the rivers power and varying flow. Broken vegetation and a series of outwash fans from its tributaries reinforce these qualities. Highly expressive outwash plain and river escarpment.</li> <li>• Evidence of erosion revealing underlying geology, rockfall, stream downcutting and flooding.</li> <li>• The River contains a range of aggregate sizes and weathered boulders that are constantly sifted and graded by the varying flows.</li> <li>• Pristine beech forest, unmodified and dramatic landforms, exposed river terraces / cliffs with the natural vegetation sequences reinforce the natural qualities of this landscape.</li> <li>• Evidence of erosion – vegetation patterns accentuate the landscapes natural processes.</li> </ul>
ONL41	Te Paparoa/Paparoa Range east & Mt William Range	<p>Steep mountain range moderately dissected by descending foothills and lowland terraces with exposed rocky peaks and outcrops along the ridgetops.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland forest through to alpine communities reinforcing topography and pronounced relief.</li> </ul>

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		<ul style="list-style-type: none"> <li>Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative processes.</li> <li>Assemblage of ridgelines, peaks and mountaintops of similar orientation, elevation and vegetation cover and appearance.</li> <li>Continuous beech forest giving way to alpine tundra at higher elevations.</li> <li>Mt Rochfort, Buckland peaks, and the lower Buller Gorge are landmarks within this landscape.</li> <li><u>Important cultural landscape for Poutini Ngāi Tahu including SASM 47 Māwheranui Native Reserve and SASM 48 Brunner wāhi taonga</u></li> </ul>
ONL42	Te Paparoa/Paparoa Range west (high elevation)	<p>Steep mountain range running north to south with exposed rocky peaks and outcrops.</p> <ul style="list-style-type: none"> <li>Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> <li>Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>A sequence of ridgelines of similar orientation, elevation and vegetation cover, punctuated by exposed ridgetops and tussock lands.</li> <li>The pristine beech forest, unmodified mountain range with its high relief, exposed and rugged ridge tops creates a strong sense of naturalness.</li> <li>The peaks and ridge sequence of Te Paparoa/ Paparoa Range as a whole is a landmark – views from SH6 between Westport and Charleston.</li> </ul>
ONL43	Nine, Fourteen, and Seventeen Mile Bluffs	<p>Sequence of coastal bluffs and escarpments interspersed by rocky shoals and sandy bays.</p> <ul style="list-style-type: none"> <li>Dramatic interaction of the landscape with the Tasman Sea with its sheer cliffs and scarps, continuous coastal and lowland forest cover providing a consistent patterning to this exposed landscape.</li> <li>Varied amalgam of raw and exposed coastal landforms, strong elevated relief, windswept vegetation which impart a strong sense of naturalness.</li> <li>Patterning of mature wind swept coastal forest and scrub across the bluffs and slopes reinforces the topography and exposure.</li> <li>Striking interface with the Tasman Sea - sheer cliffs plunge dramatically into the sea.</li> <li>Nine, Fourteen, and Seventeen Mile Bluffs are key landmarks within this landscape – emphasised by key views obtained along SH6.</li> <li><u>Important cultural landscape for Poutini Ngāi Tahu including SASM 35 Maukurunui (17 Mile Bluff) Tohu whenua, SASM 37 Kararoa Māori Reserve 35 Māori Reserve, Cultivations, SASM 38 Kararoa wāhi tapu, SASM 41 Kotorepi (Nine Mile) wāhi tapu, SASM 44 Rapahoe to Nine Mile Ancestors embedded in the landscape, SASM 45 Rapahoe Māori Reserve</u>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL43.</li> </ul>

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ONL44	Te Paparoa/Paparoa Range west (low elevation)	<p>Sequence of coastal foothills comprising exposed limestone outcrops and deeply incised river gorges and valleys.</p> <ul style="list-style-type: none"> <li>• Mature native lowland forest predominates. With wetland areas of flax and native shrublands.</li> <li>• Evidence of erosion, stream / river down cutting and entrenchment, and coastal exposure.</li> <li>• The pristine lowland forest, unmodified terrain with moderate relief, rugged gorges and valleys creates a strong sense of naturalness.</li> <li>• The dramatic limestone gorges of the Waitakere/Nile, Tiropahi/Four Mile, Pororari and the Potikōhua/Fox Rivers as well as Punungairo/Bullock Creek are key landmarks within this landscape.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 26 Tiropahi wāhi tapu SASM 27 Fox River Kāinga Cultivations, Mahinga kai, Ara tāwhito, SASM28 Te Ana Matuku, Traditional nohoanga, Cave, SASM 34 Pahautane Beach, Wāhi taonga, Ara tāwhito</u></li> </ul>
ONL45	Ōkoriko/Razorback, Dolomite, and Perpendicular Point	<p>Sequence of distinct rock formations including Dolomite Point Pancake Rock and Ōkoriko/Razorback Point as well as adjoining cliff faces.</p> <ul style="list-style-type: none"> <li>• Varied amalgam of raw and exposed landforms, rock stratification, blowholes, sheer cliffs, caves, and windswept vegetation impart a strong sense of naturalness.</li> <li>• Striking interface with the Tasman Sea. Sheer cliffs plunge dramatically into the sea.</li> <li>• Patterning of wind swept coastal forest and scrub across the rock formations along with pockets of lowland forest and stands of nikau reinforce the landscapes topography and exposure.</li> <li>• Dramatic wave action, evident coastal erosion, and seasonal changes to atmospheric conditions are highly expressive and natural processes.</li> <li>• This landscape as a whole is a landmark.</li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL45.</p>
ONL46	Kaipakati Point to Needle Point	<p>Sequence of coastal bluffs, escarpments, craggy headlands &amp; points with a rocky and stony shoreline interspersed by rock shoals, outcrops, and islands.</p> <ul style="list-style-type: none"> <li>• Dramatic interaction of the landscape with Te Tai-o-Rēhua/ the Tasman Sea with its steep escarpments and continuous coastal forest cover providing a consistent patterning to this exposed landscape.</li> <li>• Sheer Cliffs and steep slopes plunge dramatically into Te Tai-o-Rēhua/ the Tasman Sea.</li> <li>• Patterning of wind swept coastal forest, stands of nikau and scrub across coastal slopes reinforce the landscapes topography and exposure.</li> <li>• Dramatic wave action, evident coastal erosion, and seasonal changes to atmospheric conditions are highly expressive and natural processes.</li> <li>• Seal Island, Potikōhua/Fox, Tiropahi/Four Mile River mouths are key landmarks within this landscape</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM 30 Te Miko Ara tāwhito, SASM 31 Punakaiki Kāinga, Cave, Mahinga kai, Ara tāwhito and SASM 32 Punakaiki River Nohoanga</u></li> </ul>

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		Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL46.
ONL47	Charleston coastline	<p>Assemblage of craggy headlands &amp; points with rock shoals, and outcrops that enclosed several sandy bays and the Waitakere/Nile River mouth.</p> <ul style="list-style-type: none"> <li>• Highly expressive of the interplay between the Waitakere/Nile River and the Tasman Sea. The tidal rhythm of Te Tai-o-Rēhua/ the Tasman Sea provides a counterpoint to the rivers natural variations of flow, clarity and flood cycles.</li> <li>• Patterning of wind swept native coastal forest and scrub across the coastal slopes and headlands reinforce the landscapes topography and exposure.</li> <li>• Dramatic wave action, evident coastal erosion, and seasonal changes to atmospheric conditions are highly expressive and natural processes.</li> <li>• The amalgam of rawness of the landforms, vegetation and the prominence of the headlands provide a strong sense of naturalness despite the presence of nearby dwelling and development.</li> <li>• The Waitakere/Nile River mouth and the headland between Constant &amp; Joyce Bay are key landmarks within this landscape.</li> </ul> <p>Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL47</p>
ONL48	Brunner & Lyell Ranges	<ul style="list-style-type: none"> <li>• Assemblage of steep to very steep ranges and peaks with deeply incised valleys that flank the Inangahua and Kawatiri/Buller River Valleys.</li> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Sequence of ridgelines of similar orientation, elevation and vegetation cover, punctuated by exposed ridge tops and tussock lands.</li> <li>• The Upper Buller Gorge is a landmark with this landscape unit.</li> <li>• Forms the backdrop to the Inangahua River Valley.</li> </ul>
ONL49	Orikākā River Valley	<p>A deeply incised river valley flanked by broad terraces and plateau which are hemmed in by the Mt William Range and Lyell Range.</p> <ul style="list-style-type: none"> <li>• Homogenous cover of mature lowland forest.</li> <li>• Dramatically eroded landforms clearly express the rivers power and varying flow. Broken vegetation and expansive depositional landforms reinforce these qualities.</li> <li>• Evidence of erosion revealing underlying geology, rockfall, stream downcutting and flooding.</li> <li>• The River contains a range of aggregate sizes and weathered boulders that are constantly sifted and graded by the varying flows.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Distinctive assemblage of ridges and valleys of similar orientation, elevation and vegetation cover and appearance that contrasts with the higher Mt William and Lyell Ranges.</li> </ul>
ONL50	Denniston – Waimangaroa	<p>A well-defined valley system enclosed by steep to very steep ridges that descend from the Denniston Plateau along the coast.</p> <ul style="list-style-type: none"> <li>• Contiguous mixed podocarp / beech forest giving way to shrublands and grasslands on exposed faces.</li> <li>• Clearly expressed river valley and coastal ranges reinforce by the succession of lowland through to alpine vegetation cover and exposed upper elevations.</li> <li>• The landscape strongly defined by its dramatically uplifted landforms and coastal orientation / outlook. The vegetation patterns, exposed bluffs and outcrops reinforce the landscapes topography and exposure.</li> <li>• Mt Frederick, the Waimangaroa River and the dramatic bluffs that form the headwall of the Valley.</li> </ul>
ONL51	Ngākawau River Valley	<p>A steep to very steep sided valley and deeply etched chasm like gorge system with a narrow river channel which passes through a series of very broad rolling foothills set between the Glasgow Range to the east and Radcliff Ridge to the west.</p> <ul style="list-style-type: none"> <li>• Extensive coverage of mixed podocarp / beech forest.</li> <li>• A strong sense of naturalness is primarily derived from the dramatic and incised profile of the gorge and the coverage of mature native vegetation.</li> <li>• Dramatically eroded landforms clearly express the rivers power and varying flow. Broken vegetation and expansive depositional landforms reinforce these qualities.</li> <li>• Evidence of erosion revealing underlying geology, rockfall, stream downcutting and flooding.</li> <li>• The Ngākawau Gorge and the Radcliffe Ridge are key landmarks with this landscape.</li> </ul>
ONL52	Tasman Mountains	<p>A diverse landscape comprising steep peaks, ridges, and ranges opening out to rolling basins, plateau and river valleys.</p> <ul style="list-style-type: none"> <li>• Wild remote and dramatic sequence of mountain ranges, often deeply etched and displaying sculpted rock formation in the upper elevations.</li> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland forest through to scrub, tussockland, pakihi and rockland vegetation reinforcing topography and pronounced relief.</li> <li>• Exposed peaks and ridgetops revealing underlying geology, and numerous glacial tarns are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Mt Kendall, Domett, Luna and Aorere Peak - Gunnar, Goulard, Mackay Downs and Thousand Acres Plateau, the Whakapoāi/Heaphy, Kakara Taramea/Karamea, and Mōkihinui Rivers are key / representative landmarks with this landscape.</li> </ul>

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ONL53	Kongahu Point	<p>Sequence of bluffs and steep coastal slopes backed by rugged hill country and a series of broad basins. Successional vegetation and regeneration of native forest gives way to scrubland and windswept vegetation along exposed ridgetops and coastal faces – patterning of vegetation and across the bluffs and slopes reinforces the topography and exposure.</p> <ul style="list-style-type: none"> <li>• Amalgam of raw and exposed coastal landforms, strong elevated relief, windswept vegetation which impart a strong sense of naturalness.</li> <li>• Well defined basins enclosed by a series of steep ranges and bluffs.</li> <li>• Continuous mature native forest comprising stands of matai and northern rata.</li> <li>• Lake Hanlon, Karamea Bluff, Kongahu Point and the Radiant Range are key / representative landmarks with this landscape.</li> <li>• Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL53.</li> </ul>
ONL54	Fenian, Stormy & Radiant Ranges	<p>Assemblage of north-east to south-west orientated ranges and dissected hillcountry and stream corridors with extensive native forest that contrast with the low lying pastoral farmland.</p> <ul style="list-style-type: none"> <li>• Interplay of mature indigenous forest and vegetative sequence from lowland beech forest through to alpine scrub communities reinforcing topography and pronounced relief.</li> <li>• Exposed peaks and ridgetops revealing underlying geology are highly expressive of the landscapes formative and ongoing natural processes.</li> <li>• Coastal derived landforms with indigenous vegetation patterns and pasture reinforcing the dramatic topography. Sequence of ridgelines of similar orientation, elevation and vegetation cover, punctuated by exposed ridge tops and tussock lands.</li> <li>• Predominately mature native coastal forest cover.</li> <li>• The Radiant Range, Stormy Ridge, Kakara Taramea/ Karamea River, and the Ōparara limestone arches are key / representative landmarks within this landscape.</li> </ul>
ONL55	Kohaihai Bluff to Kahurangi Point	<p>Sequence of coastal ranges, cliffs and headlands with strong elevated relief and a series of rocky shoal, outcrops, islets, bluffs, broad beaches, dunefields and lagoons along its shoreline.</p> <ul style="list-style-type: none"> <li>• Continuous mature coastal forest with a distinctive abundance of nikau groves and rata.</li> <li>• Unmodified coastal landforms – Interplay of indigenous forest with regenerating shrublands and exposed slopes reinforce areas of coastal erosion, river and stream entrenchment, and exposure to Te Tai-o-Rēhua/ the Tasman Sea.</li> <li>• The dramatic interaction of the landscape with Te Tai-o-Rēhua/ the Tasman Sea and its continuous vegetation cover provide a consistent patterning to this exposed landscape.</li> <li>• Kaurangi Point, Heaphy Bluff, Whakapoāi/Heaphy River, Kohaihai Bluff and Wekakura Point are key / representative landmarks within this landscape.</li> <li>• <u>Important cultural landscape for Poutini Ngāi Tahu including SASM1 Kahurangi Point wāhi tohu, SASM 2 Whakapoai / Heaphy Māori reserve, SASM 3 Whakapoai Native Reserve 7B Māori reserve</u></li> </ul>

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		<p><u>and SASM 216 Ōtukoro Historic Reserve / Ōtukoro Iti, Kahurangi - Statutory Acknowledgement, Ancestors embedded in the landscape, Wāhi taonga, Wāhi tapu, Mahinga kai</u></p> <ul style="list-style-type: none"><li>• Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL55.</li></ul>
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**APPENDIX 3 – AMENDMENTS TO OUTSTANDING NATURAL LANDSCAPES**

**ONL4 Hannah's Clearing**



**ONL 14 Donovan Drive, Franz Josef**



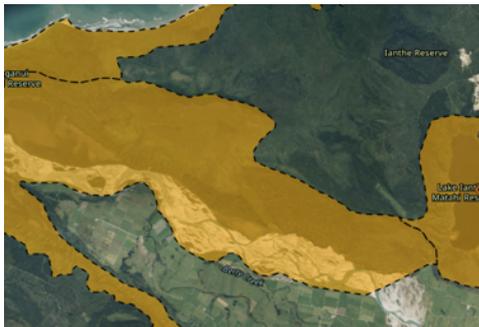
**ONL15 Lake Wahapo**



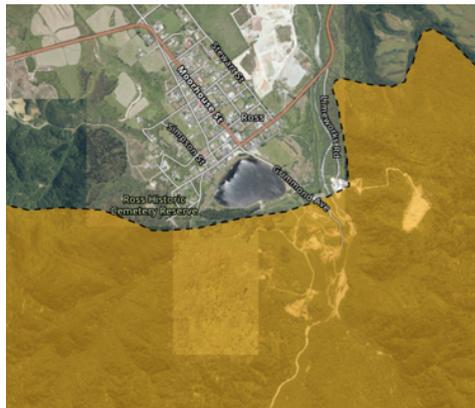
**ONL 15 Ōkarito**



**ONL17 Site between Waitaha River and Poerua River**



**ONL20 Ross**





**ONL 29 Iveagh Bay**



**ONL 29 Moana**



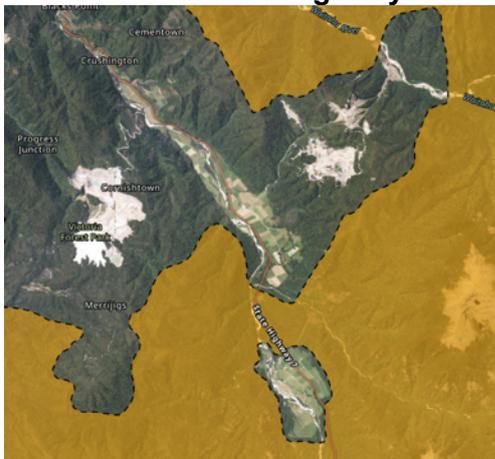
**ONL 31 Elizabeth Range**



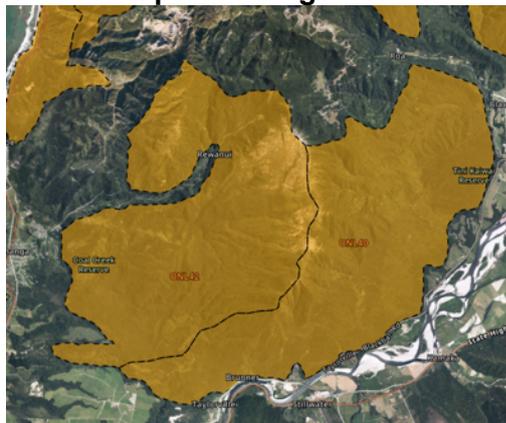
**ONL 32 Lake Hochstetter**



**ONL 33 Lewis Pass Highway**



**ONL 41 Paparoa Range**



**ONL 44 Pahautane**



**ONL 54 Karamea**

