

FURTHER SUBMISSION ON THE PROPOSED TE TAI O POUTINI PLAN

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

To: Te Tai o Poutini Plan Committee
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Paroa
Greymouth 7805

By e-mail: info@tpp.nz

Name of Submitter: Buller District Council

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1. Buller District Council (BDC) made a submission (S538) on the Proposed Te Tai o Poutini Plan (pTTPP).
2. BDC has an interest in the pTTPP that is greater than the interest that the general public has.
3. BDC is appreciative of the two extensions for lodging of further submissions as this enabled more time to assess the merits of various submission points. Unfortunately given the number of submissions, staff were unable to complete a comprehensive review of all the submissions and therefore our further submission is not indicative of all matters of interest to Council.
4. We would also like to acknowledge the difficult task posed for the planning team in compiling the Summary of Submissions given the number and size of submissions. However, we would like to express concern over the potential for remaining inaccuracies with the Summary of Submissions on which submitters may have relied on. We are concerned that this may present challenges down the track.
5. BDC's further submission on the pTTPP is on various submission points and seeks various forms of relief (allowing and disallowing in whole or part the original submissions) as set out in Appendix 1 attached.
6. BDC wishes to be heard in support of its further submission.



Sean Judd
Acting Chief Executive Officer
Buller District Council

Dated 17 July 2023

Appendix 1: Further Submission Points [Buller District Council]

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
NZ Agricultural Aviation Association (S166)	S166.007	Definitions – Conservation Activities	The submission supports the definition but seeks that it explicitly include weed and pest control and the use of aircraft.	Support	Council supports the submission as weed and pest control is an important part of conservation activities.	Allow
Lynne Lever & Greg Tinney (S320)	S320.003	ECO-R1 Ecosystems & Indigenous Biodiversity	The submission seeks that ECO-Rule 1 is clarified regarding permitted activities and clearance areas. There is conflicting interpretation and information circulating.	Support	<p>Council has encountered varying interpretations of ECO-R1. However, for Buller District we have interpreted this rule to be that provided clauses 1 and 2 are met that an activity is permitted if it meets either the listed clause 3 activities or clause 5 thresholds for indigenous vegetation clearance (i.e. <5ha of manuka/kanuka removal or <0.5ha of general indigenous clearance).</p> <p>Council's interpretation of ECO-R1 is consistent with the drafting intent that was explained in the Information Sheet released by the pTTPP planning team i.e. carrying the operative District Plan provisions for general indigenous vegetation clearance through to the pTTPP.</p>	<p>Allow</p> <p>ECO-R1 is clarified to make it clear that Buller District's permitted activity approach for indigenous vegetation clearance continues.</p>
Waka Kotahi (S450)	S450.048	Transport Policies	The submission seeks that a new policy be included that reflects the high trip generating standards so that they are appropriately considered and requests that TRN-S14 is adopted as a policy.	Support in part	Council agrees that the policy framework does not specifically address High Trip Generating activities and this is an omission. However, it is considered that adopting TRN-S14 in its entirety as a policy is not appropriate and a specific policy should be developed.	Allow in part – Develop a new policy for High Trip Generating Activities.

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Waka Kotahi (S450)	S450.049	TRN-R1 Transport Rules	The submission supports the intent of the rule but raises concerns with the lack of standards for vehicle crossing design guidance for both the state highway and the local roading network. The submissions also notes it is unusual to refer to guidance from another region to manage stormwater.	Support	Council agrees that the Transport Performance Standards should include guidance on design standards for vehicle crossings for both the state highway and the local roading network. Council also agrees that the Advice Note that refers to the Auckland Design Manual guideline document for stormwater is not appropriate.	Allow
Waka Kotahi (S450)	S450.050	TRN-R2 Transport Rules	The submission generally supports the rule but seeks amendments. The title of the rule and R2.2c refer to designations under which matters regulated by section 9(3) do not apply. The submission seeks the title be amended to removed reference to designations and to delete R2.2c.	Support	Council supports the request for removal of R2.2c relating to designations given the effect of a designation is to provide for activities otherwise managed through the Plan.	Allow
Waka Kotahi (S450)	S450.051	TRN-R3 Transport Rules	The submission generally supports the rule but seeks removal of R3.2iii relating to designations as it repeats the purpose of a designation.	Support	Council supports the request for removal of R3.2iii relating to designations given the effect of a designation is to provide for activities otherwise managed through the Plan.	Allow
Waka Kotahi (S450)	S450.060	Transport Rules	The submission seeks a new rule is included to require resource consent for any new activity or change in land use where the activity will have direct access onto the state highway network. It is recommended that the activity be a Restricted Discretionary activity with the safe and efficient operation of the state highway network and traffic safety matters of discretion.	Support in part	Council agrees that a new rule managing site access onto the SH is appropriate but considers it should differentiate between activities using an existing vehicle crossing and where there is a need for a new vehicle crossing. Council agrees that all new crossings onto the SH should have a restricted discretionary status. However, where there is an existing crossing, if it meets the design guidelines of the	Allow in part

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					Transport Chapter/standards then the activity should not trigger the need for consent. This approach aligns with the submitter's requested changes to the zone rules whereby any new activity needs to meet the transport standards (see submission points S450.272, 278, 283).	
Waka Kotahi (S450)	S450.083	ECO-P2 Ecosystems & Indigenous Biodiversity	The submission supports the intent of the policy as it allows activities within areas of significant indigenous vegetation or significant habitats of indigenous fauna where the activity has a function need to be located in the area. However, there are many instances where the state highway has an operational requirement to be located in these areas and it is recommended that the policy be amended to include 'operational need'.	Support	Council agrees with the suggested amendment to include 'operational need' in clause 2 of the policy. 'Operational Need' is defined in the Plan and captures somewhat different considerations to 'Functional Need'. Council supports consideration of operational constraints particularly in relation to activities associated with critical infrastructure.	Allow
Waka Kotahi (S450)	S450.100	NFL-R10 Natural Features and Landscapes	The submission generally supports the rule but is concerned with R10.2 that states that earthworks are the minimum required to undertake the activity and how the term 'minimum' is to be interpreted.	Support	Council agrees that the term 'minimum' needs to be replaced by a quantifiable measure to aid implementation of the rule	Allow
Waka Kotahi (S450)	S450.102	NC-O3 Natural Character and Margins of Waterbodies	The submission supports the intent of the objective but considers that use of 'minimise' can be an onerous requirement and that 'significant adverse effects' on natural character are better managed by 'avoiding, remedying or mitigating' and this should be reflected in the rule. The submission also seeks that 'operational need' is included.	Support	The addition of 'operational need' is supported as it covers somewhat different constraints to 'functional need'. Council would also support the replacing 'minimise' with 'avoiding, remedying or mitigating' as it provides clear direction but would suggest that reference to the Effects management Hierarchy may be more appropriate.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Waka Kotahi (S450)	S450.103	NC-P1 Natural Character and Margins of Waterbodies	The submission generally supports the policy but seeks amendments to align with NC-O3 above whereby 'minimise' is deleted and 'avoid, remedy or mitigate' is inserted.	Support	Council agrees with the suggested amendments as providing clearer direction.	Allow
Waka Kotahi (S450)	S450.105	NC-P3 Natural Character and Margins of Waterbodies	The submission supports the intent of the policy as it provides for structures within riparian margins that have a functional need. However, there are instances where the state highway has an operational requirement to be located within riparian and it is recommended that the policy be amended to include 'operational need'.	Support	Council agrees with the suggested amendment to include 'operational need' in the policy. 'Operational Need' is defined in the pTTPP and captures somewhat different considerations to 'Functional Need'. Council supports consideration of operational constraints particularly in relation to activities associated with critical infrastructure.	Allow
Waka Kotahi (S450)	S450.131	CE-O3 Coastal Environment	The submission supports the intent of the objective as it provides for activities that have a functional need to be located in the coastal environment. However, there are times where there is an operational need to be located within the coastal environment as there are no other reasonable alternatives and it is recommended that the objective be amended to include 'operational need'.	Support	Council agrees with the suggested amendment to include 'operational need' in the objective. 'Operational Need' is defined in the Plan and captures somewhat different considerations to 'Functional Need'. Council supports consideration of operational constraints particularly in relation to activities associated with critical infrastructure.	Allow
Waka Kotahi (S450)	S450.133	CE-P3 Coastal Environment	The submission supports the intent of the policy as it provides for activities that have a functional need to locate in the coastal environment. However, there are times where there is an operational need to be located within the coastal environment as there are no other reasonable alternatives. It is recommended that the policy be amended to	Support	Council agrees that policy CE-P3(e) should provide for Critical Infrastructure given it supports the wellbeing of our communities.	Allow

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			provide for Critical Infrastructure where it has an operational or functional need to be located within the coastal environment.			
Waka Kotahi (S450)	S450.246	GRZ-R5 Home Business in General Residential Zone	The submission generally supports the rule but has concerns over the permitted number of vehicle movements. Up to 40 equivalent car movements (ECM) per day could be permitted in a residential zone which could have adverse effects on the safety and function of the roading network. The submission seeks that the permitted level of vehicle movements are reduced to no more than 30 ECM per day. Over this level, use of the vehicle crossing is considered a high trip generating activity.	Support	Council agrees that the permitted level of vehicle movements (40 ECM) within the residential zone could have adverse effects on the safety and function of the roading network and such levels are not necessarily consistent with residential amenity. Council supports amending the rule to reduce the permitted level to no more than 30 ECM per day. Council also prefers the simpler approach of specifying ECM rather than specifying limits for heavy vehicles and light vehicles.	Allow
Waka Kotahi (S450)	S450.271	GRUZ-R1 General Rural Zone	The submission generally supports the rule but suggests that it should require that any new activity has an access that meets vehicle crossing standards within the transport chapter/standards to ensure that any rural site with a residential activity has a safe vehicle crossing.	Support	Council agrees that the performance standards for the General Rural Zone should require that any new activity that generates vehicle movements should have a vehicle crossing that meets the required design standards.	Allow
Waka Kotahi (S450)	S450.272	GRUZ-R3 General Rural Zone	The submission generally supports the rule but suggests that it should require that any new activity has an access that meets vehicle crossing standards within the transport chapter/standards to ensure that any rural site with a residential activity has a safe vehicle crossing.	Support	Council agrees that the rule should require that any new activity that generates vehicle movements should have a vehicle crossing that meets the required design standards. If the performance standards for the Zone are amended as per the request for GRUZ-R1 this will address this matter.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Waka Kotahi (S450)	S450.275	GRUZ-R9 General Rural Zone	The submission generally supports the rule but has concerns over the permitted number of vehicle movements allowed under the rule. The rule allows for 10 heavy vehicle movements per day (i.e. 50 ECM) and up to 30 light vehicle movements per day or 210 per week. This is considered a high level of permitted vehicle movements associated with a home business and there are implications for vehicle crossings which may need upgrading.	Support	Council agrees that the permitted level of vehicle movements associated with a home business could have adverse effects on the safety and function of the roading network. Council supports amending the rule to reduce the permitted level to no more than 30 ECM per day. Council also prefers the simpler approach of specifying ECM rather than specifying limits for heavy vehicles and light vehicles.	Allow
Waka Kotahi (S450)	S450.278	RLZ-R3 Rural Lifestyle Zone	The submission generally supports the rule but suggests that it should require that any new activity has an access that meets vehicle crossing standards within the transport chapter/standards to ensure that a site with a residential activity has a safe vehicle crossing.	Support	Council agrees that the rule should require that any new residential activity should have a vehicle crossing that meets the required design standards.	Allow
Waka Kotahi (S450)	S450.280	GLZ-R8 Rural Lifestyle Zone	The submission generally supports the rule but has concerns over the permitted number of vehicle movements allowed under the rule. The rule allows for 10 heavy vehicle movements per day (i.e. 50 ECM) and up to 30 light vehicle movements per day or 210 per week. This is considered a high level of permitted vehicle movements associated with a home business and there are implications for vehicle crossings which may need upgrading.	Support	Council agrees that the permitted level of vehicle movements associated with a home business could have adverse effects on the safety and function of the roading network. Council supports amending the rule to reduce the permitted level to no more than 30 ECM per day. Council also prefers the simpler approach of specifying ECM rather than specifying limits for heavy vehicles and light vehicles.	Allow
Waka Kotahi (S450)	S450.283	SETZ-R1 Settlement Zone	The submission generally supports the rule but suggests that it should require that any new residential activity has an access that meets vehicle crossing standards within the transport chapter/standards.	Support	Council agrees that the zone performance standards should require that any new residential activity should have a vehicle crossing that meets the required design standards.	Allow

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Waka Kotahi (S450)	S450.286	SETZ-R9 Settlement Zone	The submission generally supports the rule but has concerns over the permitted number of vehicle movements allowed under the rule. The rule allows for 10 heavy vehicle movements per day (i.e. 50 ECM) and up to 30 light vehicle movements per day or 210 per week. This is considered a high level of permitted vehicle movements associated with a home business and there are implications for vehicle crossings which may need upgrading.	Support	Council agrees that the permitted level of vehicle movements associated with a home business could have adverse effects on the safety and function of the roading network. Council supports amending the rule to reduce the permitted level to no more than 30 ECM per day. Council also prefers the simpler approach of specifying ECM rather than specifying limits for heavy vehicles and light vehicles.	Allow
Waka Kotahi (S450)	S450.297	MINZ-R3 Mineral Extraction Zone	The submission generally supports the rule but has concerns that the permitted 30 heavy vehicle movements can be generated without consideration to road safety if using an existing access. The submission recommends that the rule either reduces the level of permitted vehicle movements or requires appropriate consideration of transport rules and standards to ensure safe access. seeks to include reference to the.	Support	Council agrees that the permitted level of vehicle movements associated with mining activity could have adverse effects on the safety and function of the roading network. Council supports amending the rule to require consideration of safe access.	Allow
Davis Ogilvie & Partners Ltd (S465)	S465.005	Rules - Mineral Extraction Zone	The submission states that no consideration appears to have been given to appropriate land uses after mining has been completed in the Mineral Extraction Zone with permitted activities limited to conservation, recreation, research and grazing of animal activities. The submission seeks that the rules are amended to allow for appropriate long term development of land that has been mined.	Support	Council agrees that the focus of the rule framework is on land uses that are compatible with mining activities while mining activities are occurring and there is limited provision for appropriate land uses post mining. Council agrees that consideration should be given to providing for rural industries and rural-residential development following mining activities rather than having these activities default to non-complying status.	Allow

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Davis Ogilvie & Partners Ltd (S465)	S465.006	Rules - Mineral Extraction Zone	The submission supports the restriction on incompatible activities being established before and during mining. However, in accordance with the policy framework, the submission seeks that the rules allow activities that are not incompatible with the effects of mineral extraction and ancillary activities. The submission requests that a new Permitted Activity rule is included allowing the establishment of rural industries.	Support	Council supports the requested amendment to the rules for the Zone.	Allow
Davis Ogilvie & Partners Ltd (S465)	S465.007	Rules - Mineral Extraction Zone	The submission seeks provision is made within the Mineral Extraction Zone for appropriate land uses (similar to the General Rural Zone) to establish in the zone after mining is completed.	Support	Council supports the requested amendment to the rules for the Zone.	Allow
Davis Ogilvie & Partners Ltd (S465)	S465.008	MINZ – R9 Mineral Extraction Zone	The submission seeks that in conjunction with the new proposed rule for activities on sites once mining is completed, the title for Rule MINZ – R9 (non-complying status) should be amended. The non-complying status only needs to be retained until mining has been completed.	Support	Council supports the requested amendments.	Allow
Davis Ogilvie & Partners Ltd (S465)	S465.009	Mineral Extraction Zone	The submission requests that the provisions covering the Mineral Extraction Zone need further work to: <ul style="list-style-type: none"> • Ensure that the description of the zone is accurate and refers to the correct legislation. • Ensure the zone overlay covers all appropriate permits in keeping with the purpose. 	Support	Council agrees that the Mineral Extraction provisions require further work particularly in relation to providing for appropriate land uses post mining.	Allow

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			<ul style="list-style-type: none"> Ensure that all appropriate land uses are permitted within the zone including provision for rural industries and long-term land uses after mining is completed. 			
Davis Ogilvie & Partners Ltd (S465)	S465.015	SUB – R7/ ECO – R4	The submission seeks that the rule is amended to clarify that the allotment(s) created from the parent title must contain the area of significant indigenous biodiversity and be for the purpose of legal protection of that land. As written, the rule does not make this clear.	Support	Council supports the amendment.	Allow
Davis Ogilvie & Partners Ltd (S465)	S465.016	SUB – R9/ ECO – R6	The submission seeks that the rule is amended to clarify that the allotment(s) created from the parent title must contain the area of significant indigenous biodiversity and be for the purpose of legal protection of that land. As written, the rule does not make this clear.	Support	Council supports the amendment.	Allow
Davis Ogilvie & Partners Ltd (S465)	S465.026	SETZ – R1 Settlement Zone	The submission requests the rule be amended noting that it includes a grandfather clause (R1.1.i.a) allowing the establishment of residential units on fully serviced sites lawfully established under the existing District Plans. The submission seeks that the grandfather clause is extended to include un-serviced sites that have been lawfully established under the relevant District Plans. Noting that Settlement Zones areas are typically not fully reticulated, there are sure to be a significant number of ‘un-serviced’ sites within the zone that have not been built on which will subsequently be caught by this rule.	Support	<p>Council supports the rule being amended to provide for existing sites to be built on without further consent. Council agrees that all servicing matters will have been considered and approved at the time of subdivision and requiring land use consent to build on existing sections will only add an additional hurdle. All on-site servicing will still be subject to the building consent process.</p> <p>NB: Council’s original submission on this rule requested its deletion but on review this is not supported.</p>	<p>Allow</p> <p>Council’s original submission also sought deletion of similar Grandfather Clauses in GRUZ – R3.3(i) and RLZ – R3.2 but on review, Council wishes</p>

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						to retract this part of our original submission.
Davis Ogilvie & Partners Ltd (S465)	S465.029	Sign – R1	The submission states that SIGN R1(10) is grammatically incorrect and confusing. The rule sets out a minimum letter size but sets out that signs should not ‘exceed’ these dimensions. The rule requires clarification.	Support	Council agrees that the rule requires clarification.	Allow
Davis Ogilvie & Partners Ltd (S465)	S465.030	Sign – R1	The submission states that in the Commercial, Mixed Use and Industrial zones, the limit on the number of words and characters required by SIGN-R1(10)(iii) is too restrictive. This limit may be appropriate for higher-speed areas but is not practical to convey the level of information often displayed on commercial signage. The submission seeks that R1(10)(iii) is amended to exclude lower-speed roads within the Commercial, Mixed Use and Industrial zones.	Support	Council agrees that the rule is too restrictive and supports amendment.	Allow
Davis Ogilvie & Partners Ltd (S465)	S465.031	Sign – R1	The submission states that the separation distances required by SIGN-R1(11) are seriously flawed when considered against typical site sizes in the Commercial and Mixed Use Zones. The rule requires 60m separation between signs in areas with <70kph speed limits but sites in Commercial ones would generally have less than 60m road frontage. The rule requires amendment.	Support	Council agrees that the rule is too restrictive and supports amendment of the rule	Allow
Davis Ogilvie & Partners Ltd (S465)	S465.031	Zones – Recession Planes	The submission plane rules do not appear to be consistent and may require some reassessment.	Support	Council agrees that a consistent approach to recession planes across the plan is needed.	Allow

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Davis Ogilvie & Partners Ltd (S465)	S465.033	GRUZ –R1 General Rural Zone	The submission seeks that the requirement in Rule GRUZ – R1 for a 10m setback from all internal boundaries is amended to 5m. This is a significant departure from the previous District Plans (BDP 1.5m, Grey DP 5m and WDP 3m).	Support	Council supports the amendment.	Allow
NZ Coal & Carbon Ltd (S472)	S472.029	NOSZ – R16 Natural Open Space Zone	The submission seeks that ‘mineral prospecting and exploration activities’ are inserted into the heading of the rule.	Support	Council supports the amendment.	Allow
NZ Coal & Carbon Ltd (S472)	S472.032	OSZ – R22 Open Space Zone	The submission seeks that ‘mineral prospecting and exploration activities’ are inserted into the heading of the rule.	Support	Council supports the amendment.	Allow
Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.006	Definitions – Mineral Extraction	The submission seeks an amendment to the definition noting that not all the specified activities occur at the same site. The following amendment is sought: <i>“Means the excavation, blasting and processing....and access within, to, from and between the mineral extraction sites and ancillary sites.</i>	Support	Council supports the amendment	Allow
Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.008	MIN – O6 Strategic Direction	The submission seeks inclusion of the full effects hierarchy to the objective.	Support	Council Supports the amendment.	Allow

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Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.011	HH – P7 Historic Heritage	The submission seeks an amendment to the policy stating that a suitably qualified professional at considerable cost is not always necessary. Amend as follows: <i>“Demolition and destruction of historic heritage items identified in Schedule One will not be allowed unless it can be demonstrated, through investigation and assessment by a suitable qualified heritage professional that a...c have been fully considered. A suitably qualified professional may be required to undertake an assessment where it is deemed necessary by the Consent Authority having regard to the nature of the protected heritage item”.</i>	Support	Council supports the amendment.	Allow
Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.036	OSRZ – P14 Opens Space and Recreation Zone	While the policy provides for mineral extraction activities it does not include mineral exploration and prospecting activities. The submission requests that these are included.	Support	Council supports the amendment.	Allow
Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.037	OSRZ – P14 Opens Space and Recreation Zone	The submission seeks that duplication is avoided. Clause (a) is a subset of clause (c) and should be removed.	Support	Council supports the amendment.	Allow
Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.038	OSRZ – P14 Opens Space and Recreation Zone	The submission seeks that clause (b) of the policy relating to any Open Space Management Plan for the area is removed as this is a process independent of the RMA.	Support	Council supports the amendment.	Allow

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Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.039	OSRZ – P14 Opens Space and Recreation Zone	The submission seeks that the structure of clause (c) is amended for consistency.	Support	Council supports the amendment.	Allow
Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.042	Rural Zones	The submission seeks that the rural zone provision apply not only to mineral extraction activities but include mineral prospecting and exploration activities.	Support	Council supports the amendment.	Allow
Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.043	RURZ – P18 Rural Zone Objectives & Policies	The submission seeks inclusion of the full effects hierarchy to the objective.	Support	Council supports the amendment.	Allow
Bathurst Resources Ltd & BT Mining Ltd (S491)	S491.046	GRUZ – R18 Rural Zone	There are no restricted discretionary rules for mineral exploration and prospecting activities. The submission seeks inclusion of a new rule.	Support	Council supports the amendment.	Allow
Federated Farmers of NZ (S524)	S524.008	Definitions – Farm Quarry	The submission generally supports the definition of ‘Farm Quarry’ but considers it is not practical to require that these can only serve farm activities that occur on the same site. The term ‘Site’ is defined in the Plan as meaning a single record of title and many farms have a number of titles.	Support	Council supports the amendment and removal of the qualifier that the farm quarry occur ‘on the same site’.	Allow
Federated Farmers of NZ (S524)	S524.009	Definitions – Heritage Professional	The submission opposes the definition of ‘Heritage Professional’ as being too onerous and requests that it is deleted and the relevant	Support in part	Council opposes removal of the definition of ‘Heritage Professional’ in its entirety as it provides guidance on what constitutes a suitably qualified heritage professional but	Allow

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			rules refer to 'suitably qualified heritage professional'.		supports the removal of the requirement that the professional have a minimum of 5 years experience. This qualifier is not considered necessary and Council does not wish to have to ascertain the work history/experience of every professional.	
Federated Farmers of NZ (S524)	S524.012	Definitions – Lawfully Established	<p>The submission states that the definition for 'Existing Use Rights' within the pTTPP refers to 'Lawfully Established Activities' therefore it is confusing and incorrect to then state that Lawfully Established Activities include activities permitted.... by an Existing Use Right. The submission seeks that the definition is amended to make it clear that lawfully established can be achieved by a number of ways which are independent of each other as follows:</p> <p><i>“Means activities provided for by one of the following:</i></p> <ol style="list-style-type: none"> 1. <i>Permitted through a rule in a plan; or</i> 2. <i>Through a resource consent; or</i> 3. <i>In a National Environment Standard; or</i> 4. <i>By an existing use right (as provided for in Section 10 of the RMA)”.</i> 	Support	Council supports the submission that the definition should be restructured to provide clarity.	Allow
Forest & Bird (S560)	S560.006	Ecosystems & Indigenous Biodiversity	The submission recommends that the Wildlands Report should be used as the basis for an immediate regionwide SNA survey.	Oppose	The Wildlands Report identified that at a desktop level the overwhelming majority of indigenous vegetation across the region could meet the significant criteria. It is understood that this assessment was not supported by detailed ecological	Disallow The SNA mapping process should be based on

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					information and used poor quality aerial imagery.	detailed ecological information and ground truthing and not based on a desktop exercise.
Forest & Bird (S560)	S560.009	Ecosystems & Indigenous Biodiversity	The submission states that the ECO chapter does not protect significant habitat of fauna where that is found in non-indigenous vegetation because the rules only regulate indigenous vegetation clearance. The submission seeks that the provisions are amended to ensure protection to significant habitats of indigenous fauna, including from exotic vegetation clearance.	Oppose	Council does not support the addition of rules that would control exotic vegetation clearance.	Disallow
Forest & Bird (S560)	S560.010	Ecosystems & Indigenous Biodiversity Rules	The submission seeks inclusions of a general consent requirement for all indigenous vegetation clearance to undertake an ecological assessment as part of the consent application applying the RPS significance criteria and to manage vegetation clearance within those areas through discretionary or non-complying rules.	Oppose	Council does not consider that an ecological assessment is required in every instance where vegetation clearance is proposed. Some level of permitted activities is considered appropriate where the adverse effects are less than minor. Such an approach is consistent with the RPS which recognises that there are circumstances when activities can occur within SNAs which will maintain the values of the SNA.	Disallow

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Forest & Bird (S560)	S560.013	Planning Maps and Overlays	The submission seeks that all public conservation land is rezoned to Natural Open Space Zone (NOSZ) and the Planning Maps are updated accordingly.	Oppose	The current approach to zoning public conservation land is considered appropriate. Areas with significant natural, biodiversity and landscape biodiversity values e.g. national parks, wilderness areas etc are NOSZs and all other conservation land OSZ. The implications of changing the zoning would have significant implications for land use activities on conservation land.	Disallow
Forest & Bird (S560)	S560.055	Definitions - Activity	The submission opposes the definition of 'Activity' as it potentially excludes activities that are intended to be considered in the Plan such as activities on the surface of water, residential or commercial activities. The submission seeks that the definition is deleted.	Oppose	The reference to 'land use' effectively captures all activities managed by District Councils but Council agrees that for lay plan users this is not readily apparent and the definition would benefit from further clarification.	Disallow - Consider amending for clarity but retain the definition
Forest & Bird (S560)	S560.056	Definitions – Agricultural, Pastoral and Horticultural Activities	The submission supports the definition of 'Agricultural, Pastoral and Horticultural Activities' with amendments including insertion of advice notes and deletion of farm quarries from this definition given the lack of SNA identification.	Oppose	Council opposes the amendments sought. The concern is in relation to the protection of unidentified SNAs. Farm quarries are generally small scale providing roading materials for individual farms and are unlikely to pose a threat to SNAs.	Disallow
Forest & Bird (S560)	S560.057	Definitions – Area of Significant Indigenous Biodiversity	The submission opposes the definition on the basis that it is not clear why a separate definition to 'Significant Natural Area' (SNAs) is necessary for subdivision purposes. The definition creates confusion with the pTTPP definition of SNAs and is inconsistent with the definition of SNAs in the RPS. The submission seeks deletion of this definition and reliance on the definition of SNAs with respect to subdivision.	Support	Council agrees that having a separate definition for subdivision purposes for what is essentially an SNA is unnecessary and confusing and Council would support removal of this definition.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Forest & Bird (S560)	S560.058	Definitions – Building Platform	The submission seeks amendments to the definition as it is uncertain how the definition should be applied in rules where the matters specified in the definition are not the subject of conditions or standards. The submission seeks deletion of the following: “...having regard to ground conditions, gradient, access, natural hazards, indigenous vegetation and habitat, amenity and health and safety”	Support	<p>Council agrees with the suggested deletion to the Building Platform definition as applying the qualifiers could be problematic.</p> <p>Council also suggests that the definition could be improved by adding ‘suitable’ and residential ‘unit’ instead of ‘house’ given this is defined in the plan.</p>	<p>Allow with suggested amendments:</p> <p><i>“Means land that is suitable and practical for accommodating a residential unit house, or other intended building.</i></p>
Forest & Bird (S560)	S560.059	Definitions – Coastal Environment	The submission opposes the definition for the ‘Coastal Environment’. There are areas where no coastal environment is identified at all. There is no clear basis for excluding urban areas . To effectively give effect to the NZCPS, the submission seeks mapping of the Coastal Environment again using appropriate experts to identify the extent by applying Policy 1 of the NZCPS. Until it is mapped accurately, include a default of at least 2km landward of the CMA.	Oppose in part	Council agrees that there are areas of the Coastal Environment that have been missed off the Overlay which need to be addressed. Council understands that there has been expert input into determining the coastal environment boundaries and does not support re-doing the mapping and in the meantime including a default position of at least 2km landward of the CMA.	<p>Allow in so far as identifying those parts of the coastal environment that have been missed e.g. Carter Beach and Charleston.</p> <p>Disallow the request for redoing the mapping and applying an interim 2km default boundary.</p>

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Forest & Bird (S560)	S560.063	Definitions – Energy Activities	<p>The submission opposes the definition stating that clarifying the definition is critical to the scope of ‘Energy Activities’ chapter as the overview to this sets out these activities are recognised as regionally significant infrastructure.</p> <p>The definition does not appear to restrict energy activity to activities for infrastructure that is regionally significant.</p> <p>For example it is not clear if an energy activity would include geothermal, petroleum or coal including its investigation and distribution when unrelated to electricity generation.</p>	Support in part	<p>Council agrees that the current plan framework does not qualify what is considered ‘Energy Activities’ and therefore what is recognised as Critical Infrastructure/RSI.</p> <p>Council considers the issue could be addressed by amending the definition of Critical Infrastructure so that it only includes energy activities that generate more than 1MW of electricity (as per the definition of RSI in the RPS).</p>	<p>Disallow</p> <p>Consider an amendment to the definition of Critical Infrastructure to align with the RPS.</p>
Forest & Bird (S560)	S560.064	Definitions – Existing Buildings and Structures	<p>The submission opposes the definition stating that it clearly includes buildings and structures that are not existing. It is also clearer to use the term ‘Lawfully Established’ so that people do not take the term ‘existing’ to include unlawful activities or structures.</p>	Support in principle	<p>Without a thorough examination of where the term ‘Existing Building and Structures’ is used in the plan, Council agrees in principle with replacing ‘Existing Buildings and Structures’ with ‘Lawfully Established’ This will prevent unlawful existing activities or structures being considered appropriate.</p>	<p>Allow following a review of the respective provisions.</p>
Forest & Bird (S560)	S560.066	Definitions – Lake	<p>The submission opposes the definition as being inconsistent with the RMA definition and seeks that it be deleted and the definition in the RMA used.</p>	Oppose	<p>Council does not support amending the definition. The definition follows the RMA definition and then goes on to provide clarification on what is considered a ‘Lake’ for the purpose of the definition. This is considered appropriate and consistent with how riparian margins are defined in the Regional Land & Water Plan i.e. exclude ephemeral waterbodies and artificial watercourses.</p>	<p>Disallow</p>

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Forest & Bird (S560)	S560.069	Definitions – Māori Purpose Activities	The submission supports the Plan providing for the relationship of tangata whenua with their ancestral lands but is unclear on why there are two definitions and activities used in the Plan that cover apparently very similar subject matter – this definition and ‘Poutini Ngai Tahu Activities’. The submission seeks clarification and/or amalgamation if appropriate.	Support in principle	Council supports review of this definition	Allow
Forest & Bird (S560)	S560.070	Definitions – Mineral Extraction	The submission opposes the definition as it includes several activities not actually part of extraction itself e.g. distribution and vehicle movements. The submission seeks that ‘Landscaping and rehabilitation’ should be separate from extraction as they require specific considerations which are critical to determining appropriateness. The definition should exclude the removal of overburden and activities that occur before extraction of the mineral.	Oppose	Council supports the current definition. While some of the included activities are not ‘extraction’ per se they are all activities directly associated with mineral extraction.	Disallow
Forest & Bird (S560)	S560.071	Definitions – Mineral Extraction Management Plan	The submission opposes the definition stating that the definition only appears in provisions of the BCZ which Forest & Bird oppose in its entirety. The submission seeks deletion of the definition.	Oppose	Council supports the definition.	Disallow
Forest & Bird (S560)	S560.072	Definitions – Mineral Extraction Management Plan	The submission opposes the definition for the reasons given above.	Oppose	Council supports the definition	Disallow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Forest & Bird (S560)	S560.075	Definitions – Renewable Electricity Generation Activities	The submission seeks amendments to the definition to clarify its application to renewable electricity generation structures and associated/ancillary infrastructure and to limit the definition to only renewable electricity generation that is also RSI as set out in the glossary of the RPS.	Oppose	Council opposes amending the definition but does consider there is merit in considering an amendment to the definition of Critical Infrastructure so that it only includes electricity generation activities that generate more than 1MW of electricity (as per the definition of RSI in the RPS).	Disallow Consider an amendment to the definition of Critical Infrastructure to align with the RPS.
Forest & Bird (S560)	S560.078	Definitions – Temporary Activity	The submission seeks amendments as the definition makes the application of rules uncertain. If an activity does not meet a zone standard consent processes should apply. The submission seeks the exclusion aspect of the definition is amended as follows: <i>“Note: Temporary Activities do not include: i. Permitted Recreation Activities meeting addressed within Zone rules standards; ii. Events and other types of activities meeting addressed within Zone standards rules in the Stadium one or any Open Space and Recreation Zone; or Temporary military training activities”</i>	Support	Council supports the amendment.	Allow
Forest & Bird (S560)	S560.082	Interpretation - New	The submission seeks consideration be given to including a definition for indigenous vegetation as per the following: <i>“Indigenous vegetation means vascular and nonvascular plants that are native to the ecological district”.</i>	Support in part	Council would support a new definition for ‘Indigenous Vegetation’ but a simplified version.	Allow in including the following new definition:

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
						<i>"Indigenous vegetation means naturally occurring flora containing plant species that are native to the area."</i>
Forest & Bird (S560)	S560.215	Ecosystems and Indigenous Biodiversity Rules	The submission states that due to the lack of SNAs being comprehensively identified, scheduled and mapped in the Plan, that indigenous vegetation clearance must be treated as if it were occurring within an SNA. The type of activities needs to be limited to those that may be appropriate as permitted within an SNA and to a scale that ensures the SNA is protected and that adverse effects are no more than minor. The submission considers that separate rules should be used for activities outside of Schedule 4 SNAs to those within Schedule 4 SNAs. Within the Coastal Environment even more stringent conditions are required to ensure that the policy direction to avoid adverse effects is achieved.	Support in part	Council agrees that the rule framework should have separate rules for activities inside and outside of identified and/or scheduled SNAs. Council does not agree that until SNAs are comprehensively identified, scheduled and mapped in the Plan that all indigenous vegetation must be treated as if it were occurring within an SNA. The interim situation is that the RPS criteria is used to assess significant indigenous vegetation and fauna habitat through the resource consent process and/ or if needed, to confirm compliance with permitted standards.	Allow in part
Forest & Bird (S560)	S560.333	How The Plan Works	The submission seeks: <ul style="list-style-type: none"> a. Inclusion of another section to the plan listing all relevant chapters with an explanation. b. Make clear that all vegetation clearance is dealt with by the ECO (and 	Oppose	Council considers that the Plan already clearly sets out that the relationship between the chapters. For mining activities, an ecological assessment is not justified in every instance	Disallow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
			<p>NC) chapters, in both the zone overviews and amend any relevant provisions within each chapter to that effect.</p> <p>c. All mining activities require consent (except NOSZ) where they should be prohibited and an ecological assessment in accordance with Appendix 1 of WCRPS is required for all mining activity consent applications.</p>		<p>(e.g. where sites fall outside of any overlays) and should be based on actual effects on the environment rather than the activity per se.</p> <p>A prohibited activity status for mining activities in the NOSZ is not considered appropriate and proposals should be considered on their respective merits.</p>	
Forest & Bird (S560)	S560.359	Natural Open Space Zone – Planning Maps and Overlays	The submission seeks that all public conservation land be zoned NOSZ.	Oppose	Council does not support the submission. The current approach to zoning public conservation land is supported and is considered appropriate. Areas with significant natural, biodiversity and landscape biodiversity values e.g. national parks, wilderness areas etc are NOSZs and all other conservation land OSZ.	Disallow
Forest & Bird (S560)	S560.392	Buller Coalfield Zone	The submission opposes the BCZ and seeks removal of the zone from the plan and rezoning of the affected land.	Oppose	Council opposes the request.	Disallow
Forest & Bird (S560)	S560.398	Mineral Extraction Zone	The submission opposes the MINZ and seeks removal of the Zone from the plan and rezoning of the affected land.	Oppose	Council opposes the request.	Disallow
Fire & Emergency NZ (S573)	S573.012	Appendix One: Transport Performance Standards	The submission oppose in part the minimum driveway width of 3m with a preference for a minimum width of 3.5m to sufficiently cater for fire appliances.	Support	Council supports the amendment for increasing the minimum width of driveways from 3m to 3.5m to allow for fire appliance access.	Allow
Chris J Coll Surveying Ltd (S566)	S566.274	Definitions – Building	The submission seeks that the definition for ‘Building’ is amended to clarify it does not capture caravans.	Oppose	Excluding caravans from the definition of buildings means that they will not need to comply with boundary setback standards.	Disallow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
					This could result in nuisance effects for neighbours if a caravan is situated on or near a boundary and is being used for long-term accommodation. Council has encountered issues in the past with such activities.	
Chris J Coll Surveying Ltd (S566)	S566.285	Definitions – Building	The submission seeks that the definition for ‘Building’ is amended to clarify it does not capture trailed Tiny Homes.	Oppose	Excluding trailed Tiny Homes from the definition of buildings means that they will not need to comply with boundary setback standards. This could result in nuisance effects for neighbours if a Tiny Home is situated on or near a boundary and is being used for long-term accommodation.	Disallow
Chris J Coll Surveying Ltd (S566)	S566.329	Definitions - New	The submission seeks a new definition for ‘woodlots’ is inserted.	Support	Woodlots are one of the listed permitted land uses under the definition of ‘Agricultural, Pastoral and Horticultural Activities’. Council agrees that it would be helpful to clarify what constitutes a ‘woodlot’.	Allow
WMS Group (HQ) Ltd & WMS Land Co. Ltd (S599)	S599.011	Definitions – Mineral Exploration	The submission seeks the definition is amended to provide for ‘ancillary activities’.	Support	Council supports the amendment.	Allow
WMS Group (HQ) Ltd & WMS Land Co. Ltd (S599)	S599.013	Definitions – Mineral Prospecting	The submission seeks the definition is amended to provide for ‘ancillary activities’.	Support	Council supports the amendment.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
WMS Group (HQ) Ltd & WMS Land Co. Ltd (S599)	S599.095	NOISE – R6	The submission does not consider that there is appropriate justification to limit the weekend/public holiday daytime hours to 8.00am to 8.00pm in the General Rural and Open Space Zones in particular. A consistent time is sought for every day of the week.	Support	Council supports the amendment. The General Rural Zone is a working environment therefore a consistent approach for noise emissions across every day of the week is considered appropriate. Similarly, for the Open Space where a variety of activities are anticipated.	Allow
WMS Group (HQ) Ltd & WMS Land Co. Ltd (S599)	S599.126	MINZ – O2 Mineral Extraction Zone	The submission seeks an amendment to allow for the full effects management hierarchy.	Support in part	Council supports the amendment but suggests that the objective refers to the 'Effects Management Hierarchy' specifically.	Allow in part
WMS Group (HQ) Ltd & WMS Land Co. Ltd (S599)	S599.130	MINZ – P4 Mineral Extraction Zone	The submission seeks an amendment to allow for the full effects management hierarchy.	Support in part	Council supports the amendment but suggests that the policy refers to the 'Effects Management Hierarchy' specifically.	Allow in part
WMS Group (HQ) Ltd & WMS Land Co. Ltd (S599)	S599.105	RURZ – O1 Rural Zones Objectives & Policies	The submission seeks that enabling activities in the rural zone should refer to 'primary production' as in the National Planning Standards 2019.	Support	Council supports the amendment.	Allow
WMS Group (HQ) Ltd & WMS Land Co. Ltd (S599)	S599.109	RURZ – P3	The policy provides for management of reverse sensitivity effects on certain activities with the submission seeking that this is extended to all 'primary production activities'.	Support	Council supports the amendment.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
WMS Group (HQ) Ltd & WMS Land Co. Ltd (S599)	S599.121	RURZ – R25	The submission seeks that clause k. of the matters of discretion which reads: ' <i>effects on riparian margins and water quality</i> ' is amended with 'water quality' removed. This is a regional consenting matter.	Support	Council supports the amendment.	Allow
WMS Group (HQ) Ltd & WMS Land Co. Ltd (S599)	S599.161	GRUZ – R25 General Rural zone	The submission seeks that the rule applies to mineral prospecting and exploration activities, consistent with GRUZ – R11.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.013	Definition – Conservation Activities	The submission seeks an amendment to the definition to that it excludes 'commercial activities' to avoid any unintended consequences with the current definition.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.014	Definitions – Indigenous Vegetation Clearance	The submission seeks that the definition is amended to make it explicit that this also includes the damage and destruction of indigenous vegetation including by mob stocking.	Support	Council supports amending the definition to include 'damage' and 'destruction' as part of the definition and including 'mob stocking' to the listed activities.	Allow
Department of Conservation (S602)	S602.015	Definitions – Riparian Margin	The submission seeks an amendment to the definition to remove the term 'stream' as the definition of river under the RMA includes streams.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.016	Definitions – Significant Natural Area (SNA)	The submission generally supports the definition as it clearly sets out that SNAs apply to all areas that have been assessed as an area of significant indigenous vegetation or significant habitat of indigenous fauna, not just those that are scheduled but seeks removal of	Support in part	Council supports the removal of the first part of the definition for clarity but recommends that 'identified' is added to the definition which is consistent with the clause b. wording.	Allow in part with the following change:

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
			<p>the following in clause (a): <i>“areas that have been assessed as an area of significant indigenous vegetation</i>”</p> <p>The submission also seeks that the definition is amended to ensure that SNAs can also be assessed in accordance with any future nationally developed criteria.</p>			<p><i>“Areas that have been assessed as an area of significant indigenous vegetation or significant habitat of indigenous fauna identified in accordance with the criteria set out in the West Coast Regional Policy Statement”.</i></p>
Department of Conservation (S602)	S602.018	New Definition – Compensation	The submission seeks the inclusions of a new definition for ‘Compensation’ which is used in the Plan	Support in part	Council agrees that a definition is needed for ‘Compensation’ but considers the submitter’s definition needs work as its overly complex	Allow in part – Develop a suitable definition for ‘Compensation’
Department of Conservation (S602)	S602.019	New Definition – Effects Management Hierarchy	The submission seeks the inclusion of a new definition for ‘Effects Management Hierarchy’ to ensure that there is an appropriate cascade of effects management approaches. The new definition sought is:	Support in part	Council generally supports the addition of a new definition for ‘Effects Management Hierarchy’ but requests that where ‘minimised’ is used that this is changed to ‘mitigated and/or remedied’ where appropriate. The focus should also be on	Allow in part with alternative wording:

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
			<p><i>Effects management hierarchy means an approach to managing the adverse effects of subdivision, use and development that requires that:</i></p> <ul style="list-style-type: none"> • <i>Adverse effects are avoided where possible;</i> • <i>Where adverse effects that cannot be demonstrably avoided, they are minimised where possible;</i> • <i>Where adverse effects that cannot be demonstrably minimised, they are remedied where possible;</i> • <i>In relation to adverse effects that cannot be avoided, minimised or remedied, offsetting is provided where possible (including but not limited to biodiversity offsets and freshwater offsets); and</i> • <i>Where offsetting is not demonstrably possible, adverse effects are compensated</i> 		offsetting and compensation for more than minor residual adverse effects.	<p><i>“Effects management hierarchy means an approach to managing the adverse effects of subdivision, use and development that requires that:</i></p> <p><i>Adverse effects are avoided where possible;</i></p> <p><i>Where adverse effects cannot be avoided, they are remedied or mitigated where possible;</i></p>

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
						<p><i>In relation to adverse effects that cannot be avoided, remedied or mitigated, offsetting of any more than minor residual adverse effects is provided where possible;</i></p> <p><i>Where offsetting of any significant residual adverse effects is not possible, adverse effects are compensated”.</i></p>
Department of Conservation (S602)	S602.020	New Definition – Net Gain	The submission seeks the inclusion of a new definition for “Net Gain’ which is used in the Plan.	Oppose	Council’s preference is that a definition is not provided and the term speaks for itself. Ultimately it will be informed by ecological experts.	Disallow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.021	New Definition - Offsets	The submission seeks the inclusion of a new definition for 'Offsets' which is used in the Plan	Support in part	Council agrees that a definition is needed for 'offsets' but considers the submitter's definition needs work as its overly complex	Allow in part – Develop a suitable definition for 'Offsets'.
Department of Conservation (S602)	S602.022	New Definition – Watercraft	The submission seeks that 'Watercraft' is defined so that the structures the definition applies to are explicit as the term could otherwise be very broad. Definition requested as follows: <i>“Watercraft means a boat or other vessel that travels on water. This excludes use for commercial or residential activities and excludes fixed structures on water”.</i>	Support in part	Council supports inclusion of the definition but suggests it does not need to exclude commercial or residential activities as the policies and rules already differentiate between commercial and non-commercial use.	Allow in part as follows: <i>“Watercraft means a boat or other vessel that travels on water. This excludes use for commercial or residential activities and excludes fixed structures on water”.</i>
Department of Conservation (S602)	S602.034	ENG – P8 Energy	The submission seeks that the policy is amended so that it aligns with the functional need definition of the Plan, applies the effects management hierarchy where adverse effects on schedule or overlay items cannot be avoided, protects values identified in schedules in addition to areas and removes duplication.	Support	Council supports the amendments. Applying the Effects Management Hierarchy is consistent with the RPS provisions for Regionally Significant Infrastructure.	Allow
Department of Conservation (S602)	S602.035	INF – P2 Infrastructure	The submission seeks that the policy is amended so that it aligns with the functional need definition of the Plan and applies the effects management hierarchy to schedules, SNAs and overlay areas.	Support	Council supports the amendments. Applying the Effects Management Hierarchy is consistent with the RPS provisions for Regionally Significant Infrastructure.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.067	ECO-P1 Ecosystems & Indigenous Biodiversity	The submission requested that the policy be amended to align with the terms used in Section 6(c) of the Act, ensure that the criteria used to assess significance is consistent with the RPS and any future national criteria and that the criteria is also used to assess significant indigenous vegetation and fauna habitat through the resource consent process or if needed, to confirm compliance with permitted standards. The submission notes that even with robust mapping, the level of significance at a site scale is often not known until such time as development is proposed through a resource consent application	Support in part	<p>Council agrees that consistent terminology needs to be used and this should align with Section 6(c) to avoid confusion. However, reference to any future national criteria in the Plan is not considered necessary as such matters are a requirement of the RMA.</p> <p>Council agrees that even when SNAs are mapped, there is likely to be a need for further assessment of the values present as mapping does not always provide sufficient detail at a site specific scale. Council also agrees with the submission point that there may be a need for a party to confirm an area is not an SNA in order to proceed as a permitted activity.</p>	Allow in Part
Department of Conservation (S602)	S602.068	ECO-P2 Ecosystems & Indigenous Biodiversity	The submission seeks amendments to the policy to better manage adverse cumulative effects from lawfully established activities within areas of significant indigenous vegetation or significant habitats of indigenous fauna, apply the effects management hierarchy to appropriately manage adverse effects and removed clause (d) relating to provision for activities with a functional need.	Support in part	<p>Council supports inserting the requested qualifier to clause (a) that the lawfully established activity <i>'and adverse effects are no greater in intensity, scale or character over time than at the operative date'</i>. This wording is consistent with the RPS. However, Council does not support the requested change to the last limb of clause (a) that reads <i>'and do not result in the loss of extent or degradation of ecological integrity'</i>. This would effectively prevent any further removal of native vegetation or fauna habitat associated with a lawful activity even if it was over a small area.</p>	Allow in part

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
					Inclusion of the Effects Management Hierarchy as a means of addressing potential adverse effects of activities is supported but the removal of clause (d) relating to activities with a functional need is not.	
Department of Conservation (S602)	S602.069	ECO-P3 Ecosystems & Indigenous Biodiversity	The submission seeks the policy is amended to enable any measures to protect, enhance and restore biodiversity to be considered and biosecurity programmes to manage plant and predator pest.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.070	ECO-P6 Ecosystems & Indigenous Biodiversity	The submission seeks to simplify the policy by referring to 'Threatened or At Risk (Declining) species' and to ensure the policy also captures locally endemic species important to the West Coast.	Support in principle	Council supports simplifying the policy and agrees in principle with the amendments sought. However, it is understood that amending the policy to cover Threatened or At Risk (Declining) species will effectively widen the net of species to be considered.	Allow in principle but seek further input into the implications of the amendments
Department of Conservation (S602)	S602.071	ECO-P7 Ecosystems & Indigenous Biodiversity	The submission seeks to ensure that when assessing resource consent applications, locational constraints are considered for any critical infrastructure or renewable electricity generation, an assessment of alternative is provided, the effects management hierarchy is applied and where offsetting and compensation is provided consideration is given to the extent of the net gain achieved.	Support	Council supports the amendments.	Allow
Department of Conservation (S602)	S602.072	ECO-P8 Ecosystems & Indigenous Biodiversity	The submission seeks amendments to encourage and enable active management and to encourage and enable biosecurity programmes to manage plant and predator pests.	Support	Council supports the amendments.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.074	ECO-P10 Ecosystems & Indigenous Biodiversity	The submission seeks to include an additional clause that refers directly to Policy 11(a) of the NZCPS and apply the effects management hierarchy to appropriately managed adverse effects on biodiversity in the coastal environment.	Support in part	Council supports the inclusion of the effects management hierarchy to the provisions but does not see the necessity to referring to Policy 11(a) of the NZCPS specifically.	Allow in part
Department of Conservation (S602)	S602.077	ECO-R4/SUB-R7 Ecosystems & Indigenous Biodiversity	The rule duplicates the subdivision rules and is unnecessary in the ECO section and should be deleted	Support	Council agrees with deletion of the duplicated rule	Allow
Department of Conservation (S602)	S602.079	ECO-R6/SUB-R9 Ecosystems & Indigenous Biodiversity	The rule duplicates the subdivision rules and is unnecessary in the ECO section and should be deleted	Support	Council agrees with deletion of the duplicated rule	Allow
Department of Conservation (S602)	S602.081	ECO-R8/SUB-R15 Ecosystems & Indigenous Biodiversity	The rule duplicates the subdivision rules and is unnecessary in the ECO section and should be deleted	Support	Council agrees with deletion of the duplicated rule	Allow
Department of Conservation (S602)	S602.082	ECO-R9/SUB-R27 Ecosystems & Indigenous Biodiversity	The rule duplicates the subdivision rules and is unnecessary in the ECO section and should be deleted	Support	Council agrees with deletion of the duplicated rule	Allow
Department of Conservation (S602)	S602.085	Rules - Natural Features & Landscapes	The submission seeks that all matters of discretion and control are amended to include: <ol style="list-style-type: none"> 1. <i>Adverse effects on historical, cultural and biodiversity values;</i> 2. <i>Amenity and visual effects</i> 	Support	Council agrees that the matters of discretion and control are missing some important considerations and supports inclusion of the suggested matters.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.086	NFL – O1 Natural Features & Landscapes	The submission supports the objective but seeks amendment to make it more explicit that ONLs and ONFs should be protected from inappropriate subdivision, use and development in accordance with Section 6(b) of the Act, and development in these areas should only be 'allowed' where the values are maintained or enhanced.	Support	Council supports the amendment as being consistent with Section 6(b) of the Act and replacing 'provided' with 'allowed' is more directive.	Allow
Department of Conservation (S602)	S602.087	NFL – P1 Natural Features & Landscapes	The submission supports the policy with amendments to delete provision for new infrastructure, renewable electricity generation, and hazard mitigation as these activities can adversely affect ONFLs.	Oppose	Council opposes the amendments sought.	Disallow
Department of Conservation (S602)	S602.088	NFL – P2 Natural Features & Landscapes	The submission supports the policy with amendments to explicitly set out the sequence of effects assessment in accordance with the effects management hierarchy.	Support	Council supports amending the policy to include the Effects Management Hierarchy.	Allow
Department of Conservation (S602)	S602.089	NFL – P3 Natural Features & Landscapes	The submission supports the policy with amendment to replace 'provide for' with 'allow'.	Support	Council supports the amendment as being more directive.	Allow
Department of Conservation (S602)	S602.091	NFL – P5 Natural Features & Landscapes	The submission supports the policy with amendments to ensure adverse effects are managed by limiting landform modification through earthworks, are assessed in accordance with the effects management hierarchy, and the assessment considers effects on amenity, recreation, historical and biodiversity values.	Support	Council supports the amendment.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.092	NFL – R3 Natural Features & Landscapes	The submission opposes the rule as natural hazard mitigation structures, particularly where these are hard protection structures or of a larger scale, can have more than minor adverse effects on ONLFs.	Oppose	Council does not support restricting the extent of activities permitted under this rule or elevating the activity status.	Disallow
Department of Conservation (S602)	S602.093	NFL – R5 Natural Features & Landscapes	The submission supports the rule with amendment to limit the permitted size of additions/alterations to buildings and structures to no greater than 50m ² or 10% of the total floor area whichever is greater.	Support	Council supports the additional standard but suggests that an additional amendment to the maximum height standard (5m) is also appropriate to allow for alterations to the same height of an existing building.	Allow inclusion of the additional standard sought but also include the following amendment: <i>“The maximum height of buildings and structures above ground level is 5m or the height of the existing building (whichever is the greatest)”.</i>
Department of Conservation (S602)	S602.099	Public Access Chapter	The submission seeks deletion of the Public Access chapter as it contains only one objective regarding the maintenance and enhancement of public access with these matters already sufficiently addressed in other chapters of the plan.	Support	Council agrees with removal of the Public Access chapter.	Allow
Department of	S602.101	NC – O1 Natural Character and	The submission seeks amendments to ensure the effects management hierarchy is applied to appropriately manage adverse effects to	Support	Council supports the amendment.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Conservation (S602)		Margins of Waterbodies	protect the natural character of waterbodies and their margins in accordance with Section 6(a) of the Act.			
Department of Conservation (S602)	S602.103	NC – O3 Natural Character and Margins of Waterbodies	The submission seeks the objective be amended so that it is more directive and uses language that better accords with the Act.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.104	NC – P1 Natural Character and Margins of Waterbodies	The submission seeks that subdivision and land use must be of a form and scale that is compatible with the natural character of riparian margins.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.105	NC – P2 Natural Character and Margins of Waterbodies	The submission seeks replacement of ‘provide for’ with the term ‘allow’ as this language is enabling.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.108	NC – R2 Natural Character and Margins of Waterbodies	The submission opposes the rule on the basis that a number of the activities can have adverse effects on the environment that should be assessed through a resource consent application so appropriate conditions can be imposed if required and the application be declined if adverse effects are significant or contrary to statutory documents.	Oppose	Council opposes the amendments sought.	Disallow
Department of Conservation (S602)	S602.109	NC – R3 Natural Character and Margins of Waterbodies	The submission opposes the rule for the same reasons as for NC – R2 above.	Oppose	Council opposes the amendments sought.	Disallow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.0132	ASW – R5 Activities on the Surface of Water	The submission seeks that the rule apply to temporary swimming platforms and include an additional matter of control regarding the management of effects on ecological and biodiversity values.	Support in part	Council supports the additional matter of control but does not support the added qualifier that swimming platforms are installed for a single swimming season.	Allow in part
Department of Conservation (S602)	S602.0133	ASW – R6 Activities on the Surface of Water	The submission seeks an additional matter of discretion regarding the management of effects on ecological and biodiversity values.	Support	Council supports the additional matter of discretion.	Allow
Department of Conservation (S602)	S602.0134	New Rule - Activities on the Surface of Water	Following on from submission point 132, an additional rule is requested to capture permanent swimming platforms as a discretionary activity.	Oppose	Council does not see the necessity for an additional rule and regards swimming platforms as having less than minor adverse effects.	Disallow
Department of Conservation (S602)	S602.0135	New Rule - Activities on the Surface of Water	The submission seeks an additional rule to capture any other unanticipated activities and structures as a non-complying activity.	Oppose	Council does not see the necessity for an additional rule as ASW – R7 is a catch-all discretionary rule nor does Council support elevating the activity status. However, in the interests of simplifying the rule, amend the title of ASW – R7 as suggested in the submission.	Disallow Consider changing the title of the rule to: <i>“Activities, watercraft, structure or buildings not provided for in another rule”.</i>
Department of Conservation (S602)	S602.149	CE – O3 Coastal Environment	The submission supports the objective with amendment so that it is more directive and uses language that accords with the Act and is consistent with the NZCPS.	Support	Council supports the amendment.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.149	CE - P8 Coastal Environment	The submission seeks that the Effects Management Hierarchy is applied to ensure that there is an appropriate cascade of effects management approaches.	Support	Council supports applying the Effects Management Hierarchy with this consistent with the RPS direction on the National Grid.	Allow
Department of Conservation (S602)	S602.150	CE - R4 Coastal Environment	<p>The submission opposes rule CE-R4 and seeks an additional setback rule of >25m from CMA so that all buildings and structure are appropriately set back from the CMA and require resource consent when they are not so the adverse effects can be assessed.</p> <p>The submission also seeks to amend the rule to refer to 'overlay areas' rather than a detailed list as this simplifies the rule and ensures that no overlay areas are inadvertently excluded. It also seeks the removal of energy activities, natural hazard mitigation structures and network utilities from the permitted activity list.</p>	Support in part	<p>Council does not support a generic rule that excludes all buildings and structures within 25m of the CMA as this will capture the likes of temporary whitebait shelters etc but it would support the setback applying to residential buildings.</p> <p>Council agrees with simplifying the reference to the overlay areas but does not support removal of energy activities, natural hazard mitigation structures or network utilities from the permitted activity list.</p>	Allow in part
Department of Conservation (S602)	S602.151	CE – R5 Coastal Environment	The submission opposes rule CE-R5 and seeks an additional setback rule of >30m from CMA so that all buildings and structures within High Coastal Natural Character Areas are appropriately set back from the CMA and require resource consent when they are not so the adverse effects can be assessed.	Support in part	Council does not support a generic rule that excludes all buildings and structures within 30m of the CMA as this will capture the likes of temporary whitebait shelters but it would support the setback applying to residential buildings.	Allow in part
Department of Conservation (S602)	S602.152	CE – R6 Coastal Environment	The submission opposes the rule and seeks that 'reconstruction' is removed from the permitted activity rule as it can have adverse natural character effects that should be assessed through a resource consent application. Additionally, an amendment is	Support in part	Council does not support removing 'reconstruction' from the rule as the adverse effects of rebuilding an existing structure are not expected to be significant. Nor does Council consider that the activity	Allow in part.

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
			sought to the activity status where compliance is not achieved form controlled to restricted discretionary so any application under that rule has the ability to be declined where adverse effects are significant.		status needs changing where compliance with the rule is not achieved. The changes sought to clause 2 where the earthworks and land disturbance is to be ' <i>contained wholly within the footprint of the mitigation structure</i> ' is supported.	
Department of Conservation (S602)	S602.154	CE – R8 Coastal Environment	The submission seeks the rule is amended to explicating apply to 'Lawfully Established' buildings and structures only.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.155	CE – R9 Coastal Environment	The submission opposes the rule and seeks that 'reconstruction' is removed from the permitted activity rule as it can have adverse natural character effects that should be assessed through a resource consent application. Additionally, an amendment is sought to the activity status where compliance is not achieved form controlled to restricted discretionary so any application under that rule has the ability to be declined where adverse effects are significant.	Support in part	Council does not support removing 'reconstruction' from the rule as the adverse effects of rebuilding an existing structure are not expected to be significant. Nor does Council consider that the activity status needs changing where compliance with the rule is not achieved. The changes to clause 2 where the earthworks and land disturbance is to be ' <i>contained wholly within the footprint of the mitigation structure</i> ' is supported.	Allow in part
Department of Conservation (S602)	S602.157	CE – R11 Coastal Environment	The submission seeks the rule is amended to ensure that it applies to existing access areas and structures, and that earthworks are contained to the existing footprints of the access areas and structures.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.170	EW – R2 Earthworks	The submission seeks to amend the rule to remove duplication and simplifying the rule.	Support	Council supports the amendment.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.176	Light – R1	The submission seeks an additional standard to require that light is directed away from any adjoining and adjacent overlay areas to protect the significant values of these areas from light spill.	Oppose	Council opposes insertion of the additional standard as the policy framework already addresses consideration of natural character and biodiversity values when assessing light emissions.	Disallow
Department of Conservation (S602)	S602.180	Noise – R2	The submission seeks that noise from aircraft used for ‘conservation activities’ such as biodiversity projects and activities is included in the permitted activity list of Rule - Noise R2.12.	Support	Council supports the amendment but queries whether helicopter movements need to be included in the rule as they are a type of aircraft. NB: This submission links to submission point S166.007 where the definition of ‘Conservation Activities’ is sought to be amended to include weed and pest control activities and the intermittent use of aircraft.	Allow
Department of Conservation (S602)	S602.184	OSRZ – P11 Open Space and Recreation Zones	The submissions seeks the policy is amended to recognise natural, cultural and biodiversity values which are all important within the Open Space Zones.	Support	Council supports the amendment.	Allow
Department of Conservation (S602)	S602.190	OSRZ – P20 Open Space and Recreation Zones	The submission seeks a minor amendment and inclusion of ‘indigenous biodiversity’ values to ensure small scale buildings and structures do not adversely affect biodiversity values.	Support	Council supports the amendment but also suggests that ‘conservation values’ are removed given this is captured by ‘indigenous biodiversity values’.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.192	Natural Open Space - Zone Mapping	The submission supports the NOSZ mapping of significant public conservation land but seeks to upzone additional significant public conservation land to NOSZ where these contain ONLFs, SNAs, HNCAs, ONCAs outside of urban areas.	Oppose in part	Council supports re-zoning of additional areas of public conservation land to NOSZ where this has identified high biodiversity values but does not support using the overlays as the sole basis for this process. Council considers that specific areas for re-zoning should be considered on their respective merits. Up-zoning has consequences for potential land uses and should be carefully evaluated.	Allow in part
Department of Conservation (S602)	S602.222	BCZ - P4 Buller Coalfield Zone	The submission supports Policy BCZ-P4 with amendment to enable adverse effects on natural character, landscape, historic values and biodiversity to be considered as adverse effects on significant indigenous vegetation and significant habitats of indigenous fauna are addressed in Policy BCZ-P5.	Support	Council agrees with the suggested changes and inserting the effects management hierarchy.	Allow
Department of Conservation (S602)	S602.223	BCZ – P5 Buller Coalfield Zone	The submission supports Policy BCZ-P5 with amendment to apply the effects management hierarchy to appropriately address adverse effects.	Support	Council agrees with the suggested changes and inserting the effects management hierarchy.	Allow
Department of Conservation (S602)	S602.224	BCZ – R5 Buller Coalfield Zone	The submission opposes BCZ-R5 and seeks that the activity status is elevated from controlled to restricted discretionary with clause (g) removed from the matters of discretion and a new clause added being ' <i>management of effects on natural character, landscape, historical and cultural values and biodiversity</i> '. The submission also seeks changes to clause 1 dealing with vegetation removal.	Support in part	While Council does not support the change in activity status it does support the changes sought to the matters of discretion.	Allow in part

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
Department of Conservation (S602)	S602.225	BCZ – R6 Buller Coalfield Zone	The submission opposes BCZ-R6 and seeks that the activity status is elevated from controlled to restricted discretionary with clause (h) removed from the matters of discretion and a new clause added being ' <i>management of effects on natural character, landscape, historical and cultural values and biodiversity</i> '.	Support in part	While Council does not support the change in activity status it does support the changes sought to the matters of discretion.	Allow in part
Department of Conservation (S602)	S602.230	RURZ - P25 Rural Zone	The submission opposes Policy RURZ-P25 and seeks an amendment to require that adverse effects on significant indigenous vegetation and significant indigenous fauna are managed in accordance with the effects management hierarchy so that these effects are appropriately managed, and where there are residual effects, these are offset or compensated.	Support	Council supports the changes sought to clause (d) which applies the effects management hierarchy as this provides clear direction on the management of adverse effects.	Allow
Grey District Council (S608)	S608.006	Definition – Critical Infrastructure	The submission seeks that the definition of 'Critical Infrastructure' is amended to give effect to the definition RPS.	Support	The RPS definition of 'Regionally Significant Infrastructure' (RSI) is broader and includes such infrastructure as radio communications and reticulation associated with 3 waters which is missing from the pTTPP definition of Critical Infrastructure. Council agrees that in order to give effect to the RPS the definitions should align.	Allow - Amend the definition of Critical Infrastructure to cover all infrastructure identified in the definition for RSI in the RPS.
Grey District Council (S608)	S608.110	GRUZ-R12 General Rural Zone	The submission seeks GRUZ-R12 is amended as it is unlikely to be functional for the majority (the rule provides for permitted mineral extraction where the volume of material is <20,000m ³ within a 12 month period). The	Support	Council agrees that for mineral extraction the current limit of 20,000m ³ is not likely to be workable.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
			submission seeks that the material limit is increased to 100,000m ³ .			
Grey District Council (S608)	S608.652	CE-P8 Coastal Environment	The submission seeks the addition of 'Regionally Significant Infrastructure' into this provision to provide for the maintenance, repair and operation of existing RSI	Support	Council agrees that Policy CE-P8 should have a wider focus than the National Grid and should apply to Critical Infrastructure/RSI generally as this is infrastructure that supports the wellbeing of our communities.	Allow
Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)	S620.195	ASW – P3 Activities on the Surface of Water	The submission supports the policy as it enables commercial activities that support the wellbeing of the community.	Support	The rule framework does not implement ASW – P3 as no provision has been made for commercial vessels utilising the region's ports. While the port operates under existing by-laws, for the avoidance of doubt, Council requests a new permitted activity rule to provide for commercial vessels.	Consequential amendment – insert a new permitted activity rule to allow commercial vessel activities on the surface of rivers associated with port operations.
West Coast Regional Council (S488)	S488.034 & 0.35	Rezoning Requests and Subdivision Rules	The submissions seek that: The pTTPP HPL Precincts should be scientifically reviewed by the four West Coast Councils and; Review the pTTPP HPL provisions in terms of whether they meet the NPSHPL provisions, and amend the pTTPP HPL provisions once further consultation with affected landowners is undertaken.	Support	Council supports evidence based approaches to overlays, given the impact to those it may affect.	Allow

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
West Coast Regional Council (S488)	S488.002	NHR-38	The submission seeks to amend permitted Rule NH - R38 to provide for maintenance and repair of existing weather event monitoring structures and WCRC Rating District protection structures.	Support in Part	Council wishes to be involved in this submission, as this will have an impact to the Buller District.	Allow in part
Westland District Council (S181)	S181.005	NH-R1	<p>The submission states: Notwithstanding existing use rights which exist due a building being lawfully established at the time of notification of the plan.</p> <p>Westland District Council does not support NH-R1-4. Which states that reconstruction or replacement of a destroyed/damaged building is permitted if it is reconstructed or replaced within 5 years in all other natural hazard overlays. - There are concerns that with volatile waterways, unexpected landslips and potential for flooding that not only could the site become unsuitable to rebuild with no consideration for mitigation against the natural hazard that destroyed it in the first instance, but also within a period of 5 years from the time a building was destroyed the hazard scape could change and intensify drastically.</p> <p>Creating this permitted rule takes away Council's ability to assess risk and require mitigation against further natural hazard threats. - It is considered that existing use rights provisions under s10 of the RMA 1991 may cause difficulty enough if a site is considered to</p>	Oppose in part	Council supported this rule in the original submission. An appropriate balance between restricting and allowing development must be considered after significant events.	Disallow for the Buller District

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			<p>no longer be suitable for rebuilding or replacement of a dwelling. With no ability under the West Coast RPS to extinguish existing use rights Council may be forced to allow a member of public to rebuild in an unsuitable site subjecting them to further emotional and financial effects if it becomes an issue again.</p> <p>For example if a dwelling owner rebuilds where a creek has jumped out of its bed and gone through the building, the Plan (even if this risk has increased) up to 5 years later gives can still rebuild. Effectively setting the dwelling up to fail.</p> <p>The submission seeks to remove NH-R1 4 or make it restricted discretionary to reconstruct or replace beyond the 12 months allowed.</p>			
Westland District Council (S181)	S181.011	NH-R7	The decision sought is to change the status for New Unoccupied Buildings in the Flood Severe and Flood Susceptibility Overlays to a Controlled or Restricted Discretionary Activity with controls or restrictions including:- Assessment of risk to building- Consideration of mitigation measures to reduce/manage flood hazard- Consideration of likelihood or potential of complete loss of the building in a flood situation.	Oppose in part	Council support that unoccupied buildings do not trigger a resource consent, being a different approach to Westland District Council.	Disallow for the Buller District.

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
<p>Garry Howard (S358)</p> <p>Murray Dellaca (S87)</p> <p>Charles Elley (S251)</p> <p>Cape Foulwind Staple 1 (S557)</p> <p>Cape Foulwind Staple 2 (S568)</p> <p>Tauranga Bay Holdings LTD (S597)</p> <p>Chris and Jan Coll (S558)</p>	<p>S358.002, S358.004</p> <p>S87.001</p> <p>S251.002</p> <p>S557.003, S557.004</p> <p>S568.005</p> <p>S597.001</p> <p>S558.499</p>	<p>Rezoning Requests, Planning Maps and Overlays</p>	<p>Rezoning Requests, Planning Maps and Overlays</p> <p>S358 - Alma Road Cross Roads Area, Cape Foulwind Tauranga Bay Area</p> <p>S87 - Alma Road</p> <p>S251 - Beach Drive DP 543155</p> <p>S557 - Guardian Lakes Flats (adjacent to Tauranga Bay Road), Holcim Quarry Lake</p> <p>S568 – Inner Cape Foulwind Road – Identified as Area 2 in the submission</p> <p>S597 - Cape Foulwind Area</p> <p>S558 – Land between Bulls Road and Bradshaw’s Road south of the State Highway 67A</p>	<p>Oppose in part</p>	<p>Where rezoning is proposed, Council requests involvement to comment on suitability noting that rezoning must be based on evidence.</p> <p>Council does not support rezoning that allows an increase in density in areas subject to Natural Hazards. This includes but is not limited to low lying areas, coastal areas, rockfall hazard areas and areas subject to erosion.</p>	<p>Disallow where evidence does not support rezoning.</p>

Submitter	Submission No.	Provision	Submission Point Summary	Our position on the submission	Reason for position	Decision Sought
			<i>The rezoning submissions included in this further submission are not an exhaustive list, however present examples of rezoning in larger areas.</i>			
Joanne and Ken Dixon (S213), Kevin Scanlon (S503), Rick Hayman (S471) Margaret Montgomery (S446) Scenic Hotel Group (S483)	S213.003, S503.001, 002 S471.001 S446.010 S483.011	Natural Hazards, Natural Hazard Rules	Extent of Natural Hazard Overlays and Rule Restrictions S213 – Natural Hazard overlays applied to Westport and outlying areas S503 – Extent of Flood Hazard Overlays, Amend Flood Hazard Rules S471 – Extent of Flood Hazard Maps S446 – Support approach of identifying hazard areas in overlays S483 – Remove natural hazard provisions for lawfully established activities <i>Various submissions received relate to the extent of Natural Hazard overlays and their restrictions. The submissions included in this further submission are not an exhaustive list, however present examples.</i>	Oppose in part	Councils Submission Cover Letter noted that one area Council understands will be contentious are the Natural Hazards provisions. Council realises the significant impact of the various overlays to residents and in particular the current challenges facing Buller. Multiple submissions have been received that relate to the natural hazard overlays and their restrictions. A review of all natural hazard overlays is required and needs to be supported with evidence to justify their extent to enable a resilient Buller.	Disallow where evidence does not support.