

APPENDIX 1 – APPEAL TABLES SETTING OUT RELIEF SOUGHT

Table showing the appeal points covered by this appeal, and relief sought

01. Provisions Appealed – Part 1 Introductions and General Provisions
02. Provisions Appealed – Part 2 Strategic Direction
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04. Provisions Appealed – Part 2 NH – Natural Hazards (incorporating Variations)
05. Provisions Appealed – Part 2 HH – Historic Heritage
06. Provisions Appealed – Part 2 SASM – Sites and Areas of Significance to Māori
07. Provisions Appealed – Part 2 TREE – Notable Trees
08. Provisions Appealed – Part 2 ECO – Ecosystems and Indigenous Biodiversity
09. Provisions Appealed – Part 2 NC – Natural Character and the Margins of Waterbodies
10. Provisions Appealed – Part 2 NFL – Natural Features and Landscapes
11. Provisions Appealed – Part 2 FC – Financial Contributions
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13. Provisions Appealed – Part 2 ASW – Activities on the Surface of Water
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Please note:

With respect to the Fourth Column – “Summary of Decision Requested”:

- where the row begins S547. this is an outcome sought where Westpower is the Submitter
- where the row begins FS222. this is an outcome sought in a submission from another party, where Westpower is the Further Submitter.

Provisions Appealed – Part 1: Introduction and General Provisions

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought
S547.002	Whole Plan	Amend	Amend provisions to meet the requirements of Section 32 of the Act.	No Change	As sought in original submission.
S547.003	Whole Plan	Amend	In determining the plan matters arising ensure that Policy 2, Chapter 4 - Resilient and Sustainable Communities, is given effect.	No change	As sought in original submission.
S547.027	Whole Plan	Amend	Add Locational Need to all rules referring to Functional Need and/or Operational Need, and add Technical Need to all rules referring to Functional Need and/or Operational Need.	No change	As sought in original submission.
S547.004	Description of the Districts	Amend	(1) Add a paragraph at the end of the first general section (ie. new 6 th paragraph) Energy and Infrastructure have historically been, and will continue to be, important for the social, economic and cultural	No change	As sought in original submission

			<p>wellbeing of the communities of the West Coast. The construction and operation of energy activities and infrastructure provide for, and ensure, connections between communities and enables resilient and sustainable communities on an ongoing basis. Access to, and use of, renewable energy assists the community to achieve Improved / environmental outcomes.</p>		
FS222.0325	Planning Maps and Overlays	Oppose	Clearly identify public conservation land on the planning maps.	Conservation land is mostly shown on the planning maps as a variety of “Open Space Zones”	As sought in further submission
S547.008	Outstanding Natural Features Overlay	Amend	Amend the overlay description by adding an additional sentence: Given the topography of the West Coast such areas may include energy activities and Infrastructure required for servicing the	No change	As sought in original submission

			communities throughout the West Coast.		
S547.009	Outstanding Natural Landscapes Overlay	Amend	Amend the overlay description by adding an additional sentence: Given the topography of the West Coast such areas may include energy activities and infrastructure required for servicing the communities throughout the West Coast.	No change	As sought in original submission
S547.015	General Coastal Environment Area	Amend	Add an additional sentence. Given the topography of the West Coast the Coastal Environment Including the Urban Area or Zone, may include Energy Activities and Infrastructure required for servicing the communities throughout the West Coast	This definition has been removed and replaced by “Coastal Environment” and defined as the area in Policy 1 of the NZCPS. It now included all Urban areas, which were excluded under this original definition.	As sought in original submission.
S547.010	Outstanding Coastal Environment Area	Amend	Amend description by adding an additional sentence. Given the topography of the	Changed to describe the area but not in terms of the submission	As sought in original submission.

			West Coast such areas may include energy activities and infrastructure required for servicing the communities throughout the West Coast.		
S547.011	High Coastal Natural Character Area	Amend	Amend description by adding an additional sentence. Given the topography of the West Coast such areas may include energy activities and Infrastructure required for servicing the communities throughout the West Coast.	Changed to describe the area but not in terms of the submission	As sought in original submission.
S547.030	MAINTENANCE	Amend	Amend a. ... necessary to continue the operation and/or functioning of energy activities and infrastructure . It does not include upgrading but does include repair .	No change – definition of infrastructure includes, d. facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding lines and support structures if a person- i. uses them in connection with the generation of electricity for the person's use; and ii. does not use them to generate any electricity for supply to any other person;	As sought in original submission.

Provisions Appealed – Part 2 Strategic Direction

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought
S547.045	STRATEGIC DIRECTION	Amend	Amend bullet points to add an additional bullet point Energy Activities and Infrastructure, including Critical Infrastructure.	Section Heading page has been totally changed and no longer refers to connections and resilience. Has been changed to “Climate Change & Resilience” (CR)	As sought in original submission.
S547.046	Strategic Directions Overview	Amend	Amend item 4, “... physical resources whilst protecting managing adverse effect on the natural values, particularly those that have been elevated ...”	Was previously item “4”, number in decisions version incorrect, 6. Enabling the use and development of natural and physical resources whilst protecting the natural, cultural and heritage values that have been elevated to matters of national importance by by the Resource Management Act 1991 and those matters of national and regional significance by National and Regional Policy Statements;	Retain the addition of “enabling” but otherwise as sought in original submission.
S547.047	Strategic Directions Overview	Amend	Amend item 6, “ Construction, operation, maintenance and upgrade of Energy Activities and Infrastructure, including Critical Infrastructure; ”	Was previously item “6”, number in decisions version incorrect, 10. Operation and maintenance of critical regionally significant infrastructure;	As sought in original submission.
FS222.0219	Strategic Directions Overview	Oppose	Delete: For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be	For the purposes of preparing, changing, interpreting, and implementing Te Tai o Poutini Plan, all other the relevant objectives and policies of the District Plan (including strategic objectives and policies in all other chapters of this Plan chapter) are to be read considered together and achieved in a manner consistent with these Strategic Directions no hierarchy exists between them.	As sought in further submission.

			read and achieved in a manner consistent with these strategic objectives.		
FS222.0220	Strategic Directions Overview	Oppose	<p>Include the following statement in the Strategic Directions Overview: “For the purpose of District Plan development, including Plan changes, the strategic objectives in this chapter provide direction for the development of the more detailed provisions contained in the District Plan.</p> <p>For the purpose of District Plan implementation (including the determination of resource consent applications and notices of requirement):</p> <p>a) the strategic objectives may provide guidance on what the related objectives and policies in</p>	<p>Statement not included. Paragraph above changed and similar paragraph deleted from all topic areas of Strategic Directions, For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.</p> <p>except POU Poutini Ngai Tahu policies which retains; For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic policies.</p> <p>Paragraph relating to role of strategic directives in relation to resource consents amended, For the avoidance of doubt, for resource consent applications, the Strategic Objectives Objectives and Policies may require specific consideration and application to proposals, as a relevant consideration consideration under section 104(1)(b)(vi) of the RMA.</p> <p>And further, There is no hierarchy between the stated Objectives i.e., no one Strategic Objective has primacy over another Strategic Objective and the Strategic Objectives should be read as a whole. It should be noted that with the exception of the Poutini Ngai Tahu strategic directions, these are objectives only. In the case of Poutini Ngai Tahu there are also strategic policies that sit across the Plan.</p>	As sought in further submission.

			<p>other chapters of the District Plan are seeking to achieve; and</p> <p>b) the relevant objectives and policies of the District Plan (including strategic objectives in this chapter) are to be considered together and no fixed hierarchy exists between them.”</p>				
FS222.0221	Directions Overview	Oppose	<p>Delete the following statement wherever it occurs in the Plan: For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.</p>	See previous comments	As sought in the further submission.		
S547.048	AG-O2	Amend	<p>Amend AG-O2, “... and services, including Energy Activities and</p>	<p>O2 amended through submissions to refer to Land Based Primary Production,</p> <table border="1" data-bbox="922 1289 1948 1407"> <tr> <td style="background-color: #92d050;">AGLBPP - O2</td> <td style="background-color: #92d050;">To recognise the significance of agriculture to the Te Tai o Poutini/the West Coast economy, provide for agricultural land based primary production, development and innovation and enable the support industries and services needed to maintain agricultural viability within rural areas.</td> </tr> </table> <p>a new objective added,</p>	AGLBPP - O2	To recognise the significance of agriculture to the Te Tai o Poutini/the West Coast economy, provide for agricultural land based primary production, development and innovation and enable the support industries and services needed to maintain agricultural viability within rural areas.	As set out in original submission, or include a definition of
AGLBPP - O2	To recognise the significance of agriculture to the Te Tai o Poutini/the West Coast economy, provide for agricultural land based primary production, development and innovation and enable the support industries and services needed to maintain agricultural viability within rural areas.						

			Infrastructure , needed to maintain ...”	LBPP - O3 Enable support industries and services needed to maintain land based primary production's viability within rural areas.	“support industries” which includes “energy activities and infrastructure”.
FS222.009	Connections and Resilience Strategic Objectives (Now Climate Change and Resilience)	Oppose	New Objective: To recognise that intact ecosystems provide resilience via ecosystem services and climate stability	New P7 added which in part provides for this submission, CCR - P7 Recognise the role of the natural environment and nature-based solutions in resilience to climate change.	As sought in further submission.
FS222.0121	Connections and Resilience Strategic Objectives (Now Climate Change and Resilience)	Oppose	New Objective, CR 05 To recognise that intact ecosystems provide resilience via ecosystem services and climate stability	CCR - P7 Recognise the role of the natural environment and nature-based solutions in resilience to climate change.	As sought in further submission.
FS222.0222	Connections and Resilience (Now Climate Change and Resilience)	Oppose	Delete: For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.	Paragraph deleted	As sought in further submission.

S547.049	Connections and Resilience (Now Climate Change and Resilience)	Amend	Amend first sentence under the heading sentence: “... overarching direction for matters relating to Energy Activities and Infrastructure connections, including Critical Infrastructure , and resilience across ...”	<p>GR Connections Climate Change and Resilience - Ngā CCR Hononga Te Āhuarangi Hurihui me te Manawa Titi Manawaroa</p> <p>This Chapter sets out the overarching direction for matters relating to infrastructure connections climate change and resilience across the West Coast Te Tai o Poutini.</p>	As set out in original submission.														
S547.055	CR-O1	Amend	Amend CR-O1, “To build greater resilience in West Coast communities and Energy Activities and Infrastructure, including Critical Infrastructure , recognising the effects of climate ...”	<p>The focus of the section has changed to climate change and resilience</p> <table border="1" data-bbox="922 571 1953 1046"> <tr> <th colspan="2" data-bbox="922 571 1953 608">Connections Climate Change and Resilience Strategic Objectives</th> </tr> <tr> <td data-bbox="922 608 1133 699">CR - O1</td> <td data-bbox="1133 608 1953 699">To build greater resilience in West Coast/Te Tai o Poutini communities and infrastructure, recognising the effects of climate change and the need to adapt to the changes associated with these effects.</td> </tr> <tr> <td data-bbox="922 699 1133 762">CR - O2</td> <td data-bbox="1133 699 1953 762">To enable and protect the continued function and resilience of critical infrastructure and connections and facilitate their quick recovery from adverse events.</td> </tr> <tr> <td data-bbox="922 762 1133 826">CR - O3</td> <td data-bbox="1133 762 1953 826">To ensure that new locations for critical infrastructure and connections take account of the hazardscape and where practicable are built away from natural hazards.</td> </tr> <tr> <td data-bbox="922 826 1133 890">CR - O4</td> <td data-bbox="1133 826 1953 890">To enable the development of greater infrastructure self-sufficiency and backup of critical infrastructure on the West Coast/Te Tai o Poutini.</td> </tr> <tr> <td data-bbox="922 890 1133 981">CCR - O1</td> <td data-bbox="1133 890 1953 981">There is resilience to natural hazards and adverse events in Te Tai o Poutini/the West Coast communities and infrastructure, which supports adaptation to the effects of climate change.</td> </tr> <tr> <td data-bbox="922 981 1133 1046">CCR - O2</td> <td data-bbox="1133 981 1953 1046">Greenhouse gas emissions are reduced and opportunities to transition to a low carbon emission economy are provided, including as a result of new technology.</td> </tr> </table> <p>Policies were inserted and the focus has changed. Some objectives have become policies.</p>	Connections Climate Change and Resilience Strategic Objectives		CR - O1	To build greater resilience in West Coast/Te Tai o Poutini communities and infrastructure, recognising the effects of climate change and the need to adapt to the changes associated with these effects.	CR - O2	To enable and protect the continued function and resilience of critical infrastructure and connections and facilitate their quick recovery from adverse events.	CR - O3	To ensure that new locations for critical infrastructure and connections take account of the hazardscape and where practicable are built away from natural hazards.	CR - O4	To enable the development of greater infrastructure self-sufficiency and backup of critical infrastructure on the West Coast/Te Tai o Poutini.	CCR - O1	There is resilience to natural hazards and adverse events in Te Tai o Poutini/the West Coast communities and infrastructure, which supports adaptation to the effects of climate change.	CCR - O2	Greenhouse gas emissions are reduced and opportunities to transition to a low carbon emission economy are provided, including as a result of new technology.	As set out in original submission. Remove the reference in the Heading to “ <i>Climate Change</i> ” and retain original heading wording of “ <i>Connection and Resilience Strategic Objectives</i> ”.
Connections Climate Change and Resilience Strategic Objectives																			
CR - O1	To build greater resilience in West Coast/Te Tai o Poutini communities and infrastructure, recognising the effects of climate change and the need to adapt to the changes associated with these effects.																		
CR - O2	To enable and protect the continued function and resilience of critical infrastructure and connections and facilitate their quick recovery from adverse events.																		
CR - O3	To ensure that new locations for critical infrastructure and connections take account of the hazardscape and where practicable are built away from natural hazards.																		
CR - O4	To enable the development of greater infrastructure self-sufficiency and backup of critical infrastructure on the West Coast/Te Tai o Poutini.																		
CCR - O1	There is resilience to natural hazards and adverse events in Te Tai o Poutini/the West Coast communities and infrastructure, which supports adaptation to the effects of climate change.																		
CCR - O2	Greenhouse gas emissions are reduced and opportunities to transition to a low carbon emission economy are provided, including as a result of new technology.																		
S547.056	CR-O2	Amend	Amend CR-O2, “To enable and protect the continued function and resilience of Energy Activities and		As set out in original submission.														

			Infrastructure, including Critical infrastructure, and connections”	Climate Change and Resilience Strategic Policies		
				CCR - P1	Enable the continued functioning of regionally significant infrastructure and connections and facilitate their quick recovery from the adverse effects of natural hazard events, which may include relocation.	
S547.057	CR-03	Amend	Amend CR-03, “To ensure that new locations for Energy Activities and Infrastructure, including Critical Infrastructure, and connections ...”	CCR - P2	Ensure that new locations for regionally significant infrastructure and connections are built away from natural hazards unless there is a functional need or operational need to be in that location.	As set out in original submission.
				CCR - P3	Enable the development of greater infrastructure self-sufficiency and backup of regionally significant infrastructure on Te Tai o Poutini/the West Coast.	
				CCR - P4	Support communities to make good decisions around climate change exacerbated hazards by identifying and providing for relocation to safer locations.	
				CCR - P5	Support, at a local level, reduction in emissions of greenhouse gases, including through providing for low carbon transport options such as walking, cycling and electric vehicles.	
S547.058	CR-04	Amend	Amend CR-04, “To enable the development of greater self-sufficiency and backup of Energy Activities and Infrastructure, including Critical Infrastructure, on the West Coast/Te Tai o Poutini.”	CCR - P6	Provide for the development and expansion of renewable electricity generation and associated infrastructure at a range of scales across Te Tai o Poutini/the West Coast, to support emissions reductions and a low carbon future.	As set out in original submission.
				CCR - P7	Recognise the role of the natural environment and nature-based solutions in resilience to climate change.	
S547.050	Connections and Resilience	Amend	Add a new Section titled Connections and Resilience Strategic Policies.			As set out in original submission.
S547.051	Connections and Resilience	Amend	Add new strategic policy CR-P1, “ Have particular regard to the constraints imposed by locational, technical, functional and operational requirements of Energy Activities,			As set out in original submission.

			including energy aspects of Infrastructure and Critical Infrastructure, including within areas of natural character (including outstanding natural character), outstanding natural features or landscapes, or areas of significant Indigenous vegetation and significant habitats of indigenous fauna.”	
S547.052	Connections and Resilience	Amend	Add new strategic policy CR-P2, “When considering any adverse environmental effects of Energy Activities and Infrastructure, including Critical Infrastructure, that cannot be avoided, remedied or mitigated, other than effects on indigenous biological diversity, decision-makers must have regard to any offsets and compensation proposed which benefit the natural	As set out in original submission.

			environment or the community affected.”		
S547.053	Connections and Resilience	Amend	Add new strategic policy CR-P3, “Provide for the operation, maintenance and upgrading of existing Energy Activities, including energy aspects of Infrastructure and Critical Infrastructure, in areas of natural character of wetlands, lakes and rivers and their margins (including outstanding natural character), outstanding natural features or natural landscapes, or areas of significant indigenous vegetation and significant habitats of indigenous fauna including the coastal environment.”		As set out in original submission.
S547.054	Connections and Resilience	Amend	Amend final paragraph, “For the purposes of preparing, ... in a manner consistent with these strategic objectives and the following strategic policies.”	As above this paragraph has now been removed	As set out in original submission.

S547.059	NENV-O1	Amend	Amend NENV-O1, "To recognise and manage adverse effects on the natural character ..."	<table border="1"> <tr> <td>NENV - O1</td> <td>To recognise Recognise, protect and protect where necessary restore the natural character, outstanding landscapes and features, significant ecosystems and indigenous biodiversity that contribute to Te Tai o Poutini/the West Coast's character and identity and Poutini Ngāi Tahu's cultural and spiritual values.</td> </tr> </table>	NENV - O1	To recognise Recognise, protect and protect where necessary restore the natural character, outstanding landscapes and features, significant ecosystems and indigenous biodiversity that contribute to Te Tai o Poutini/the West Coast's character and identity and Poutini Ngāi Tahu's cultural and spiritual values.	As set out in original submission.		
NENV - O1	To recognise Recognise, protect and protect where necessary restore the natural character, outstanding landscapes and features, significant ecosystems and indigenous biodiversity that contribute to Te Tai o Poutini/the West Coast's character and identity and Poutini Ngāi Tahu's cultural and spiritual values.								
S547.060	NENV-O3	Amend	Amend NENV-O3, "b. The need for existing and potentially new Energy Activities and Infrastructure, including Critical Infrastructure, to be located in significant and/or outstanding areas, including areas of high natural values."	<table border="1"> <tr> <td>NENV - O3</td> <td>To recognise: a. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land in protecting significant areas, habitats and features; b. The need for infrastructure to sometimes be located in significant areas; and c. The need to support the ethic of stewardship and to consider the positive effects of the conservation estate in achieving the requirements of the RMA.</td> </tr> </table> <p>New Strategic Policy added;</p> <table border="1"> <tr> <td>NENV - P2</td> <td>In relation to the natural environment recognise: a. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land; b. The functional or operational need for regionally significant infrastructure to sometimes be located in significant and/or outstanding natural environment areas and features; c. The need to support the ethic of stewardship on private and public lands; d. There are lawfully established activities located in significant natural environment areas; and e. The need for weed and pest control to protect, maintain and enhance natural environment values.</td> </tr> </table>	NENV - O3	To recognise: a. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land in protecting significant areas, habitats and features; b. The need for infrastructure to sometimes be located in significant areas; and c. The need to support the ethic of stewardship and to consider the positive effects of the conservation estate in achieving the requirements of the RMA.	NENV - P2	In relation to the natural environment recognise: a. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land; b. The functional or operational need for regionally significant infrastructure to sometimes be located in significant and/or outstanding natural environment areas and features; c. The need to support the ethic of stewardship on private and public lands; d. There are lawfully established activities located in significant natural environment areas; and e. The need for weed and pest control to protect, maintain and enhance natural environment values.	As set out in original submission
NENV - O3	To recognise: a. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land in protecting significant areas, habitats and features; b. The need for infrastructure to sometimes be located in significant areas; and c. The need to support the ethic of stewardship and to consider the positive effects of the conservation estate in achieving the requirements of the RMA.								
NENV - P2	In relation to the natural environment recognise: a. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land; b. The functional or operational need for regionally significant infrastructure to sometimes be located in significant and/or outstanding natural environment areas and features; c. The need to support the ethic of stewardship on private and public lands; d. There are lawfully established activities located in significant natural environment areas; and e. The need for weed and pest control to protect, maintain and enhance natural environment values.								
S547.061	NENV-O4	Amend	Amend NENV-O4, "a. Significant and/or outstanding natural environment areas ... which must be protected from inappropriate subdivision, use or development; and"	<table border="1"> <tr> <td>NENV - O4</td> <td>To clearly identify: a. Unique and important natural environment areas and features on the West Coast/Te Tai o Poutini which must be protected; and b. Areas where subdivision, use and development to enable community economic, cultural and social wellbeing can be sustainably managed.</td> </tr> </table> <p>New Strategic Policy added;</p> <table border="1"> <tr> <td>NENV - P1</td> <td>Within significant and/or outstanding natural environment areas and features: a. Identify areas which must be protected from inappropriate subdivision use and development, and b. Identify areas where subdivision, use and development can be sustainably managed, using, where appropriate, the effects management hierarchy, to enable community, economic, cultural and social wellbeing.</td> </tr> </table> <p>See definition of Regionally Significant Infrastructure below.</p>	NENV - O4	To clearly identify: a. Unique and important natural environment areas and features on the West Coast/Te Tai o Poutini which must be protected; and b. Areas where subdivision, use and development to enable community economic, cultural and social wellbeing can be sustainably managed.	NENV - P1	Within significant and/or outstanding natural environment areas and features: a. Identify areas which must be protected from inappropriate subdivision use and development, and b. Identify areas where subdivision, use and development can be sustainably managed, using, where appropriate, the effects management hierarchy, to enable community, economic, cultural and social wellbeing.	Reverting to the wording of b as originally notified.
NENV - O4	To clearly identify: a. Unique and important natural environment areas and features on the West Coast/Te Tai o Poutini which must be protected; and b. Areas where subdivision, use and development to enable community economic, cultural and social wellbeing can be sustainably managed.								
NENV - P1	Within significant and/or outstanding natural environment areas and features: a. Identify areas which must be protected from inappropriate subdivision use and development, and b. Identify areas where subdivision, use and development can be sustainably managed, using, where appropriate, the effects management hierarchy, to enable community, economic, cultural and social wellbeing.								
S547.062	POU-P3	Amend	Amend POU-P3, "... provide for their management through the use ..."	<table border="1"> <tr> <td>No change</td> <td></td> </tr> <tr> <td>POU - P3</td> <td>Support the identification of Poutini Ngāi Tahu Cultural Landscapes and provide for their protection through the use of overlays and Plan provisions.</td> </tr> </table>	No change		POU - P3	Support the identification of Poutini Ngāi Tahu Cultural Landscapes and provide for their protection through the use of overlays and Plan provisions.	As set out in original submission.
No change									
POU - P3	Support the identification of Poutini Ngāi Tahu Cultural Landscapes and provide for their protection through the use of overlays and Plan provisions.								

S547.063	TRM-01	Amend	Amend TRM-01, “3. maintenance and upgrading of supporting Energy Activities and Infrastructure, including Critical Infrastructure; 4. ... are connected to existing services, including Energy Activities and Infrastructure; ”	<p>TRM - 01</p> <p>To recognise the significance of tourism to the West Coast/Te Tai o Poutini/the West Coast economy by providing for sustainable tourism development while managing the adverse effects on the environment, communities and infrastructure. This includes:</p> <ol style="list-style-type: none"> 1. Supporting the development of visitor facilities and accommodation within and near existing settlements and communities and on public conservation land where appropriate; 2. Supporting the development of cycling and walking connections between tourism sites; 3. Providing for the development, maintenance and upgrading of supporting infrastructure; 4. Ensuring that visitor facilities are connected to existing services and infrastructure; 5. Managing the development and expansion of visitor activities and services so that the natural and cultural values, amenity and character of the West Coast/Te Tai o Poutini and its communities are maintained; 6. Promoting a sustainable approach to tourism and minimising the adverse effects, and in particular cumulative adverse effects, of visitor activities and services on cultural values and wāhi tapu, natural values, amenity and landscape; 7. Supporting Ngāti Waewae and Ngāti Māhaki o Makaawhio to exercise kaitiakitanga, and provide education about the cultural importance of maunga, other landforms, taonga and wāhi tapu to Poutini Ngāi Tahu and how to treat these areas with respect; and 8. Supporting Poutini Ngāi Tahu in expansion of their tourism and visitor activities to deliver better economic outcomes for the hapū. <p>New Strategic Policies added;</p> <table border="1" data-bbox="920 807 1951 871"> <tr> <td>TRM - P2</td> <td>Provide for the development, maintenance and upgrading of supporting infrastructure and ensure that visitor facilities are connected to existing services and infrastructure.</td> </tr> </table> <p>See Definition of “Infrastructure” below</p>	TRM - P2	Provide for the development, maintenance and upgrading of supporting infrastructure and ensure that visitor facilities are connected to existing services and infrastructure.	As set out in original submission.
TRM - P2	Provide for the development, maintenance and upgrading of supporting infrastructure and ensure that visitor facilities are connected to existing services and infrastructure.						
FS222.0224	Urban form and development	Oppose	Delete: For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.	<p>For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with this strategic objective.</p>	As set out in further submission.		

Provisions Appealed – Part 2 ENG – Energy

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought				
S547.001	Whole plan	Amend	Rationalise and ensure consistency of terms related to activities undertaken by Westpower as far as is possible throughout the plan.	Note added to the definition of infrastructure pointing to the Energy Activities. Replacement of “Critical Infrastructure” with “Regionally Significant Infrastructure” brings the TTPP in to alignment with RPS.	Further amendment s as sought in original submission.				
S547.041	SUBSTATION (ZONE)	Support	Retain	<p>Definition amended,</p> <table border="1"> <tr> <td>SUBSTATION (ZONE)</td> <td>means the ground-mounted equipment used to convert sub-transmissiontransmission voltage (33kV and higher) to distribution voltages (22 or 11kV), and this equipment is generally enclosed in a fenced yard.</td> </tr> </table> <p>Where transmission lines defined as,</p> <table border="1"> <tr> <td>TRANSMISSION LINES</td> <td> <p>has the same meaning as provided in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (as set out below)</p> <p>means:</p> <ul style="list-style-type: none"> a. the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid and; b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a) applies; but c. does not include an electricity substation. </td> </tr> </table>	SUBSTATION (ZONE)	means the ground-mounted equipment used to convert sub-transmission transmission voltage (33kV and higher) to distribution voltages (22 or 11kV), and this equipment is generally enclosed in a fenced yard.	TRANSMISSION LINES	<p>has the same meaning as provided in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (as set out below)</p> <p>means:</p> <ul style="list-style-type: none"> a. the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid and; b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a) applies; but c. does not include an electricity substation. 	Amendment sought to the wording: “ <u>sub-transmission</u> or transmission”.
SUBSTATION (ZONE)	means the ground-mounted equipment used to convert sub-transmission transmission voltage (33kV and higher) to distribution voltages (22 or 11kV), and this equipment is generally enclosed in a fenced yard.								
TRANSMISSION LINES	<p>has the same meaning as provided in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (as set out below)</p> <p>means:</p> <ul style="list-style-type: none"> a. the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid and; b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a) applies; but c. does not include an electricity substation. 								
FS222.0225	Energy	Oppose	Either the definition of "Energy Activity" as sought above or amend all provisions in this chapter to be specific to National Grid or electricity transmission, distribution and	<p>As above the definition remains unchanged,</p> <table border="1"> <tr> <td>ENERGY ACTIVITY</td> <td>means the use of land, buildings and structures for the purpose of energy investigation, generation, transmission and distribution. This includes all types of renewable electricity generation.</td> </tr> </table> <p>Overview amended</p> <p>Energy activities, including renewableRenewable electricity generation, electricitytransmission, distribution and operationdistribution are recognised as regionally significant infrastructure in the West Coast Regional Policy Statement. As such they require specific recognitionneed to be recognised and protectionprovided for, as they are critical to the social, cultural and economic wellbeing of people and communities. Operation, maintenance, and repair of existing energy activities contribute to the resilience of the West Coast.</p>	ENERGY ACTIVITY	means the use of land, buildings and structures for the purpose of energy investigation, generation, transmission and distribution. This includes all types of renewable electricity generation.	Last sentence to be amended to include the development of new energy activities.		
ENERGY ACTIVITY	means the use of land, buildings and structures for the purpose of energy investigation, generation, transmission and distribution. This includes all types of renewable electricity generation.								

			renewable electricity generation activities.										
FS222.0181	Overview	Support in part	Amend all objectives and policies by removing the reference to 'energy activities' and replacing this with a reference to 'renewable electricity generation activities'. Add a new policy as follows: <u>“ENG - P10 Avoid the development of non-renewable electricity generation activities on the West Coast and facilitate the replacement of non-renewable energy sources, including the use of fossil fuels, in electricity generation.”</u>	See provisions for amendments where relevant. See definition of Energy Activity. New Policy 11 added, <table border="1"> <tr> <td>ENG - P11</td> <td><u>Discourage the development of non-renewable electricity generation activities.</u></td> </tr> </table> And new rule, <table border="1"> <tr> <td>ENG - R21</td> <td>Non-renewable Electricity Generation Activities</td> </tr> <tr> <td>Activity Status Non-complying</td> <td>Activity status where compliance not achieved:</td> </tr> <tr> <td><u>Advice Note: This rule does not apply to backup generators that do not comply with permitted activity standards of ENG - R9 and ENG - 14 applies.</u></td> <td><u>N/A</u></td> </tr> </table>	ENG - P11	<u>Discourage the development of non-renewable electricity generation activities.</u>	ENG - R21	Non-renewable Electricity Generation Activities	Activity Status Non-complying	Activity status where compliance not achieved:	<u>Advice Note: This rule does not apply to backup generators that do not comply with permitted activity standards of ENG - R9 and ENG - 14 applies.</u>	<u>N/A</u>	Deletion of ENG-P11 and ENG-R21.
ENG - P11	<u>Discourage the development of non-renewable electricity generation activities.</u>												
ENG - R21	Non-renewable Electricity Generation Activities												
Activity Status Non-complying	Activity status where compliance not achieved:												
<u>Advice Note: This rule does not apply to backup generators that do not comply with permitted activity standards of ENG - R9 and ENG - 14 applies.</u>	<u>N/A</u>												
S547.066	Overview	Amend	Add new 2nd paragraph: <u>“It is also recognised that</u>	The overview has been amended,	Amendment to the wording as follows:								

			<p><u>Energy Activities, including Critical Infrastructure, do already exist, and given the topography of the West Coast may in the future require location, within the full range of natural and built environments of the region. The establishment and provision of Energy Activities, including renewable generation, provides for the maintenance and enhancement of the communities cultural, economic and social wellbeing, including health and safety, and assists with developing resilient communities on the West Coast.</u></p>	<p>Overview</p> <p>Energy activities, including renewable Renewable electricity generation, electricity transmission, distribution and operation distribution are recognised as regionally significant infrastructure in the West Coast Regional Policy Statement. As such they require specific recognition need to be recognised and protection provided for, as they are critical to the social, cultural and economic wellbeing of people and communities. Operation, maintenance, and repair of existing energy activities contribute to the resilience of the West Coast.</p> <p>The National Policy Statement for Electricity Transmission Activities 2008 requires specific recognition and protection of that the National grid, with renewable electricity Grid is recognised in the and provided for. The National Policy Statement on Renewable Energy Electricity Generation recognises the national significance of renewable electricity generation activities, including the need for and benefits from, renewable electricity generation.</p> <p>Certain activities must also comply with the rules managing activities which may compromise the operation, maintenance and upgrading of the National Grid transmission lines, including its protection from reverse sensitivity effects. ;The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2004) contains mandatory restrictions on activities in relation to the National Grid and electricity distribution lines. Compliance with the rule requirements of Te Tai-o-Poutini Plan does not ensure compliance with NZECP 34:2004 or vice versa.</p> <p>Vegetation planted in the vicinity of the National Grid or electricity distribution lines must comply with the Electricity (Hazards from Trees) Regulations 2003.;</p> <p>Where an activity relates to the operation, maintenance and upgrading of existing National Grid transmission lines, the Resource Management Regulations 2009 (National Environmental Standards for Electricity Transmission Activities) apply.</p> <p>The Energy Chapter contains the objectives, policies, rules for managing energy activities - the Infrastructure Chapter rules and the Area Specific Provisions (Zone chapters) do not apply to energy activities, however the Overlay chapters and other District Wide rules also apply where relevant.</p>	<p><u>“Constructio</u> <u>n,</u> <u>oOperation,</u> <u>maintenanc</u> <u>e, repair and</u> <u>upgrading of</u> <u>existing</u> <u>energy</u> <u>activities</u> <u>contribute to</u> <u>the</u> <u>resilience of</u> <u>the West</u> <u>Coast ...”.</u></p>
S547.075	Energy Objectives	Amend	<p>(1) Add new Objective, <u>"ENG-?? To enable the safe, efficient</u></p>	<p>Matters not directly included.</p> <p>For clarity ONF-O1 now reads,</p>	<p>As sought in submission, specifically with respect</p>

			<p><u>and integrated development, operation, maintenance and upgrading of Energy Activities, including related Infrastructure and Critical Infrastructure, to meet the needs of the West Coast/Te Tai o Poutini.</u></p> <p>(2) Add new objective, "<u>ENG-?? To ensure the efficient provision and use of Energy Activities, including Critical Infrastructure, for communities by co-ordinating the provision of Energy Activities with subdivision, use and development.</u>"</p>	<p>INF - O1 To enable the safe, efficient and sustainable development, operation, maintenance and upgrading of <u>utilities and infrastructure</u>, to meet the <u>current and future needs of the West Coast/Te Tai o Poutini/the West Coast.</u></p> <p>And the RPS Objective for RSI reads, OBJECTIVE 1. <i>Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure.</i></p>	<p>to (1) for consistency with ENG-O3 submission points.</p>
S547.074	ENG - O1	Amend	<p>(1) Amend existing ENG-01, <u>"To recognise and provide for local, regional and national benefits of renewable electricity generation, transmission,</u></p>	<p>Objective 1 has been amended,</p> <p>ENG - O1 To recognise the local, <u>regional and regional/national</u> benefits of electricity transmission, distribution and renewable electricity generation activities, <u>by providing for their development, operation, maintenance and upgrading to meet the needs of Te Tai o Poutini/the West Coast.</u></p>	<p>As sought in the original submission – specifically (2).</p> <p>With regard to (2) this is the same matters as</p>

			<p><u>distribution and supply activities.</u>"</p> <p>(2) Add the new objective set out under "Energy Objectives" above, <u>"ENG-?? To enable the safe, efficient and integrated development, operation, maintenance and upgrading of Energy Activities, including related Infrastructure and Critical Infrastructure, to meet the needs of the West Coast/Te Tai o Poutini."</u></p>		for submission point (1) of O3.		
S547.076	ENG - O2	Amend	<p>Amend: <u>"To recognise and provide for the technical, functional, and operational and locational needs associated with the location and design of Energy Activities, including Critical Infrastructure. and to minimise adverse effects of</u></p>	<p>Objective O2 amended,</p> <table border="1" data-bbox="904 946 1937 1061"> <tr> <td style="background-color: #c8e6c9;">ENG - O2</td> <td>To recognise the functional and need or operational needs associated with the location and design of energy renewable electricity generation, investigation, and distribution and transmission activities, and to minimise manage adverse effects of these activities on communities and the environment.</td> </tr> </table>	ENG - O2	To recognise the functional and need or operational needs associated with the location and design of energy renewable electricity generation, investigation, and distribution and transmission activities, and to minimise manage adverse effects of these activities on communities and the environment.	As sought in original submission, particularly amendment to <u>"recognise and provide for the ..."</u>
ENG - O2	To recognise the functional and need or operational needs associated with the location and design of energy renewable electricity generation, investigation, and distribution and transmission activities, and to minimise manage adverse effects of these activities on communities and the environment.						

			these activities on communities and the environment."						
S547.078	ENG - O3	Amend	<p>(1) Add the new objective set out under "Energy Objectives" above, "<u>ENG-?? To enable the safe, efficient and integrated development, operation, maintenance and upgrading of Energy Activities, including related Infrastructure and Critical Infrastructure, to meet the needs of the West Coast/Te Tai o Poutini.</u>"</p> <p>(2) With the new objective added amend existing ENG-03 to, "<u>To protect Energy Activities, including Critical Infrastructure, from the adverse effects of incompatible subdivision, use and development.</u>"</p>	<p>Objective O3 amended,</p> <table border="1"> <tr> <td>ENG - O3</td> <td>To provide for development and enable the development, operation, maintenance and upgrade of energyrenewable electricity generation and investigation, and electricity</td> </tr> <tr> <td></td> <td>distribution and transmission activities and to protect them from the adverse effects of incompatible subdivision, use and development.</td> </tr> </table>	ENG - O3	To provide for development and enable the development , operation, maintenance and upgrade of energy renewable electricity generation and investigation, and electricity		distribution and transmission activities and to protect them from the adverse effects of incompatible subdivision, use and development.	As sought in original submission with updated terminology.
ENG - O3	To provide for development and enable the development , operation, maintenance and upgrade of energy renewable electricity generation and investigation, and electricity								
	distribution and transmission activities and to protect them from the adverse effects of incompatible subdivision, use and development.								

Amendment Sought;

ENG-O3 To **enable** the safe, efficient and integrated development, operation, maintenance and upgrading of **renewable electricity generation, energy investigation, distribution and transmission energy** activities to meet the current and future needs of the West Coast/Te Tai o Poutini.

ENG-3A To protect **renewable electricity generation, energy investigation, distribution and transmission energy** activities from the adverse effects of incompatible subdivision, use and development.



S547.083	Energy Policies	Amend	<p>New Policy:</p> <p><u>“Provide flexibility for energy activities, including energy aspects of infrastructure and critical infrastructure, to adopt new technologies that;</u></p> <p><u>a. improve access to, and efficient use of, networks and services;</u></p> <p><u>b. allow for the re-use of redundant services and structures where they are safe and operating to required standards;</u></p> <p><u>c. increase resilience, safety or reliability of networks and services;</u></p> <p><u>d. result in environmental benefits and/or enhancements;</u></p> <p><u>ore. promote environmentally sustainable outcomes</u></p>	<p>No new policy.</p> <p>For clarity ONF-P6 now reads,</p> <table border="1" data-bbox="904 225 1960 443"> <tr> <td data-bbox="904 225 1115 443">INF - P6</td> <td data-bbox="1115 225 1960 443"> <p>Provide flexibility for network utilities infrastructure to adopt new technologies that:</p> <ul style="list-style-type: none"> a. Improve access to, and efficient use of, networks and services; b. Allow for the re-use of redundant services and structures where they are safe and operating to required standards; c. Increase resilience, safety or reliability of networks and services; d. Result in environmental benefits and enhancements; or e. Promote environmentally sustainable outcomes including green infrastructure and the increased utilisation of renewable resources. </td> </tr> </table>	INF - P6	<p>Provide flexibility for network utilities infrastructure to adopt new technologies that:</p> <ul style="list-style-type: none"> a. Improve access to, and efficient use of, networks and services; b. Allow for the re-use of redundant services and structures where they are safe and operating to required standards; c. Increase resilience, safety or reliability of networks and services; d. Result in environmental benefits and enhancements; or e. Promote environmentally sustainable outcomes including green infrastructure and the increased utilisation of renewable resources. 	As sought in original submission.
INF - P6	<p>Provide flexibility for network utilities infrastructure to adopt new technologies that:</p> <ul style="list-style-type: none"> a. Improve access to, and efficient use of, networks and services; b. Allow for the re-use of redundant services and structures where they are safe and operating to required standards; c. Increase resilience, safety or reliability of networks and services; d. Result in environmental benefits and enhancements; or e. Promote environmentally sustainable outcomes including green infrastructure and the increased utilisation of renewable resources. 						

			<u>including green infrastructure and the increased utilisation of renewable resources."</u>				
S547.085	ENG - P2	Amend	<p>(1) Amend the opening pre-amble of ENG-P2, "When <u>managing the development and operation of</u> new and existing energy activities ... from the proposal, including;"</p> <p>(2) Amend ENG-P2 item a. by splitting to create 2 new policy parts, "<u>a. Maintaining and/or increasing security of renewable electricity supply.</u>" and "<u>aa. Providing for a diversity of the type and location of renewable electricity generation.</u>"</p> <p>(3) Amend e., "Effective ... distribution of electricity supply,</p>	<p>Amended P2,</p> <table border="1"> <tr> <td>ENG - P2</td> <td> <p>When considering proposals to develop and operate new and existing energy/renewable electricity generation, investigation, and distribution and transmission activities have particular regard to the benefits to be obtained from the proposal, including;</p> <p>a. Maintaining or increasing security of renewable electricity supply;</p> <p>b. Providing by diversifying for diversity of the type and/or location of renewable electricity generation;</p> <p>c. Maintaining or increasing renewable electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;</p> <p>d. Economic, social, environmental or cultural wellbeing;</p> <p>e. The contribution the proposal will have towards New Aotearoa me te Waipounamu/New Zealand meeting its renewable electricity generation targets;</p> <p>f. Effective transmission and distribution of electricity supply;</p> <p>g. Facilitation and use of renewable energy;</p> <p>h. Security of electricity supply; and</p> <p>i. Meeting New Zealand/Aotearoa Aotearoa me Tete Waipounamu/New Zealand's climate change obligations.</p> </td> </tr> </table>	ENG - P2	<p>When considering proposals to develop and operate new and existing energy/renewable electricity generation, investigation, and distribution and transmission activities have particular regard to the benefits to be obtained from the proposal, including;</p> <p>a. Maintaining or increasing security of renewable electricity supply;</p> <p>b. Providing by diversifying for diversity of the type and/or location of renewable electricity generation;</p> <p>c. Maintaining or increasing renewable electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;</p> <p>d. Economic, social, environmental or cultural wellbeing;</p> <p>e. The contribution the proposal will have towards New Aotearoa me te Waipounamu/New Zealand meeting its renewable electricity generation targets;</p> <p>f. Effective transmission and distribution of electricity supply;</p> <p>g. Facilitation and use of renewable energy;</p> <p>h. Security of electricity supply; and</p> <p>i. Meeting New Zealand/Aotearoa Aotearoa me Tete Waipounamu/New Zealand's climate change obligations.</p>	As sought in original submission.
ENG - P2	<p>When considering proposals to develop and operate new and existing energy/renewable electricity generation, investigation, and distribution and transmission activities have particular regard to the benefits to be obtained from the proposal, including;</p> <p>a. Maintaining or increasing security of renewable electricity supply;</p> <p>b. Providing by diversifying for diversity of the type and/or location of renewable electricity generation;</p> <p>c. Maintaining or increasing renewable electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;</p> <p>d. Economic, social, environmental or cultural wellbeing;</p> <p>e. The contribution the proposal will have towards New Aotearoa me te Waipounamu/New Zealand meeting its renewable electricity generation targets;</p> <p>f. Effective transmission and distribution of electricity supply;</p> <p>g. Facilitation and use of renewable energy;</p> <p>h. Security of electricity supply; and</p> <p>i. Meeting New Zealand/Aotearoa Aotearoa me Tete Waipounamu/New Zealand's climate change obligations.</p>						

			including to consumer;"		
S547.092	ENG - P5	Amend	Amend: "When considering proposals to develop, operate, maintain and upgrade managing the development, operation, maintenance and upgrading of new and existing energy activities; ..."	Amended P5, ENG - P5 When considering proposals to develop or the development, maintain operation, maintenance or upgrading of existing renewable electricity generation, investigation, distribution and upgrade new and existing energy transmission activities by: a. Recognise Recognising their functional constraints and need or operational requirements need ; and b. Where new transmission infrastructure and major upgrades to transmission infrastructure are proposed have Having regard to the extent to which any adverse effects of new significant electricity distribution lines have been minimised in the route, site and method selection.	As sought in original submission.
S547.093	ENG - P5	Amend	(1) Amend the opening pre-amble of ENG-P5, "When managing the development, operation, maintenance and upgrading of new and existing energy activities;" (2) Amend item a., "Have particular regard to function, location, technical and operation constraints and requirements of the related activities and infrastructure; and" ..		As sought in original submission.

FS222.0361	ENG - P5	Oppose in part	<p>Amend the policy as follows: “ENG-P5 When considering proposals to develop, operate, maintain and upgrade new and existing energy activities: Recognise their functional constrains and operational requirements; and Where new transmission infrastructure <u>significant electricity distribution lines</u> and major upgrades to transmission infrastructure <u>significant electricity distribution lines</u> are proposed have regard to the extent to which any adverse effects have been minimised in the route, site and method selection.</p>		As sought in further submission.
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S547.096	Energy Rules	Amend	Consider reformatting the chapter to include all relevant rules from throughout the plan to enable a more efficient assessment of compliance, and ease of use and implementation of the plan.	Has not occurred	As sought in original submission.
FS222.049	Energy Rules	Oppose	<p>Insert a new rule as follows:</p> <p><u>“Installation of Above Ground Energy Activities</u></p> <p><u>Activity Status</u></p> <p><u>Permitted Where:</u></p> <p><u>1. The performance standards in Rule INF-R1 are met;</u></p> <p><u>2. These are located in a GRUZ-General Rural Zone or LINZ - Industrial Zone; and Poles do not exceed a height of 25m; Towers do not exceed a height of 15m.</u></p> <p><u>3. These are the extension of</u></p>	Permitted new lines removed from proposed ENG-R4 and new lines permitted in, Amended ENG-R4,	As set out in further submission.

			<p><u>existing overhead lines that involve no more than five poles in areas where services are already above ground provided that written approval from landowners within a 22m radius of new poles has been obtained and provided to Council 10 working days prior to activities commencing. Consequential amendment to the Restricted Discretionary Activity Rules to include installation of above ground activities that do not comply with the performance standard.”</u></p>	<table border="1"> <tr> <td data-bbox="902 97 1115 279">ENG - R4</td> <td data-bbox="1115 97 1951 279"><u>Operating existing transmission upgrading of distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading 110 kv Dobson Tee A line above and replacing support structures and foundations below ground not managed by the National Environmental Standard for Electricity Transmission Activities</u></td> </tr> <tr> <td data-bbox="902 279 1637 960"> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and Any realignment, relocation or replacement of a network utility pole, pipe, tower, structure, building or minor utility and structure is within 5m of the alignment or location of the original existing pole, tower, structure, building or minor utility and structure; A replacement pole, tower, or structure does not exceed the height of the original pole, tower, or structure by more than 30 percent, measured from the top of the foundation; The Specific to distribution lines, the diameter or width of the replacement pole structures, at its widest point: <ol style="list-style-type: none"> does not exceed twice that of the replaced pole at its widest point and; where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times that of the replaced pole at its widest point; Additional conductors or lines do not increase the number of conductors or lines by more than 100 percent of the original; The footprint of the structure or building does not increase by more than 30 percent of the existing building or structure, excluding any pole or pi pole structure provided above; The face area of a replacement panel antenna or the diameter of a replacement dish antenna does not increase by more than 20 percent; There are notno additional towers; and A pole is not replaced with a tower. </td> <td data-bbox="1637 279 1951 960"> <p>Activity status where compliance not achieved: Restricted Discretionary</p> </td> </tr> </table> <p>New ENG-R10,</p> <table border="1"> <tr> <td data-bbox="902 1038 1115 1077">ENG - R10</td> <td data-bbox="1115 1038 1951 1077"><u>The construction of new distribution lines above or below ground</u></td> </tr> <tr> <td data-bbox="902 1077 1637 1350"> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and The line will comply with the requirements of NZECP 34: 2001; The construction or establishment of any tower, pole, mast, aerial, panel, element or dish operationally associated with electricity lines has a maximum height above ground level of 7m; The installation or modification of a sign is at a height no greater than 2m above ground level and is no larger than 1m² and is associated with an electricity network utility. </td> <td data-bbox="1637 1077 1951 1350"> <p>Activity status where compliance not achieved: Discretionary</p> </td> </tr> </table>	ENG - R4	<u>Operating existing transmission upgrading of distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading 110 kv Dobson Tee A line above and replacing support structures and foundations below ground not managed by the National Environmental Standard for Electricity Transmission Activities</u>	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and Any realignment, relocation or replacement of a network utility pole, pipe, tower, structure, building or minor utility and structure is within 5m of the alignment or location of the original existing pole, tower, structure, building or minor utility and structure; A replacement pole, tower, or structure does not exceed the height of the original pole, tower, or structure by more than 30 percent, measured from the top of the foundation; The Specific to distribution lines, the diameter or width of the replacement pole structures, at its widest point: <ol style="list-style-type: none"> does not exceed twice that of the replaced pole at its widest point and; where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times that of the replaced pole at its widest point; Additional conductors or lines do not increase the number of conductors or lines by more than 100 percent of the original; The footprint of the structure or building does not increase by more than 30 percent of the existing building or structure, excluding any pole or pi pole structure provided above; The face area of a replacement panel antenna or the diameter of a replacement dish antenna does not increase by more than 20 percent; There are notno additional towers; and A pole is not replaced with a tower. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>	ENG - R10	<u>The construction of new distribution lines above or below ground</u>	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and The line will comply with the requirements of NZECP 34: 2001; The construction or establishment of any tower, pole, mast, aerial, panel, element or dish operationally associated with electricity lines has a maximum height above ground level of 7m; The installation or modification of a sign is at a height no greater than 2m above ground level and is no larger than 1m² and is associated with an electricity network utility. 	<p>Activity status where compliance not achieved: Discretionary</p>	
ENG - R4	<u>Operating existing transmission upgrading of distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading 110 kv Dobson Tee A line above and replacing support structures and foundations below ground not managed by the National Environmental Standard for Electricity Transmission Activities</u>												
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and Any realignment, relocation or replacement of a network utility pole, pipe, tower, structure, building or minor utility and structure is within 5m of the alignment or location of the original existing pole, tower, structure, building or minor utility and structure; A replacement pole, tower, or structure does not exceed the height of the original pole, tower, or structure by more than 30 percent, measured from the top of the foundation; The Specific to distribution lines, the diameter or width of the replacement pole structures, at its widest point: <ol style="list-style-type: none"> does not exceed twice that of the replaced pole at its widest point and; where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times that of the replaced pole at its widest point; Additional conductors or lines do not increase the number of conductors or lines by more than 100 percent of the original; The footprint of the structure or building does not increase by more than 30 percent of the existing building or structure, excluding any pole or pi pole structure provided above; The face area of a replacement panel antenna or the diameter of a replacement dish antenna does not increase by more than 20 percent; There are notno additional towers; and A pole is not replaced with a tower. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>												
ENG - R10	<u>The construction of new distribution lines above or below ground</u>												
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and The line will comply with the requirements of NZECP 34: 2001; The construction or establishment of any tower, pole, mast, aerial, panel, element or dish operationally associated with electricity lines has a maximum height above ground level of 7m; The installation or modification of a sign is at a height no greater than 2m above ground level and is no larger than 1m² and is associated with an electricity network utility. 	<p>Activity status where compliance not achieved: Discretionary</p>												
S547.097	Permitted Activities	Amend	<p>Add a new Rule: <u>“Distribution Lines (including connection to consumers) Activity Status Permitted Where:</u></p>	<table border="1"> <tr> <td data-bbox="902 1038 1115 1077">ENG - R10</td> <td data-bbox="1115 1038 1951 1077"><u>The construction of new distribution lines above or below ground</u></td> </tr> <tr> <td data-bbox="902 1077 1637 1350"> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and The line will comply with the requirements of NZECP 34: 2001; The construction or establishment of any tower, pole, mast, aerial, panel, element or dish operationally associated with electricity lines has a maximum height above ground level of 7m; The installation or modification of a sign is at a height no greater than 2m above ground level and is no larger than 1m² and is associated with an electricity network utility. </td> <td data-bbox="1637 1077 1951 1350"> <p>Activity status where compliance not achieved: Discretionary</p> </td> </tr> </table>	ENG - R10	<u>The construction of new distribution lines above or below ground</u>	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and The line will comply with the requirements of NZECP 34: 2001; The construction or establishment of any tower, pole, mast, aerial, panel, element or dish operationally associated with electricity lines has a maximum height above ground level of 7m; The installation or modification of a sign is at a height no greater than 2m above ground level and is no larger than 1m² and is associated with an electricity network utility. 	<p>Activity status where compliance not achieved: Discretionary</p>	<p>This is a New Rule.</p> <p>The wording of ENG – R10 as set out with amendment</p>				
ENG - R10	<u>The construction of new distribution lines above or below ground</u>												
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and The line will comply with the requirements of NZECP 34: 2001; The construction or establishment of any tower, pole, mast, aerial, panel, element or dish operationally associated with electricity lines has a maximum height above ground level of 7m; The installation or modification of a sign is at a height no greater than 2m above ground level and is no larger than 1m² and is associated with an electricity network utility. 	<p>Activity status where compliance not achieved: Discretionary</p>												

		<p><u>1. New lines are underground where located in RESZ - Residential, or CMUZ Commercial and Mixed Use Zones;</u> <u>or</u> <u>2. Existing above ground lines are located within the zones identified in 1. and are extended by no more than 5 poles;</u> <u>or</u> <u>3. Are above ground within SASM sites within the zones identified in 1. for the purpose of maintaining the values of the SASM site, and</u> <u>4. Poles for above ground lines do not exceed a height of 25m.</u></p> <p><u>Activity status where compliance is not achieved:</u> <u>Restricted Discretionary.”</u></p>		<p>s to the wording 3., as follows: <i>“...has a maximum height above ground level of <u>7-15.5m</u>”.</i></p> <p><i>“Activity status where compliance is not achieved: <u>Restricted Discretionary</u>”.</i></p>
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S547.100	ENG - R2	Amend	Amend 3. This is a new substation (zone) or upgrade to an existing substation (zone):	<p>Amended ENG-R2,</p> <table border="1"> <thead> <tr> <th>ENG - R2</th> <th>Substations (Zone)</th> </tr> </thead> <tbody> <tr> <td> Activity Status Permitted Where: 1. All performance standards in Rule ENG - R1 are complied with; and 2. This is theThe operation, maintenance, repair and upgrade <u>is</u> of an existing substation (zone) where any upgrades are undertaken within existing switchyards or buildings, in any zone; or 3. This is aA new substation (zone) or upgrade to an existing substation (zone)is: i. Located in an Industrial zone; and ii. The substation will be visually screened from the road and any <u>existing residential building located adjacent to the Industrial Zone</u> by fencing and / or landscaping. </td> <td> Activity status where compliance not achieved: Restricted Discretionary </td> </tr> </tbody> </table>	ENG - R2	Substations (Zone)	Activity Status Permitted Where: 1. All performance standards in Rule ENG - R1 are complied with; and 2. This is the The operation, maintenance, repair and upgrade <u>is</u> of an existing substation (zone) where any upgrades are undertaken within existing switchyards or buildings, in any zone; or 3. This is a A new substation (zone) or upgrade to an existing substation (zone) is: i. Located in an Industrial zone; and ii. The substation will be visually screened from the road and any <u>existing residential building located adjacent to the Industrial Zone</u> by fencing and / or landscaping.	Activity status where compliance not achieved: Restricted Discretionary	As sought in original submission.
ENG - R2	Substations (Zone)								
Activity Status Permitted Where: 1. All performance standards in Rule ENG - R1 are complied with; and 2. This is the The operation, maintenance, repair and upgrade <u>is</u> of an existing substation (zone) where any upgrades are undertaken within existing switchyards or buildings, in any zone; or 3. This is a A new substation (zone) or upgrade to an existing substation (zone) is: i. Located in an Industrial zone; and ii. The substation will be visually screened from the road and any <u>existing residential building located adjacent to the Industrial Zone</u> by fencing and / or landscaping.	Activity status where compliance not achieved: Restricted Discretionary								
S547.101	ENG - R2	Amend	Amend 3. ... “i. Located in an Industrial or Rural zone; and ii. Screening is provided between any new substation and a road and any residential building located outside the Industrial zone ...”		As sought in original submission.				
S547.099	ENG - R2	Amend	Amend 2. “This is the operation, maintenance repair and upgrade of an existing substation (zone) where any new works and/or upgrades are undertaken within existing switchyards or the existing building envelope , in any zone;”	As sought in original submission.					
S547.102	ENG - R2	Amend	“3. This is a new substation (zone): i. Located in an Industrial or Rural	As sought as original submission.					

			zone; and ii. Screening is provided between any new substation and a road and any existing residential building by fencing and/or landscaping (including earth bunds). ”						
S547.104	ENG - R4	Amend	<p>Amend rule heading to clearly define permitted activities:</p> <ul style="list-style-type: none"> • Operating existing transmission and distribution lines, including connections to consumers. • New distribution and transmission lines, including connections to consumers. <p>Maintaining, repairing, minor upgrading, strengthening, upgrading and replacing of transmission and distribution lines, including</p>	<p>Amended ENG-R4,</p> <table border="1"> <tr> <td>ENG - R4</td> <td>Operating existing transmissionThe operation, maintenance, repair and upgrading of distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading 110 kv Dobson Tee A line above and replacing support structures and foundations below ground not managed by the National Environmental Standard for Electricity Transmission Activities</td> </tr> <tr> <td>Activity Status Permitted Where:</td> <td>Activity status where compliance not achieved: Restricted Discretionary</td> </tr> </table> <ol style="list-style-type: none"> 1. All performance standards in Rule ENG - R1 are complied with; and 2. Any realignment, relocation or replacement of a network utility pole, pipe, tower, structure, building or minor utility and structure is within 5m of the alignment or location of the original existing pole, tower, structure, building or minor utility and structure; 3. A replacement pole, tower, or structure does not exceed the height of the original pole, tower, or structure by more than 30 percent, measured from the top of the foundation; 4. TheSpecific to distribution lines, the diameter or width of the replacement pole structures, at its widest point; <ol style="list-style-type: none"> i. does not exceed twice that of the replaced pole at its widest point and; ii. where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times that of the replaced pole at its widest point; 5. Additional conductors or lines do not increase the number of conductors or lines by more than 100 percent of the original; 6. The footprint of the structure or building does not increase by more than 30 percent of the existing building or structure, excluding any pole or pi pole structure provided above; 7. The face area of a replacement panel antenna or the diameter of a replacement dish antenna does not increase by more than 20 percent; 8. There are not additional towers; and 9. A pole is not replaced with a tower. <p>New ENG-R10,</p>	ENG - R4	Operating existing transmission The operation, maintenance, repair and upgrading of distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading 110 kv Dobson Tee A line above and replacing support structures and foundations below ground not managed by the National Environmental Standard for Electricity Transmission Activities	Activity Status Permitted Where:	Activity status where compliance not achieved: Restricted Discretionary	As sought in original submission specifically that ENG-R4 needs to apply to new connections and new distribution lines.
ENG - R4	Operating existing transmission The operation, maintenance, repair and upgrading of distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading 110 kv Dobson Tee A line above and replacing support structures and foundations below ground not managed by the National Environmental Standard for Electricity Transmission Activities								
Activity Status Permitted Where:	Activity status where compliance not achieved: Restricted Discretionary								

			<u>connection to consumers and support structures and foundations not managed by the National Environmental Standard for Electricity Transmission Activities.</u>	<table border="1"> <tr> <td>ENG - R10</td> <td>The construction of new distribution lines above or below ground</td> </tr> <tr> <td colspan="2">Activity Status Permitted</td> </tr> <tr> <td colspan="2"><u>Where:</u></td> </tr> <tr> <td colspan="2"> <ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and The line will comply with the requirements of NZECP 34: 2001; The construction or establishment of any tower, pole, mast, aerial, panel, element or dish operationally associated with electricity lines has a maximum height above ground level of 7m; The installation or modification of a sign is at a height no greater than 2m above ground level and is no larger than 1m² and is associated with an electricity network utility. </td> </tr> <tr> <td colspan="2">Activity status where compliance not achieved:</td> </tr> <tr> <td colspan="2">Discretionary</td> </tr> </table>	ENG - R10	The construction of new distribution lines above or below ground	Activity Status Permitted		<u>Where:</u>		<ol style="list-style-type: none"> All performance standards in Rule ENG - R1 are complied with; and The line will comply with the requirements of NZECP 34: 2001; The construction or establishment of any tower, pole, mast, aerial, panel, element or dish operationally associated with electricity lines has a maximum height above ground level of 7m; The installation or modification of a sign is at a height no greater than 2m above ground level and is no larger than 1m² and is associated with an electricity network utility. 		Activity status where compliance not achieved:		Discretionary		
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S547.105	ENG - R4	Amend	<p>Amend:</p> <p>“4. The diameter or width of ... at its widest point and; where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times that of the replaced pole <u>5 metres</u> at its widest point and</p> <p>5. Additional conductors or lines ... of the original.</p> <p><u>Where additional conductors or lines are installed any intermediate poles required to achieve electrical safety standards can also be installed.</u>”</p>	<p>As sought in original submission in relation to (4). For (5) the following change is sought: “<i>lines by more than 100<u>125</u> percent of the original</i>”.</p>													

S547.109	ENG - R8	Support	Retain	<p>Amended ENG-R8,</p> <table border="1"> <tr> <td>ENG - R8</td> <td>Installation of electricity cabinets</td> </tr> <tr> <td> Activity Status Permitted Where: 1. All performance standards in Rule ENG - R1 are complied with; and 2. The cabinet has a maximum height above ground level of 2m and a maximum area of 1.4m². </td> <td> Activity status where compliance not achieved: Restricted Discretionary </td> </tr> </table>	ENG - R8	Installation of electricity cabinets	Activity Status Permitted Where: 1. All performance standards in Rule ENG - R1 are complied with; and 2. The cabinet has a maximum height above ground level of 2m and a maximum area of 1.4m ² .	Activity status where compliance not achieved: Restricted Discretionary	As sought in original submission, or “a maximum area of 1.4 10m ² ”.
ENG - R8	Installation of electricity cabinets								
Activity Status Permitted Where: 1. All performance standards in Rule ENG - R1 are complied with; and 2. The cabinet has a maximum height above ground level of 2m and a maximum area of 1.4m ² .	Activity status where compliance not achieved: Restricted Discretionary								
S547.110	ENG - R9	Support	Retain	<p>Amended ENG-R9,</p> <table border="1"> <tr> <td>ENG - R9</td> <td>Temporary Energy Activities</td> </tr> <tr> <td> Activity Status Permitted Where: 1. The temporary energy activity is for up to a period of 24 months following a national, regional or local state of emergency declaration; 2. All performance standards in Rule ENG - R1 are complied with; and 3. Any temporary structures are removed from the site when operation ceases and the site is rehabilitated within one month of the operation ceasing; 4. The temporary energy activity is a back-up generator, provided this equipment is: i. Being tested and maintained for a period not exceeding 48 hours in duration; or ii. To provide back-up electricity during routine or scheduled maintenance for a period not exceeding 48 hours; or for longer than 48 hours where that use complies with the noise limits specified between 0700 hours and 2200 hours relevant to the underlying zone; or iii. For emergency purposes only and operates for a maximum of 12 months. </td> <td> Activity status where compliance not achieved: Restricted Discretionary </td> </tr> </table>	ENG - R9	Temporary Energy Activities	Activity Status Permitted Where: 1. The temporary energy activity is for up to a period of 24 months following a national, regional or local state of emergency declaration; 2. All performance standards in Rule ENG - R1 are complied with; and 3. Any temporary structures are removed from the site when operation ceases and the site is rehabilitated within one month of the operation ceasing; 4. The temporary energy activity is a back-up generator, provided this equipment is: i. Being tested and maintained for a period not exceeding 48 hours in duration; or ii. To provide back-up electricity during routine or scheduled maintenance for a period not exceeding 48 hours; or for longer than 48 hours where that use complies with the noise limits specified between 0700 hours and 2200 hours relevant to the underlying zone; or iii. For emergency purposes only and operates for a maximum of 12 months.	Activity status where compliance not achieved: Restricted Discretionary	Amendments to the wording so that points 2 and 3 are mandatory, and either 1 or 3 apply depending on the circumstance.
ENG - R9	Temporary Energy Activities								
Activity Status Permitted Where: 1. The temporary energy activity is for up to a period of 24 months following a national, regional or local state of emergency declaration; 2. All performance standards in Rule ENG - R1 are complied with; and 3. Any temporary structures are removed from the site when operation ceases and the site is rehabilitated within one month of the operation ceasing; 4. The temporary energy activity is a back-up generator, provided this equipment is: i. Being tested and maintained for a period not exceeding 48 hours in duration; or ii. To provide back-up electricity during routine or scheduled maintenance for a period not exceeding 48 hours; or for longer than 48 hours where that use complies with the noise limits specified between 0700 hours and 2200 hours relevant to the underlying zone; or iii. For emergency purposes only and operates for a maximum of 12 months.	Activity status where compliance not achieved: Restricted Discretionary								
FS222.0241	ENG - R11	Oppose	<p>Amend the matter of discretion: The degree to which the proposed activity will cause significant adverse effects on overlay Chapter Matters</p> <ul style="list-style-type: none"> Whether the activity will cause any adverse effects on Overlay Chapter matters, 	<p>Amended ENG-R11,</p> <table border="1"> <tr> <td>ENG - R11</td> <td>Substations (Zone and Distribution) not meeting Permitted Activity standards or otherwise not provided for in another rule</td> </tr> <tr> <td> Activity Status Restricted Discretionary Discretion is restricted to: a. Landscape measures Measures to mitigate landscape effects; b. Locational, technical, functional and operational constraints; c. Impacts on resilience of the community to natural hazards and climate change; d. The benefits of the proposal to Aotearoa Newme te Waipounamu /New Zealand meeting its Greenhouse Gas targets; e. Impacts of contamination from the substation on any overlay; f. Benefits to the community from the substation; and g. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters areas and values listed in Schedules One to Eight and Appendix 10. </td> <td> Activity status where compliance not achieved: N/A </td> </tr> </table>	ENG - R11	Substations (Zone and Distribution) not meeting Permitted Activity standards or otherwise not provided for in another rule	Activity Status Restricted Discretionary Discretion is restricted to: a. Landscape measures Measures to mitigate landscape effects; b. Locational, technical, functional and operational constraints; c. Impacts on resilience of the community to natural hazards and climate change; d. The benefits of the proposal to Aotearoa Newme te Waipounamu /New Zealand meeting its Greenhouse Gas targets; e. Impacts of contamination from the substation on any overlay; f. Benefits to the community from the substation; and g. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters areas and values listed in Schedules One to Eight and Appendix 10.	Activity status where compliance not achieved: N/A	As sought in further submission.
ENG - R11	Substations (Zone and Distribution) not meeting Permitted Activity standards or otherwise not provided for in another rule								
Activity Status Restricted Discretionary Discretion is restricted to: a. Landscape measures Measures to mitigate landscape effects; b. Locational, technical, functional and operational constraints; c. Impacts on resilience of the community to natural hazards and climate change; d. The benefits of the proposal to Aotearoa Newme te Waipounamu /New Zealand meeting its Greenhouse Gas targets; e. Impacts of contamination from the substation on any overlay; f. Benefits to the community from the substation; and g. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters areas and values listed in Schedules One to Eight and Appendix 10.	Activity status where compliance not achieved: N/A								

			<p><u>and the requirement to manage those effects in accordance with the relevant Overlay provisions.</u></p> <ul style="list-style-type: none">• <u>Whether the activity will cause any adverse effects on areas meeting the significance criteria in Appendix 1 WCRPS, and the requirement to manage those effects in accordance with the relevant Overlay provisions.</u>• <u>The requirement to avoid and otherwise manage effects on biodiversity, natural character, and landscape in the coastal environment in accordance with</u>	
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			<p><u>policy 11, 13 and 15 NZCPS.</u></p>						
FS222.0242	ENG - R12	Oppose	<p>Amend the matter of discretion in each rule: The degree to which the proposed activity will cause significant adverse effects on overlay Chapter Matters</p> <ul style="list-style-type: none"> • <u>Whether the activity will cause any adverse effects on Overlay Chapter matters, and the requirement to manage those effects in accordance with the relevant Overlay provisions.</u> • <u>Whether the activity will cause any adverse effects on areas meeting the significance criteria in Appendix 1</u> 	<p>Amended ENG-R12,</p> <table border="1" data-bbox="904 225 1951 676"> <tr> <td data-bbox="904 225 1115 400"> <p>ENG - R12</p> </td> <td data-bbox="1115 225 1951 400"> <p>Operating existing transmission distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations above or below ground not managed by the National Environmental Standard for Electricity Transmission Activities not meeting Permitted Activity standards</p> </td> </tr> <tr> <td data-bbox="904 400 1637 676"> <p>Activity Status Restricted Discretionary Where: 1. All performance standards in Rule ENG - R1 are complied with. Discretion is restricted to: a. Degree of non-compliance with Rule ENG - R4; b. Locational, technical, <u>functional</u> and operational constraints; c. Benefits to the community; and d. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters areas and values listed in Schedules <u>One to Eight and Appendix 10.</u></p> </td> <td data-bbox="1637 400 1951 676"> <p>Activity status where compliance not achieved: Non-complying <u>N/A</u></p> </td> </tr> </table>	<p>ENG - R12</p>	<p>Operating existing transmission distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations above or below ground not managed by the National Environmental Standard for Electricity Transmission Activities not meeting Permitted Activity standards</p>	<p>Activity Status Restricted Discretionary Where: 1. All performance standards in Rule ENG - R1 are complied with. Discretion is restricted to: a. Degree of non-compliance with Rule ENG - R4; b. Locational, technical, <u>functional</u> and operational constraints; c. Benefits to the community; and d. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters areas and values listed in Schedules <u>One to Eight and Appendix 10.</u></p>	<p>Activity status where compliance not achieved: Non-complying <u>N/A</u></p>	As sought in further submission.
<p>ENG - R12</p>	<p>Operating existing transmission distribution lines, new distribution and transmission lines, maintaining, minor upgrading, strengthening, upgrading and replacing support structures and foundations above or below ground not managed by the National Environmental Standard for Electricity Transmission Activities not meeting Permitted Activity standards</p>								
<p>Activity Status Restricted Discretionary Where: 1. All performance standards in Rule ENG - R1 are complied with. Discretion is restricted to: a. Degree of non-compliance with Rule ENG - R4; b. Locational, technical, <u>functional</u> and operational constraints; c. Benefits to the community; and d. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters areas and values listed in Schedules <u>One to Eight and Appendix 10.</u></p>	<p>Activity status where compliance not achieved: Non-complying <u>N/A</u></p>								

			<p><u>WCRPS, and the requirement to manage those effects in accordance with the relevant Overlay provisions.</u></p> <ul style="list-style-type: none"> <u>The requirement to avoid and otherwise manage effects on biodiversity, natural character, and landscape in the coastal environment in accordance with policy 11, 13 and 15 NZCPS.</u> 						
FS222.0243	ENG - R13	Oppose	<p><u>Amend the matter of discretion in each rule: The degree to which the proposed activity will cause significant adverse effects on overlay Chapter Matters</u></p> <ul style="list-style-type: none"> <u>Whether the activity will</u> 	<p>Amended ENG-R13,</p> <table border="1"> <thead> <tr> <th>ENG - R13</th> <th>Installation of electricity cabinets not meeting Permitted Activity standards</th> </tr> </thead> <tbody> <tr> <td> <p>Activity Status Restricted Discretionary</p> <p>Where:</p> <p>1. Performance standards in Rule ENG - R1 are complied with;</p> <p>Discretion is restricted to:</p> <p>a. Locational, technical, functional and operational constraints;</p> <p>b. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters areas and values listed in Schedules One to Eight and Appendix 10; and</p> <p>c. Benefits to the community.</p> </td> <td> <p>Activity status where compliance not achieved:</p> <p>Non-complying</p> <p>N/A</p> </td> </tr> </tbody> </table>	ENG - R13	Installation of electricity cabinets not meeting Permitted Activity standards	<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <p>1. Performance standards in Rule ENG - R1 are complied with;</p> <p>Discretion is restricted to:</p> <p>a. Locational, technical, functional and operational constraints;</p> <p>b. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters areas and values listed in Schedules One to Eight and Appendix 10; and</p> <p>c. Benefits to the community.</p>	<p>Activity status where compliance not achieved:</p> <p>Non-complying</p> <p>N/A</p>	As sought in further submission.
ENG - R13	Installation of electricity cabinets not meeting Permitted Activity standards								
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <p>1. Performance standards in Rule ENG - R1 are complied with;</p> <p>Discretion is restricted to:</p> <p>a. Locational, technical, functional and operational constraints;</p> <p>b. The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter matters areas and values listed in Schedules One to Eight and Appendix 10; and</p> <p>c. Benefits to the community.</p>	<p>Activity status where compliance not achieved:</p> <p>Non-complying</p> <p>N/A</p>								

			<p><u>cause any adverse effects on Overlay Chapter matters, and the requirement to manage those effects in accordance with the relevant Overlay provisions.</u></p> <ul style="list-style-type: none">• <u>Whether the activity will cause any adverse effects on areas meeting the significance criteria in Appendix 1 WCRPS, and the requirement to manage those effects in accordance with the relevant Overlay provisions.</u>• <u>The requirement to avoid and otherwise manage effects on biodiversity, natural</u>	
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			<u>character, and landscape in the coastal environment in accordance with policy 11, 13 and 15 NZCPS.</u>										
FS222.0244	ENG - R14	Oppose	<p>Amend the matter of discretion in each rule: The degree to which the proposed activity will cause significant adverse effects on overlay Chapter Matters</p> <ul style="list-style-type: none"> • <u>Whether the activity will cause any adverse effects on Overlay Chapter matters, and the requirement to manage those effects in accordance with the relevant Overlay provisions.</u> • <u>Whether the activity will cause any adverse effects on areas meeting</u> 	<p>Amended ENG-R14,</p> <table border="1"> <tr> <td>ENG - R14</td> <td>The construction, operation, maintenance, repair and upgradeupgrading of small and community scale renewable electricity generation-structures, renewable energy investigation activity and temporary energy activities not meeting Permitted Activity standards</td> </tr> <tr> <td> Activity Status Restricted Discretionary Where 1. Performance standards in Rule ENG – R1 are complied with. Discretion is restricted to: <ol style="list-style-type: none"> Impacts on resilience of the community to natural hazards and climate change; The benefits of the proposal to Aotearoa Newme te Waipounamu/New Zealand meeting its Climate Change and Greenhouse Gas targets; BenefitsThe benefits of the proposal to the local and regional community and to resilience for Te Tai o Poutini/the West Coast; Functional, locational, technical and operational constraints; Landscape measuresMeasures to mitigate landscape effects; and The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter mattersareas and values listed in Schedules One to Eight and Appendix 10; and The level, hours of operation, duration and nature of the noise and any effects on the health and wellbeing of people. </td> <td> Activity status where compliance not achieved: Non-complyingN/A </td> </tr> </table> <p>New ENG-R21,</p> <table border="1"> <tr> <td>ENG - R21</td> <td>Non-renewable Electricity Generation Activities</td> </tr> <tr> <td> Activity Status Non-complying Advice Note: This rule does not apply to backup generators that do not comply with permitted activity standards of ENG - R9 and ENG - 14 applies. </td> <td> Activity status where compliance not achieved: N/A </td> </tr> </table>	ENG - R14	The construction, operation, maintenance, repair and upgradeupgrading of small and community scale renewable electricity generation-structures, renewable energy investigation activity and temporary energy activities not meeting Permitted Activity standards	Activity Status Restricted Discretionary Where 1. Performance standards in Rule ENG – R1 are complied with. Discretion is restricted to: <ol style="list-style-type: none"> Impacts on resilience of the community to natural hazards and climate change; The benefits of the proposal to Aotearoa Newme te Waipounamu/New Zealand meeting its Climate Change and Greenhouse Gas targets; BenefitsThe benefits of the proposal to the local and regional community and to resilience for Te Tai o Poutini/the West Coast; Functional, locational, technical and operational constraints; Landscape measuresMeasures to mitigate landscape effects; and The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter mattersareas and values listed in Schedules One to Eight and Appendix 10; and The level, hours of operation, duration and nature of the noise and any effects on the health and wellbeing of people. 	Activity status where compliance not achieved: Non-complyingN/A	ENG - R21	Non-renewable Electricity Generation Activities	Activity Status Non-complying Advice Note: This rule does not apply to backup generators that do not comply with permitted activity standards of ENG - R9 and ENG - 14 applies.	Activity status where compliance not achieved: N/A	As sought in further submission.
ENG - R14	The construction, operation, maintenance, repair and upgradeupgrading of small and community scale renewable electricity generation-structures, renewable energy investigation activity and temporary energy activities not meeting Permitted Activity standards												
Activity Status Restricted Discretionary Where 1. Performance standards in Rule ENG – R1 are complied with. Discretion is restricted to: <ol style="list-style-type: none"> Impacts on resilience of the community to natural hazards and climate change; The benefits of the proposal to Aotearoa Newme te Waipounamu/New Zealand meeting its Climate Change and Greenhouse Gas targets; BenefitsThe benefits of the proposal to the local and regional community and to resilience for Te Tai o Poutini/the West Coast; Functional, locational, technical and operational constraints; Landscape measuresMeasures to mitigate landscape effects; and The degree to which the proposed activity will cause significant adverse effects on Overlay Chapter mattersareas and values listed in Schedules One to Eight and Appendix 10; and The level, hours of operation, duration and nature of the noise and any effects on the health and wellbeing of people. 	Activity status where compliance not achieved: Non-complyingN/A												
ENG - R21	Non-renewable Electricity Generation Activities												
Activity Status Non-complying Advice Note: This rule does not apply to backup generators that do not comply with permitted activity standards of ENG - R9 and ENG - 14 applies.	Activity status where compliance not achieved: N/A												

			<p><u>the significance criteria in Appendix 1 WCRPS, and the requirement to manage those effects in accordance with the relevant Overlay provisions.</u></p> <ul style="list-style-type: none">• <u>The requirement to avoid and otherwise manage effects on biodiversity, natural character, and landscape in the accordance with policy 11, 13 and 15 NZCPS.</u>	
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Provisions Appealed – Part 2 NH – Natural Hazards (incorporating Variations)

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought
S547.0538	Natural Hazards	Not Stated	That Westpower's previous submission points in the overall Plan submission and previous notification of Variation 2 be retained. (Those of relevance in terms of the first plus those in regards to the second are included as Appendix 1 and Appendix 2 respectively).		As sought in original submission.
FS222.0366	Natural Hazards	Oppose	Where District Plan provisions relate specifically to coastal hazards, the term "natural hazards" is replaced with "coastal hazards".		As sought in further submission.
FS222.0380	Natural Hazards	Oppose	That the specific amendments, additions or retentions which are sought as specifically outlined in Appendix 1, are		As sought in further submission.

			accepted and adopted into TTPP Variation 2 - Coastal Hazards, including such further, alternative, additional, or consequential relief as may be necessary to fully achieve the relief sought in this submission.		
FS222.0382	Natural Hazards	Oppose	Amend the policies, and matters of discretion to include the consideration of alternatives, and to require the consideration of alternatives for hard protection structures.		As sought in further submission.
S547.122	Natural Hazards Objectives	Amend	Add a new objective: <u>"To recognise and provide for the constraints imposed by the locational, technical, functional and operational requirements of energy activities, including energy</u>		As set out in original submission.

			<u>aspects of infrastructure and critical infrastructure, with regard to natural hazards.</u>				
S547.0516	NHO1	Support In Part	Amend Objective NH-O1 to read: "To use a regionally consistent, risk-based approach to natural hazard management with respect to people and buildings".	Amended NH-O1, <table border="1" data-bbox="902 363 1955 587"> <tr> <td>NH - O1</td> <td>To use Adopt a regionally consistent, risk-based approach to natural hazard management. where: <ol style="list-style-type: none"> 1. Subdivision, use and development within Severe Natural Hazard Overlays reduces or does not increase the existing risk from natural hazards to people, buildings, and regionally significant infrastructure. 2. Subdivision, use and development within all other Natural Hazard Overlays manages and does not increase the risk from natural hazards to people, buildings, and regionally significant infrastructure. </td> </tr> </table>	NH - O1	To use Adopt a regionally consistent, risk-based approach to natural hazard management. where: <ol style="list-style-type: none"> 1. Subdivision, use and development within Severe Natural Hazard Overlays reduces or does not increase the existing risk from natural hazards to people, buildings, and regionally significant infrastructure. 2. Subdivision, use and development within all other Natural Hazard Overlays manages and does not increase the risk from natural hazards to people, buildings, and regionally significant infrastructure. 	Amendment to both "1." and "2." As follows: <i>"... does not increase the risk from natural hazards to locate <u>hazard sensitive activities and potentially hazard sensitive activities</u> people, buildings or regionally significant infrastructure."</i>
NH - O1	To use Adopt a regionally consistent, risk-based approach to natural hazard management. where: <ol style="list-style-type: none"> 1. Subdivision, use and development within Severe Natural Hazard Overlays reduces or does not increase the existing risk from natural hazards to people, buildings, and regionally significant infrastructure. 2. Subdivision, use and development within all other Natural Hazard Overlays manages and does not increase the risk from natural hazards to people, buildings, and regionally significant infrastructure. 						
S547.0517	NHO2	Amend	Amend Objective NH-O2 to read: "To reduce the risk to people and buildings from natural hazards,	Deleted NH-O2, <table border="1" data-bbox="902 1257 1955 1321"> <tr> <td>NH - O2</td> <td>To reduce the risk to life, property and the environment from natural hazards, thereby promoting the well-being of the community and environment.</td> </tr> </table> New NH-O2 (previously NH-O3,	NH - O2	To reduce the risk to life, property and the environment from natural hazards, thereby promoting the well-being of the community and environment.	Amendment as follows: <i>"To only <u>locate hazard sensitive</u></i>
NH - O2	To reduce the risk to life, property and the environment from natural hazards, thereby promoting the well-being of the community and environment.						

			thereby promoting the wellbeing of the community and buildings”	<p>NH - 0302</p> <p>To only locate <u>critical</u> regionally significant infrastructure within <u>areas of significant natural hazard risk</u> the Severe Natural Hazard Overlays where there is <u>no reasonable alternative</u> an operational need or functional need to be located within these overlays, and to design <u>the</u> infrastructure so as not to <u>exacerbate natural hazard</u> increase the risk to people and <u>property</u> other buildings.</p>	<p><u>activities and potentially hazard sensitive activities regionally significant infrastructure within severe natural ... and to design buildings and on-site infrastructure so as not to increase the risk to adjacent people, and other buildings or regionally significant infrastructure.</u></p>
S547.0518	NHO3	Amend	Amend Objective NH-O3 to read: “To only locate regionally significant infrastructure within areas of significant natural hazard risk where		As sought in original submission.

			there is a functional or operational need to be located in these areas, and to design infrastructure so as not to exacerbate natural hazard risk to other people and property”				
FS222.0373	NHO4	Oppose	<p>Reword the objective as follows:</p> <p>NH - O4 To ensure the role of hazard mitigation played by natural features that minimise impacts of hazards including wetlands and dunes is recognised and protected.</p> <p><u>Recognise that Green Infrastructure may reduce the susceptibility of people, buildings, and regionally significant infrastructure to damage from natural hazards and can result in environmental</u></p>	<p>Amended NH-O3 (previously NH-O4),</p> <table border="1"> <tr> <td>NH - O4O3</td> <td> <p>To ensure Green Infrastructure that reduces the rolesusceptibility of hazard mitigation played by people, buildings, and regionally significant infrastructure to damage from natural features that minimise impacts of hazards including wetlands and dunes is recognisedare created, retained, or enhanced and protected.</p> </td> </tr> </table>	NH - O4O3	<p>To ensure Green Infrastructure that reduces the rolesusceptibility of hazard mitigation played by people, buildings, and regionally significant infrastructure to damage from natural features that minimise impacts of hazards including wetlands and dunes is recognisedare created, retained, or enhanced and protected.</p>	<p>Amendment as follows:</p> <p><i>“... are created, retained, or enhanced and protected or <u>enhanced and any adverse effects on such infrastructure are avoided remedied or mitigated</u>”</i></p>
NH - O4O3	<p>To ensure Green Infrastructure that reduces the rolesusceptibility of hazard mitigation played by people, buildings, and regionally significant infrastructure to damage from natural features that minimise impacts of hazards including wetlands and dunes is recognisedare created, retained, or enhanced and protected.</p>						

			benefits that should be enabled, enhanced, or protected.						
FS222.0377	NHO6	Oppose	Amend Objective NH-O6 as follows: “Measures taken to mitigate natural hazards do not create or exacerbate significant adverse effects on other people, property, infrastructure and the environment.”	Amended NH-O5 (previously NH-O6), <table border="1"> <tr> <td>NH - O6 O5</td> <td>Measures taken to mitigate natural hazards do not create or exacerbate adverse effects on other people, property, infrastructure buildings and the environment regionally significant infrastructure.</td> </tr> </table>	NH - O6 O5	Measures taken to mitigate natural hazards do not create or exacerbate adverse effects on other people, property, infrastructure buildings and the environment regionally significant infrastructure.	The following amendment to the wording: “...increase the risks to other people, buildings, and regionally significant infrastructure”		
NH - O6 O5	Measures taken to mitigate natural hazards do not create or exacerbate adverse effects on other people, property, infrastructure buildings and the environment regionally significant infrastructure.								
S547.0520	NHP1	Support	That Policy NH-P1 be retained	Amended NH-P1 <table border="1"> <tr> <td>NH - P1</td> <td>Identify in areas subject to natural hazards within Te Tai o Poutini Plan and take a risk-based approach to the management of subdivision, use and development based on: a. The sensitivity of the activities to the impacts of natural hazards; b. The risk posed to people’s lives and wellbeing, buildings and regionally significant infrastructure, by considering the likelihood and consequences of natural hazard overlays areas at significant risk from natural hazards events; and c. The operational need or functional need for some activities to locate within the Natural Hazard Overlays.</td> </tr> </table> New Definitions for activities that may have different levels of sensitivity to natural hazards, <table border="1"> <tr> <td>HAZARD SENSITIVE ACTIVITY</td> <td>means buildings accommodating: a. Residential activity, including residential units, respite care, sleep outs and rehabilitation housing b. Visitor accommodation and worker accommodation c. Retirement village d. Healthcare and Medical Activities e. Community facility f. Critical response facility</td> </tr> </table>	NH - P1	Identify in areas subject to natural hazards within Te Tai o Poutini Plan and take a risk-based approach to the management of subdivision, use and development based on: a. The sensitivity of the activities to the impacts of natural hazards; b. The risk posed to people’s lives and wellbeing, buildings and regionally significant infrastructure, by considering the likelihood and consequences of natural hazard overlays areas at significant risk from natural hazards events; and c. The operational need or functional need for some activities to locate within the Natural Hazard Overlays.	HAZARD SENSITIVE ACTIVITY	means buildings accommodating: a. Residential activity, including residential units, respite care, sleep outs and rehabilitation housing b. Visitor accommodation and worker accommodation c. Retirement village d. Healthcare and Medical Activities e. Community facility f. Critical response facility	Wording as originally notified, or amendments which ensure the policy aligns with the new direction of the chapter which relates to categories of activities dependent on their sensitivity to natural hazards.
NH - P1	Identify in areas subject to natural hazards within Te Tai o Poutini Plan and take a risk-based approach to the management of subdivision, use and development based on: a. The sensitivity of the activities to the impacts of natural hazards; b. The risk posed to people’s lives and wellbeing, buildings and regionally significant infrastructure, by considering the likelihood and consequences of natural hazard overlays areas at significant risk from natural hazards events; and c. The operational need or functional need for some activities to locate within the Natural Hazard Overlays.								
HAZARD SENSITIVE ACTIVITY	means buildings accommodating: a. Residential activity, including residential units, respite care, sleep outs and rehabilitation housing b. Visitor accommodation and worker accommodation c. Retirement village d. Healthcare and Medical Activities e. Community facility f. Critical response facility								

				<p>POTENTIALLY HAZARD SENSITIVE ACTIVITY</p> <p>means buildings accommodating:</p> <ul style="list-style-type: none"> a. Commercial activity b. Crematoriums and funeral homes c. Entertainment facility d. Food and beverage activity e. Industrial activity f. Stadium activity g. Retail activity h. Rural industrial. 	<p>Specifically the wording amendments as follows: <i>“b. The risk posed to people’s lives and wellbeing, buildings and regionally significant infrastructure, by e Considering the likelihood and consequences of natural hazard events...”</i></p> <p>Amendments to the new four definitions that have been introduced for hazards sensitive activities.</p>
			<p>LESS HAZARD SENSITIVE ACTIVITY</p> <p>means</p> <ul style="list-style-type: none"> a. Buildings used for non-habitable purposes b. Fences c. Minor storage facilities d. Parks facilities e. Parks furniture f. Buildings associated with primary production, including intensive indoor primary production g. West Coast Regional Council monitoring structures h. Buildings associated with port activities i. Buildings associated with quarrying and mining activities j. Decks k. Buildings and structures associated with any other activity that is not identified as a Hazard Sensitive Activity or Potentially Hazard Sensitive Activity 		
S547.124	NHP2	Amend	Amend: “Where a natural hazard ... significant, apply a	<p>Amended NH-P2</p> <p>NH - P2</p> <p>Where a natural hazard has been identified and the natural hazard risk to people and communities is unquantified but evidence suggests that the risk is potentially significant; uncertain apply a precautionary approach to allowing development or subdivision, use and development of the area.</p>	<p>Wording amendments sought as follows:</p>

			precautionary approach to <u>managing natural hazard risk.</u> "		"... subdivision, use and development <u>for hazard sensitive and potentially hazard sensitive activities in identified areas.</u> "	
S547.125	NHP3	Amend	<p>(1) Amend item c., "Recognising <u>and providing for</u> circumstances <u>where</u> hard engineering solutions may be the only practical means of protecting existing communities, <u>energy activities and infrastructure, including</u> critical infrastructure; <u>or</u>"</p> <p>(2) Add a new item d., "<u>Recognising and providing for the locational, technical, functional and operational constraints and</u></p>	<p>Amended NHP-3,</p> <table border="1"> <tr> <td>NH - P3</td> <td> <p>When managing natural hazards:</p> <ul style="list-style-type: none"> a. Promote the use of natural features <u>green infrastructure</u> and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risks; and b. Avoid increasing risk to people, property and the environment <u>buildings</u>; while c. Recognising that in some circumstances hard engineering solutions may be the only practical means of protecting <u>existing</u> communities and <u>critical regionally significant infrastructure; and</u> d. <u>Enabling natural hazard mitigation works where these works are being undertaken by a Statutory Agency or their nominated contractor acting on their behalf and these will decrease the existing risk to people's lives and wellbeing, buildings and regionally significant infrastructure.</u> </td> </tr> </table>	NH - P3	<p>When managing natural hazards:</p> <ul style="list-style-type: none"> a. Promote the use of natural features <u>green infrastructure</u> and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risks; and b. Avoid increasing risk to people, property and the environment <u>buildings</u>; while c. Recognising that in some circumstances hard engineering solutions may be the only practical means of protecting <u>existing</u> communities and <u>critical regionally significant infrastructure; and</u> d. <u>Enabling natural hazard mitigation works where these works are being undertaken by a Statutory Agency or their nominated contractor acting on their behalf and these will decrease the existing risk to people's lives and wellbeing, buildings and regionally significant infrastructure.</u>
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					<p>Amend item c.;</p> <p><i>"Recognising in g that in some and provide for circumstances <u>where</u> hard ..."</i></p> <p>Inclusion of new item (e): "<u>Recognising and providing for the functional and operational need of infrastructure, network utilities and Regionally Significant</u></p>	

			requirements of energy activities, including energy aspects of infrastructure and critical infrastructure."		<i>Infrastructure</i> <i>e"</i> .				
FS222.0369	NHP10 (Now P7)	Oppose	<p>Introduce a new policy to address subdivision, use and development within the Coastal Severe Overlay. The suggested wording is as follows:</p> <p>Avoid subdivision, use and development for Hazard Sensitive Activities in the Coastal Severe Overlay unless:</p> <p>a. For activities that have an operational or functional need to locate or occur within the Coastal Severe Overlay and locating or occurring outside these areas is not a practicable option:</p> <p>i. Mitigation measures are incorporated to minimise</p>	<p>New NH-P7 (previously NH-P10),</p> <table border="1"> <tr> <td>NH - P10P7</td> <td> <p>Avoid subdivision, use and development of sensitive activities within Potentially Hazard Sensitive and Hazard Sensitive Activities in the Coastal Severe Severe Natural Hazard and Flood Severe Hazard overlays unless it can be demonstrated that:</p> <p>a. The activity subdivision, use or development has an operational and functional need to locate within the hazard area; and</p> <p>b. That The subdivision, use or development incorporates mitigation measures that reduce or do not increase the existing risk to people, buildings and regionally significant infrastructure; and</p> <p>c. In the Flood Severe Overlay the risk to people, buildings and regionally significant infrastructure on adjacent sites is not increased as a result of the activity incorporates proceeding; or</p> <p>d. In the Coastal Hazard Erosion and Inundation Overlay there are existing or proposed coastal erosion mitigation of risk structures that are certified by an engineer to life, property provide protection from coastal erosion and meeting the environment following design requirements:</p> <ul style="list-style-type: none"> ▪ Have a batter slope of 1:2.5 or less; ▪ Must be embedded a minimum of 1.0 metre into the beach terrain, ideally reaching a level below the low water mark level; ▪ The rock just be of sound composition with a minimum density of 2.6 tonnes per cubic metre; and ▪ The rock must have a minimum D50 (median diameter) of 800mm and there is significant public or environmental benefit in doing so be well graded and constructed to form a competent lining. </td> </tr> </table> <p>New NH-P15 inserted,</p> <table border="1"> <tr> <td>NH - P13</td> <td> <p>Only allow for the construction of a single residential unit on an existing vacant site located within the Severe Natural Hazard Overlays, where:</p> <p>a. Locating a residential unit on a site outside of the Severe Natural Hazard Overlays is not a practicable option; and</p> <p>b. Mitigation measures are incorporated into the building to minimise the risk to life of the occupants and the structural integrity of the building in the event of a natural hazard that relates to the overlay.</p> </td> </tr> </table> <p>New NH-P15 inserted,</p>	NH - P10P7	<p>Avoid subdivision, use and development of sensitive activities within Potentially Hazard Sensitive and Hazard Sensitive Activities in the Coastal Severe Severe Natural Hazard and Flood Severe Hazard overlays unless it can be demonstrated that:</p> <p>a. The activity subdivision, use or development has an operational and functional need to locate within the hazard area; and</p> <p>b. That The subdivision, use or development incorporates mitigation measures that reduce or do not increase the existing risk to people, buildings and regionally significant infrastructure; and</p> <p>c. In the Flood Severe Overlay the risk to people, buildings and regionally significant infrastructure on adjacent sites is not increased as a result of the activity incorporates proceeding; or</p> <p>d. In the Coastal Hazard Erosion and Inundation Overlay there are existing or proposed coastal erosion mitigation of risk structures that are certified by an engineer to life, property provide protection from coastal erosion and meeting the environment following design requirements:</p> <ul style="list-style-type: none"> ▪ Have a batter slope of 1:2.5 or less; ▪ Must be embedded a minimum of 1.0 metre into the beach terrain, ideally reaching a level below the low water mark level; ▪ The rock just be of sound composition with a minimum density of 2.6 tonnes per cubic metre; and ▪ The rock must have a minimum D50 (median diameter) of 800mm and there is significant public or environmental benefit in doing so be well graded and constructed to form a competent lining. 	NH - P13	<p>Only allow for the construction of a single residential unit on an existing vacant site located within the Severe Natural Hazard Overlays, where:</p> <p>a. Locating a residential unit on a site outside of the Severe Natural Hazard Overlays is not a practicable option; and</p> <p>b. Mitigation measures are incorporated into the building to minimise the risk to life of the occupants and the structural integrity of the building in the event of a natural hazard that relates to the overlay.</p>	<p>Amend NH-P7 clause b. as follows: <i>"The subdivision ... risk to people, buildings and regionally significant infrastructure on adjacent sites, or"</i></p>
NH - P10P7	<p>Avoid subdivision, use and development of sensitive activities within Potentially Hazard Sensitive and Hazard Sensitive Activities in the Coastal Severe Severe Natural Hazard and Flood Severe Hazard overlays unless it can be demonstrated that:</p> <p>a. The activity subdivision, use or development has an operational and functional need to locate within the hazard area; and</p> <p>b. That The subdivision, use or development incorporates mitigation measures that reduce or do not increase the existing risk to people, buildings and regionally significant infrastructure; and</p> <p>c. In the Flood Severe Overlay the risk to people, buildings and regionally significant infrastructure on adjacent sites is not increased as a result of the activity incorporates proceeding; or</p> <p>d. In the Coastal Hazard Erosion and Inundation Overlay there are existing or proposed coastal erosion mitigation of risk structures that are certified by an engineer to life, property provide protection from coastal erosion and meeting the environment following design requirements:</p> <ul style="list-style-type: none"> ▪ Have a batter slope of 1:2.5 or less; ▪ Must be embedded a minimum of 1.0 metre into the beach terrain, ideally reaching a level below the low water mark level; ▪ The rock just be of sound composition with a minimum density of 2.6 tonnes per cubic metre; and ▪ The rock must have a minimum D50 (median diameter) of 800mm and there is significant public or environmental benefit in doing so be well graded and constructed to form a competent lining. 								
NH - P13	<p>Only allow for the construction of a single residential unit on an existing vacant site located within the Severe Natural Hazard Overlays, where:</p> <p>a. Locating a residential unit on a site outside of the Severe Natural Hazard Overlays is not a practicable option; and</p> <p>b. Mitigation measures are incorporated into the building to minimise the risk to life of the occupants and the structural integrity of the building in the event of a natural hazard that relates to the overlay.</p>								

			<p>the risk of damage to buildings and loss of life to people associated with the activity; or</p> <p>b. For any other activities:</p> <p>i. The new building does not increase the risk to life when compared to the existing situation as determined by a quantified risk assessment which assesses the coastal hazard, and the nature and use of the proposed building;</p> <p>ii. The new building incorporates measures that avoid increasing the existing risk to</p>	<p>NH - P15</p>	<p>Only allow for the construction of buildings associated with Hazard Sensitive Activities and Potentially Hazard Sensitive Activities within a Severe Natural Hazard Overlay where:</p> <p>a. Locating a building on the site outside of the Severe Natural Hazard Overlay is not a practicable option on Māori Purpose Zone land; and</p> <p>b. Mitigation measures are incorporated into the building to mitigate the risk to life of the occupants and maintain the structural integrity of the building from the severe natural hazard.</p>	
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			<p>the building from the coastal hazard;</p> <p>iii. The new development does not involve or require the removal or modification of a natural system or feature that provides protection to other properties from the natural hazard.</p>						
S547.133	NHP11 (Now P8)	Support	Retain	<p>New NH-P8 (previously NH-P11),</p> <table border="1"> <tr> <td>NH - P11P8</td> <td> <p>Allow Provide for subdivision, use and development for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Land Instability Alert, Coastal Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2, Flood Alert and, Flood Susceptibility overlays and Earthquake Susceptibility Hazard Overlays where:</p> <p>a. Mitigation measures avoid Measures are incorporated to mitigate the risk to life people, buildings and minimise risk to property and the environment regionally significant infrastructure; and</p> <p>b. The In the Flood Susceptibility and Land Instability Overlays the risk to adjacent properties, activities people and people buildings on adjacent sites is not increased as a result of the activity proceeding.</p> </td> </tr> </table> <p>New NH-P15 inserted,</p> <table border="1"> <tr> <td>NH - P14</td> <td> <p>Only allow for the construction of buildings associated with Hazard Sensitive Activities and Potentially Hazard Sensitive Activities within the Scenic Visitor Zone and within the Coastal Hazard Erosion and Inundation Overlay, where:</p> <p>a. Locating a building on the site outside of the Coastal Hazard Erosion and Inundation</p> </td> </tr> </table>	NH - P11P8	<p>Allow Provide for subdivision, use and development for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Land Instability Alert, Coastal Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2, Flood Alert and, Flood Susceptibility overlays and Earthquake Susceptibility Hazard Overlays where:</p> <p>a. Mitigation measures avoid Measures are incorporated to mitigate the risk to life people, buildings and minimise risk to property and the environment regionally significant infrastructure; and</p> <p>b. The In the Flood Susceptibility and Land Instability Overlays the risk to adjacent properties, activities people and people buildings on adjacent sites is not increased as a result of the activity proceeding.</p>	NH - P14	<p>Only allow for the construction of buildings associated with Hazard Sensitive Activities and Potentially Hazard Sensitive Activities within the Scenic Visitor Zone and within the Coastal Hazard Erosion and Inundation Overlay, where:</p> <p>a. Locating a building on the site outside of the Coastal Hazard Erosion and Inundation</p>	<p>Amendment to the wording to ensure NH-P8(a) is consistent with (b).</p> <p>Amend clause a.;</p> <p><i>“Measures are incorporated ... risk to people, buildings and regionally</i></p>
NH - P11P8	<p>Allow Provide for subdivision, use and development for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Land Instability Alert, Coastal Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2, Flood Alert and, Flood Susceptibility overlays and Earthquake Susceptibility Hazard Overlays where:</p> <p>a. Mitigation measures avoid Measures are incorporated to mitigate the risk to life people, buildings and minimise risk to property and the environment regionally significant infrastructure; and</p> <p>b. The In the Flood Susceptibility and Land Instability Overlays the risk to adjacent properties, activities people and people buildings on adjacent sites is not increased as a result of the activity proceeding.</p>								
NH - P14	<p>Only allow for the construction of buildings associated with Hazard Sensitive Activities and Potentially Hazard Sensitive Activities within the Scenic Visitor Zone and within the Coastal Hazard Erosion and Inundation Overlay, where:</p> <p>a. Locating a building on the site outside of the Coastal Hazard Erosion and Inundation</p>								

				<p>Overlay is not a practicable option; and</p> <p>b. Mitigation measures are incorporated into the building to mitigate the risk to life of the occupants and maintain the structural integrity of the building from coastal erosion or coastal inundation.</p>	<p><i>significant infrastructure on adjacent sites”, and</i></p> <p>Consistent with provisions above amend clause b., “<i>In the Flood ...risk to people and, buildings and regionally significant infrastructure on adjacent sites is not ...</i>”</p>
S547.134	NHP12 (Now P9)	Amend	Amend item g., “The locational, technical, functional and operational need constraints and requirements of activities needing to locate in these areas; and ...”	New NH-P9 (previously NH-P12),	Given the significant amendments to this chapter NH-P9 should, given NH-P6, NH-P7 and NH-P8, refer to “... <i>subdivision, use and development</i>

			<p>NH - P12P9</p> <p>When assessing the actual and potential effects of activities subdivision, use and development in natural hazard overlays the Natural Hazard Overlays consider:</p> <ol style="list-style-type: none"> The effects level of risk posed by natural hazards onto people, property buildings and the environment regionally significant infrastructure; Technological Existing and proposed technological and engineering mitigation measures and other non-engineered options; The location and design of proposed sites, buildings, vehicle access, earthworks and on-site infrastructure in relation to the natural hazard risk; The clearance or retention of vegetation or other natural features to mitigate natural hazard risk; The timing, location, scale and nature of any earthworks in relation to the natural hazard risk; The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.; The functional need or operational need to locate in these areas; and Any significant adverse effects on the environment of any proposed mitigation measures. <p>New Policy 12 inserted,</p> <p>NH - P12</p> <p>Only allow for hard engineering natural hazards mitigation works for the reduction of the risk from coastal hazards where:</p> <ol style="list-style-type: none"> The engineering measures are needed to protect existing nationally and regionally significant infrastructure and it can be demonstrated that there is no practicable alternative; There is a demonstrable risk to existing nationally and regionally significant infrastructure, life or private property from the coastal hazard; The construction of the hard engineering measures will not increase the risk from Coastal Hazards on adjacent properties that are not protected by the hard engineering measures; Hard engineering structures are designed to minimise adverse effects on the coastal environment Adverse effects on significant natural features and systems and their function as natural defences are avoided, remedied or mitigated; and It can be demonstrated that green infrastructure measures would not provide an appropriate level of protection in relation to the significance of the risk. 	<p><i>for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the ..."</i></p> <p>Clause a. is sought to be amended to refer to people and buildings only given the categories of hazard sensitive activities; "The level of risk ... to people and buildings and regionally significant infrastructure".</p> <p>Consistent with provisions above amend clause f.,</p>
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					<p><i>“The potential for ... risk, including transferring risk, to <u>people, buildings and regionally significant infrastructure on adjacent sites.</u>”</i></p> <p>In regard to the new NH P12:</p> <ul style="list-style-type: none">• We raise concern with the process which has resulted in NH-P12 being inserted into the chapter.• If retained additional amendment to the wording of
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					<p>NH12 is sought as:</p> <ul style="list-style-type: none">• it is unclear how these matters (a)-(f) relate to each other, ie. are they individual topics,• whether the policy is for consideration of resource consent applications or not, given the “<i>only allow</i>” wording at beginning of the policy. <p>We seek policy R12 is enabling in these</p>
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					<p>circumstances for example: “enable hard engineering ...”</p> <p>For consistency, particularly with clause e., clause d. of new R12 is sought to be amended to require “<i>avoidance, remedy or mitigation of adverse effects</i>”.</p> <p>A definition of “<i>hard engineering</i>” is sought.</p>
FS222.078	NHP12 (now P9)	Oppose	Amend Policy NH-P12: When assessing the effects of activities in natural hazard overlays consider: <ul style="list-style-type: none"> a. The effects of natural hazards on people, property and 		As sought in further submission.

			<p>the environment;</p> <p>b. Technological and engineering mitigation measures and other non-engineered options;</p> <p>c. <u>Discouraging hard protection structures and avoiding hard protection structures in the Coastal Environment;</u></p> <p>d. The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;</p> <p>e. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk;</p> <p>f. The timing, location, scale and nature of</p>	
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			<p>any earthworks in relation to natural hazard risk;</p> <p>g. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site;</p> <p>h. The functional or operational need to locate in these areas; and</p> <p>i. Any significant adverse effects on the environment of any proposed mitigation measures.</p>	
FS222.0384	NHP12 (Now P9)	Oppose	<p>Amend Policy NH-P12:</p> <p>When assessing the effects of activities in natural hazard overlays consider:</p> <p>a. The effects of natural hazards on people, property and the environment;</p>	As sought in further submission.

			<ul style="list-style-type: none"> b. Technological and engineering mitigation measures and other non-engineered options; c. <u>Discouraging hard protection structures and avoiding hard protection structures in the Coastal Environment;</u> d. The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk; e. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk; f. The timing, location, scale and nature of 	
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			<p>any earthworks in relation to natural hazard risk;</p> <p>g. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site;</p> <p>h. The functional or operational need to locate in these areas; and</p> <p>i. Any significant adverse effects on the environment of any proposed mitigation measures.</p>		
S547.0514	Natural Hazards Rules	Neutral	That notwithstanding any Changes to Overlays resulting from Variation 2: Coastal natural Hazards mapping, the TTPP continue to encourage and provide for the continued distribution of		As sought in original submission.

			electricity to the community and Westpower's other activities associated with this as "Regionally Significant Infrastructure".	
FS222.0370	Natural Hazards Rules	Oppose	<p>Create a rule framework that allows for maintenance and repair of existing natural mitigation structures as upgrades that do not increase the footprint or height of the structure by more than 10% as a permitted activity. Any works that do not meet this requirement would be a discretionary activity. This rule would need to be supported by a policy. Suggested wording would be:</p> <p>Hard engineering natural hazard mitigation works</p> <p>Only allow for hard engineering natural hazards mitigation works for the</p>	<ul style="list-style-type: none"> • We raise concern with the process which has resulted in NH-P12 being inserted into the chapter. • If retained additional amendment to the wording of NH12 is sought as: <ul style="list-style-type: none"> • it is unclear how these matters (a)-(f) relate to each other, ie. are they

		<p>reduction of the risk from coastal hazards where:</p> <ol style="list-style-type: none"> 1. The engineering measures are needed to protect existing nationally and regionally significant infrastructure and it can be demonstrated that there is no practicable alternative; 2. There is a demonstrable risk to existing nationally and regionally significant infrastructure, life or private property from the coastal hazard; 3. The construction of the hard engineering measures will not increase the risk from Coastal Hazards on adjacent properties that 		<p>individual topics,</p> <ul style="list-style-type: none"> • whether the policy is for consideration of resource consent applications or not, given the “<i>only allow</i>” wording at beginning of the policy. <p>We seek policy R12 is enabling in these circumstances for example: “enable hard engineering ...”</p> <p>For consistency, particularly with clause e., clause d. of new R12 is sought to be</p>
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			<p>are not protected by the hard engineering measures;</p> <p>4. Hard engineering structures are designed to minimise adverse effects on the coastal environment</p> <p>5. Adverse effects on significant natural features and systems and their function as natural defences are avoided, remedied or mitigated; and</p> <p>6. It can be demonstrated that green infrastructure measures would not provide an appropriate level of protection in relation to the significance of the risk.</p>		<p>amended to require <i>“avoidance, remedy or mitigation of adverse effects”</i>.</p> <p>A definition of <i>“hard engineering”</i> is sought.</p>
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FS222.079	NHR2	Oppose	<p>Amend Rule NH-R2:</p> <p>Activity Status Permitted Where:</p> <p>The structure has been lawfully established; Earthworks and land disturbance is the minimum required to undertake the activity contained wholly within the footprint of the mitigation structure;</p> <p>There is no change to the design, texture, or form of the structure; The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure; and There is no reduction in public access....</p>	<p>Amended NH-R2,</p> <table border="1" data-bbox="902 153 1951 940"> <tr> <td data-bbox="902 153 1115 220">NH - R2</td> <td data-bbox="1115 153 1951 220">Repairs, Maintenance and Operation of any Upgrades to Existing Natural Hazard Mitigation Structure Structures</td> </tr> <tr> <td colspan="2" data-bbox="902 229 1637 940"> <p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The structure has been lawfully established; Earthworks and land disturbance is the minimum required to undertake the activity; There is no change to the design, texture, or form of the structure; The materials used are the same as the original, or most significant material, or the closest equivalent provided that only Only cleanfill is used where fill materials are part of the structure; and There is no reduction in public access; There is no change to more than 10% to the overall dimensions, orientation, height or length of the structure from that originally lawfully established structure; and It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing. <p>Advice Notes:</p> <ol style="list-style-type: none"> Where any natural hazard mitigation structure is also located in the Coastal Environment another Overlay Chapter area as identified on the planning maps and in the Schedules 1-8 then resource consent may be required under the relevant Overlay Chapter rules. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan. </td> <td data-bbox="1637 229 1951 940"> <p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary</p> </td> </tr> </table>	NH - R2	Repairs, Maintenance and Operation of any Upgrades to Existing Natural Hazard Mitigation Structure Structures	<p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The structure has been lawfully established; Earthworks and land disturbance is the minimum required to undertake the activity; There is no change to the design, texture, or form of the structure; The materials used are the same as the original, or most significant material, or the closest equivalent provided that only Only cleanfill is used where fill materials are part of the structure; and There is no reduction in public access; There is no change to more than 10% to the overall dimensions, orientation, height or length of the structure from that originally lawfully established structure; and It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing. <p>Advice Notes:</p> <ol style="list-style-type: none"> Where any natural hazard mitigation structure is also located in the Coastal Environment another Overlay Chapter area as identified on the planning maps and in the Schedules 1-8 then resource consent may be required under the relevant Overlay Chapter rules. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan. 		<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary</p>	<p>Given R2 has been amended - amendment to R2.7. "it is accompanied by ... risk to other properties, <u>regionally significant infrastructure</u> or any other lawfully ..."</p>
NH - R2	Repairs, Maintenance and Operation of any Upgrades to Existing Natural Hazard Mitigation Structure Structures									
<p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The structure has been lawfully established; Earthworks and land disturbance is the minimum required to undertake the activity; There is no change to the design, texture, or form of the structure; The materials used are the same as the original, or most significant material, or the closest equivalent provided that only Only cleanfill is used where fill materials are part of the structure; and There is no reduction in public access; There is no change to more than 10% to the overall dimensions, orientation, height or length of the structure from that originally lawfully established structure; and It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing. <p>Advice Notes:</p> <ol style="list-style-type: none"> Where any natural hazard mitigation structure is also located in the Coastal Environment another Overlay Chapter area as identified on the planning maps and in the Schedules 1-8 then resource consent may be required under the relevant Overlay Chapter rules. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan. 		<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary</p>								

<p>FS222.0385</p>	<p>NHR2</p>	<p>Oppose</p>	<p>Amend Rule NH-R2:</p> <p>Activity Status Permitted</p> <p>Where: The structure has been lawfully established;</p> <p>Earthworks and land disturbance is the minimum required to undertake the activity <u>contained wholly within the footprint of the mitigation structure;</u></p> <p>There is no change to the design, texture, or form of the structure;</p> <p>The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure; and</p>		<p>Given R2 has been amended - amendment to R2.7. <i>"it is accompanied by ... risk to other properties, <u>regionally significant infrastructure</u> or any other lawfully ..."</i></p>
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			There is no reduction in public access...		
FS222.081	NHR4	Oppose	<p>Amend Rule NH-R4: Activity Status Permitted Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The structure is located outside of any Overlay Chapter area identified in Schedules 1-8; Earthworks and land disturbance is the minimum required to undertake the activity; There is no reduction in public access; It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation 	<p>Amended NH-R4,</p> <p>NH - R4 New Natural Hazard Mitigation Structure and Repairs. Maintenance and Operation of any Minor Upgrades to or Demolition of Existing Natural Hazard Mitigation Structures or not meeting Permitted Activity Standards</p> <p>Activity Status Permitted Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The structure is located outside of any Overlay Chapter area identified in Schedules 1-8 constructed by a Statutory Agency or their nominated authorised contractor acting on its behalf; Earthworks and land disturbance is the minimum required to undertake the activity; There is no reduction in public access; It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing. <p>Discretion is Restricted to:</p> <ol style="list-style-type: none"> the effects on people and property; The effects on the natural character of the coastal environment; The effects on Poutini Ngāi Tahu values, and archaeological sites, historic heritage or on any Site and Areas of Significance to Māori identified in Schedule Three; The effects on public access; Volume and area of earthworks; Effects on ecosystems and indigenous biodiversity; Measures to mitigate landscape effects; and The functional need or operational need of the activity. <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan. Natural Hazard Mitigation Structures constructed in the Coastal Environment, or within the Riparian Margins of Waterbodies or within areas identified in Schedules 1 - 8 will be subject to the provisions in the relevant Overlay Chapters. if the Overlay Chapters don't provide provide for this activity then NH-R4-R3 prevails 	<p>Amendment to the Rule title which, in error states: “Repairs, Maintenance and Operation of Any Minor Upgrades”, ie “New ... and Operation and upgrade to or ...”</p> <p>Make headings consistent regarding “operation” to ensure consent requirements are not triggered through lack of appropriate referencing. Noting “operation” has been removed</p>

			<p>structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing...</p> <p><u>Discretion is restricted to:</u></p> <p><u>1. The effects of natural hazards on people and property;</u></p> <p><u>2. Considering whether the proposed earthworks and land disturbance is the minimum required to undertake the activity;</u></p>		<p>from NH-R2 and NH-R8.</p> <p>With reference to amended NH-R2 above and NH-R8 (previously NH-R5) below the reference should be to "<u>Upgrades</u>" and not "Minor Upgrades".</p> <p>Given the wording of R2 includes the matters in clauses 3. and 4. they will either have been provided for R2 or be a reason for a consent being required. Delete clauses 3. (given discretion matter d.) and 4. (with amendment</p>
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		<p><u>3. Technological and engineering mitigation measures and other non-engineered options;</u></p> <p><u>4. Discouraging hard protection structures;</u></p> <p><u>5. The location and design of the natural hazard mitigation structure;</u></p> <p><u>6. Any freeboard requirements to be included;</u></p> <p><u>7. The management of vegetation or other natural features to mitigate natural hazard risk;</u></p> <p><u>8. The timing, location, scale and nature of any earthworks in relation to the</u></p>		<p>to discretion matter a. – the effects on other people, and property, <u>regionally significant infrastructure or other lawfully established natural hazard mitigation structures.</u></p> <p>The additional matters of discretion as follows; <u>“(i) the risk to Regionally Significant Infrastructure from not undertaking the works;</u> <u>(j) the effects on the community of damage</u></p>
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			<p><u>natural hazard structure;</u></p> <p>9. Adverse effects on ecosystems and indigenous biodiversity;</p> <p>10. Any other adverse effects on the environment of the proposed natural hazard mitigation structure; and</p> <p>11. Alternative methods to avoid or mitigate the identified hazard risks....</p>	<p><i>or loss of the Regionally Significant Infrastructure.”</i></p> <p>Relief is sought that there is a Controlled Activity category available for Statutory Agencies.</p>
FS222.0387	NHR4	Oppose	<p>Amend Rule NH-R4:</p> <p>Activity Status Permitted <u>Restricted</u> <u>Discretionary</u></p> <p>Where:</p> <ol style="list-style-type: none"> 1. The structure is located outside of any Overlay Chapter area identified in Schedules 1-8; 2. Earthworks and land disturbance is 	<p>Amendment to the Rule title which in error states: Repairs, Maintenance and Operation of Any Minor Upgrades”, ie “New ... and Operation <u>and upgrade to or ...</u>”</p> <p>Make headings</p>

			<p>the minimum required to undertake the activity;</p> <p>3. There is no reduction in public access;</p> <p>4. It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to</p>		<p>consistent regarding “operation” to ensure consent requirements are not triggered through lack of appropriate referencing. Noting “operation” has been removed from NH-R2 and NH-R8.</p> <p>With reference to amended NH-R2 above and NH-R8 (previously NH-R5) below the reference should be to <u>“Upgrades”</u> and not “Minor Upgrades”.</p> <p>Given the wording of R2 includes the matters in clauses 3.</p>
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			<p>works commencing...</p> <p><u>Discretion is restricted to:</u></p> <p><u>1. The effects of natural hazards on people and property;</u></p> <p><u>2. Considering whether the proposed earthworks and land disturbance is the minimum required to undertake the activity;</u></p> <p><u>3. Technological and engineering mitigation measures and other non-engineered options;</u></p> <p><u>4. Discouraging hard protection structures;</u></p> <p><u>5. The location and design of the natural hazard mitigation structure;</u></p>		<p>and 4. they will either have been provided for R2 or be a reason for a consent being required. Delete clauses 3. (given discretion matter d.) and 4. (with amendment to discretion matter a. – the effects on other people, and property, <u>regionally significant infrastructure or other lawfully established natural hazard mitigation structures.</u></p> <p>The additional matters of discretion as follows;</p>
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		<p><u>6. Any freeboard requirements to be included;</u></p> <p><u>7. The management of vegetation or other natural features to mitigate natural hazard risk;</u></p> <p><u>8. The timing, location, scale and nature of any earthworks in relation to the natural hazard structure;</u></p> <p><u>9. Adverse effects on ecosystems and indigenous biodiversity;</u></p> <p><u>10. Any other adverse effects on the environment of the proposed natural hazard mitigation structure; and</u></p> <p><u>11. Alternative methods to avoid or mitigate the identified hazard risks....</u></p>		<p><u>“(i) the risk to Regionally Significant Infrastructure from not undertaking the works;</u></p> <p><u>(j) the effects on the community of damage or loss of the Regionally Significant Infrastructure.”</u></p> <p>Relief is sought that there is a Controlled Activity category available for Statutory Agencies.</p>
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FS222.0388	NHR5	Oppose	<p>Amend Rule NH-R5:</p> <p>NH - R5 Repairs, Maintenance, Operation, Upgrade of Existing Natural Hazard Mitigation Structures and New Natural Hazard Mitigation Structures not meeting Permitted or Restricted Discretionary Activity Standards</p>	<p>NH-R5 has been replaced in totality and is not NH-R8,</p> <table border="1" data-bbox="902 140 1962 480"> <tr> <td data-bbox="902 140 1115 229">NH - R5R8</td> <td data-bbox="1115 140 1962 229">Repairs, Maintenance, Operation, Upgrade of Existing Natural Hazard Mitigation Structures and New Natural Hazard Mitigation Structures not meeting Permitted Restricted Discretionary Activity Standards</td> </tr> <tr> <td data-bbox="902 229 1644 480"> <p>Activity Status Discretionary</p> <p>Advice Notes:</p> <ol style="list-style-type: none"> Where any natural hazard mitigation structure is also located in <u>the Coastal Environment</u> or another Overlay Chapter area as identified on the planning maps and in the Schedules 1-8 then resource consent may be required under the relevant Overlay Chapter rules. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan. </td> <td data-bbox="1644 229 1962 480"> <p>Activity status where compliance not achieved: N/A</p> </td> </tr> </table>	NH - R5R8	Repairs, Maintenance, Operation, Upgrade of Existing Natural Hazard Mitigation Structures and New Natural Hazard Mitigation Structures not meeting Permitted Restricted Discretionary Activity Standards	<p>Activity Status Discretionary</p> <p>Advice Notes:</p> <ol style="list-style-type: none"> Where any natural hazard mitigation structure is also located in <u>the Coastal Environment</u> or another Overlay Chapter area as identified on the planning maps and in the Schedules 1-8 then resource consent may be required under the relevant Overlay Chapter rules. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan. 	<p>Activity status where compliance not achieved: N/A</p>	<p>Relief is sought that there is a Controlled Activity category available for Statutory Agencies with cascade to restricted discretionary as per Rule R4.</p>
NH - R5R8	Repairs, Maintenance, Operation, Upgrade of Existing Natural Hazard Mitigation Structures and New Natural Hazard Mitigation Structures not meeting Permitted Restricted Discretionary Activity Standards								
<p>Activity Status Discretionary</p> <p>Advice Notes:</p> <ol style="list-style-type: none"> Where any natural hazard mitigation structure is also located in <u>the Coastal Environment</u> or another Overlay Chapter area as identified on the planning maps and in the Schedules 1-8 then resource consent may be required under the relevant Overlay Chapter rules. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan. 	<p>Activity status where compliance not achieved: N/A</p>								
				<p>A range of new Rules NH-R5, NH-R6, NH-R7 and NH-R9 inserted,</p> <table border="1" data-bbox="902 708 1962 1276"> <tr> <td data-bbox="902 708 1115 798">NH - R5</td> <td data-bbox="1115 708 1962 798">The construction of buildings that will contain a residential unit within the Flood Severe Overlay, Earthquake Severe Overlay or Coastal Hazard Erosion and Inundation Overlay</td> </tr> <tr> <td data-bbox="902 798 1644 1276"> <p>Activity Status Restricted Discretionary</p> <p><u>Where:</u></p> <ol style="list-style-type: none"> It involves the construction of one residential unit on an existing vacant site that existed prior to 1 July 2022 where the residential unit is located within the Severe Natural Hazard Overlays. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The location of the residential unit on the site and whether there are any other practicable locations on the site to locate the residential unit outside of the natural hazard overlay; The mitigation measures incorporated into the residential unit to minimise the risk to life to the occupants and maintain the structural integrity of the building from the natural hazard which relates to the overlay; and Within the Flood Severe and the Coastal Hazard Erosion and Inundation Overlay the incorporation of mitigation measures into the residential unit to allow for the building to be relocated due to the future risk presented to the building from natural hazards. </td> <td data-bbox="1644 798 1962 1276"> <p>Activity status where compliance not achieved: Non-complying</p> </td> </tr> </table>	NH - R5	The construction of buildings that will contain a residential unit within the Flood Severe Overlay, Earthquake Severe Overlay or Coastal Hazard Erosion and Inundation Overlay	<p>Activity Status Restricted Discretionary</p> <p><u>Where:</u></p> <ol style="list-style-type: none"> It involves the construction of one residential unit on an existing vacant site that existed prior to 1 July 2022 where the residential unit is located within the Severe Natural Hazard Overlays. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The location of the residential unit on the site and whether there are any other practicable locations on the site to locate the residential unit outside of the natural hazard overlay; The mitigation measures incorporated into the residential unit to minimise the risk to life to the occupants and maintain the structural integrity of the building from the natural hazard which relates to the overlay; and Within the Flood Severe and the Coastal Hazard Erosion and Inundation Overlay the incorporation of mitigation measures into the residential unit to allow for the building to be relocated due to the future risk presented to the building from natural hazards. 	<p>Activity status where compliance not achieved: Non-complying</p>	<p>As these are all new rules, amendments are sought such that any activities related to energy, infrastructure, or network utilities are not impacted.</p>
NH - R5	The construction of buildings that will contain a residential unit within the Flood Severe Overlay, Earthquake Severe Overlay or Coastal Hazard Erosion and Inundation Overlay								
<p>Activity Status Restricted Discretionary</p> <p><u>Where:</u></p> <ol style="list-style-type: none"> It involves the construction of one residential unit on an existing vacant site that existed prior to 1 July 2022 where the residential unit is located within the Severe Natural Hazard Overlays. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The location of the residential unit on the site and whether there are any other practicable locations on the site to locate the residential unit outside of the natural hazard overlay; The mitigation measures incorporated into the residential unit to minimise the risk to life to the occupants and maintain the structural integrity of the building from the natural hazard which relates to the overlay; and Within the Flood Severe and the Coastal Hazard Erosion and Inundation Overlay the incorporation of mitigation measures into the residential unit to allow for the building to be relocated due to the future risk presented to the building from natural hazards. 	<p>Activity status where compliance not achieved: Non-complying</p>								

			<p>NH - R6</p> <p>The construction of buildings, and additions to buildings, that will contain Hazard Sensitive Activities or Potentially Hazard Sensitive Activities and are within the Scenic Visitor Zone and within the Coastal Hazard Erosion and Inundation Overlay</p> <p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. This is accompanied by a natural hazard risk assessment prepared by a suitably qualified and experienced person. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The risk from coastal hazards to people and property and any measures to reduce or mitigate this risk; b. The management of vegetation or other natural features to mitigate natural hazard risk; c. The potential for there to be an increase in the risk of coastal erosion to either neighbouring properties or Regionally Significant Infrastructure from either the design of the proposed development or any mitigation measures to reduce the risk to future occupants or buildings. d. Any potential impacts on the natural environment or changes in natural processes as a result of any natural hazard mitigation measures used to reduce the risk to the building; e. In respect to Community Facilities, Retirement Homes, Healthcare Facilities, Childcare Services and Educational Facilities the ability for people to be able to safely evacuate from the site in a coastal hazard event; and f. In respect to Emergency Facilities the ability for emergency vehicles and services to be able to operate during and after a coastal hazard event 	<p>Activity status where compliance not achieved: Non-complying</p>
			<p>NH - R7</p> <p>The construction of buildings, and additions to buildings, that will contain Hazard Sensitive Activities or Potentially Hazard Sensitive Activities and are within a Severe Natural Hazard Overlay</p> <p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. The construction is within Māori Purpose Zone land; and 2. This is accompanied by a natural hazard risk assessment prepared by a suitably qualified and experienced person. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The risk from natural hazards to people and property and any measures to reduce or mitigate this risk; b. The management of vegetation or other natural features to mitigate natural hazard risk; c. The potential for there to be an increase in the risk to either 	<p>Activity status where compliance not achieved: Non-complying</p>

				<p>neighbouring properties or Regionally Significant Infrastructure from either the design of the proposed development or any mitigation measures to reduce the risk to future occupants or buildings.</p> <p>d. Any potential impacts on the natural environment or changes in natural processes as a result of any natural hazard mitigation measures used to reduce the risk to the building.</p> <p>e. In respect to Community Facilities and Educational Facilities the ability for people to be able to safely evacuate from the site in a natural hazard event;</p> <p>f. In respect to Emergency Facilities the ability for emergency vehicles and services to be able to operate during and after a natural hazard event.</p>		
				<p>Non-complying Activities</p> <p>NH - R9</p> <p>The construction of buildings that will contain a residential unit within the Flood Severe Overlay, Earthquake Severe Overlay or Coastal Hazard Erosion and Inundation Overlay or; The construction of buildings, and additions to buildings, that will contain Hazard Sensitive Activities or Potentially Hazard Sensitive Activities and are within the Scenic Visitor Zone and within the Coastal Hazard Erosion and Inundation Overlay; or The construction of buildings, and additions to buildings, that will contain Hazard Sensitive Activities or Potentially Hazard Sensitive Activities and are within or the Māori Purpose Zone; not meeting the Restricted Discretionary Activity Standards</p> <p>Activity Status Non-complying</p> <p>Activity status where compliance not achieved: N/A</p>		
S547.141	NHR11 (New NH-R12)	Amend	Amend item a., "Whether there is a locational, technical, functional or operational need constraint or requirement for the facility needing to be located in a flood ..."	<p>A range of new Rules NH-R10, NH-R11, NH-R12 and NH-R9 inserted,</p> <p>NH - R10</p> <p>Additions to Existing Buildings and New Buildings containing Less Hazard Sensitive Activities in the Flood Susceptibility and Flood Severe Hazard Overlays</p> <p>Activity Status Permitted</p> <p>Activity status where compliance not achieved: N/A</p> <p>NH - R11</p> <p>Additions to Existing Buildings and New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Flood Susceptibility Hazard Overlays</p> <p>Activity Status Permitted</p> <p>Activity status where</p>		<p>An additional factor of discretion is sought to be added to the wording as set out in the original submission, and as originally notified.</p> <p>Amend clause c. of</p>

				<table border="1"> <tr> <td data-bbox="898 102 1111 188">NH - R12</td> <td data-bbox="1111 102 1951 188">Additions to Existing Buildings and New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities not meeting Permitted Activity Standards in the Flood Susceptibility Hazard Overlays</td> </tr> <tr> <td data-bbox="898 188 1637 512"> Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> The risk to people and buildings on the site from the 1% Annual Exceedance Probability Flood and the mitigation measures to reduce this risk. The risk to people and buildings on adjacent properties from the 1% Annual Exceedance Probability Flood, and the mitigation measures to reduce this risk. The impacts of the building on the conveyance of flood waters, including any potential for flood waters to be blocked or diverted onto adjacent properties </td> <td data-bbox="1637 188 1951 512"> Activity status where compliance not achieved: N/A </td> </tr> </table> <p>NH-R11 deleted,</p> <table border="1"> <tr> <td data-bbox="898 587 1111 673">NH - R11</td> <td data-bbox="1111 587 1951 673">New Critical Response Facilities and Additions and Alterations to Existing Critical Response Facilities not meeting Permitted Activity Standards in the Flood Severe and Flood Susceptibility Overlays</td> </tr> <tr> <td data-bbox="898 673 1637 1161"> Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> Whether there is a functional or operational need for the facility to be located in a Flood Severe or Flood Susceptibility Overlay area; The effects of natural hazards on people and property; The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk; Any freeboard requirements to be included; The management of vegetation or other natural features to mitigate natural hazard risk; The timing, location, scale and nature of any earthworks in relation to natural hazard risk; The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.; How the activity incorporates mitigation of risk to life, property and the environment; and Any adverse effects on the environment of any proposed natural hazard mitigation measures. </td> <td data-bbox="1637 673 1951 1161"> Activity status where compliance not achieved: N/A </td> </tr> </table>	NH - R12	Additions to Existing Buildings and New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities not meeting Permitted Activity Standards in the Flood Susceptibility Hazard Overlays	Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> The risk to people and buildings on the site from the 1% Annual Exceedance Probability Flood and the mitigation measures to reduce this risk. The risk to people and buildings on adjacent properties from the 1% Annual Exceedance Probability Flood, and the mitigation measures to reduce this risk. The impacts of the building on the conveyance of flood waters, including any potential for flood waters to be blocked or diverted onto adjacent properties 	Activity status where compliance not achieved: N/A	NH - R11	New Critical Response Facilities and Additions and Alterations to Existing Critical Response Facilities not meeting Permitted Activity Standards in the Flood Severe and Flood Susceptibility Overlays	Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> Whether there is a functional or operational need for the facility to be located in a Flood Severe or Flood Susceptibility Overlay area; The effects of natural hazards on people and property; The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk; Any freeboard requirements to be included; The management of vegetation or other natural features to mitigate natural hazard risk; The timing, location, scale and nature of any earthworks in relation to natural hazard risk; The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.; How the activity incorporates mitigation of risk to life, property and the environment; and Any adverse effects on the environment of any proposed natural hazard mitigation measures. 	Activity status where compliance not achieved: N/A	R12, “the impacts ...diverted on to adjacent properties <u>or regionally significant infrastructure</u> ”
NH - R12	Additions to Existing Buildings and New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities not meeting Permitted Activity Standards in the Flood Susceptibility Hazard Overlays												
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NH - R11	New Critical Response Facilities and Additions and Alterations to Existing Critical Response Facilities not meeting Permitted Activity Standards in the Flood Severe and Flood Susceptibility Overlays												
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				<p>New Rules NH-15, NH-16, NH-R17 and NH-R18 inserted,</p> <table border="1"> <tr> <td data-bbox="898 1209 1111 1295">NH - R14</td> <td data-bbox="1111 1209 1951 1295">Additions to Existing Buildings and New Buildings containing Less Hazard Sensitive Activities in the Earthquake Susceptibility and Earthquake Severe Hazard Overlays</td> </tr> <tr> <td data-bbox="898 1295 1637 1358">Activity Status Permitted</td> <td data-bbox="1637 1295 1951 1358">Activity status where compliance not achieved: N/A</td> </tr> </table>	NH - R14	Additions to Existing Buildings and New Buildings containing Less Hazard Sensitive Activities in the Earthquake Susceptibility and Earthquake Severe Hazard Overlays	Activity Status Permitted	Activity status where compliance not achieved: N/A	These new rules are significantly different and are not within the scope of what could				
NH - R14	Additions to Existing Buildings and New Buildings containing Less Hazard Sensitive Activities in the Earthquake Susceptibility and Earthquake Severe Hazard Overlays												
Activity Status Permitted	Activity status where compliance not achieved: N/A												

				<table border="1"> <tr> <td data-bbox="900 102 1115 193">NH - R15</td> <td data-bbox="1115 102 1951 193">Additions to Existing Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Earthquake Susceptibility and Earthquake Severe Hazard Overlays</td> </tr> <tr> <td data-bbox="900 193 1639 448"> Activity Status Restricted Discretionary Where: 1. The additions are not to a Critical Response Facility. Discretion is restricted to: a. The location of the addition or building in relation to the fault trace; and b. Consideration of the mitigation measures incorporated into the addition to minimise the risk to life to the occupants and maintain the structural integrity of the building in the event of a fault rupture. </td> <td data-bbox="1639 193 1951 448"> Activity status where compliance not achieved: Non-complying </td> </tr> <tr> <td data-bbox="900 448 1115 539">NH - R16</td> <td data-bbox="1115 448 1951 539">New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Earthquake Susceptibility Hazard Overlays</td> </tr> <tr> <td data-bbox="900 539 1639 895"> Activity Status Restricted Discretionary Where: 1. A hazard risk assessment undertaken by a suitably qualified and experienced geotechnical or geological specialist is provided; and 2. The new building is not a Critical Response Facility. Discretion is restricted to: a. The recommendations of the hazard risk assessment; b. The location, design and construction materials of the building, vehicle access and regionally significant infrastructure in relation to the likely fault deformation area; and c. Consideration of the mitigation measures incorporated into the building to minimise the risk to life to the occupants and maintain the structural integrity of the building in the event of a fault rupture. </td> <td data-bbox="1639 539 1951 895"> Activity status where compliance not achieved: Non-complying </td> </tr> <tr> <td data-bbox="900 895 1115 986">NH - R17</td> <td data-bbox="1115 895 1951 986">New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Earthquake Severe Hazard Overlay</td> </tr> <tr> <td data-bbox="900 986 1639 1077"> Activity Status Non-complying Where: 1. The new building is not a Critical Response Facility. </td> <td data-bbox="1639 986 1951 1077"> Activity status where compliance not achieved: Prohibited </td> </tr> <tr> <td data-bbox="900 1077 1115 1168">NH - R18</td> <td data-bbox="1115 1077 1951 1168">New Buildings containing Critical Response Facilities in the Earthquake Severe Hazard Overlay</td> </tr> <tr> <td colspan="2" data-bbox="900 1168 1951 1206">No application for resource consent will be accepted for this activity</td> </tr> </table>	NH - R15	Additions to Existing Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Earthquake Susceptibility and Earthquake Severe Hazard Overlays	Activity Status Restricted Discretionary Where: 1. The additions are not to a Critical Response Facility. Discretion is restricted to: a. The location of the addition or building in relation to the fault trace; and b. Consideration of the mitigation measures incorporated into the addition to minimise the risk to life to the occupants and maintain the structural integrity of the building in the event of a fault rupture.	Activity status where compliance not achieved: Non-complying	NH - R16	New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Earthquake Susceptibility Hazard Overlays	Activity Status Restricted Discretionary Where: 1. A hazard risk assessment undertaken by a suitably qualified and experienced geotechnical or geological specialist is provided; and 2. The new building is not a Critical Response Facility. Discretion is restricted to: a. The recommendations of the hazard risk assessment; b. The location, design and construction materials of the building, vehicle access and regionally significant infrastructure in relation to the likely fault deformation area; and c. Consideration of the mitigation measures incorporated into the building to minimise the risk to life to the occupants and maintain the structural integrity of the building in the event of a fault rupture.	Activity status where compliance not achieved: Non-complying	NH - R17	New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Earthquake Severe Hazard Overlay	Activity Status Non-complying Where: 1. The new building is not a Critical Response Facility.	Activity status where compliance not achieved: Prohibited	NH - R18	New Buildings containing Critical Response Facilities in the Earthquake Severe Hazard Overlay	No application for resource consent will be accepted for this activity		<p>be reasonably foreseen.</p> <p>Amend clause b. of R16, “The location, design ... vehicle access and regionally significant infrastructure on <u>site-services</u> in relation to the likely ...”.</p>
NH - R15	Additions to Existing Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Earthquake Susceptibility and Earthquake Severe Hazard Overlays																				
Activity Status Restricted Discretionary Where: 1. The additions are not to a Critical Response Facility. Discretion is restricted to: a. The location of the addition or building in relation to the fault trace; and b. Consideration of the mitigation measures incorporated into the addition to minimise the risk to life to the occupants and maintain the structural integrity of the building in the event of a fault rupture.	Activity status where compliance not achieved: Non-complying																				
NH - R16	New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Earthquake Susceptibility Hazard Overlays																				
Activity Status Restricted Discretionary Where: 1. A hazard risk assessment undertaken by a suitably qualified and experienced geotechnical or geological specialist is provided; and 2. The new building is not a Critical Response Facility. Discretion is restricted to: a. The recommendations of the hazard risk assessment; b. The location, design and construction materials of the building, vehicle access and regionally significant infrastructure in relation to the likely fault deformation area; and c. Consideration of the mitigation measures incorporated into the building to minimise the risk to life to the occupants and maintain the structural integrity of the building in the event of a fault rupture.	Activity status where compliance not achieved: Non-complying																				
NH - R17	New Buildings containing Potentially Hazard Sensitive Activities or Hazard Sensitive Activities in the Earthquake Severe Hazard Overlay																				
Activity Status Non-complying Where: 1. The new building is not a Critical Response Facility.	Activity status where compliance not achieved: Prohibited																				
NH - R18	New Buildings containing Critical Response Facilities in the Earthquake Severe Hazard Overlay																				
No application for resource consent will be accepted for this activity																					
S547.144	NHR15	Amend	Amend item 1., “These are lawfully established or a Permitted Activity for the zone in the plan. ”	<p>Rule NH-15 deleted and replaced with new rules above regarding earthquake hazard overlays.</p> <table border="1"> <tr> <td data-bbox="900 1297 1115 1388">NH - R15</td> <td data-bbox="1115 1297 1951 1388">Repairs, Maintenance, Additions and Alterations to Existing and New Unoccupied Buildings in the Earthquake Hazard Overlays - all buffer widths</td> </tr> <tr> <td data-bbox="900 1388 1639 1455"> Activity Status Permitted Where: </td> <td data-bbox="1639 1388 1951 1455"> Activity status where compliance not achieved: </td> </tr> </table>	NH - R15	Repairs, Maintenance, Additions and Alterations to Existing and New Unoccupied Buildings in the Earthquake Hazard Overlays - all buffer widths	Activity Status Permitted Where:	Activity status where compliance not achieved:	<p>These new rules are significantly different and are not within the scope of</p>												
NH - R15	Repairs, Maintenance, Additions and Alterations to Existing and New Unoccupied Buildings in the Earthquake Hazard Overlays - all buffer widths																				
Activity Status Permitted Where:	Activity status where compliance not achieved:																				

				<p>1. These are lawfully established or a Permitted Activity for the zone; and</p> <p>2. Any unoccupied building does not form part of the buildings for critical response facilities.</p>	Non-complying	what could be reasonably foreseen.
S547.152	NHR24	Amend	<p>(1) Amend terminology for consistency between this rule and NH-R18 and NH-R20.</p> <p>(2) Define "major dam" as previously submitted.</p> <p>(3) Add a note to the rule, "<u>(note: in reference to major dams it is the dam itself and not other buildings related to, or associated with, the dam that is being referred to in this rule.)</u>"</p>			<p>These new rules and deletion of rules are significantly different and are not within the scope of what could be reasonably foreseen. Relief sought as the Court sees fit.</p>
FS222.0350	NHR24	Oppose	Amend 'occupied building'			<p>These new rules and deletion of rules are significantly different and are not within the</p>

					scope of what could be reasonably foreseen. Relief sought as the Court sees fit.
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Provisions Appealed – Part 2 HH – Historic Heritage

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought
FS222.0161	Overview	Oppose	<p>HNZPT requests the wording be amended, “Under the Heritage New Zealand Pouhere Taonga Act 2014, Archaeological sites are any place in Aotearoa New Zealand (including buildings and structures) that are associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. There are a large number of archaeological sites identified in the West Coast/Te Tai o Poutini. While all pre-1900 archaeological sites are protected under Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites</p>	Amended “Overview”	As sought in further submission.

of particular significance to the community on the West Coast/Te Taio Poutini are included in Schedule One and the Historic Heritage rules also apply to these archaeological sites. **This schedule can also contain post-1900 sites which have archaeological significance.**

Overview

Sites

Items, areas, memorials and buildings may have historic heritage values if they are places or objects which that people associate with their identity, history, and events or cultural traditions.

Historic heritage values are important because they provide a tangible insight into our past and can be an important source of knowledge, and a social and cultural link to the past that is important to the community. The destruction or damage of heritage values can cause the loss of this knowledge, as well as a social/cultural link to the past.

As well as meeting the specific duties under section 6 of the Resource Management Act 1991, protecting historic heritage values can help teach people about their past, foster a sense of identity and community, and provide economic opportunities in heritage, tourism, recreation, restoration, and marketing. Te Tai o Poutini Plan manages different types of historic heritage.

Historic Heritage items are listed in Schedule One, Schedule Two and Schedule Three. This schedule Schedule One predominantly covers the built and colonial heritage and also identifies if there are any interior elements of a heritage building that are also protected. Schedule Two covers notable and heritage trees that are important to the community and Schedule Three reflects Poutini Ngāi Tahu historic heritage areas.

Historic areas are also identified in Schedule One. There are eight historic areas - Denniston Historic Area, Reefton Historic Area, Waiuta Historic Area, Greymouth Railway Station Historic Area, Moana Railway Station Historic Area, Brunner Mines Historic Area, Jack's Mill School Historic Area and Ross Historic Area.

Archaeological

Under the Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites are any place in Aotearoa me te Waipounamu/ New Zealand (including buildings and structures) that are associated with pre-1900 human activity, where there is evidence relating to the history of New Aotearoa me te Waipounamu/New Zealand that can be investigated using archaeological methods. There are a large number of archaeological sites identified in the West Coast/Te Tai o Poutini/the West Coast. While all archaeological sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites predominantly related to European colonial history of particular significance to the community on the West Coast/Te Tai o Poutini/the West Coast are included in Schedule One and the Historic Heritage rules also apply to these archaeological sites. This schedule can also contain post -1900 items and areas. Alongside: The archaeological sites listed in Schedule One, while an important part of Te Tai o Poutini/the West Coast, are not the full list. Alongside this, the New Zealand Archaeological Association has identified a list of archaeological sites of Māori origin. These Further investigation is required to ensure the exact spatial location and extent of these archaeological sites, therefore these are included in Appendix Ten for information. This appendix raises awareness for plan users, particularly resource consent applicants, of the increased likelihood of discovering archaeological material of Māori origin in the vicinity of these areas. Appendix Ten will be mapped and included as an "Alert Layer" on the e-plan maps. The Councils will continue to work with both Heritage New Zealand Pouhere Taonga and Poutini Ngāi Tahu over the next ten years to ensure that the archaeological sites of Māori origin are accurately mapped before being considered for inclusion in Schedule One via a plan change.

Historic heritage and archaeological sites are also important to Poutini Ngāi Tahu for values other than historic heritage. Some of these sites and areas are identified, with other Sites and Areas of Significance to Māori, in Schedule Three. Notable Notable trees of value to Poutini Ngāi Tahu are identified in Schedule Two. Where/Where a site is scheduled in multiple locations, the provisions of all chapters must be considered. Some objectives and policies of this chapter also apply to sites listed only in Schedule Two or Schedule Three.

Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to this chapter, a number of chapters also contain provisions that may be relevant for historic heritage, including:

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- **Sites and Areas of Significance to Māori** - the Sites and Areas of Significance to Māori Chapter contains the provisions in relation to the sites and areas identified in Schedule Three.
-
- **Notable Trees** - the Notable Trees Chapter contains the provisions in relation to the trees identified in Schedule in Schedule Two.
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				<ul style="list-style-type: none"> • Subdivision - the Subdivision Chapter contains provisions which relate to the subdivision of land with historic heritage <u>sites/items</u> and areas - in particular Rules SUB - R10 and SUB - R17; • Financial Contributions - the Financial Contributions Chapter provides the framework and provisions that allow for waivers for financial contributions in circumstances where <u>historic heritage sites/items</u> and <u>items/areas</u> are protected. • Signs - the Signs Chapter contains provisions <u>which/that</u> relate to signs that are placed on and around historic heritage <u>sites/items</u> and areas - in particular Rule <u>SUBSIGN</u> - R7. • The Zone Chapters - The <u>the</u> Zone chapters contain some provisions which exempt historic heritage buildings from complying with performance standards, for example visitor accommodation requirements in the Town Centre Zone. • Appendix Ten - This <u>this</u> appendix contains NZAA listed archaeological sites of Māori origin. The exact spatial location and extent of these sites has not yet been clearly identified but they are included in this appendix for information purposes <u>and are a matter for consideration where resource consent is required for an activity that may impact an archaeological site.</u> Appendix Ten will be mapped and included as an "Alert Layer" in the <u>e-planning maps</u>. Like all archaeological sites, these <u>archaeological sites</u> are protected under the Heritage New Zealand Pouhere Taonga Act 2014. <p>Other relevant Statutory Provisions</p> <p>Aside from Te Tai o Poutini Plan, there are other key Acts and regulations seeking to protect and conserve historic heritage.</p> <p>The Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act) - under this act it is unlawful to destroy, damage or modify an archaeological site (regardless of whether the site is scheduled in Te Tai o Poutini Plan or not) without obtaining an archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) before work starts. An archaeological authority is required in addition to any resource consents required by the Council. If you discover a previously unknown archaeological site (for example, when you are undertaking <u>earthworks/works</u>) you must stop any work that could affect the <u>archaeological</u> site and contact HNZPT for advice on how to proceed. If there are human remains/<u>kōiwi or taonga</u> revealed, then the Accidental Discovery Protocol in Appendix <u>Five/Four</u> must be followed and if any artefacts are found they must be handed over to the Ministry for Culture and Heritage.</p> <p>The Building Act 2004 - this Act and associated regulations manage earthquake-prone buildings. Earthquake strengthening to scheduled <u>historic</u> heritage buildings and items is a permitted activity so long as the strengthening work does not compromise the heritage building or items heritage values.</p>			
FS222.0171	HH	Oppose	<p>Insert as follows:</p> <p><u>"Only allow new infrastructure on or within heritage items, heritage settings and historic heritage sites, identified in Schedule One where it can be demonstrated that: There is an operational need or</u></p>	<p>New NH-10 inserted;</p> <table border="1"> <tr> <td>HH - P10</td> <td> <p><u>Only allow regionally significant infrastructure on or within historic heritage items or areas identified in Schedule One where it can be demonstrated that:</u></p> <ol style="list-style-type: none"> <u>functional or operational need of the infrastructure means that there is no practicable alternative to its location; and</u> <u>the infrastructure will protect and maintain the heritage values of the item or area.</u> </td> </tr> </table>	HH - P10	<p><u>Only allow regionally significant infrastructure on or within historic heritage items or areas identified in Schedule One where it can be demonstrated that:</u></p> <ol style="list-style-type: none"> <u>functional or operational need of the infrastructure means that there is no practicable alternative to its location; and</u> <u>the infrastructure will protect and maintain the heritage values of the item or area.</u> 	As sought in further submission.
HH - P10	<p><u>Only allow regionally significant infrastructure on or within historic heritage items or areas identified in Schedule One where it can be demonstrated that:</u></p> <ol style="list-style-type: none"> <u>functional or operational need of the infrastructure means that there is no practicable alternative to its location; and</u> <u>the infrastructure will protect and maintain the heritage values of the item or area.</u> 						

			<u>functional need that means the infrastructure's location cannot be avoided; and The new infrastructure will protect and maintain the particular heritage and/or cultural values of that building, site, area, item and/or feature."</u>				
S547.174	HH – P6	Amend	Add item h, <u>"h. Any technical, locational, functional or operational constraints or requirements of energy activities."</u>	Amended HH-P6, <table border="1" data-bbox="902 655 1908 1139"> <tr> <td data-bbox="902 655 1104 1139">HH - P6</td> <td data-bbox="1104 655 1908 1139"> <p>When considering proposals for relocation or repositioning of historic heritage items identified in Schedule One, the following matters shall be considered:</p> <ul style="list-style-type: none"> a. The impact on the physical integrity of the item and practical considerations associated with relocating or repositioning; b. Whether the item can be accommodated without having a significant adverse effect on the structure and heritage values of the item; c. Whether the item is at immediate risk from from natural hazards identified in the Natural Hazard Chapter of this plan; d. Whether the relocation is to return an item to its original location; e. The impact of the movement of the item on public access to the item; f. The importance of the heritage item's setting to its heritage significance and the impact of relocation or repositioning on that significance; and g. The historic heritage item and land it is sited on are in different ownership and following investigation and assessment into <u>there is no practical options for the retention of the historic heritage item in its current location, it is unreasonable option for the item to remain in its current location; and</u> h. <u>Functional need and operational need of regionally significant infrastructure, where there is no practicable alternative location and heritage values of the item are maintained.</u> </td> </tr> </table>	HH - P6	<p>When considering proposals for relocation or repositioning of historic heritage items identified in Schedule One, the following matters shall be considered:</p> <ul style="list-style-type: none"> a. The impact on the physical integrity of the item and practical considerations associated with relocating or repositioning; b. Whether the item can be accommodated without having a significant adverse effect on the structure and heritage values of the item; c. Whether the item is at immediate risk from from natural hazards identified in the Natural Hazard Chapter of this plan; d. Whether the relocation is to return an item to its original location; e. The impact of the movement of the item on public access to the item; f. The importance of the heritage item's setting to its heritage significance and the impact of relocation or repositioning on that significance; and g. The historic heritage item and land it is sited on are in different ownership and following investigation and assessment into <u>there is no practical options for the retention of the historic heritage item in its current location, it is unreasonable option for the item to remain in its current location; and</u> h. <u>Functional need and operational need of regionally significant infrastructure, where there is no practicable alternative location and heritage values of the item are maintained.</u> 	Amendment of (f) as follows: Functional need and operational need of regionally significant infrastructure when there is no practicable alternative and the heritage values of the item are maintained.
HH - P6	<p>When considering proposals for relocation or repositioning of historic heritage items identified in Schedule One, the following matters shall be considered:</p> <ul style="list-style-type: none"> a. The impact on the physical integrity of the item and practical considerations associated with relocating or repositioning; b. Whether the item can be accommodated without having a significant adverse effect on the structure and heritage values of the item; c. Whether the item is at immediate risk from from natural hazards identified in the Natural Hazard Chapter of this plan; d. Whether the relocation is to return an item to its original location; e. The impact of the movement of the item on public access to the item; f. The importance of the heritage item's setting to its heritage significance and the impact of relocation or repositioning on that significance; and g. The historic heritage item and land it is sited on are in different ownership and following investigation and assessment into <u>there is no practical options for the retention of the historic heritage item in its current location, it is unreasonable option for the item to remain in its current location; and</u> h. <u>Functional need and operational need of regionally significant infrastructure, where there is no practicable alternative location and heritage values of the item are maintained.</u> 						
S547.175	HH – P7	Amend	Add d., <u>"d. Any technical, locational, functional or</u>	Amended HH-P7,	As sought in original submission, and a		

			<u>operational constraints or requirements of energy activities.</u> "	HH - P7 Demolition and and destruction of of a historic heritage item item identified in Schedule One will not be allowed unless it can be demonstrated, through investigation and assessment by a suitably qualified or experienced heritage professional that: a. The extent of the work required to retain the heritage values and integrity of the heritage item would be significantly compromised; b. <u>The item poses a significant risk to public safety and there is no practicable alternative to make the site safe;</u> c. The costs to retain or repair the heritage item would be unreasonable; d. All other viable alternatives, including relocation and repositioning, have been fully considered.	necessary amendment to the preamble.				
S547.181	HH – R5	Amend	Amend the heading: "New Infrastructure <u>and Energy</u> connections to ...". Amend 1. The new infrastructure <u>and energy</u> connection is to a ..."	Amended HH-R4 (previously HH-R4), <table border="1"> <tr> <td><u>HH - R5</u>R4</td> <td>New Infrastructure Connections to a Historic Heritage Item identified in Schedule One</td> </tr> <tr> <td>Activity Status Controlled Where: 1. The new infrastructure connection is to a historic heritage building listed in Schedule One; and 2. <u>The application is accompanied by evidence of the outcome of consultation with Heritage New Zealand - Pouhere Taonga (HNZPT) or demonstration of how the connection is in accordance with any guideline developed by the infrastructure provider in consultation with HNZPT. .</u> Matters of control are: a. The location of the customer's connection to the heritage building; b. The physical impact / damage to the heritage building; and c. Visual impact and how the visual impact might affect heritage value. Advice Note: <u>Where work is proposed that could modify an archaeological site (regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand - Pouhere Taonga (HNZPT) is required before any work starts.</u></td> <td>Activity status where compliance not achieved: Discretionary</td> </tr> </table>	<u>HH - R5</u> R4	New Infrastructure Connections to a Historic Heritage Item identified in Schedule One	Activity Status Controlled Where: 1. The new infrastructure connection is to a historic heritage building listed in Schedule One; and 2. <u>The application is accompanied by evidence of the outcome of consultation with Heritage New Zealand - Pouhere Taonga (HNZPT) or demonstration of how the connection is in accordance with any guideline developed by the infrastructure provider in consultation with HNZPT. .</u> Matters of control are: a. The location of the customer's connection to the heritage building; b. The physical impact / damage to the heritage building; and c. Visual impact and how the visual impact might affect heritage value. Advice Note: <u>Where work is proposed that could modify an archaeological site (regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand - Pouhere Taonga (HNZPT) is required before any work starts.</u>	Activity status where compliance not achieved: Discretionary	Removal of the new wording in (2).
<u>HH - R5</u> R4	New Infrastructure Connections to a Historic Heritage Item identified in Schedule One								
Activity Status Controlled Where: 1. The new infrastructure connection is to a historic heritage building listed in Schedule One; and 2. <u>The application is accompanied by evidence of the outcome of consultation with Heritage New Zealand - Pouhere Taonga (HNZPT) or demonstration of how the connection is in accordance with any guideline developed by the infrastructure provider in consultation with HNZPT. .</u> Matters of control are: a. The location of the customer's connection to the heritage building; b. The physical impact / damage to the heritage building; and c. Visual impact and how the visual impact might affect heritage value. Advice Note: <u>Where work is proposed that could modify an archaeological site (regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand - Pouhere Taonga (HNZPT) is required before any work starts.</u>	Activity status where compliance not achieved: Discretionary								
S547.183	HH – R6	Amend	Add i., <u>"i. Any technical, locational, functional or operational constraints or requirements of energy activities."</u>	Amended HH-R6,	As sought in original submission.				

				<p>HH - R6 Repairs and Maintenance, Earthquake Strengthening, Fire Protection, <u>Service Connection</u> and Accessibility Upgrades where Permitted Activity standards are not met, or Additions and Alterations to Historic Heritage Items identified in Schedule One</p> <p>Activity Status Restricted Discretionary Where: 1. This includes necessary earthworks associated with the activity. Discretion is restricted to:</p> <ol style="list-style-type: none"> Compatibility of the form and materials in relation to the form, materials historic heritage item and its setting with the Historic Heritage item; Methods to minimise the loss or destruction of the values which contribute to the item's Historic Heritage historic heritage values as assessed by a suitably qualified or experienced heritage professional; Compatibility of the The treatment of the exterior, including the façade; The ongoing maintenance and enhancement of the Historic Heritage historic heritage values of the item; The long-term viability, retention or ongoing functional use of the item; Whether the works are in accordance with good practice conservation principles and methods as assessed by a suitably qualified or experienced heritage professional; If the Historic Heritage historic heritage item is located within a Historic Heritage historic heritage area, that the works do not compromise the ability to interpret the Historic Heritage historic heritage area; and Whether the works complement the form, fabric and setting of the Historic Heritage historic heritage area which the item contributes to. 	<p>Activity status where compliance not achieved: Discretionary N/A</p>	
FS222.0163	HH – R9	Oppose	HNZPT requests Demolition and Destruction of a Historic Heritage item or Historic Area be identified as a non-complying activity.	<p>Amended HH-R10 (previously HH-R9),</p> <p>HH - R9R10 Demolition and Destruction of a Historic Heritage item or Historic Area identified in Schedule One</p> <p>Activity Status Discretionary Notification: Activities When making notification decisions in relation to demolish or destroy a Heritage Item or Area this rule, the Council will always be limited notified to consult with Heritage New Zealand - Pouhere Taonga.</p>	<p>Activity status where compliance not achieved: N/A</p>	Remove the rule from the Non-complying Activities section, as it is a Discretionary activity.

Provisions Appealed – Part 2 SASM – Sites of Significance to Māori

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought		
S547.206	SASM - P7	Amend	Amend item b., "b. Requiring activities on sites and areas of significance to Māori to minimise avoid, remedy or mitigate adverse effects on cultural, spiritual and/or heritage values, interests or associations of importance to Poutini Ngai Tahu."	<p>Amended new SASM-P6 (previously P7),</p> <table border="1" data-bbox="902 331 1944 528"> <tr> <td data-bbox="902 331 1111 528">SASM - P7P6</td> <td data-bbox="1111 331 1944 528"> Protect and maintain sites and areas of significance to Māori from adverse effects by: <ol style="list-style-type: none"> Ensuring identified sites and areas of significance to Māori are not disturbed, destroyed, removed and/or visually encroached upon by inappropriate activities; and Requiring activities on sites and areas of significance to Māori to minimise adverse effects on cultural, spiritual and/or heritage values, interests or associations of importance to Poutini Ngāi Tahu. </td> </tr> </table>	SASM - P7P6	Protect and maintain sites and areas of significance to Māori from adverse effects by: <ol style="list-style-type: none"> Ensuring identified sites and areas of significance to Māori are not disturbed, destroyed, removed and/or visually encroached upon by inappropriate activities; and Requiring activities on sites and areas of significance to Māori to minimise adverse effects on cultural, spiritual and/or heritage values, interests or associations of importance to Poutini Ngāi Tahu. 	As sought in original submission.
SASM - P7P6	Protect and maintain sites and areas of significance to Māori from adverse effects by: <ol style="list-style-type: none"> Ensuring identified sites and areas of significance to Māori are not disturbed, destroyed, removed and/or visually encroached upon by inappropriate activities; and Requiring activities on sites and areas of significance to Māori to minimise adverse effects on cultural, spiritual and/or heritage values, interests or associations of importance to Poutini Ngāi Tahu. 						
S547.208	SASM – P8	Amend	<p>(1) Amend item c., "c. Any adverse effects are on ... are avoided where practicable, unless it can be demonstrated that due to the technical, locational, functional or operational constraints or requirements of the activity ... adverse effects;"</p> <p>(2) Amend item d.,</p>	<p>Amended new SASM-P7 (previously P8),</p> <table border="1" data-bbox="902 874 1944 1174"> <tr> <td data-bbox="902 874 1111 1174">SASM - P8P7</td> <td data-bbox="1111 874 1944 1174"> Where an activity is proposed within any site or area of significance to Māori identified in Schedule Three ensure that: <ol style="list-style-type: none"> Engagement with Poutini Ngāi Tahu occurs to ensure that effects of the activity on the values of the site or area are understood; The accidental discovery protocol Accidental Discovery Protocol in Appendix Four is adopted for any earthworks; Any adverse effects on identified values are avoided, unless it can be demonstrated that due to the functional needs need or operational need of the activity it is not possible to avoid all adverse effects; and Any residual effects that cannot be practicably avoided are mitigated in a way that protects, maintains or enhances the values of the site or area. </td> </tr> </table>	SASM - P8P7	Where an activity is proposed within any site or area of significance to Māori identified in Schedule Three ensure that: <ol style="list-style-type: none"> Engagement with Poutini Ngāi Tahu occurs to ensure that effects of the activity on the values of the site or area are understood; The accidental discovery protocol Accidental Discovery Protocol in Appendix Four is adopted for any earthworks; Any adverse effects on identified values are avoided, unless it can be demonstrated that due to the functional needs need or operational need of the activity it is not possible to avoid all adverse effects; and Any residual effects that cannot be practicably avoided are mitigated in a way that protects, maintains or enhances the values of the site or area. 	As sought in original submission.
SASM - P8P7	Where an activity is proposed within any site or area of significance to Māori identified in Schedule Three ensure that: <ol style="list-style-type: none"> Engagement with Poutini Ngāi Tahu occurs to ensure that effects of the activity on the values of the site or area are understood; The accidental discovery protocol Accidental Discovery Protocol in Appendix Four is adopted for any earthworks; Any adverse effects on identified values are avoided, unless it can be demonstrated that due to the functional needs need or operational need of the activity it is not possible to avoid all adverse effects; and Any residual effects that cannot be practicably avoided are mitigated in a way that protects, maintains or enhances the values of the site or area. 						

			“d. Any residual effect ...mitigated in a way that <u>manages effects on, and where practicable protects</u> maintains or enhances, the values of the site or area.”				
S547.209	SASM-P9	Amend	Amend item a., “a. <u>Avoid, remedy or mitigate minimise</u> adverse effects on indigenous habitats and waterbodies;”	Amended new SASM-P8 (previously P9), <table border="1"> <tr> <td>SASM - P9P8</td> <td>Require that activities within identified sites and areas of significance to Poutini Ngāi Tahu that support taonga species and mahinga kai resources as identified in Schedule Three, by: a. MinimiseMinimising adverse effects on indigenous habitats and waterbodies; b. EnableEnabling the maintenance and enhancement of these areas; and c. MaintainMaintaining and where appropriate improveimproving access for Poutini Ngāi Tahu to these areas, with landowner agreement.</td> </tr> </table>	SASM - P9P8	Require that activities within identified sites and areas of significance to Poutini Ngāi Tahu that support taonga species and mahinga kai resources as identified in Schedule Three, by: a. Minimise Minimising adverse effects on indigenous habitats and waterbodies; b. Enable Enabling the maintenance and enhancement of these areas; and c. Maintain Maintaining and where appropriate improve improving access for Poutini Ngāi Tahu to these areas, with landowner agreement .	As sought in original submission.
SASM - P9P8	Require that activities within identified sites and areas of significance to Poutini Ngāi Tahu that support taonga species and mahinga kai resources as identified in Schedule Three, by: a. Minimise Minimising adverse effects on indigenous habitats and waterbodies; b. Enable Enabling the maintenance and enhancement of these areas; and c. Maintain Maintaining and where appropriate improve improving access for Poutini Ngāi Tahu to these areas, with landowner agreement .						
S547.210	SASM – P13	Amend	Amend, “Enable activities ... spiritual values of the site or area are <u>protected maintained or potential effects managed</u> . This includes: ...”	Amended new SASM-P12 (previously P13), <table border="1"> <tr> <td>SASM - P13P12</td> <td>Enable activities in sites and areas of significance to Poutini Ngāi Tahu included in Schedule Three where the cultural and spiritual values of the site or area are protected. This includes: a. Alterations to, demolitions and removal of existing buildings and structures; b. Maintenance, operation, repair and upgrading of existing network utility structures and critical regionally significant infrastructure; c. Customary harvest and other cultural practices in accordance with tikanga; d. Indigenous vegetation clearance; e. Temporary events; f. Small-scale earthworks for burials within an urupā, fencing, archaeological survey and maintenance of overhead network utilities, roads and tracks; and g. Animal grazing where identified values are maintained.</td> </tr> </table>	SASM - P13P12	Enable activities in sites and areas of significance to Poutini Ngāi Tahu included in Schedule Three where the cultural and spiritual values of the site or area are protected. This includes: a. Alterations to, demolitions and removal of existing buildings and structures; b. Maintenance, operation, repair and upgrading of existing network utility structures and critical regionally significant infrastructure; c. Customary harvest and other cultural practices in accordance with tikanga; d. Indigenous vegetation clearance; e. Temporary events; f. Small-scale earthworks for burials within an urupā, fencing, archaeological survey and maintenance of overhead network utilities, roads and tracks; and g. Animal grazing where identified values are maintained.	As sought in original submission.
SASM - P13P12	Enable activities in sites and areas of significance to Poutini Ngāi Tahu included in Schedule Three where the cultural and spiritual values of the site or area are protected. This includes: a. Alterations to, demolitions and removal of existing buildings and structures; b. Maintenance, operation, repair and upgrading of existing network utility structures and critical regionally significant infrastructure; c. Customary harvest and other cultural practices in accordance with tikanga; d. Indigenous vegetation clearance; e. Temporary events; f. Small-scale earthworks for burials within an urupā, fencing, archaeological survey and maintenance of overhead network utilities, roads and tracks; and g. Animal grazing where identified values are maintained.						
S547.213	SASM – P15	Amend	(1) Amend SASM-P15, "SASM-P15 Allow any other use and development ... it can be demonstrated that the potential effects on the	Amended new SASM-P14 (previously P15),	As sought in original submission.		

			<p>identified values of the site or area are <u>avoided, remedied or mitigated</u> having regard to:"</p> <p>(2) Add a new item a., <u>"a. Avoidance in the first instance, and where this is not practicable the proposed measures to manage potential effects on the identified values;"</u></p> <p>(3) Adjust references for existing items "a.-f."</p> <p>(4) Amend existing item b., <u>"b. The technical, locational, functional and operational constraints or requirements of the proposed activity;"</u></p>	<p>SASM - P15P14</p> <p>Allow any other use and development on sites and areas of significance to Māori in Schedule Three where it can be demonstrated that the identified values of the site or area are protected and maintained, having regard to:</p> <ol style="list-style-type: none"> Whether there are alternative methods, locations or designs that would avoid or reduce the impact on the values associated with the site or area of significance; The functional <u>need</u> or operational need for the activity to be undertaken in the location; Outcomes articulated by Poutini Ngāi Tahu through an assessment of environmental effects, cultural impact assessment or iwi planning documents; The potential to enhance the values of the site of significance and the relationship of Poutini Ngāi Tahu with their taonga, commensurate with the scale and nature of the proposal; How values of significance to Poutini Ngāi Tahu, including tikanga, kaitiakitanga and mātauranga Māori may be incorporated; and Any practical mechanisms to maintain or enhance the ability of Poutini Ngāi Tahu to access and use the site or area of significance for karakia, monitoring, cultural activities and ahi kā roa. 	
S547.215	Permitted Activities	Amend	Amend to provide a single permitted activity rule for all aspects of energy activities	No new rule New note	As sought in original submission.

			undertaken by Westpower.	5. <u>The rules are accompanied by methods that are shown at the end of the rules and indicate the means by which the policies and rules of the chapter will be implemented. This differs from other parts of the plan that do not contain methods.</u>	
S547.216	Permitted Activities	Amend	Where compliance is not achieved then an appropriate consent activity status can be developed as part of the process.	<p>New Method</p> <p>Other Methods</p> <p>SASM - M1</p> <p>Councils to develop and provide, in partnership with Poutini Ngāi Tahu, the following:</p> <ol style="list-style-type: none"> written protocols to guide engagement with Poutini Ngāi Tahu for permitted activities (including the certification process), resource consents or plan change applications; and guidance for the public on how to apply for a resource consent for an activity on a site containing an identified Site and Area of Significance to Māori; information available for landowners of identified Sites and Areas of Significance to Māori and their values, including the nature and form of that information. <p>New Certification Path for Permitted Activities</p>	This is a completely new certification method, and the rule needs modification to ensure it works with the activity framework.

				<p>Schedule Three (SCHED 3A) Criteria and Process for Permitted Activities - Te Puka Āpiti 3A - Ngā Paearu me te Tukanga kia Rēhitatia ngā mahi e Whakaaetia Ana</p> <p>A number of the permitted activity rules within the SASM Sites and Areas of Significance to Māori - Ngā Wahi Tāpua ki te Māori Chapter require certification to be provided by Poutini Ngāi Tahu in order to meet the conditions of the rule.</p> <p>Suitably Qualified or Experienced Person (SQEP) The certification process will be undertaken by an authorised representative of the relevant Poutini Ngāi Tahu Rūnanga who has the necessary expertise to assess activities against the criteria, and is therefore a SQEP for the purposes of certification in accordance with this Schedule.</p> <p>Criterion In order for an activity to be able to rely on the relevant permitted activity rule, the SQEP will be required to certify that: "The proposed activity does not give rise to any unacceptable effects on any of the values of the identified SASM recorded in Schedule Three".</p> <p>General Process The following elements of process support certification:</p> <ol style="list-style-type: none"> 1. Certification is specific to details of the proposed activity as provided to Poutini Ngāi Tahu; 2. The outcome of the process will be communicated to those seeking to undertake the proposed activity within 10 working days of them providing specific details of the proposed activity to Poutini Ngāi Tahu; and 3. In the event that the outcome of the process is that the SQEP cannot provide certification against the Criterion, then Poutini Ngāi Tahu will advise those seeking to undertake the proposed activity either: <ol style="list-style-type: none"> i. the nature of any effects of concern, in order to inform any subsequent process; or ii. that based on the specific details provided to Poutini Ngāi Tahu the SQEP cannot conclude there are no effects of concern, which may be due to a lack of information to support a definitive conclusion. <p>Optional Criterion and Process for Māori Land The SQEP may determine, in relation to Māori Land, that tikanga applies in the circumstances and that, therefore, the General Process with associated Criterion is inappropriate for the purposes of certification. In such circumstances the SQEP may instead certify that: "The proposed activity will be undertaken in accordance with Poutini Ngāi Tahu tikanga."</p> <p>Note: While the criterion relates to the specific values recorded in Schedule Three for each identified SASM, more general information on Poutini Ngāi Tahu Values can be found in the Tangata Whenua section of the Plan.</p>	
S547.217	SASM-R2	Oppose in part	As above Westpower's preference is that one rule is developed to provide for its energy activities, including energy aspects of infrastructure and critical	Amended Rule SASM-R2,	As set out in original submission.

		<p>infrastructure. Whilst not the preferred approach,</p> <p>(1) Amend item 1.(iii), "iii. Installing fence posts ... for overhead energy activity and network utility lines provided that:"</p> <p>(2) Delete item b. from iii.</p> <p>(3) Insert new iv., "iv) Maintaining existing underground lines and cables provided that:</p> <p>a. The area of land disturbed is limited to what is necessary to maintain the lines or cables; or"</p> <p>(4) Insert new v., "v. Maintaining existing substations provided that:</p> <p>a. The area of land disturbed is limited to what</p>	<table border="1"> <tr> <th data-bbox="909 105 1115 169">SASM - R2</th> <th data-bbox="1115 105 1939 169">Minor Earthworks on Sites and Areas in Schedule Three – Sites and Areas of Significance to Māori <u>listed within Table SASM - T2</u></th> </tr> <tr> <td data-bbox="909 169 1630 1222"> <p>Activity Status Permitted</p> <p>1. These are earthworks associated with:</p> <ul style="list-style-type: none"> i. Burials at urupā; or ii. Archaeological survey by Pouhere Taonga - Heritage New Zealand, Poutini Ngāi Tahu or authorised representatives; or iii. Installing fence posts and the replacement of poles for overhead network utility lines provided that: <ul style="list-style-type: none"> a. The area of land disturbed is limited to what is necessary to maintain an existing fence or line along its existing alignment; and b. The activity does not involve installation or digging of new holes for overhead network utility lines; or iv. Maintaining roads/tracks within the footprint or modified ground compromised by the existing road/track; and <p>3. In relation to standards ii-a), iii-b) and iv-c) these earthworks are not undertaken at the following Sites and Areas of Significance to Māori identified listed in Schedule Three Table SASM - T2 except with where the written approval from activity has been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing:</p> <ul style="list-style-type: none"> i. SASM 17 Kawatiri South Bank Native Reserve; SASM 41 Kotorepi (Nine Mile); SASM 54 Motutapu; SASM 55 Māwhera Burial Cave Site; SASM 81 Takataka Islands; SASM 84 Knoll Point; SASM 110 Māhinapua; SASM 127 Ulipa; SASM 130 Whataroa Native Reserves Secs 21; SASM 133 No. 10 Ōkārito Native Reserve; SASM 135 Ōkārito (No. 18 Kaomaru Native Reserve); SASM 156 Hunts Beach Māori Reserve; SASM 157 No. 10 Makāwhio Native Reserve; SASM 162 Heretaniwha; SASM 165 No 7. Mahitahi Beach Native Reserve; SASM 168 No. 4 Heretaniwha Native Reserve; SASM 170 Porangirangi to Mahitahi; SASM 185 Lake Moeraki Reserve; or SASM 207 Awawhata Reserve at River Mouth; and <p>4. An Accidental Discovery Protocol commitment has been completed and the form submitted to Council 10 working days prior to the commencement of any earthworks.</p> <p>Advice Note: Rule SASM - R2 relates to minor earthworks on Sites and Areas of Significance to Māori within Table SASM - T2. There are additional rules for earthworks in other SASMs outlined in rule SASM - R6.</p> </td> <td data-bbox="1630 169 1939 1222"> <p>Activity status where compliance not achieved: Discretionary</p> </td> </tr> </table>	SASM - R2	Minor Earthworks on Sites and Areas in Schedule Three – Sites and Areas of Significance to Māori <u>listed within Table SASM - T2</u>	<p>Activity Status Permitted</p> <p>1. These are earthworks associated with:</p> <ul style="list-style-type: none"> i. Burials at urupā; or ii. Archaeological survey by Pouhere Taonga - Heritage New Zealand, Poutini Ngāi Tahu or authorised representatives; or iii. Installing fence posts and the replacement of poles for overhead network utility lines provided that: <ul style="list-style-type: none"> a. The area of land disturbed is limited to what is necessary to maintain an existing fence or line along its existing alignment; and b. The activity does not involve installation or digging of new holes for overhead network utility lines; or iv. Maintaining roads/tracks within the footprint or modified ground compromised by the existing road/track; and <p>3. In relation to standards ii-a), iii-b) and iv-c) these earthworks are not undertaken at the following Sites and Areas of Significance to Māori identified listed in Schedule Three Table SASM - T2 except with where the written approval from activity has been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing:</p> <ul style="list-style-type: none"> i. SASM 17 Kawatiri South Bank Native Reserve; SASM 41 Kotorepi (Nine Mile); SASM 54 Motutapu; SASM 55 Māwhera Burial Cave Site; SASM 81 Takataka Islands; SASM 84 Knoll Point; SASM 110 Māhinapua; SASM 127 Ulipa; SASM 130 Whataroa Native Reserves Secs 21; SASM 133 No. 10 Ōkārito Native Reserve; SASM 135 Ōkārito (No. 18 Kaomaru Native Reserve); SASM 156 Hunts Beach Māori Reserve; SASM 157 No. 10 Makāwhio Native Reserve; SASM 162 Heretaniwha; SASM 165 No 7. Mahitahi Beach Native Reserve; SASM 168 No. 4 Heretaniwha Native Reserve; SASM 170 Porangirangi to Mahitahi; SASM 185 Lake Moeraki Reserve; or SASM 207 Awawhata Reserve at River Mouth; and <p>4. An Accidental Discovery Protocol commitment has been completed and the form submitted to Council 10 working days prior to the commencement of any earthworks.</p> <p>Advice Note: Rule SASM - R2 relates to minor earthworks on Sites and Areas of Significance to Māori within Table SASM - T2. There are additional rules for earthworks in other SASMs outlined in rule SASM - R6.</p>	<p>Activity status where compliance not achieved: Discretionary</p>
SASM - R2	Minor Earthworks on Sites and Areas in Schedule Three – Sites and Areas of Significance to Māori <u>listed within Table SASM - T2</u>						
<p>Activity Status Permitted</p> <p>1. These are earthworks associated with:</p> <ul style="list-style-type: none"> i. Burials at urupā; or ii. Archaeological survey by Pouhere Taonga - Heritage New Zealand, Poutini Ngāi Tahu or authorised representatives; or iii. Installing fence posts and the replacement of poles for overhead network utility lines provided that: <ul style="list-style-type: none"> a. The area of land disturbed is limited to what is necessary to maintain an existing fence or line along its existing alignment; and b. The activity does not involve installation or digging of new holes for overhead network utility lines; or iv. Maintaining roads/tracks within the footprint or modified ground compromised by the existing road/track; and <p>3. In relation to standards ii-a), iii-b) and iv-c) these earthworks are not undertaken at the following Sites and Areas of Significance to Māori identified listed in Schedule Three Table SASM - T2 except with where the written approval from activity has been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing:</p> <ul style="list-style-type: none"> i. SASM 17 Kawatiri South Bank Native Reserve; SASM 41 Kotorepi (Nine Mile); SASM 54 Motutapu; SASM 55 Māwhera Burial Cave Site; SASM 81 Takataka Islands; SASM 84 Knoll Point; SASM 110 Māhinapua; SASM 127 Ulipa; SASM 130 Whataroa Native Reserves Secs 21; SASM 133 No. 10 Ōkārito Native Reserve; SASM 135 Ōkārito (No. 18 Kaomaru Native Reserve); SASM 156 Hunts Beach Māori Reserve; SASM 157 No. 10 Makāwhio Native Reserve; SASM 162 Heretaniwha; SASM 165 No 7. Mahitahi Beach Native Reserve; SASM 168 No. 4 Heretaniwha Native Reserve; SASM 170 Porangirangi to Mahitahi; SASM 185 Lake Moeraki Reserve; or SASM 207 Awawhata Reserve at River Mouth; and <p>4. An Accidental Discovery Protocol commitment has been completed and the form submitted to Council 10 working days prior to the commencement of any earthworks.</p> <p>Advice Note: Rule SASM - R2 relates to minor earthworks on Sites and Areas of Significance to Māori within Table SASM - T2. There are additional rules for earthworks in other SASMs outlined in rule SASM - R6.</p>	<p>Activity status where compliance not achieved: Discretionary</p>						

			<p>is necessary to maintain the substation; or"</p> <p>(5) Amend existing item 1.iv. to 1.vi.</p>								
S547.223	SASM-R3	Oppose	Delete and develop one rule to provide for all energy activities.	Amended Rule SASM-R3,	As sought in original submission.						
S547.224	SASM-R3	Amend	Delete items ii. and iii.	<table border="1"> <tr> <td>SASM - R3</td> <td>Demolition, removal of, or alterations to a building or structure on Sites and Areas in oSchedule Three – Sites and Areas of Significance to Māori listed within Table SASM - T3</td> </tr> <tr> <td>Activity Status Permitted Where:</td> <td>Activity status where compliance not achieved:</td> </tr> <tr> <td> <p>1. In relation to the Sites and Areas of Significance to Māori identified listed in Schedule Three identified in 2Table SASM - T3 .below:</p> <p>i. The activity does not occur except with where the written approval from activity has been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing; and</p> <p>ii. No land disturbance is involved; and</p> <p>iii. There is no change to the size or location of the structures foundation or building footprint occupied by the structure;</p> <p>3. SASM 41 Kotorepi (Nine Mile); SASM 55 Māwhera Burial Cave Site; SASM 64 Blaketown Part Reserve; SASM 81 Takataka Islands; SASM 84 Knoll Point; SASM 121 Waitaiki Historic Reserve; SASM 127 Ulipa; SASM 135 Ōkārito (No. 18 Koamaru Native Reserve); SASM 155 Hunts Beach Māori Reserve; SASM 157 No. 10 Makāwhio Native Reserve; SASM 162 Heretaniwha; SASM 168 No. 4 Heretaniwha Reserve; and SASM 170 Porangirangi to Mahitahi;</p> </td> <td>Discretionary</td> </tr> </table>	SASM - R3	Demolition, removal of, or alterations to a building or structure on Sites and Areas in oSchedule Three – Sites and Areas of Significance to Māori listed within Table SASM - T3	Activity Status Permitted Where:	Activity status where compliance not achieved:	<p>1. In relation to the Sites and Areas of Significance to Māori identified listed in Schedule Three identified in 2Table SASM - T3 .below:</p> <p>i. The activity does not occur except with where the written approval from activity has been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing; and</p> <p>ii. No land disturbance is involved; and</p> <p>iii. There is no change to the size or location of the structures foundation or building footprint occupied by the structure;</p> <p>3. SASM 41 Kotorepi (Nine Mile); SASM 55 Māwhera Burial Cave Site; SASM 64 Blaketown Part Reserve; SASM 81 Takataka Islands; SASM 84 Knoll Point; SASM 121 Waitaiki Historic Reserve; SASM 127 Ulipa; SASM 135 Ōkārito (No. 18 Koamaru Native Reserve); SASM 155 Hunts Beach Māori Reserve; SASM 157 No. 10 Makāwhio Native Reserve; SASM 162 Heretaniwha; SASM 168 No. 4 Heretaniwha Reserve; and SASM 170 Porangirangi to Mahitahi;</p>	Discretionary	As sought in original submission.
SASM - R3	Demolition, removal of, or alterations to a building or structure on Sites and Areas in oSchedule Three – Sites and Areas of Significance to Māori listed within Table SASM - T3										
Activity Status Permitted Where:	Activity status where compliance not achieved:										
<p>1. In relation to the Sites and Areas of Significance to Māori identified listed in Schedule Three identified in 2Table SASM - T3 .below:</p> <p>i. The activity does not occur except with where the written approval from activity has been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing; and</p> <p>ii. No land disturbance is involved; and</p> <p>iii. There is no change to the size or location of the structures foundation or building footprint occupied by the structure;</p> <p>3. SASM 41 Kotorepi (Nine Mile); SASM 55 Māwhera Burial Cave Site; SASM 64 Blaketown Part Reserve; SASM 81 Takataka Islands; SASM 84 Knoll Point; SASM 121 Waitaiki Historic Reserve; SASM 127 Ulipa; SASM 135 Ōkārito (No. 18 Koamaru Native Reserve); SASM 155 Hunts Beach Māori Reserve; SASM 157 No. 10 Makāwhio Native Reserve; SASM 162 Heretaniwha; SASM 168 No. 4 Heretaniwha Reserve; and SASM 170 Porangirangi to Mahitahi;</p>	Discretionary										
S547.225	SASM-R4	Oppose	As above Westpower's preference is that one rule is developed to provide for energy activities, including energy aspects of infrastructure and critical infrastructure.	Amended Rule SASM-R4,	As sought in original submission.						

			<p>Whilst not the preferred approach,</p> <p>(1) Amend Activity Status Standards, "Activity Status Permitted Where: 1. The clearance is to maintain existing corridors and access for above and below ground electricity lines and cables to industry standards, or to maintain and operate existing buildings and structures associated with energy activities; or"</p> <p>(2) Amend current 1. to 2</p>	<table border="1"> <tr> <td>SASM - R4</td> <td>Indigenous vegetation clearance on Sites and Areas in Schedule Three – Sites and Areas of Significance to Māori listed in Table SASM - T4</td> </tr> <tr> <td colspan="2"> Activity Status Permitted Where: 1. The activity does not occur on the following Sites and Areas of Significance to Māori identified listed in Schedule Three Table SASM - T4, except where the written approval from activity has been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing; or 2. The activity is hand clearance for: i. All sites identified in Category Tahī (1) and Category Rua (2) in Schedule Three; the maintenance of existing fencelines within 1m of the fenceline; or ii. SASM 52 Gobden Native Reserve; iii. SASM 109 Pyramid Hill/Tumuaki Hill; iv. SASM 117 Waitaiki Catchment; v. SASM 156 Te Puku o te Wairapa; vi. SASM 159 Tikitiki o Rehua; vii. SASM 162 Heretaniwha; viii. SASM 170 Perangirangi to Mahitahi; ix. SASM 192 Awarua removal of planted garden vegetation.; x. SASM 197 Ōkuru; xi. SASM 204 Waioototo Lagoon, South Bank Nohoanga; and xii. SASM 214 Huruuru Manu/Spoon River. </td> </tr> <tr> <td colspan="2"> Advice Note: 1. Indigenous vegetation clearance is also subject to the provisions in the ECO - Ecosystems and Indigenous Biodiversity Chapter. </td> </tr> <tr> <td colspan="2"> Activity status where compliance not achieved: Discretionary </td> </tr> </table>	SASM - R4	Indigenous vegetation clearance on Sites and Areas in Schedule Three – Sites and Areas of Significance to Māori listed in Table SASM - T4	Activity Status Permitted Where: 1. The activity does not occur on the following Sites and Areas of Significance to Māori identified listed in Schedule Three Table SASM - T4, except where the written approval from activity has been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing; or 2. The activity is hand clearance for: i. All sites identified in Category Tahī (1) and Category Rua (2) in Schedule Three; the maintenance of existing fencelines within 1m of the fenceline; or ii. SASM 52 Gobden Native Reserve; iii. SASM 109 Pyramid Hill/Tumuaki Hill; iv. SASM 117 Waitaiki Catchment; v. SASM 156 Te Puku o te Wairapa; vi. SASM 159 Tikitiki o Rehua; vii. SASM 162 Heretaniwha; viii. SASM 170 Perangirangi to Mahitahi; ix. SASM 192 Awarua removal of planted garden vegetation.; x. SASM 197 Ōkuru; xi. SASM 204 Waioototo Lagoon, South Bank Nohoanga; and xii. SASM 214 Huruuru Manu/Spoon River.		Advice Note: 1. Indigenous vegetation clearance is also subject to the provisions in the ECO - Ecosystems and Indigenous Biodiversity Chapter.		Activity status where compliance not achieved: Discretionary		
SASM - R4	Indigenous vegetation clearance on Sites and Areas in Schedule Three – Sites and Areas of Significance to Māori listed in Table SASM - T4												
Activity Status Permitted Where: 1. The activity does not occur on the following Sites and Areas of Significance to Māori identified listed in Schedule Three Table SASM - T4, except where the written approval from activity has been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing; or 2. The activity is hand clearance for: i. All sites identified in Category Tahī (1) and Category Rua (2) in Schedule Three; the maintenance of existing fencelines within 1m of the fenceline; or ii. SASM 52 Gobden Native Reserve; iii. SASM 109 Pyramid Hill/Tumuaki Hill; iv. SASM 117 Waitaiki Catchment; v. SASM 156 Te Puku o te Wairapa; vi. SASM 159 Tikitiki o Rehua; vii. SASM 162 Heretaniwha; viii. SASM 170 Perangirangi to Mahitahi; ix. SASM 192 Awarua removal of planted garden vegetation.; x. SASM 197 Ōkuru; xi. SASM 204 Waioototo Lagoon, South Bank Nohoanga; and xii. SASM 214 Huruuru Manu/Spoon River.													
Advice Note: 1. Indigenous vegetation clearance is also subject to the provisions in the ECO - Ecosystems and Indigenous Biodiversity Chapter.													
Activity status where compliance not achieved: Discretionary													
S547.227	SASM-R6	Amend	<p>As above</p> <p>Westpower's preference is that one rule is developed to provide for energy activities, including energy aspects of infrastructure and critical infrastructure.</p> <p>Whilst not the</p>	Amended Rule SASM-R6,	As sought in original submission.								

		<p>preferred approach,</p> <p>(1) Amend the heading of SASM-R6, "SASM-R6 Earthworks, Buildings ... not provided for in, or not complying with, SASM-R2 in Schedule Three ..."</p> <p>(2) Amend Activity Status Standards, "Activity Status Permitted Where: 1. The area of land disturbed is limited to what is necessary to maintain the energy activity, including energy aspects of infrastructure and critical infrastructure; or"</p> <p>(3) Add a new 2, "2. The structure is for an energy activity, including energy aspects of infrastructure and critical infrastructure; or"</p> <p>(4) Add a new 3.,</p>	<table border="1"> <tr> <td data-bbox="904 102 1115 197">SASM - R6</td> <td data-bbox="1115 102 1953 197">Earthworks Buildings and Structures not Provided for in SASM - R2 in within Schedule Three - Sites and Areas of Significance to Māori listed in Table SASM - T6 and SASM - T7</td> </tr> <tr> <td colspan="2" data-bbox="904 197 1953 699"> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The activity does not occur on the following earthworks, buildings and structures within Sites and Areas of Significance to Māori identified listed in Schedule Three, except with written approval from Table SASM - T6 or SASM - T7 have been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing; <ol style="list-style-type: none"> i. All sites identified in Category Tahī (1), Category Rua (2), Category Toru (3) and Category Whā (4) in Schedule Three; and ii. SASM 3 Whakapōai Native Reserve 7B and SASM 170 Porangirangi to Mahitahi; iii. provided that 2. No earthworks, buildings or structures are located on the upper slopes, ridgelines or peaks of ancestral maunga identified in Category Toru (3) in Schedule Three Table SASM - T7. </td> </tr> <tr> <td colspan="2" data-bbox="1644 197 1953 699"> <p>Activity status where compliance not achieved: Discretionary where Standard 1 is not complied with. Non - complying where Standard 2 is not complied with.</p> </td> </tr> </table>	SASM - R6	Earthworks Buildings and Structures not Provided for in SASM - R2 in within Schedule Three - Sites and Areas of Significance to Māori listed in Table SASM - T6 and SASM - T7	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The activity does not occur on the following earthworks, buildings and structures within Sites and Areas of Significance to Māori identified listed in Schedule Three, except with written approval from Table SASM - T6 or SASM - T7 have been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing; <ol style="list-style-type: none"> i. All sites identified in Category Tahī (1), Category Rua (2), Category Toru (3) and Category Whā (4) in Schedule Three; and ii. SASM 3 Whakapōai Native Reserve 7B and SASM 170 Porangirangi to Mahitahi; iii. provided that 2. No earthworks, buildings or structures are located on the upper slopes, ridgelines or peaks of ancestral maunga identified in Category Toru (3) in Schedule Three Table SASM - T7. 		<p>Activity status where compliance not achieved: Discretionary where Standard 1 is not complied with. Non - complying where Standard 2 is not complied with.</p>	
SASM - R6	Earthworks Buildings and Structures not Provided for in SASM - R2 in within Schedule Three - Sites and Areas of Significance to Māori listed in Table SASM - T6 and SASM - T7								
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The activity does not occur on the following earthworks, buildings and structures within Sites and Areas of Significance to Māori identified listed in Schedule Three, except with written approval from Table SASM - T6 or SASM - T7 have been certified by an authorised representative of the relevant Poutini Ngāi Tahu rūnanga which in accordance with Schedule Three (SCHED 3A) and this certification is provided to the relevant District Council at least 10 working days prior to the activity commencing; <ol style="list-style-type: none"> i. All sites identified in Category Tahī (1), Category Rua (2), Category Toru (3) and Category Whā (4) in Schedule Three; and ii. SASM 3 Whakapōai Native Reserve 7B and SASM 170 Porangirangi to Mahitahi; iii. provided that 2. No earthworks, buildings or structures are located on the upper slopes, ridgelines or peaks of ancestral maunga identified in Category Toru (3) in Schedule Three Table SASM - T7. 									
<p>Activity status where compliance not achieved: Discretionary where Standard 1 is not complied with. Non - complying where Standard 2 is not complied with.</p>									

			<p>"3. The activity is the replacement, reconstruction or addition to a building or structure used for an energy activity, including energy aspects of infrastructure and critical infrastructure; or"</p> <p>(5) Amend current 1. to 4</p>														
S547.231	SASM-R9	Amend	<p>As above Westpower's preference is that one rule is developed to provide for energy activities, including energy aspects of infrastructure and critical infrastructure. Whilst not the preferred approach,</p> <p>(1) Amend the heading of SASM-R9, "SASM-R9 Maintenance, Repair, Upgrading of Energy Activities and Network Utility Buildings and</p>	<p>Amended Rule SASM-R9,</p> <table border="1"> <tr> <td>SASM - R9</td> <td>Maintenance, Repair and Upgrading of Network Utility Structures Infrastructure</td> </tr> <tr> <td></td> <td>and Regionally Significant Infrastructure on or within Sites and Areas of Significance to Māori identified listed in Schedule Three Table SASM - T8</td> </tr> <tr> <td colspan="2">Activity Status Permitted</td> </tr> <tr> <td colspan="2">Where:</td> </tr> <tr> <td colspan="2"> 1. The activity occurs in within the following Sites and Areas of Significance to Māori as identified in aōri listed within Table Schedule Three: <ul style="list-style-type: none"> i. SASM 10 Kawatiri Pā ii. SASM 12 Kawatiri Town Reserve iii. SASM 15 No. 42 Kawatiri (Township) Native Reserve iv. SASM 31 Punakaiki Area v. SASM 56 Māwhera Pā 1 vi. SASM 57 Māwhera Gardens vii. SASM 58 Greymouth Railway Land viii. SASM 59 Māwhera Pā 2 ix. SASM 60 Māwhera Kāinga x. SASM 61 Victoria Park xi. SASM 63 No. 32 Nga Moana e Rua Native Reserve xii. SASM 94 No. 30 Arahura Native Reserve xiii. SASM 96 Taramakau River xiv. SASM 104 Kawhaka Creek Catchment xv. SASM 112 Arahura River at Tūhua xvi. SASM 117 Waitaiki Catchment xvii. SASM 121 Waitaiki Historic Reserve xviii. SASM 197 Ōkuru </td> </tr> <tr> <td></td> <td>Activity status where compliance not achieved: Controlled</td> </tr> </table>	SASM - R9	Maintenance, Repair and Upgrading of Network Utility Structures Infrastructure		and Regionally Significant Infrastructure on or within Sites and Areas of Significance to Māori identified listed in Schedule Three Table SASM - T8	Activity Status Permitted		Where:		1. The activity occurs in within the following Sites and Areas of Significance to Māori as identified in aōri listed within Table Schedule Three: <ul style="list-style-type: none"> i. SASM 10 Kawatiri Pā ii. SASM 12 Kawatiri Town Reserve iii. SASM 15 No. 42 Kawatiri (Township) Native Reserve iv. SASM 31 Punakaiki Area v. SASM 56 Māwhera Pā 1 vi. SASM 57 Māwhera Gardens vii. SASM 58 Greymouth Railway Land viii. SASM 59 Māwhera Pā 2 ix. SASM 60 Māwhera Kāinga x. SASM 61 Victoria Park xi. SASM 63 No. 32 Nga Moana e Rua Native Reserve xii. SASM 94 No. 30 Arahura Native Reserve xiii. SASM 96 Taramakau River xiv. SASM 104 Kawhaka Creek Catchment xv. SASM 112 Arahura River at Tūhua xvi. SASM 117 Waitaiki Catchment xvii. SASM 121 Waitaiki Historic Reserve xviii. SASM 197 Ōkuru 			Activity status where compliance not achieved: Controlled	As sought in original submission.
SASM - R9	Maintenance, Repair and Upgrading of Network Utility Structures Infrastructure																
	and Regionally Significant Infrastructure on or within Sites and Areas of Significance to Māori identified listed in Schedule Three Table SASM - T8																
Activity Status Permitted																	
Where:																	
1. The activity occurs in within the following Sites and Areas of Significance to Māori as identified in aōri listed within Table Schedule Three: <ul style="list-style-type: none"> i. SASM 10 Kawatiri Pā ii. SASM 12 Kawatiri Town Reserve iii. SASM 15 No. 42 Kawatiri (Township) Native Reserve iv. SASM 31 Punakaiki Area v. SASM 56 Māwhera Pā 1 vi. SASM 57 Māwhera Gardens vii. SASM 58 Greymouth Railway Land viii. SASM 59 Māwhera Pā 2 ix. SASM 60 Māwhera Kāinga x. SASM 61 Victoria Park xi. SASM 63 No. 32 Nga Moana e Rua Native Reserve xii. SASM 94 No. 30 Arahura Native Reserve xiii. SASM 96 Taramakau River xiv. SASM 104 Kawhaka Creek Catchment xv. SASM 112 Arahura River at Tūhua xvi. SASM 117 Waitaiki Catchment xvii. SASM 121 Waitaiki Historic Reserve xviii. SASM 197 Ōkuru 																	
	Activity status where compliance not achieved: Controlled																

			<p>Structures, <u>including associated Earthworks and Vegetation Clearance, on or within ...</u>"</p> <p>(2) Add a new 1 under "Where:", <u>"1. The area of land disturbed is limited to what is necessary for the work required."</u></p> <p>(3) Add a new 2 under "Where:", <u>"2. The area of vegetation cleared is limited to that necessary to comply with electrical safety and hazard regulations, or maintain, repair or upgrade the building or structure."</u></p> <p>(4) Renumber existing 1. to <u>3.</u></p>		
S547.234	SASM-R10	Amend	As above Westpower's preference is that one rule is developed to provide for energy	Amended Rule SASM-R10,	As sought in original submission.

		<p>activities, including energy aspects of infrastructure and critical infrastructure. Whilst not the preferred approach,</p> <p>(1) Amend the heading of SASM-R10, "SASM-R10 Maintenance, Repair, Upgrading of Energy Activities and Network Utility Buildings and Structures, including associated Earthworks and Vegetation Clearance, on or within ..."</p> <p>(2) Amend item 2. by deleting a. and b. and adding a new a., "a. The area of land disturbed is limited to what is necessary for the work required."</p> <p>(3) Amend item 4., "4. The area of vegetation cleared</p>	<table border="1"> <tr> <td data-bbox="904 97 1115 220">SASM - R10</td> <td data-bbox="1115 97 1944 220">Maintenance, Repair and Upgrading of Network Utility Structures Infrastructure and Regionally Significant Infrastructure on or within Sites and Areas in Schedule Three – Sites and Areas of Significance to Māori where Permitted Activity standards are not met</td> </tr> <tr> <td colspan="2" data-bbox="904 220 1944 1082"> <p>Activity Status Controlled Where:</p> <ul style="list-style-type: none"> • Notice of works is provided to the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio, 10 working days prior to any earthworks commencing; and • The work is works are in an area that has previously been disturbed by the network utility; and <ul style="list-style-type: none"> a. For the maintenance, repair infrastructure or regionally significant infrastructure and upgrading of above ground structures any earthworks involves no more than 0.3m² to a maximum depth of 450mm at the base of the above ground structure; and b. For underground structures, a maximum area of 40m² or a maximum volume of 5m³ of land land disturbed is limited to what is necessary for the work required; or • The work is installing customer connections to an existing network, provided that any associated earthworks are limited to the extent that is necessary to install the connection; or • The work is the trimming or removal of trees or vegetation for the purpose of protecting the integrity of a structure or is otherwise undertaken in accordance with the Electricity (Hazards from Trees) Regulations 2003. <p>Matters of control are:</p> <ol style="list-style-type: none"> Area and depth of earthworks for above ground structures; Area and volume of earthworks for underground structures; Extent of earthworks for new customer connections; Extent of any vegetation trimming or removal; Impacts of the activity on the cultural values on any site or area of significance to Māori; Implementation of any advice received from the relevant Poutini Ngāi Tahu rūnanga on ways to manage the effects on cultural values of the proposed maintenance works. <p>Advice Note:</p> <ol style="list-style-type: none"> This rule applies to all Sites and Areas of Significance to Māori, not only those sites and areas within Table SASM - T8 </td> </tr> <tr> <td data-bbox="904 220 1630 895"></td> <td data-bbox="1630 220 1944 895"> <p>Activity status where compliance not achieved: Discretionary</p> </td> </tr> <tr> <td data-bbox="904 895 1630 1082"></td> <td data-bbox="1630 895 1944 1082"></td> </tr> </table>	SASM - R10	Maintenance, Repair and Upgrading of Network Utility Structures Infrastructure and Regionally Significant Infrastructure on or within Sites and Areas in Schedule Three – Sites and Areas of Significance to Māori where Permitted Activity standards are not met	<p>Activity Status Controlled Where:</p> <ul style="list-style-type: none"> • Notice of works is provided to the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio, 10 working days prior to any earthworks commencing; and • The work is works are in an area that has previously been disturbed by the network utility; and <ul style="list-style-type: none"> a. 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	<p>Activity status where compliance not achieved: Discretionary</p>											

			is limited to that necessary to comply with electrical safety and hazard regulations, or to maintain, repair or upgrade the building or structure."						
S547.236	SASM-R12	Oppose	Delete and develop one rule to provide for all energy activities.	Amended Rule SASM-R12, <table border="1" data-bbox="904 512 1951 932"> <tr> <td>SASM - R12</td> <td>Earthworks, Buildings and Structures, including Demolition and Removal of Buildings and Structures on or within Sites and Areas in Schedule Three -- Sites and Areas of Significance to Māori not meeting Permitted Activity Standards.</td> </tr> <tr> <td>Activity Status Discretionary Where: 1. No earthworks or structures are located on the upper slopes, ridgelines or peaks of ancestral maunga identified in Category Toru (3) in Schedule Three Table SASM - R7; 2. This is not Mineral Extraction subject to Rule SASM - R14R15; and 3. This will not result in the destruction of a Site or Area of Significance to Māori. Notification: Applications for earthworks on sites and areas of significance When making notification decisions in relation to Māori this rule, the Council will always be limited notified to the relevant Poutini consult with Poutini Ngāi Tahu rūnanga.</td> <td>Activity status where compliance not achieved: Non-Complying</td> </tr> </table>	SASM - R12	Earthworks, Buildings and Structures, including Demolition and Removal of Buildings and Structures on or within Sites and Areas in Schedule Three -- Sites and Areas of Significance to Māori not meeting Permitted Activity Standards.	Activity Status Discretionary Where: 1. No earthworks or structures are located on the upper slopes, ridgelines or peaks of ancestral maunga identified in Category Toru (3) in Schedule Three Table SASM - R7; 2. This is not Mineral Extraction subject to Rule SASM - R14R15; and 3. This will not result in the destruction of a Site or Area of Significance to Māori. Notification: Applications for earthworks on sites and areas of significance When making notification decisions in relation to Māori this rule, the Council will always be limited notified to the relevant Poutini consult with Poutini Ngāi Tahu rūnanga.	Activity status where compliance not achieved: Non-Complying	As sought in original submission.
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S547.241	SASM-R13	Oppose	Delete and develop one rule to provide for all energy activities.	Amended Rule SASM-R13, <table border="1" data-bbox="904 991 1951 1390"> <tr> <td>SASM - R13</td> <td>Maintenance, Repair, and Upgrade and New of Network Utility Structures Infrastructure and Regionally Significant Infrastructure on or within Sites and Areas of Significance to Māori in Schedule Three not meeting Controlled Activity standards and New Network Utility Infrastructure and Regionally Significant Infrastructure</td> </tr> <tr> <td>Activity Status Discretionary Where: 1. There are no new structures on the upper slopes, ridgelines or peaks of ancestral maunga identified in Category Toru (3) in Schedule Three Table SASM - R7. Notification: Applications for activities on sites and areas of significance When making notification decisions in relation to Māori this rule, the Council will always be limited notified to the relevant Poutini consult with Poutini Ngāi Tahu rūnanga.</td> <td>Activity status where compliance not achieved: Non-Complying</td> </tr> </table>	SASM - R13	Maintenance, Repair, and Upgrade and New of Network Utility Structures Infrastructure and Regionally Significant Infrastructure on or within Sites and Areas of Significance to Māori in Schedule Three not meeting Controlled Activity standards and New Network Utility Infrastructure and Regionally Significant Infrastructure	Activity Status Discretionary Where: 1. There are no new structures on the upper slopes, ridgelines or peaks of ancestral maunga identified in Category Toru (3) in Schedule Three Table SASM - R7. Notification: Applications for activities on sites and areas of significance When making notification decisions in relation to Māori this rule, the Council will always be limited notified to the relevant Poutini consult with Poutini Ngāi Tahu rūnanga.	Activity status where compliance not achieved: Non-Complying	As sought in original submission.
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S547.242	SASM-R13	Amend	Amend heading: "SASM-R13 Maintenance, Repair, Upgrading of Energy Activities and Network Utility Buildings and Structures, including associated		As sought in original submission.				

			Earthworks and Vegetation Clearance , on or within ... Controlled Activity standards”						
S547.244	SASM-R14	Oppose	Delete and develop one rule to provide for all energy activities.	Amended Rule SASM-R14,	As sought in original submission.				
S547.245	SASM-R14	Amend	(1) Development of a specific suite of rules for Westpower activities in these areas. (2) Whilst not the preferred option were the rule to be retained the "Notification" commentary be amended, "Notification: Applications for earthworks on ... notified to the relevant Ngāi Tahu rūnanga alone, and no other party will be notified. "	<table border="1"> <tr> <td>SASM - R14</td> <td>Grazing, Indigenous Vegetation Clearance and Temporary Events on Sites and Areas of Significance to Māori in Schedule Three not meeting Permitted Activity Standards.</td> </tr> <tr> <td>Activity Status Discretionary Notification: Applications for activities on sites and areas of significanceWhen making notification decisions in relation to Māori this rule, the Council will always be limited notified to the relevant Poutini consult with Poutini Ngāi Tahu rūnanga.</td> <td>Activity status where compliance not achieved: N/A</td> </tr> </table>	SASM - R14	Grazing, Indigenous Vegetation Clearance and Temporary Events on Sites and Areas of Significance to Māori in Schedule Three not meeting Permitted Activity Standards.	Activity Status Discretionary Notification: Applications for activities on sites and areas of significance When making notification decisions in relation to Māori this rule, the Council will always be limited notified to the relevant Poutini consult with Poutini Ngāi Tahu rūnanga.	Activity status where compliance not achieved: N/A	As sought in original submission.
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Activity Status Discretionary Notification: Applications for activities on sites and areas of significance When making notification decisions in relation to Māori this rule, the Council will always be limited notified to the relevant Poutini consult with Poutini Ngāi Tahu rūnanga.	Activity status where compliance not achieved: N/A								

Provisions Appealed – Part 2 TREE – Notable Trees

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought		
S547.186	Notable Tree Objectives	Amend	Add New objective, <u>“TREE-04: When managing potential effects of Energy Activities, including Critical Infrastructure, on notable trees recognise and provide for instances where trimming and/or pruning is required, or circumstances where removal of the tree is unavoidable.”</u>	<p>No new objective added however objective TREE-O3 amended,</p> <table border="1" data-bbox="864 316 1921 485"> <tr> <td data-bbox="864 316 1072 485">TREE - O3</td> <td data-bbox="1072 316 1921 485">To provide for the protection of notable trees while recognising instances where trimming and/or pruning is required and where this: <ul style="list-style-type: none"> a. may improve the health of the tree, or b. is needed for safety reasons including the safe operation of infrastructure and energy activities; and recognise that there may be instances where removal of the tree is unavoidable due to safety requirements. </td> </tr> </table>	TREE - O3	To provide for the protection of notable trees while recognising instances where trimming and/or pruning is required and where this: <ul style="list-style-type: none"> a. may improve the health of the tree, or b. is needed for safety reasons including the safe operation of infrastructure and energy activities; and recognise that there may be instances where removal of the tree is unavoidable due to safety requirements. 	<p><i>Either insert a new objective as sought or amend TREE - O3 as follows:</i></p> <p><i>“To provide for the protection of notable trees while recognising instances where trimming and/or pruning is required where this while recognising that trimming, pruning, or, where necessary, removal may be required for specific</i></p>
TREE - O3	To provide for the protection of notable trees while recognising instances where trimming and/or pruning is required and where this: <ul style="list-style-type: none"> a. may improve the health of the tree, or b. is needed for safety reasons including the safe operation of infrastructure and energy activities; and recognise that there may be instances where removal of the tree is unavoidable due to safety requirements. 						

					<p><i>reasons, including:</i></p> <p><i>a) may improve the health of the tree, or improving the health of the tree, or</i></p> <p><i>b) is needed for safety reasons including the safe operation of infrastructure and energy activities; and recognise that there may be instances where removal of the tree is unavoidable due to safety requirements ensuring safety, including the safe operation of infrastruc</i></p>
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					<i>e and energy activities.”</i>		
S547.187	Notable Tree Policies	Amend	Add new Policy: <u>“Recognise and provide for circumstances where it is appropriate to remove a notable tree due to the technical, locational, functional or operational constraints or requirements of energy activities, including critical infrastructure.”</u>		As sought in original submission.		
S547.188	TREE-P2	Amend	Amend TREE-P2: “Trees identified ... are <u>generally</u> protected except <u>in circumstances where tree trimming and/or pruning or removal are appropriate.</u> ”	Amended policy TREE-P2, <table border="1" data-bbox="862 981 1937 1045"> <tr> <td>TREE - P2</td> <td>Trees identified in Schedule Two with notable botanical, aesthetic, cultural or historic value are protected.</td> </tr> </table>	TREE - P2	Trees identified in Schedule Two with notable botanical, aesthetic, cultural or historic value are protected.	As sought in original submission.
TREE - P2	Trees identified in Schedule Two with notable botanical, aesthetic, cultural or historic value are protected.						
S547.190	TREE-P4	Amend	Amend item c., “c. Are necessary for	Amended policy TREE-P4,	Amendments sought as follows:		

			<p>the ongoing <u>provision and operation of energy activities and infrastructure, including critical infrastructure;</u></p> <p>or</p> <p>d. Are for the maintenance of <u>energy activities and infrastructure, including critical infrastructure,</u> to enable ...”</p>	<p>TREE - P4</p> <p>Allow the trimming and pruning of notable trees and activities in the root protection area where the works:</p> <ol style="list-style-type: none"> Retain or improve the health of the tree; or Are necessary to prevent a serious threat to property and people; or Are necessary for the ongoing operation of infrastructure and energy activities; or Are for the maintenance of network utility infrastructure and energy activities to enable compliance with relevant safety standards. 	<p>c. “Are necessary for the <u>provision and ongoing operation of infrastructure and energy activities</u>”.</p>
S547.191	TREE-P5	Amend	<p>Add item f., <u>“f. Any technical, locational, functional or operational constraints or requirements of energy activities, including critical infrastructure.”</u></p>	<p>Amended policy TREE-P5,</p> <p>TREE - P5</p> <p>Ensure that any activity within the root protection area of a notable tree is appropriate having regard to:</p> <ol style="list-style-type: none"> The values of the tree and its setting; If the tree is identified for cultural values, the outcomes of any discussion with and/or assessment undertaken by Poutini Ngāi Tahu; Whether the activity will compromise the tree's health or result in a reduction or loss of its values; The impact of the activity on the stature, form or shape, health and vigour, structural integrity and life expectancy of the tree; and Whether the tree renders a site incapable of reasonable use. 	<p>As sought in original submission with amendment in terminology from “critical infrastructure” to “Infrastructure”.</p>
S547.192	TREE-R2	Amend	<p>Amend item b., “To enable the ongoing provision <u>and operation</u> of</p>	<p>Amended policy TREE-R2,</p>	<p>Amendment s sought as follows: “1.ii. To enable the</p>

			existing energy activities and infrastructure, including critical infrastructure; or..."	<table border="1"> <tr> <th style="background-color: #92d050;">TREE - R2</th> <th style="background-color: #92d050;">Trimming and Maintenance of a Notable Tree identified in Schedule Two</th> </tr> <tr> <td colspan="2"> Activity Status Permitted Where: 1. The trimming and/or maintenance is: i. Necessary to improve, maintain or monitor tree health; or ii. To enable enable the ongoing provision of existing infrastructure <u>or energy activities</u>; or iii. For compliance with relevant electricity hazard regulations; or iv. To prevent a serious threat to people or property; and a. A council approved arboricultural contractor has certified that the works will not compromise the ongoing integrity, viability or values of the notable tree. Advice Notes: <u>When approving an arboricultural contractor in relation to this rule, the Council will consider the following matters:</u> 1. <u>Whether the contractor has a New Zealand Certificate of Horticultural Services or equivalent qualification.</u> 2. <u>Whether the contractor has significant experience in tree pruning of the type proposed.</u> </td> <td> Activity status where compliance not achieved: Restricted Discretionary </td> </tr> </table>	TREE - R2	Trimming and Maintenance of a Notable Tree identified in Schedule Two	Activity Status Permitted Where: 1. The trimming and/or maintenance is: i. Necessary to improve, maintain or monitor tree health; or ii. To enable enable the ongoing provision of existing infrastructure <u>or energy activities</u> ; or iii. For compliance with relevant electricity hazard regulations; or iv. To prevent a serious threat to people or property; and a. A council approved arboricultural contractor has certified that the works will not compromise the ongoing integrity, viability or values of the notable tree. Advice Notes: <u>When approving an arboricultural contractor in relation to this rule, the Council will consider the following matters:</u> 1. <u>Whether the contractor has a New Zealand Certificate of Horticultural Services or equivalent qualification.</u> 2. <u>Whether the contractor has significant experience in tree pruning of the type proposed.</u>		Activity status where compliance not achieved: Restricted Discretionary	<i>provision of and ongoing provision operation of infrastructure or energy activities."</i>
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S547.193	TREE-R3	Amend	Amend 3.b., "To enable the ongoing provision and operation of existing energy activities and infrastructure, including critical infrastructure; or..."	<table border="1"> <tr> <th style="background-color: #92d050;">TREE - R3</th> <th style="background-color: #92d050;">Root Pruning within the Root Protection Area of a Notable Tree identified in Schedule Two</th> </tr> <tr> <td colspan="2"> Activity Status Permitted Where: 1. The root pruning will not compromise the integrity, ongoing viability and values of the tree; and 2. Any machinery associated with undertaking the root pruning is only operated on top of paved surfaces or with ground protection methods use which avoid compaction of the soil around the root zone of the notable tree; and 3. The pruning is: i. Necessary to improve, maintain or monitor tree health; or ii. To enable the ongoing provision of existing infrastructure <u>or energy activities</u>; or iii. For compliance with the relevant electricity hazard regulations; or iv. To prevent a serious threat to people or property; and a. A council approved arboricultural contractor has certified that the work will be in accordance with 1 and 2. Advice Note: <u>When approving an arboricultural contractor in relation to this rule, the Council will consider the following matters:</u> 1. <u>Whether the contractor has a New Zealand Certificate of Horticultural Services or equivalent qualification.</u> 2. <u>Whether the contractor has significant experience in tree pruning of the type proposed.</u> </td> <td> Activity status where compliance not achieved: Restricted Discretionary </td> </tr> </table>	TREE - R3	Root Pruning within the Root Protection Area of a Notable Tree identified in Schedule Two	Activity Status Permitted Where: 1. The root pruning will not compromise the integrity, ongoing viability and values of the tree; and 2. Any machinery associated with undertaking the root pruning is only operated on top of paved surfaces or with ground protection methods use which avoid compaction of the soil around the root zone of the notable tree; and 3. The pruning is: i. Necessary to improve, maintain or monitor tree health; or ii. To enable the ongoing provision of existing infrastructure <u>or energy activities</u> ; or iii. For compliance with the relevant electricity hazard regulations; or iv. To prevent a serious threat to people or property; and a. A council approved arboricultural contractor has certified that the work will be in accordance with 1 and 2. Advice Note: <u>When approving an arboricultural contractor in relation to this rule, the Council will consider the following matters:</u> 1. <u>Whether the contractor has a New Zealand Certificate of Horticultural Services or equivalent qualification.</u> 2. <u>Whether the contractor has significant experience in tree pruning of the type proposed.</u>		Activity status where compliance not achieved: Restricted Discretionary	Amendment s sought as follows: "3.ii. To <i>enable the provision of and ongoing provision operation of infrastructure or energy activities."</i>
TREE - R3	Root Pruning within the Root Protection Area of a Notable Tree identified in Schedule Two									
Activity Status Permitted Where: 1. The root pruning will not compromise the integrity, ongoing viability and values of the tree; and 2. Any machinery associated with undertaking the root pruning is only operated on top of paved surfaces or with ground protection methods use which avoid compaction of the soil around the root zone of the notable tree; and 3. The pruning is: i. Necessary to improve, maintain or monitor tree health; or ii. To enable the ongoing provision of existing infrastructure <u>or energy activities</u> ; or iii. For compliance with the relevant electricity hazard regulations; or iv. To prevent a serious threat to people or property; and a. A council approved arboricultural contractor has certified that the work will be in accordance with 1 and 2. Advice Note: <u>When approving an arboricultural contractor in relation to this rule, the Council will consider the following matters:</u> 1. <u>Whether the contractor has a New Zealand Certificate of Horticultural Services or equivalent qualification.</u> 2. <u>Whether the contractor has significant experience in tree pruning of the type proposed.</u>		Activity status where compliance not achieved: Restricted Discretionary								
S547.194	TREE-R4	Amend	1. Amend item d.,	Amended policy TREE-R4,	Amendment of wording in					

			<p>“Whether there is any technical, locational, operational or functional need for ...”</p> <p>2. Amend item e., “Whether any practicable alternatives ...”</p> <p>3. Add a new item f., “The benefits to the community of the activity occurring ...”</p>	<table border="1"> <tr> <td>TREE - R4</td> <td>Building Activities Within the Root Protection Area of a Notable Tree identified in Schedule Two</td> </tr> <tr> <td colspan="2"> Activity Status Restricted Discretionary Where: 1. These will not result in the death or serious threat to the life of the tree as certified by a council approved arboricultural contractor. Advice Note: When approving an arboricultural contractor in relation to this rule, the Council will consider the following matters: 1. <u>Whether the contractor has a New Zealand Certificate of Horticultural Services or equivalent qualification.</u> 2. <u>Whether the contractor has significant experience in tree pruning of the type proposed.</u> Discretion is restricted to: a. The potential impact of the activity on the integrity, ongoing viability, and values of the scheduled notable tree; b. Effects on amenity values of public places; c. Effects on identified values of the tree/s; and d. Whether there is an operational or functional need for the activity to be located within the root protection area; and e. Whether any <u>practicable</u> alternatives are available to avoid the activity occurring in the root protection area. </td> </tr> <tr> <td colspan="2"> Activity status where compliance not achieved: Discretionary </td> </tr> </table>	TREE - R4	Building Activities Within the Root Protection Area of a Notable Tree identified in Schedule Two	Activity Status Restricted Discretionary Where: 1. These will not result in the death or serious threat to the life of the tree as certified by a council approved arboricultural contractor. Advice Note: When approving an arboricultural contractor in relation to this rule, the Council will consider the following matters: 1. <u>Whether the contractor has a New Zealand Certificate of Horticultural Services or equivalent qualification.</u> 2. <u>Whether the contractor has significant experience in tree pruning of the type proposed.</u> Discretion is restricted to: a. The potential impact of the activity on the integrity, ongoing viability, and values of the scheduled notable tree; b. Effects on amenity values of public places; c. Effects on identified values of the tree/s; and d. Whether there is an operational or functional need for the activity to be located within the root protection area; and e. Whether any <u>practicable</u> alternatives are available to avoid the activity occurring in the root protection area.		Activity status where compliance not achieved: Discretionary		<p>d. to: “...operational need or functional need”.</p>
TREE - R4	Building Activities Within the Root Protection Area of a Notable Tree identified in Schedule Two										
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Activity status where compliance not achieved: Discretionary											
S547.195	TREE-R4	Amend	Add item f., “ The benefits to the community of the activity occurring. ”		As sought in original submission.						
S547.197	TREE-R5	Amend	Split and amend item d., “Whether there is any technical, locational, operational or functional need for the activity to be located within the root protection area, and/or e. Whether any	Amended policy TREE-R5,	Amendment of wording in d. to: “...operational need or functional need”.						

			practicable alternatives are available to avoid the activity occurring in the root protection area.”	<p>TREE - R5</p> <p>New Underground Works for new and existing Network Utilities and Infrastructure Within the Root Protection Area of a Notable Tree identified in Schedule Two</p> <p>Activity Status Restricted Discretionary Where:</p> <p>1. These will not result in the death or serious threat to the life of the tree as certified by a council approved arboricultural contractor.</p> <p><u>Advice Note: When approving an arboricultural contractor in relation to this rule, the Council will consider the following matters:</u></p> <p>1. <u>Whether the contractor has a New Zealand Certificate of Horticultural Services or equivalent qualification.</u></p> <p>2. <u>Whether the contractor has significant experience in tree pruning of the type proposed.</u></p> <p>Discretion is restricted to:</p> <p>a. The potential impact of the activity on the integrity, ongoing viability, and values of the scheduled notable tree;</p> <p>b. Effects on amenity values of public places;</p> <p>c. Effects on identified values of the tree/s; and</p> <p>d. Whether there is an operational or functional need for the activity to be located within the root protection area; and/or whether</p> <p>e. <u>Whether any practicable</u> alternatives are available to avoid the activity occurring in the root protection area.</p>	Activity status where compliance not achieved: Discretionary	
S547.198	TREE-R5	Amend	Add item f., <u>“The benefits to the community of the activity occurring.”</u>			As set out in original submission.
S547.200	TREE-R6	Amend	Split and amend item d., <u>“Whether there is any technical, locational, operational or functional need for the activity to be located within the root protection area, and/ore. Whether any practicable alternatives are available to avoid the activity occurring in the</u>	<p>Amended policy TREE-R6,</p> <p>TREE - R6</p> <p>Gardening, Mowing, Trimming, Maintenance and Root Pruning of a Notable Tree identified in Schedule Two not meeting Permitted Activity Standards</p> <p>Activity Status Restricted Discretionary Where:</p> <p>1. These will not result in the death or serious threat to the life of the tree as certified by a council approved arboricultural contractor.</p> <p><u>Advice Note: When approving an arboricultural contractor in relation to this rule, the Council will consider the following matters:</u></p> <p>1. <u>Whether the contractor has a New Zealand Certificate of Horticultural Services or equivalent qualification.</u></p> <p>2. <u>Whether the contractor has significant experience in tree pruning of the type proposed.</u></p> <p>Discretion is restricted to:</p> <p>a. The potential impact of the activity on the integrity, ongoing viability, and values of the scheduled notable tree;</p> <p>b. Effects on amenity values of public places;</p> <p>c. Effects on identified values of the tree/s; and</p> <p>d. Whether there is an operational or functional need for the activity to be located within the root protection area; and/or whether</p> <p>e. <u>Whether any practicable</u> alternatives are available to avoid the activity occurring in the root protection area.</p>	Activity status where compliance not achieved: Discretionary	Amendment of wording in d. to: <i>“...operational need or functional need”.</i>

			<u>root protection area.</u>		
S547.201	TREE-R6	Amend	Add item f., <u>“The benefits to the community of the activity occurring.”</u>		As sought in original submission.

Provisions Appealed – Part 2 ECO – Ecosystems and Indigenous Biodiversity

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought
FS222.0201	Whole Plan	Oppose	Where other chapters refer to biodiversity effects (e.g., ENG, INF, TRN), rather than including a different standard of effects management (e.g., 'minimising'), a specific requirement should be included to give effect to the ECO chapter provisions. Also amend the overviews of the ENG, INF, and TRN chapter to make it clear that the ECO chapter provisions apply with respect to effects on biodiversity.	See Energy Section	As set out in Further Submission
FS222.0333	Interpretation	Oppose	Amend the interpretation section by including the following: <u>Effects Management Hierarchy: The effects management hierarchy is an</u>	New definition of “Effects Management Hierarchy” included,	As set out in further submission. In addition, the NPSIB has not been adopted in its entirety and amendment

		<p><u>approach to managing the adverse effects of an activity. It is required that:</u></p> <p><u>(a) adverse effects are avoided where practicable; and</u></p> <p><u>(b) where adverse effects cannot be demonstrably avoided, they are minimised where practicable; and</u></p> <p><u>(c) where adverse effects cannot be demonstrably minimised, they are remedied where practicable; and</u></p> <p><u>(d) where more than minor residual adverse effects cannot be demonstrably avoided, minimised, or remedied, biodiversity offsetting is</u></p>	<p><u>EFFECTS MANAGEMENT HIERARCHY</u></p> <p><u>means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:</u></p> <ol style="list-style-type: none"> a. <u>adverse effects are avoided where practicable; and</u> b. <u>where adverse effects cannot be avoided, they are minimised where practicable; then</u> c. <u>where adverse effects cannot be minimised, they are remedied where practicable; then</u> d. <u>where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then</u> e. <u>where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then</u> f. <u>if biodiversity compensation is not appropriate, the activity itself is avoided.</u> 	<p>is therefore sought to ensure it is.</p>
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			<p><u>provided where possible; and</u></p> <p>(e) where <u>biodiversity offsetting of more than minor residual adverse effects is not demonstrably possible, biodiversity compensation is provided; and</u></p> <p>(f) if biodiversity compensation is not appropriate, the activity itself is avoided.</p>	
FS222.075	Definitions	Oppose	<p>Add a new effects management hierarchy definition: <u>Effects management hierarchy means an approach to managing the adverse effects of subdivision, use and development that requires that:</u></p> <ul style="list-style-type: none"> • <u>adverse effects are avoided where possible;</u> • <u>where adverse effects that cannot be</u> 	As set out in further submission.

			<p><u>demonstrably avoided, they are minimised where possible;</u></p> <ul style="list-style-type: none"> • <u>where adverse effects that cannot be demonstrably minimised, they are remedied where possible;</u> • <u>in relation to adverse effects that cannot be avoided, minimised, or remedied, offsetting is provided where possible (including but not limited to biodiversity offsets and freshwater offsets); and</u> • <u>where offsetting is not demonstrably possible, adverse effects are compensated;</u> 				
FS222.0215	INDIGENOUS VEGETATION CLEARANCE	Oppose	Amend Indigenous vegetation clearance: “means the clearing or removal <u>or destruction</u> of	Amended definition, <table border="1" data-bbox="913 1268 1960 1412"> <tr> <td>INDIGENOUS VEGETATION CLEARANCE</td> <td>means the clearing, <u>damage, destruction</u> or removal of indigenous vegetation by any means, including <u>felling, cutting, crushing, smothering, mob-stocking</u>, cultivation, irrigation, chemical application, drainage, stopbanking, overplanting, or burning, <u>but excluding the clearance of indigenous vegetation forming an understorey within an exotic plantation forest.</u></td> </tr> </table>	INDIGENOUS VEGETATION CLEARANCE	means the clearing, <u>damage, destruction</u> or removal of indigenous vegetation by any means, including <u>felling, cutting, crushing, smothering, mob-stocking</u> , cultivation, irrigation, chemical application, drainage, stopbanking, overplanting, or burning, <u>but excluding the clearance of indigenous vegetation forming an understorey within an exotic plantation forest.</u>	As set out in further submission.
INDIGENOUS VEGETATION CLEARANCE	means the clearing, <u>damage, destruction</u> or removal of indigenous vegetation by any means, including <u>felling, cutting, crushing, smothering, mob-stocking</u> , cultivation, irrigation, chemical application, drainage, stopbanking, overplanting, or burning, <u>but excluding the clearance of indigenous vegetation forming an understorey within an exotic plantation forest.</u>						

			<p>indigenous vegetation by any means, including cutting, crushing, <u>smothering</u>, cultivation, irrigation, chemical application, drainage, stopbanking, overplanting, or burning. <u>Indigenous vegetation clearance has the same meaning as it applies to native vegetation</u>”</p>	
FS222.006	Definitions	Oppose	<p>Indigenous vegetation clearance means the felling, clearing, destroying or removal of indigenous vegetation by any means, including cutting, crushing, cultivation, irrigation, chemical application, drainage, stopbanking, overplanting, or burning for any purpose including vehicle tracking, <u>but excluding the clearance of</u></p>	As set out in further submission.

			<u>indigenous vegetation forming an under storey within an exotic plantation forest.</u>						
FS222.0202	Whole Plan	Oppose	Use the same terminology as the WCRPS. That is using the terms biodiversity offsetting and biodiversity compensation when considering residual adverse effects on biodiversity.	<p>New definition of “Biodiversity Compensation”,</p> <table border="1"> <tr> <td><u>BIODIVERSITY COMPENSATION</u></td> <td>means a conservation outcome that meets the requirements in Appendix 4 of the National Policy Statement for Indigenous Biodiversity and results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.</td> </tr> </table> <p>New definition of “Biodiversity Offset”,</p> <table border="1"> <tr> <td><u>BIODIVERSITY OFFSET</u></td> <td> <p>means a measurable conservation outcome that meets the requirements in Appendix 3 of the National Policy Statement for Indigenous Biodiversity and results from actions that are intended to</p> <ol style="list-style-type: none"> a. redress any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and b. achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost. </td> </tr> </table>	<u>BIODIVERSITY COMPENSATION</u>	means a conservation outcome that meets the requirements in Appendix 4 of the National Policy Statement for Indigenous Biodiversity and results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.	<u>BIODIVERSITY OFFSET</u>	<p>means a measurable conservation outcome that meets the requirements in Appendix 3 of the National Policy Statement for Indigenous Biodiversity and results from actions that are intended to</p> <ol style="list-style-type: none"> a. redress any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and b. achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost. 	As set out in further submission.
<u>BIODIVERSITY COMPENSATION</u>	means a conservation outcome that meets the requirements in Appendix 4 of the National Policy Statement for Indigenous Biodiversity and results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.								
<u>BIODIVERSITY OFFSET</u>	<p>means a measurable conservation outcome that meets the requirements in Appendix 3 of the National Policy Statement for Indigenous Biodiversity and results from actions that are intended to</p> <ol style="list-style-type: none"> a. redress any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and b. achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost. 								
FS222.074	Definitions	Oppose	Add a new compensation definition: <u>Compensation means an outcome that results from actions that are intended to compensate for residual adverse effects after all appropriate avoidance, minimisation, remediation, and offset measures (where appropriate), have been sequentially applied. In relation to Biodiversity</u>		As set out in further submission.				

			<p><u>Compensation, the definition above will apply until such time as a National Policy Statement for Indigenous Biodiversity takes effect. The definition of Biodiversity Compensation in the National Policy Statement for Indigenous Biodiversity will then be applied to all Biodiversity Compensation, (including the relevant principles listed in the National Policy Statement for Indigenous Biodiversity that must be complied with for an action to qualify as a Biodiversity Compensation).</u></p>	
FS222.0118	Definitions	Oppose	Offsetting and compensation are not defined in this Plan which is an egregious omission	As set out in further submission.

FS222.005	Definitions	Oppose	Offsetting and compensation are not defined in this Plan which is an egregious omission		As set out in further submission.
FS222.076	Definitions	Oppose	<p>Add a new offset definition: <u>Offset means a measurable conservation outcome that results from actions that:</u></p> <ul style="list-style-type: none"> • <u>redress any more than minor residual adverse effects after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and</u> • <u>achieves a measurable net gain compared to that lost.</u> <p><u>In relation to Biodiversity Offsetting, the definition above will apply until such time as a National Policy Statement for Indigenous Biodiversity takes</u></p>		As set out in further submission.

			<p><u>effect. The definition of Biodiversity Offsetting in the National Policy Statement for Indigenous Biodiversity will then be applied to all Biodiversity Offsetting (including the relevant principles listed in the National Policy Statement for Indigenous Biodiversity that must be complied with for an action to qualify as a Biodiversity Compensation).</u></p>				
FS222.0210	AREA OF SIGNIFICANT INDIGENOUS BIODIVERSITY	Oppose	<p>Add an explanation to the definition or within the ECO chapter overview to the effect that in this Plan, Significant Natural Area is used as a term to mean both mapped and unmapped areas meeting the criteria. For specific reference to mapped areas (i.e., in the Grey District)</p>	<p>Amended “Area of Significant Indigenous Biodiversity”,</p> <table border="1" data-bbox="913 944 1953 1114"> <tr> <td>AREA OF SIGNIFICANT INDIGENOUS BIODIVERSITY</td> <td> <p>means, in relation to the Subdivision Rules,</p> <ul style="list-style-type: none"> a. an area identified as a Significant Natural Area in Schedule Four; or b. an area identified through an ecological assessment process undertaken by an ecologist as meeting the criteria for a Significant Natural Area significant indigenous biological diversity as set out in the West Coast Regional Council Policy Statement, Appendix One¹. </td> </tr> </table> <p>Amended “Significant Natural Area”,</p>	AREA OF SIGNIFICANT INDIGENOUS BIODIVERSITY	<p>means, in relation to the Subdivision Rules,</p> <ul style="list-style-type: none"> a. an area identified as a Significant Natural Area in Schedule Four; or b. an area identified through an ecological assessment process undertaken by an ecologist as meeting the criteria for a Significant Natural Area significant indigenous biological diversity as set out in the West Coast Regional Council Policy Statement, Appendix One¹. 	As set out in further submission.
AREA OF SIGNIFICANT INDIGENOUS BIODIVERSITY	<p>means, in relation to the Subdivision Rules,</p> <ul style="list-style-type: none"> a. an area identified as a Significant Natural Area in Schedule Four; or b. an area identified through an ecological assessment process undertaken by an ecologist as meeting the criteria for a Significant Natural Area significant indigenous biological diversity as set out in the West Coast Regional Council Policy Statement, Appendix One¹. 						

			the wording used in the Plan and Planning maps is 'SNA identified in Schedule Four'.	SIGNIFICANT NATURAL AREA	means <ul style="list-style-type: none"> a. areasany area that, have been assessedafter the commencement date (4 August 2023), is notified or included in a district plan as an SNA following an assessment of the area in accordance with Appendix 1 of the National Policy Statement for Indigenous Biodiversity 2023; and b. any area that, on the commencement date (4 August 2023), is already identified in a policy statement or plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna (regardless of how it is described); in accordance withwhich case it remains as an SNA unless or until a suitably qualified ecologist engaged by the criteria set out in the West Coast Regional Policy Statement; or c. areasrelevant local authority determines that have been identified as Significant Natural Areas in any West Coast Regionalit is not an area of significant indigenous vegetation or District Planssignificant habitat of indigenous fauna . 	
FS222.077	SIGNIFICANT NATURAL AREA	Oppose	Amend: means areas that have been assessed as an area of significant indigenous vegetation or significant habitat of indigenous fauna in accordance with the criteria set out in the West Coast Regional Policy Statement, <u>until such time as nationally consistent criteria apply through a National Policy Statement or National Environmental Standards. When nationally consistent criteria apply, these will be used to assess significance;</u> and areas that have been identified as Significant Natural Areas in any West			As set out in further submission.

			Coast Regional or District Plan.		
FS222.0360	SIGNIFICANT NATURAL AREA	Support in part	Identify SNAs on the planning maps for the entire area	Only existing sites in Grey shown on planning maps	As set out in further submission.
S547.246	Ecosystems and Indigenous Biodiversity	Amend	Ensure existing energy activities and infrastructure within ecosystems and areas of indigenous biodiversity are appropriately recognised and provided for.	Need to review outcomes of provisions	As set out in original submission.
FS222.0167	Ecosystems And Indigenous Biodiversity	Oppose	Ensure that wherever significant indigenous vegetation and significant habitats of indigenous fauna exist, they are protected through TTPP whatever the status, ownership or management of the land.	Need to review outcomes of provisions	As set out in further submission.
FS222.017	Ecosystems and Indigenous Biodiversity	Oppose	Add explanation consistent with S31(b)(iii) or the RMA <u>the control of any actual or potential effects of the use, development, or protection of land,</u>	Amended Overview,	As set out in further submission.

			including for the purpose of the maintenance of indigenous biological diversity	<p>Overview Biological diversity, or biodiversity, describes the variety and diversity of all life forms and the ecosystems they inhabit. Indigenous biodiversity is <u>biodiversity living organisms that is native to New Zealand/Aotearoa occur naturally in Aotearoa me Te Waipounamu/New Zealand, and relates to individual birds the ecological complexes of which they are part, plants including all forms of indigenous flora, insects fauna, and other species fungi, and their habitats</u> and also includes the ecosystems where these <u>species living organisms</u> live, such as forests and sand dunes.</p> <p><u>The West Coast/Te Te Tai o Poutini contains/the West Coast contains</u> a significant amount of intact natural diversity by comparison with other parts of <u>New Zealand/Aotearoa Aotearoa me Te Waipounamu/New Zealand</u>. Continuous tracts of lowland and coastal forests and freshwater as well as coastal wetlands cover large areas. In <u>many places</u> indigenous ecosystems and habitats extend unbroken from the mountains to the sea. <u>84</u> <u>Approximately 84%</u> of the land area is under the management of the Department of Conservation. In total an estimated 90% of <u>the West Coast/Te Te Tai o Poutini/the West Coast</u> is covered in indigenous vegetation - compared with 24% nationally.</p> <p>While <u>the West Coast/Te Te Tai o Poutini/the West Coast</u> is fortunate to have a wide range of diverse and intact ecosystems and vegetation types, <u>they occur primarily in the uplands</u> there are some ecosystems and vegetation types not well represented in the protected areas network. These are generally ecosystems found in the lowland areas of <u>the West Coast/Te Te Tai o Poutini/the West Coast</u> and include <u>threatened ecosystems such as coastal turf and wetlands, and vegetation types such as coastal forest and forests on alluvial terraces</u>. Alongside this, parts of <u>the West Coast/Te Te Tai o Poutini/the West Coast</u> include the last habitats or strongholds of some <u>native indigenous</u> species threatened with extinction. <u>Without the identification and protection of areas of significant indigenous vegetation and the significant habitats of indigenous fauna, there is a risk of further degradation and the extinction of threatened and at risk indigenous biodiversity. Well-functioning ecosystems also provide resilience to climate change and can provide protection to communities from natural hazards.</u></p> <p>Under the RMA, the district and regional councils share <u>responsibility responsibility</u> for maintaining indigenous biodiversity. <u>Te Tai o Poutini Plan is District Councils are</u> responsible for protecting and maintaining terrestrial (land-based) ecosystems, including <u>in the margins of the east coastal wetlands and waterbodies, and the The West Coast Regional Council is</u> responsible for protecting and maintaining the non-terrestrial ecosystems (rivers, lakes, wetlands and the coast below mean high water springs). Poutini Ngāi Tahu <u>also have cultural responsibilities as mana whenua and kaitiaki. Schedule 97 of the Ngāi Tahu Claims Settlement Act 1988 identifies some Taonga Species, along with Department of Conservation Documents and Iwi/Papatipu Rūnanga Management Plans.</u></p> <p>The RMA requires <u>Te Tai o Poutini Plan to manage indigenous biodiversity in two particular ways. Firstly, the control of any actual or potential effects of the use, development, or protection of land for the purpose of maintaining indigenous biodiversity. Secondly, it is required district councils to recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna by managing any actual or potential effects of subdivision, use, development of land, and the identification and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.</u></p> <p><u>The National Policy Statement for Indigenous Biodiversity (NPSIB) came into force on 4 August 2023 and TTPP is required to give effect to this. The objective of the NPSIB is to maintain indigenous biodiversity across Aotearoa me Te Waipounamu/ New Zealand so that there is at least no overall loss in indigenous biodiversity after 4 August 2023. This is to be achieved by:</u></p> <ol style="list-style-type: none"> <u>i. recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and</u> <u>ii. recognising people and communities, including landowners, as stewards of indigenous biodiversity; and</u> <u>iii. protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity;</u> <p><u>while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.</u></p> <p><u>The NPSIB, as amended October 2024, must be given effect to as soon as reasonably practicable. The TTPP was notified prior to the commencement of the NPSIB and therefore gives effect to it as much as possible within the scope of submissions made on the Plan, and utilising clause 4.4 of the NPSIB to ensure consistent terminology.</u></p> <p><u>The NPSIB does not apply to the development, operation, maintenance or upgrade of renewable electricity generation assets and activities, and electricity transmission network assets and activities, however, the</u></p>	
FS222.0129	Ecosystems and Indigenous Biodiversity	Oppose	Add explanation consistent with S31(b)(iii) or the RMA the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the maintenance of indigenous biological diversity		As set out in further submission.
FS222.0257	Ecosystems and Indigenous Biodiversity	Oppose	Include a clear explanation in the Introduction to the ECO chapter that SNAs that have not yet been identified are to be given the same protection as those already in Schedule Four. Also make this clear in the policies, and the rule framework.		As set out in further submission.
S547.247	Overview	Amend	Add a new paragraph: “There is a considerable network of energy		Given these new statements in the Overview

			<p><u>activities and infrastructure, including critical infrastructure, on the West Coast that services the communities spread throughout the region and into neighbouring regions. Such activities have been, and will continue to be, developed and undertaken recognising and taking into account the local conditions. Given the topography and extent of ecosystems and indigenous biodiversity on the West Coast practical management solutions are required to ensure maintenance and enhancement of the supply of renewable energy to, and between, communities for the benefit of those communities and</u></p>	<p>requirements of the RMA and the RPS apply. The RPS is yet to be updated to give effect to the NPSIB. However, this Plan must give effect to the RPS, which contains provisions for managing ecosystems and indigenous biodiversity. The RPS includes ecological criteria for identifying significant terrestrial and freshwater indigenous biological diversity. It requires that all areas meeting one or more of these criteria, whether mapped or not, are to be known as Significant Natural Areas or SNA. The RPS criteria in Appendix 1 are equivalent to NPSIB Appendix 1, however, the NPSIB criteria provide clearer guidance.</p> <p>Because of the extremely large land extensive area covered by indigenous vegetation on the West Coast/Te Tai o Poutini/the West Coast, detailed a comprehensive assessment of each piece for identification of vegetation ecological significance using the RPS Appendix 1 criteria for its significance the purpose of mapping Significant Natural Areas has not yet been undertaken completed.</p> <p>In the Grey District, an evaluation process has been underway for was undertaken a number of years, and this has enabled ago. This identified 37 Significant Natural Areas to be identified within the Grey District, which were previously included in the Grey District Plan. The list of these Significant Natural Areas can be found These are included in Schedule Four and they are also shown on the maps. These SNA are included under the NPSIB definition of an SNA, regardless of how they are described, and will require reassessment under the NPSIB criteria in Appendix 1.</p> <p>In the Buller and Westland Districts, where Significant Natural Areas have not yet been mapped, and in the Grey District for areas outside of mapped Significant Natural Areas included in Schedule Four, Te Tai o Poutini Plan has has general vegetation clearance rules, with. Where there is uncertainty as to whether an expectation that area may meet the RPS Appendix 1 criteria, or in the absence of an ecological assessment, precaution and protection should be favoured and a resource consent process will enable ecological assessment against the regionally consistent significance criteria will to be undertaken, at the time of any resource consent.</p> <p>Te Tai o Poutini Plan also encourages integrated management of indigenous biodiversity and supports landowners, local government, Poutini Ngāi Tahu and other biodiversity partners working together on a voluntary basis to to maintain and enhance indigenous biodiversity, including methods such as legal protection and good land management.</p> <p>Te Mana o te Taiao - Aotearoa New Zealand Biodiversity Strategy 2020 provides national strategic direction to address the complex issues causing biodiversity loss and places the Treaty partnership at the centre of biodiversity work. It provides a framework for action and guiding principles.</p> <p>There is a considerable network of electricity generation, distribution and transmission activities and infrastructure, on Te Tai o Poutini/the West Coast, including within areas of indigenous vegetation and biodiversity. Given the topography and extent of natural ecosystems and indigenous biodiversity on Te Tai o Poutini/the West Coast, practical management solutions are required to ensure maintenance and enhancement of the supply of renewable electricity generation to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable electricity generation.</p> <p>The Ecosystems and Indigenous Biodiversity Chapter contains objectives, policies, and rules for managing effects on indigenous biodiversity, including for the assessment and identification of significant indigenous vegetation and significant habitats of indigenous fauna. This chapter contains rules relating to vegetation clearance that apply throughout the district. There are also specific rules that apply within significant natural areas, areas of high natural character, outstanding natural features and landscapes and the coastal environment. Indigenous vegetation clearance in the Coastal Environment or adjacent to waterbodies</p> <p>Where</p> <p>Te Tai o Poutini Plan must also give effect to Policy 11 of the NZCPS 2010 and the RPS which include specific provisions for protection of indigenous biological diversity in the coastal environment. This chapter includes provisions for protection of significant indigenous biodiversity within the coastal environment (above mean high water springs) as shown on the Planning maps. This chapter also includes provisions for indigenous vegetation clearance is proposed, within riparian margins next to rivers, lakes and coastal wetlands refer to the Natural Character and Margins of Waterbodies chapter of the Plan for the Rules around this clearance.</p> <p>Plantation/Commercial Forestry</p> <p>Plantation forestry is principally regulated by the Resource Management (National Environmental Standard for Plantation/Commercial Forestry) Regulations 2017 (NES - PF-CF). However the NES - PF-CF allows that district plans can be more stringent to protect significant natural areas a Significant Natural Area and significant indigenous biodiversity within the coastal environment as provided for in the NZCPS Policy 11. Where provisions within this chapter are more stringent, they over-rule the requirements of the NES - PF-CF and an advice note to that effect is included within the relevant Rule.</p> <p>Strategic Objectives Wetlands on Te Tai o Poutini/the West Coast</p> <p>The Strategic Objectives are particularly relevant when assessing matters under the Ecosystems Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NESF) includes regulations of activities within, and Indigenous Biodiversity Chapter within setbacks from natural wetlands. The Natural</p>	<p>section, the provisions should have been re-notified to allow all parties to submit based on the National Policy Statement on Indigenous Biodiversity which came into force after submissions on the pTTPP closed.</p> <p>We seek the wording and amendments as sought in the original submission.</p>
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			<p><u>the wider environment from the use and development of renewable energy. The National Policy Statement for Renewable Electricity Generation also recognises the constraints and requirements of such activities including, amongst other matters, being located where the resource is.”</u></p>	<p>Environment, Mineral Extraction and Connections and Resilience Strategic Objectives. These activities are particularly relevant.</p> <p>Wetlands on managed by the West Coast Regional Council under the NESF. It should be noted that the setbacks for activities within those regulations may be different to those set out in this Plan and may require resource consent to be sought from the Regional Council.</p> <p>The West Coast Regional Council Land and Water Plan identifies a list of Regionally Significant Wetlands, in Schedule 1. In accordance with the West Coast Regional Policy Statement, these areas are known as Significant Natural Areas and have specific Rules around their management in the Regional Land and Water Plan.</p> <p>Other relevant Te Tai o Poutini Plan provisions</p> <p>Strategic Directions - The Strategic Objectives and Policies are also subject to regulation by the West Coast Regional Council relevant when assessing matters under the National Environmental Standard Ecosystems and Indigenous Biodiversity Chapter. The Natural Environment, Poutini Ngāi Tahu, Mineral Extraction and Climate Change and Resilience Strategic Objectives and Policies are relevant.</p> <p>Coastal Environment - the Coastal Environment Chapter contains the objectives, policies and rules for Freshwater Management activities within the coastal environment overlay - which also has regulations around how other wetlands can be managed including buildings and structures and earthworks.</p> <p>Natural Features and Landscapes - the Natural Features and Landscapes Chapter contains provisions in relation to the landscapes and natural features in Schedules Five and Six. Poutini Ngāi Tahu values are part of what makes these areas significant.</p> <p>Natural Character and Activities Adjacent to Waterbodies - The Natural Character and the Margins of Waterbodies Chapter contains the objectives, policies and rules relating to activities adjacent to waterbodies, including buildings and structures and earthworks.</p> <p>Activities on the Surface of Water - the Activities on the Surface of Water Chapter contains provisions for activities on the surface of waterbodies.</p> <p>Historic Heritage - the Historic Heritage Chapter contains the provisions in relation to the sites and areas identified in Schedule One.</p> <p>Notable Trees - the Notable Trees Chapter contains the provisions in relation to the trees identified in Schedule Two. Some trees are listed in this schedule due to their botanical values.</p> <p>Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.</p>	
FS222.0363	Overview	Oppose	<p>Add the following wording to the introduction:</p> <p><u>Under the RMA, the district and regional councils share responsibility for maintaining indigenous biodiversity. This responsibility will be extended by the National Policy Statement for Indigenous Biodiversity, once gazetted.</u></p> <p>Extend the fifth paragraph as follows</p>		As sought in further submission.

			<p><u>Thirdly, it should be noted that habitats of indigenous fauna may comprise some or all non-native vegetation and still fall within Significant Natural Areas, according to criteria set out in the West Coast Regional Policy Statement.</u></p>	
FS222.0258	Overview	Oppose	<p>Ecosystems and Indigenous Biodiversity - <u>contains objectives, policies, and rules for managing effects on indigenous biodiversity, including for the assessment and identification of significant indigenous vegetation and significant habitats of indigenous fauna. This chapter contains rules relating to vegetation clearance that apply throughout the district. There are</u></p>	As sought in further submission.

			<p><u>also specific rules that apply within significant natural areas, within outstanding natural features and landscapes and the coastal environment.</u></p>	
FS222.0259	Overview	Oppose	<p>Amend:</p> <p>...Alongside this, parts of the West Coast/Te Tai o Poutini include the last habitats or strongholds of some native species threatened with extinction. <u>Without identification and protection there is a risk to diversity and intact systems as well as further degradation of already compromised ecosystems. Well-functioning ecosystems provide resilience to climate change and can provide protection to communities from natural hazards.</u></p>	As sought in further submission.

		<p>Under the RMA, the district and regional councils share responsibility for maintaining indigenous biodiversity. Te Tai o Poutini Plan is implements <u>councils'</u> responsibility ie for protecting and maintaining terrestrial (land-based) ecosystems, including the margins of the coast and waterbodies. and The West Coast Regional Council is responsible for protecting and maintaining the non-terrestrial ecosystems (rivers, lakes, wetlands, and the coast below mean high water springs). Poutini Ngāi Tahu also have cultural responsibilities as mana whenua and kaitiaki. The RMA requires Te Tai o Poutini Plan to assist</p>		
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		<p><u>Councils in carrying out their functions with respect to</u> manage indigenous biodiversity in two particular ways. Firstly, the control of any actual or potential effects of the use, development, or protection of land for the purpose of maintaining indigenous biodiversity. Secondly, it is required to recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p><u>Specifically, to recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and more broadly, for the</u></p>		
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		<p><u>control of any actual or potential effects of the use, development, or protection of land for the purpose of maintaining indigenous biodiversity. The WCRPS, which this Plan must give effect to, sets out criteria for determining significance and requires that all areas meeting this criteria, whether mapped in the Plan or not, are to be known as Significant Natural Areas, or SNAs.</u></p> <p>Because of the extremely large <u>extensive</u> land areas covered by indigenous vegetation on the West Coast/Te Tai o Poutini, detailed a <u>comprehensive</u> assessment of each piece of vegetation for <u>identification of significance using the WCRPS</u></p>		
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		<p><u>Appendix 1 criteria for the purpose of mapping Significant Natural Areas</u> its significance has not yet been undertaken <u>completed.</u></p> <p>In the Grey District, an evaluation process has been underway for <u>was undertaken</u> a number of years <u>ago. This identified,</u> and this has enabled 37 Significant Natural Areas <u>previously included in the Grey District Plan. These areas remain identified as SNAs</u> to be identified within the Grey District. The list of these Significant Natural Areas can be found <u>included</u> in Schedule Four and they are also shown on the maps. <u>Where the provisions in this Plan refer to Significant Natural Areas this includes areas which are not yet included as SNA in Schedule Four,</u></p>		
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		<p><u>that nevertheless meet one or more of the significance criteria. Where there is uncertainty as to whether an area may meet the criteria, or in the absence of an ecological assessment, precaution and protection should be favoured, and a resource consent sought.</u></p> <p>In the Buller and Westland Districts, where Significant Natural Areas have not yet been mapped, <u>and in Grey District for areas outside of mapped SNAs included in Schedule Four,</u> Te Tai o Poutini Plan has general vegetation clearance rules, with an expectation that an assessment against the regionally consistent significance criteria will be undertaken</p>		
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			at the time of any resource consent. <u>It is expected that further areas will be identified and mapped as Significant Natural Areas through resource consent processes or Council supported ecological assessments and that these will be added to the Plan through subsequent Plan change processes. ...</u>		
S547.250	Strategic Objectives	Amend	Amend: “The Strategic Objectives <u>and Policies</u> are particularly ... and Connections and Resilience Strategic Objectives <u>and Policies</u> are particularly relevant.”	Amendment to “Other Relevant Te Tai o Poutini provisions”, <u>Other Relevant Te Tai o Poutini Plan provisions</u> <u>Strategic Directions</u> -The Strategic Objectives and Policies are also subject to regulation by the West Coast Regional Council relevant when assessing matters under the National Environmental Standard Ecosystems and Indigenous Biodiversity Chapter. The Natural Environment, Poutini Ngāi Tahu, Mineral Extraction and Climate Change and Resilience Strategic Objectives and Policies are relevant. <u>Coastal Environment</u> - the Coastal Environment Chapter contains the objectives, policies and rules for Freshwater Management activities within the coastal environment overlay - which also has regulations around how other wetlands can be managed including buildings and structures and earthworks. <u>Natural Features and Landscapes</u> - the Natural Features and Landscapes Chapter contains provisions in relation to the landscapes and natural features in Schedules Five and Six. Poutini Ngāi Tahu values are part of what makes these areas significant. <u>Natural Character and Activities Adjacent to Waterbodies</u> - The Natural Character and the Margins of Waterbodies Chapter contains the objectives, policies and rules relating to activities adjacent to waterbodies, including buildings and structures and earthworks. <u>Activities on the Surface of Water</u> - the Activities on the Surface of Water Chapter contains provisions for activities on the surface of waterbodies. <u>Historic Heritage</u> - the Historic Heritage Chapter contains the provisions in relation to the sites and areas identified in Schedule One. <u>Notable Trees</u> - the Notable Trees Chapter contains the provisions in relation to the trees identified in Schedule Two. Some trees are listed in this schedule due to their botanical values. Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.	As sought in original submission. A heading reference to all provisions in the Energy Chapter.
S547.251	ECO - O2	Amend	Amend: “To provide for <u>sustainable</u>	Amended ECO- O2,	As sought in original submission,

			subdivision, use and development <u>to enable people and communities to maintain or enhance their economic, social and cultural wellbeing</u> in areas of significant ...”	<p>ECO - 02 To provide for appropriate subdivision, use and development within protect areas of significant indigenous vegetation and significant habitats of indigenous fauna where the values of the area can be maintained or enhanced.</p> <p>New ECO-03,</p> <p>ECO - 03 To manage the adverse effects of subdivision, use and development on significant indigenous vegetation and significant habitats of indigenous fauna.</p>	and to avoid any repetition between ECO-02 and Eco-05, conflict between ECO-02 and ECO-03, and to give effect to the objectives of the RPS.
FS222.0153	ECO- 04	Support	Retain as notified	<p>New ECO-01 (previously ECO-04),</p> <p>ECO - 0401 To maintain indigenous biodiversity across Te Tai o Poutini/the West Coast so there is at least no overall loss in indigenous biodiversity, while providing for the range social, economic, and diversity cultural wellbeing of people and communities now and in the future. Maintaining indigenous biodiversity requires: 1. the maintenance and at least no overall reduction of all of the following: a. the size of populations of indigenous species; b. indigenous species occupancy across their natural range; c. the properties and function of ecosystems and habitats used or occupied by indigenous species found on biodiversity; d. the full range and extent of ecosystems and habitats used or occupied by indigenous biodiversity; e. connectivity between, and buffering around, ecosystems used or occupied by indigenous biodiversity; f. the resilience and adaptability of ecosystems; and 2. where necessary, the West Coast/Te Tai o Poutini restoration and enhancement of ecosystems and habitats.</p>	As sought in further submission.
S547.253	ECO - P2	Amend	Amend d., <u>“The technical, locational, functional or operational constraints and requirements for the activity needing to</u>	Amended ECO-P2,	As sought in original submission.

			be located in the area.”	ECO - P2	<p>Allow Provide for activities within areas of significant indigenous vegetation or significant habitats of indigenous fauna biodiversity where:</p> <ol style="list-style-type: none"> This is for a lawfully lawfully established activity and the adverse effects are no greater in intensity, scale or character over time than at 4 August 2023, and do not result in the loss of ecosystem representation and extent or degradation of ecological integrity; or This is for maintenance of improved pasture as part of a regular cycle of periodic maintenance; or It is for a Poutini Ngāi Tahu cultural purpose Activities; or This is undertaken on Poutini Ngāi Tahu or Te Rūnanga o Ngāi Tahu land in accordance with an Iwi/Papatipu Rūnanga Management Plan or on specified Māori land; or The activity has a functional need to be located in This is for the area; or The activity has no more than minor adverse effects on the construction or upgrade of regionally significant indigenous vegetation or fauna habitat infrastructure. 	
FS222.0190	ECO - P2	Support	<p>Amend ECO - P2 as follows:</p> <p>Allow activities within areas of significant indigenous vegetation or significant habitats of indigenous fauna where:</p> <ol style="list-style-type: none"> ... The activity has a functional <u>or operational</u> need to be located in the area; or The activity has no more than minor adverse effects on the significant indigenous vegetation or fauna habitat; <u>or</u> <u>These activities contribute to New Zealand's social, economic, cultural and environmental wellbeing; or</u> <u>These activities contribute to climate change</u> 	<p>New ECO-P3,</p> <p>ECO - P3</p> <p>Provide for activities within Significant Natural Areas within Schedule Four where the adverse effects of the activity on the significant natural area are managed in accordance with the effects management hierarchy, the activity has a functional need or operational need to be located within the area and there is no practicable alternative location, and it is for the purpose of:</p> <ol style="list-style-type: none"> Construction or upgrade of regionally significant infrastructure; or Mineral extraction that provides significant national public benefit that could not otherwise be achieved using resources within New Zealand; or Aggregate extraction that provides significant national or regional public benefit that could not otherwise be achieved using resources within New Zealand. 	As sought in further submission.	

			<u>mitigation or adaptation measures.</u>			
FS222.085	ECO - P3	Oppose	<p>Amend: Encourage the protection, enhancement and restoration of significant indigenous biodiversity by:</p> <p>a. Allowing additional subdivision rights if an area of significant indigenous vegetation or significant habitat of indigenous fauna within the same property is legally protected as part of the subdivision;</p> <p>b. Promoting the creation of connections and ecological corridors between areas of significant indigenous biodiversity;</p> <p>c. Promoting the use of eco-sourced species from the</p>	<p>Amended P4 (previously P3),</p> <table border="1"> <tr> <td>ECO - P3P4</td> <td> <p>Encourage the protection, enhancement enhancement and restoration of significant indigenous biodiversity and the protection of significant habitat for indigenous fauna by:</p> <p>a. Allowing Providing for up to three additional subdivision rights bonus allotments and reduced minimum allotment sizes when subdividing if an area areas of significant indigenous vegetation or significant habitat of indigenous fauna within the same property is are legally protected as part of the subdivision subdivision;</p> <p>b. Promoting the creation of connections and ecological corridors between areas of significant indigenous biodiversity;</p> <p>c. Promoting the use of eco-sourced species from the relevant ecological district;</p> <p>d. Supporting opportunities for Poutini Ngāi Tahu to exercise their cultural rights and responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity; and</p> <p>e. Supporting initiatives by landowners, community groups and others to protect, restore and maintain areas areas of significant indigenous biodiversity;</p> <p>f. Promoting site and landscape scale biodiversity programmes to manage plant and animal pests; and</p> <p>g. Supporting any other measures to protect, enhance and restore indigenous biodiversity.</p> </td> </tr> </table>	ECO - P3P4	<p>Encourage the protection, enhancement enhancement and restoration of significant indigenous biodiversity and the protection of significant habitat for indigenous fauna by:</p> <p>a. Allowing Providing for up to three additional subdivision rights bonus allotments and reduced minimum allotment sizes when subdividing if an area areas of significant indigenous vegetation or significant habitat of indigenous fauna within the same property is are legally protected as part of the subdivision subdivision;</p> <p>b. Promoting the creation of connections and ecological corridors between areas of significant indigenous biodiversity;</p> <p>c. Promoting the use of eco-sourced species from the relevant ecological district;</p> <p>d. Supporting opportunities for Poutini Ngāi Tahu to exercise their cultural rights and responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity; and</p> <p>e. Supporting initiatives by landowners, community groups and others to protect, restore and maintain areas areas of significant indigenous biodiversity;</p> <p>f. Promoting site and landscape scale biodiversity programmes to manage plant and animal pests; and</p> <p>g. Supporting any other measures to protect, enhance and restore indigenous biodiversity.</p>
ECO - P3P4	<p>Encourage the protection, enhancement enhancement and restoration of significant indigenous biodiversity and the protection of significant habitat for indigenous fauna by:</p> <p>a. Allowing Providing for up to three additional subdivision rights bonus allotments and reduced minimum allotment sizes when subdividing if an area areas of significant indigenous vegetation or significant habitat of indigenous fauna within the same property is are legally protected as part of the subdivision subdivision;</p> <p>b. Promoting the creation of connections and ecological corridors between areas of significant indigenous biodiversity;</p> <p>c. Promoting the use of eco-sourced species from the relevant ecological district;</p> <p>d. Supporting opportunities for Poutini Ngāi Tahu to exercise their cultural rights and responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity; and</p> <p>e. Supporting initiatives by landowners, community groups and others to protect, restore and maintain areas areas of significant indigenous biodiversity;</p> <p>f. Promoting site and landscape scale biodiversity programmes to manage plant and animal pests; and</p> <p>g. Supporting any other measures to protect, enhance and restore indigenous biodiversity.</p>					
					As sought in further submission.	

		<p>relevant ecological district;</p> <p>d. Supporting opportunities for Poutini Ngāi Tahu to exercise their cultural rights and responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity; and</p> <p>e. Supporting initiatives by landowners, community groups and others to protect, restore and maintain areas of significant indigenous biodiversity.;</p> <p><u>f. Site and landscape scale biosecurity programmes to manage plant and animal pests; and</u></p> <p><u>g. Any other measures to protect, enhance</u></p>		
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			and restore biodiversity.		
S547.254	ECO - P6	Amend	Amend: “When providing for assessing consents subdivision, use and development, avoid activities which will: ...”	Amended ECO-P7 (previously ECO-P6), ECO - P6P7 When assessing consents in relation to all indigenous biodiversity, when providing for subdivision, use and development, avoid activities which that will: a. Prevent an indigenous species or community being able to persist in their habitats within their natural range in the Ecological District; b. Result in a degradation of the threat status, further measurable loss of indigenous cover or disruption to ecological processes, functions or connections in land environments in category one or two of the Threatened Environment Classification at the Ecological District level; and c. Result in a reasonably measurable reduction in the local population size or occupancy of threatened taxa Threatened or At Risk (Declining) species or in the Department population or occupancy of Conservation Threat Categories 1 — 3a nationally critical locally endemic species; and d. Within a Significant Natural Area result in: i. disruption to sequences, nationally endangered and nationally vulnerable mosaics or ecosystem function; ii. fragmentation or the loss of buffers or connections; or iii. reduction in the function of the Significant Natural Area as a buffer or connection to important habitats or ecosystems. Advice Note: Information on the Threat Classification status of individual species can be found on the New Zealand Threat Classification System database at https://nztns.org.nz	As sought in further submission.
S547.255	ECO - P6	Amend	Amend items a. and b. to the wording of Policies 2(a)-(c) of the RPS.		As sought in original submission.
S547.0502	ECO - P7 (Now ECO-P8)	Amend	(1) Amend ECO-P7, "When managing the adverse effects of activities ' in ... matters:" (2) Amend item a., "The necessity for ... To provide for energy activities and infrastructure , including critical infrastructure and renewable electricity	Amended ECO-P8 (previously ECO-P7), ECO - P7P8 When assessing resource consents in areas of significant indigenous vegetation and significant habitats of indigenous fauna biodiversity, consider the following matters: a. The necessity for the activity to provide for critical regionally significant infrastructure; b. The functional need or renewable electricity generation operational need of regionally significant infrastructure, mineral extraction of significant national public benefit or aggregate extraction of significant regional or national public benefit to locate in that area, and whether there are any practicable alternative locations for those activities; c. Whether the adverse effects are minor or transitory; d. Whether formal protection and/or active management of measures to restore or improve all or part of any area of significant indigenous vegetation or habitat will occur as part of the subdivision subdivision, use or development; e. The extent to which the proposed activity recognises and provides for Poutini Ngāi Tahu cultural and spiritual values, rights and interests; f. The cumulative adverse effects of activities on biodiversity within or adjacent to any area of significant indigenous vegetation or habitat; g. The effects the activity may have on the introduction or spread of exotic weed species and pest animals both terrestrial and aquatic;	Removal of the following wording at b.“.....whether there are any practicable alternative locations for those activities...”. Incorporation of offsetting or compensation in “j”.

			<p>generation;".</p> <p>(3) Amend item d. to remove "or adjacent to", "The cumulative effects of activities <u>within any</u> area of significant indigenous vegetation or habitat."</p> <p>(4) Amend item h., "<u>Any proposals</u> for biodiversity offsetting or compensation <u>in relation to</u> residual adverse effects ...".</p>	<p>h. The impacts on mahinga kai;</p> <p>i. The impact of the activity on the values of any area of significant indigenous vegetation or habitat, or threatened species and how any potential impact could be avoided, remedied or mitigated, <u>including by applying the effects management hierarchy</u>; and</p> <p>j. The appropriateness of any biodiversity offsetting or compensation in accordance with Policy 9 <u>the principles in Appendix Fourteen and Appendix Fifteen from the NPSIB to offset</u> address any <u>more than minor</u> residual adverse effects that remain after avoiding, remedying and mitigating measures have been applied; <u>and</u></p> <p>k. <u>The extent of net gain in indigenous biodiversity values achieved by biodiversity offsetting or compensation.</u></p>	<p>Deletion of "f".</p> <p>Amended "i." now has confused terminology with respect to "avoiding, remedying or mitigating effects" whilst at the same time applying the effects hierarchy which requires "avoid, minimise, remedy". Amendment is sought to rectify this issue.</p>
S547.256	ECO - P8	Amend	<p>Add item f., "<u>Providing for the sustainable use of indigenous habitats and ecosystems for the benefit of the community.</u>"</p>	Amended ECO-P9 (previously ECO-P8),	<p>Wording as originally notified, and amendments as sought in original submission.</p>

				<p>ECO - P8/P9</p> <p>Maintain indigenous habitats and ecosystems across the West Coast/Te Tai o Poutini/the West Coast by:</p> <ol style="list-style-type: none"> MaintainingProtecting, and where appropriate enhancing or restoring <u>indigenous biodiversity, including the functioning of ecological corridors, linkages, dunes and indigenous coastal vegetation and wetlands;</u> Minimising adverse effects on, and providing access to, areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu; Restricting the modification or disturbance of coastal indigenous vegetation, dunes, estuaries and wetlands; Preserving protected wildlifeProtecting the significant habitats of indigenous fauna, <u>including threatened and at-risk species;</u> <u>Encouraging and enabling site and landscape scale biosecurity programmes to manage plant and animal pests;</u> and Recognising the benefits ofEncouraging and enabling active <u>conservation</u> management of indigenous biodiversity, including voluntary animal and plant pest and stock control and/or formal legal protection-; <p><u>Except in relation to the National Grid and Renewable Electricity Generation Activities.</u></p>	
S547.257	ECO - P9	Amend	Reword items a.-c. to be consistent with and give effect to Policies 4 and 5, Chapter 7, of the RPS.	<p>Deleted P9,</p> <p>ECO - P9</p> <p>Provide for biodiversity offsets and compensation to manage residual adverse effects of an activity where:</p> <ol style="list-style-type: none"> The goal of the biodiversity offsets is no net loss and, preferably, a net gain of biodiversity; The conservation outcomes are measurable and positive; and The biodiversity offsets or compensation are in accordance with best practice, including but not limited to NZ Government guidance on biodiversity offsetting. 	As set out in original submission.
S547.258	ECO - P10	Amend	Delete policy ECO-P10 and relocate to the Coastal Environment Section.	<p>Amended ECO-P10,</p> <p>ECO - P10</p> <p>Protect indigenous biodiversity in the coastal environment from inappropriate subdivision, use and development by:</p> <ol style="list-style-type: none"> <u>Avoiding adverse effects on:</u> <ol style="list-style-type: none"> <u>indigenous species that are listed as threatened or at risk in the New Zealand Threat Classification System lists;</u> <u>species that are listed by the International Union for Conservation of Natural and Natural Resources as threatened;</u> <u>indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;</u> <u>habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</u> <u>areas containing nationally significant examples of indigenous community types;</u> <u>areas set aside for full or partial protection of indigenous biological diversity under other legislation; and</u> Avoiding adverse effects on significant indigenous biodiversity; and Avoiding, remedying or mitigating otherUsing the effects management hierarchy to <u>avoid significant</u> adverse effects on indigenous vegetation, <u>dunes, estuaries, coastal wetlands,</u> habitats and species within the coastal environment. 	<p>Insertion of this policy into the Coastal Environment Section.</p> <p>With regard to clause “b.” it is now unclear what else, not listed in “a”, is being referred to. “b” needs clarification.</p>

					<p>“c.” is not reflective of NZCPS Policy 11(b) as it refers to the effects management hierarchy (definition above” whereas NZCPS Policy 11(b) refers to “avoid, remedy or mitigate”. Amendment sought in terms of full deletion or amendments to provide certainty and clarification.</p>		
				<p>New ECO-P11,</p> <table border="1" data-bbox="913 1121 1957 1230"> <tr> <td>ECO - P11</td> <td> <p>In relation to the National Grid and renewable electricity generation activities, the adverse effects on indigenous biodiversity will be managed:</p> <p>a. In relation to the National Grid by:</p> <p>i. Recognising and providing for the operation, maintenance and upgrade of</p> </td> </tr> </table>	ECO - P11	<p>In relation to the National Grid and renewable electricity generation activities, the adverse effects on indigenous biodiversity will be managed:</p> <p>a. In relation to the National Grid by:</p> <p>i. Recognising and providing for the operation, maintenance and upgrade of</p>	<p>Wording that is reflective of the need for new, and more enabling provisions of Renewable Electricity Generation activities.</p>
ECO - P11	<p>In relation to the National Grid and renewable electricity generation activities, the adverse effects on indigenous biodiversity will be managed:</p> <p>a. In relation to the National Grid by:</p> <p>i. Recognising and providing for the operation, maintenance and upgrade of</p>						

				<p>existing National Grid assets, and in areas of significant indigenous biodiversity and SNA identified in Schedule Four, avoiding, remedying or mitigating adverse effects to the extent practicable;</p> <p>ii. Where appropriate, using substantial upgrades as an opportunity to reduce existing adverse effects;</p> <p>iii. For new activities, seeking to avoid adverse effects on areas of significant indigenous biodiversity and SNA identified in Schedule Four and where having regard to the route, site and method selection and functional need or operational need, it is not practicable to avoid all adverse effects, to remedy or mitigate any residual adverse effects to the extent practicable;</p> <p>iv. For new activities within the coastal environment seeking to avoid significant adverse effects on indigenous biodiversity values that meet the criteria in Policy 11 (b) of the NZCPS 2010, and where adverse effects cannot be avoided, remedy or mitigate any residual adverse effects to the extent practicable;</p> <p>b. In relation to renewable electricity generation activities by:</p> <p>i. Recognising and providing for the operation, maintenance, repair and upgrade of existing renewable electricity generation activities, and in areas of significant indigenous biodiversity and SNA identified in Schedule Four, avoiding, remedying or mitigating adverse effects to the extent practicable;</p> <p>ii. Where appropriate, using substantial upgrades as an opportunity to reduce existing adverse effects;</p> <p>iii. Seeking to avoid adverse effects on areas of significant indigenous biodiversity and SNA identified in Schedule Four and where it is not practicable to avoid because of functional need or operational need, remedy or mitigate any residual adverse effects to the extent practicable;</p> <p>iv. Within the coastal environment, seeking to avoid significant adverse effects on indigenous biodiversity values that meet the criteria in Policy 11 (b) of the NZCPS 2010, and where adverse effects cannot be avoided, remedy or mitigate any residual adverse effects to the extent practicable;</p> <p>c. By considering the net gain for biodiversity values of biodiversity offsetting or compensation where this is offered.</p>		
			<p>New ECO-P12,</p> <table border="1" data-bbox="913 979 1951 1043"> <tr> <td>ECO - P12</td> <td>To promote the resilience of indigenous biodiversity to climate change and recognise its role in mitigating the effects of climate change.</td> </tr> </table>	ECO - P12	To promote the resilience of indigenous biodiversity to climate change and recognise its role in mitigating the effects of climate change.	<p>Wording that is reflective of the use of Renewable Electricity Generation in assisting indigenous biodiversity and the benefits of renewable energy for</p>
ECO - P12	To promote the resilience of indigenous biodiversity to climate change and recognise its role in mitigating the effects of climate change.					

					climate change.
FS222.057	Ecosystems And Indigenous Biodiversity Rules	Oppose In Part	<p><u>Indigenous vegetation clearance and disturbance outside of SNAs within the Buller and Westland Districts.</u></p> <p><u>1. It is outside of a scheduled Significant Natural Area as identified in Schedule 4;</u></p> <p><u>2.It is the removal or clearance of manuka, kanuka and bracken only that is not part of any wetland and which is under 15 years old, not exceeding 5ha per site over any continuous three year period, subject to provision of notice to the relevant District Council at least 20 working days prior to the proposed clearance including:</u></p>		<p>Deletion of these rules.</p> <p>All of the rules have changed significantly.</p>

			<p><u>(a) Details of the location of the proposed clearance;</u></p> <p><u>(b) Area of the proposed clearance;</u></p> <p>and</p> <p><u>(c) Verification by documentary</u></p> <p><u>photographic or other means the vegetation is less than 15 years old and not part of any wetland;</u></p> <p>or</p> <p><u>3. It is maximum area of 5,000m2 per site, in total, over any continuous three year period.</u></p>		
S547.259	ECO - R1	Amend	Split Rule R1 to provide a rule for activities in the Grey District (new ECO-R1) and a rule for activities in the Buller and Westland Districts (new Rule ECOR1A).	Original ECO-R1 Deleted in its entirety, New ECO-R1,	As sought in the original submission.

S547.260	ECO - R1	Amend	Amend 1., "It is outside of a scheduled ... in Schedule Four; <u>or</u> "	<table border="1"> <thead> <tr> <th colspan="2" data-bbox="913 97 1942 140">Permitted Activities</th> </tr> <tr> <th data-bbox="913 140 1120 177">ECO - R1</th> <th data-bbox="1120 140 1942 177">General Standards</th> </tr> </thead> <tbody> <tr> <td colspan="2" data-bbox="913 177 1942 528"> <p>Permitted activities standards outside Significant Natural Areas:</p> <p>1. <u>Within the coastal environment:</u></p> <ul style="list-style-type: none"> i. <u>Any indigenous vegetation clearance is a maximum of 500m² per site, or a maximum of 20m² on any individual infrastructure work site, or 20m² per linear 100 metre length for linear infrastructure; except that indigenous vegetation clearance is a maximum of 500m² per site in the Hartmount Place and Ross Place subdivision, provided that at least an equivalent amount is retained on the site;</u> ii. <u>The indigenous vegetation clearance will not disturb, damage or destroy nesting areas of habitat or protected threatened or at risk species; and</u> iii. <u>The indigenous vegetation clearance will not occur in an area of</u> </td> <td data-bbox="1630 177 1942 528"> <p>Activity status where compliance not achieved: <u>Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</u></p> </td> </tr> <tr> <td colspan="2" data-bbox="913 528 1942 1394"> <p><u>land within category one or two of the Threatened Environment Classification; and</u></p> <p>2. <u>Within the riparian margin of a waterbody:</u></p> <ul style="list-style-type: none"> i. <u>It is a maximum of 25m² per linear 200 metre length of riparian margin; and</u> <p>3. <u>In all other locations:</u></p> <ul style="list-style-type: none"> i. <u>A maximum of 2,000m² on any site that has not had a Significant Natural Area assessment undertaken in accordance with Policy ECO - P1; or</u> ii. <u>A maximum of 5,000m² on any site that has had a Significant Natural Area assessment in accordance with Policy ECO - P1 or within the Grey District has a Significant Natural Area included within Schedule Four that is located on the same property; or</u> iii. <u>Is a maximum of 20m² on any individual infrastructure work site, or 20m² per linear 100 metre length for linear infrastructure; and</u> <p>4. <u>Except where carried out by a statutory agency, or authorised contractor acting on its behalf, responsible for natural hazard mitigation, the clearance is located within areas used and identified for natural hazard mitigation structures that are owned or managed by a statutory agency.</u></p> <p><u>Except that the maximum vegetation clearance provisions in these general standards do not apply where:</u></p> <ul style="list-style-type: none"> i. <u>Specific to clause 3 in this rule, it is necessary to provide for the ongoing safe and efficient operation, maintenance and repair of the National Grid, electricity distribution and telecommunication lines; or</u> ii. <u>For all clauses in this rule, the indigenous vegetation clearance is for network utility operations within any RESZ - Residential Zone, COMZ - Commercial and Mixed Use Zone, PORTZ - Port Zone, or IND - Industrial Zone property within the towns of Greymouth, Hokitika or Westport;</u> iii. <u>For all clauses in this rule, the indigenous vegetation clearance is of vegetation planted and managed:</u> <ul style="list-style-type: none"> a. <u>As part of a domestic or public garden for amenity purposes; 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					<p>Amend R1.1 ;</p> <ul style="list-style-type: none">- to enable works to control vegetation in accordance with Electrical (Safety) Regulations.- to provide for electricity infrastructure, including existing infrastructure, that is new or existing. <p>R1.2 requires amendment to provide appropriate allowances for the electricity infrastructure.</p> <p>R1.3, particularly "iii." requires</p>
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					<p>amendment to provide for electricity infrastructure, including existing.</p> <p>Proposed exceptions;</p> <ul style="list-style-type: none">- "i." to be amended to apply to all of R1-3. Should also include reference to "upgrade".- "ii." relates to the "urban area". Map urban areas as these may include parts of other zones from the perspective of network infrastructure that need to be included.- Reference mapped
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					<p>areas in “ii.”</p> <p>Advice note as to linkage, if any, between this rule and following rules.</p> <p>Amendment to the wording as follows:</p> <p><i>“Activity Status where compliance not achieved:</i></p> <p><u>Controlled or Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts”</u></p>
S547.261	ECO - R1	Amend	Amend item 3.ii: “The ... structures, buildings, natural hazard mitigation activities <u>or energy activities and</u>	As sought in original submission.	

			infrastructure, including critical infrastructure and renewable generation activities. network utilities”	
S547.262	ECO - R1	Amend	Add new item under 3., “ <u>The upgrading of activities in item ii. where the activity is the same or similar in scale character or intensity to the existing activity.</u> ”	As sought in original submission.
S547.263	ECO - R1	Amend	Amend item ix., “For construction, <u>operation, maintenance, repair and upgrade of an above or below ground energy or infrastructure, including critical infrastructure and</u> the national grid, activity where: ...”	As sought in original submission.
S547.264	ECO - R1	Amend	Amend item ix.a., “The construction corridor does not exceed <u>10m</u> in width.”	As sought in original submission.
S547.265	ECO - R1	Amend	Amend item 4. to permit a level of clearance equivalent	As sought in original submission.

			to that provided for in the Westland and Buller Districts in Schedule 5 areas.		
S547.266	ECO - R1	Amend	Amend activity status: "Within the Grey District refer to standard 4 where standard 3 is not achieved. <u>Where standard 4 is achieved any activity is permitted.</u> "		As sought in original submission.
S547.267	ECO - R1	Amend	Amend activity status: " <u>Within the Westland and Buller Districts refer to standard 5 where standard 3 is not achieved. Where standard 5 is achieved any activity is permitted.</u> "		As sought in original submission.
S547.0503	ECO – R2	Amend	(1) Confirm the function of Schedule Four in identifying significant natural areas in the Coastal Environment of the Grey District.	Original ECO-R2 deleted in its entirety, New ECO-R2,	The amendment in wording as follows: <i>"3. It is necessary to remove vegetation that</i>

		<p>(2) Relevant permitted rules for activities inside or outside Schedule Four areas in the Grey District Coastal are provided, including an opportunity to comment on such rules.</p> <p>(3) Relocate the rule to the Coastal Chapter.</p> <p>(4) Add an exception to the Rule Title, "Indigenous Vegetation Clearance ... <u>(Note: Urban Areas are not being part of the Coastal Environment for the purpose of this rule.)</u> or like effect."</p> <p>(5) Amend item 1.ii., "Operation, ..., <u>and installation of new energy</u></p>	<table border="1"> <tr> <td data-bbox="904 95 1122 199">ECO - R2</td> <td data-bbox="1122 95 1957 199">Indigenous Vegetation Clearance for Network Utility Operations, Renewable Electricity Generation Activities and the National Grid outside of Significant Natural Areas.</td> </tr> <tr> <td data-bbox="904 199 1639 691"> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. It is for the maintenance, operation, repair or upgrade of lawfully established activities and structures; or 2. It is for the installation of temporary network or electricity generation activities following a regional or local state of emergency declaration; or 3. It is necessary to remove vegetation that endangers human life or existing buildings or structures; or 4. It is for construction of new network utility infrastructure, renewable electricity generation activities or the National Grid where: <ol style="list-style-type: none"> i. The construction corridor for linear infrastructure such as pipes and lines will not exceed 10 metres in width; and ii. All machinery used in construction is cleaned and made free of weed materials and seeds prior to entering the site; and iii. Rehabilitation of disturbed areas is undertaken following completion of construction; and iv. Within a riparian margin of a waterbody, new network utilities and connections are underground or located within a legal road or attached to an existing bridge. </td> <td data-bbox="1639 199 1957 691"> <p>Activity status where compliance not achieved: Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p> </td> </tr> </table>	ECO - R2	Indigenous Vegetation Clearance for Network Utility Operations, Renewable Electricity Generation Activities and the National Grid outside of Significant Natural Areas.	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. It is for the maintenance, operation, repair or upgrade of lawfully established activities and structures; or 2. It is for the installation of temporary network or electricity generation activities following a regional or local state of emergency declaration; or 3. It is necessary to remove vegetation that endangers human life or existing buildings or structures; or 4. It is for construction of new network utility infrastructure, renewable electricity generation activities or the National Grid where: <ol style="list-style-type: none"> i. The construction corridor for linear infrastructure such as pipes and lines will not exceed 10 metres in width; and ii. All machinery used in construction is cleaned and made free of weed materials and seeds prior to entering the site; and iii. Rehabilitation of disturbed areas is undertaken following completion of construction; and iv. Within a riparian margin of a waterbody, new network utilities and connections are underground or located within a legal road or attached to an existing bridge. 	<p>Activity status where compliance not achieved: Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p>	<p><i>endangers human life or existing buildings or structures, <u>or is necessary for removal under the Electricity (Hazards from Trees) Regulations 2003;</u></i></p> <p><i>"4.i The construction corridor for linear infrastructure such as pipes and pines will not exceed 10 <u>20</u> metres in width";</i></p> <p><i>4.iv requires amendment to provide appropriate allowances for the electricity infrastructure.</i></p>
ECO - R2	Indigenous Vegetation Clearance for Network Utility Operations, Renewable Electricity Generation Activities and the National Grid outside of Significant Natural Areas.							
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			<p><u>activities and infrastructure, including critical infrastructure and renewable electricity generation activities.</u>"</p> <p>(6) Amend the applicable area limit in item 2., "The extent of ... in area <u>per work site ...</u>"</p> <p>(7) Add an exception to items 2. & 3. for maintenance, "<u>Except that these limits shall not apply to ongoing maintenance of existing disturbed or cleared areas for corridor management purposes.</u>"</p>		<p>"Activity Status where compliance not achieved: <u>Controlled or Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</u>"</p> <p>The inclusion of an Advice note as to how this rule interacts with ECO-R1.</p>
S547.0506	ECO – R2	Support	(1) Confirm the function of Schedule Four in identifying significant natural areas in the Coastal		As sought in original submission.

			<p>Environment of the Grey District.</p> <p>(2) Relevant permitted rules for activities inside or outside Schedule Four areas in the Grey District Coastal are provided, including an opportunity to comment on such rules.</p> <p>(3) Relocate the rule to the Coastal Chapter.</p> <p>(4) Add an exception to the Rule Title, "Indigenous Vegetation Clearance ... <u>(Note: Urban Areas are not being part of the Coastal Environment for the purpose of this rule.)</u> or like effect."</p> <p>(5) Amend item 1.ii.,</p>		
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			<p>"Operation, ..., <u>and installation of new energy activities and infrastructure, including critical infrastructure and renewable electricity generation activities.</u>"</p> <p>(6) Amend the applicable area limit in item 2., "The extent of ... in area <u>per work site ...</u>"</p> <p>(7) Add an exception to items 2. & 3. for maintenance, "<u>Except that these limits shall not apply to ongoing maintenance of existing disturbed or cleared areas for corridor management purposes.</u>"</p>		
				New ECO-R3,	Amendment to the wording as follows:

				<table border="1"> <tr> <td data-bbox="913 102 1122 193">ECO - R3</td> <td data-bbox="1122 102 1944 193">Indigenous vegetation clearance for maintenance and repair of lawfully established structures and activities outside of Significant Natural Areas not provided for in Rule ECO - R1</td> </tr> <tr> <td data-bbox="913 193 1637 459"> <u>Activity Status Permitted</u> <u>Where:</u> <ol style="list-style-type: none"> The clearance is for the maintenance and repair of lawfully established activities and structures including tracks, accessways, fences, pipelines, drains, natural hazard mitigation structures, shelterbelts and woodlots, environmental monitoring facilities and infrastructure; or The clearance is for the maintenance of improved pasture for farming. <u>Advice Note:</u> <ol style="list-style-type: none"> In relation to standard 1 of this rule, the reference to infrastructure applies where the infrastructure is not regulated by Rule ECO - R2. </td> <td data-bbox="1637 193 1944 459"> <u>Activity status where compliance not achieved:</u> Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts </td> </tr> </table>	ECO - R3	Indigenous vegetation clearance for maintenance and repair of lawfully established structures and activities outside of Significant Natural Areas not provided for in Rule ECO - R1	<u>Activity Status Permitted</u> <u>Where:</u> <ol style="list-style-type: none"> The clearance is for the maintenance and repair of lawfully established activities and structures including tracks, accessways, fences, pipelines, drains, natural hazard mitigation structures, shelterbelts and woodlots, environmental monitoring facilities and infrastructure; or The clearance is for the maintenance of improved pasture for farming. <u>Advice Note:</u> <ol style="list-style-type: none"> In relation to standard 1 of this rule, the reference to infrastructure applies where the infrastructure is not regulated by Rule ECO - R2. 	<u>Activity status where compliance not achieved:</u> Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts	<p>“Activity Status where compliance not achieved: <u>Controlled or Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</u>”</p>
ECO - R3	Indigenous vegetation clearance for maintenance and repair of lawfully established structures and activities outside of Significant Natural Areas not provided for in Rule ECO - R1								
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			New ECO-R4,	<table border="1"> <tr> <td data-bbox="913 778 1122 842">ECO - R4</td> <td data-bbox="1122 778 1944 842">Indigenous vegetation clearance in urban areas outside of Significant Natural Areas not provided for in Rule ECO - R1 or ECO - R2</td> </tr> <tr> <td data-bbox="913 842 1637 1018"> <u>Activity Status Permitted</u> <u>Where:</u> <ol style="list-style-type: none"> It is undertaken on a RESZ - Residential Zone, COMZ - Commercial and Mixed Use Zone, PORTZ - Port Zone, or IND - Industrial Zone property within the towns of Reefton, Greymouth, Hokitika or Westport. </td> <td data-bbox="1637 842 1944 1018"> <u>Activity status where compliance not achieved:</u> Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts </td> </tr> </table>	ECO - R4	Indigenous vegetation clearance in urban areas outside of Significant Natural Areas not provided for in Rule ECO - R1 or ECO - R2	<u>Activity Status Permitted</u> <u>Where:</u> <ol style="list-style-type: none"> It is undertaken on a RESZ - Residential Zone, COMZ - Commercial and Mixed Use Zone, PORTZ - Port Zone, or IND - Industrial Zone property within the towns of Reefton, Greymouth, Hokitika or Westport. 	<u>Activity status where compliance not achieved:</u> Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts	<p>Amendment to the wording as follows: “Activity Status where compliance not achieved: <u>Controlled or Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and</u>”</p>
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<u>Activity Status Permitted</u> <u>Where:</u> <ol style="list-style-type: none"> It is undertaken on a RESZ - Residential Zone, COMZ - Commercial and Mixed Use Zone, PORTZ - Port Zone, or IND - Industrial Zone property within the towns of Reefton, Greymouth, Hokitika or Westport. 	<u>Activity status where compliance not achieved:</u> Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts								

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				<p>New ECO-R5,</p> <table border="1"> <tr> <td>ECO - R5</td> <td>Indigenous vegetation clearance on Māori Purpose Zoned land, Poutini Ngāi Tahu Land for Poutini Ngāi Tahu Activities or Specified Māori Land outside of Significant Natural Areas.</td> </tr> <tr> <td> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. It is cultural harvest undertaken by Poutini Ngāi Tahu; or 2. It is on Māori Purpose Zoned land or Poutini Ngāi Tahu land and undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or 3. It is on Specified Māori Land and complies with ECO - R1 and ECO - R3. </td> <td> <p>Activity status where compliance not achieved: Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p> </td> </tr> </table>	ECO - R5	Indigenous vegetation clearance on Māori Purpose Zoned land, Poutini Ngāi Tahu Land for Poutini Ngāi Tahu Activities or Specified Māori Land outside of Significant Natural Areas.	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. It is cultural harvest undertaken by Poutini Ngāi Tahu; or 2. It is on Māori Purpose Zoned land or Poutini Ngāi Tahu land and undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or 3. It is on Specified Māori Land and complies with ECO - R1 and ECO - R3. 	<p>Activity status where compliance not achieved: Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p>	<p>Clarify the interaction with R1-R4 and permitted rules in the SASM section.</p> <p>Clarify whether the land referred to in clause "3." includes the land in clause "2."</p> <p>Where the whole, or part of, the land in clause "2" is not included in clause "3" the process for compliance requires clarification, including any need for certification.</p> <p>Clause "3." amended to</p>
ECO - R5	Indigenous vegetation clearance on Māori Purpose Zoned land, Poutini Ngāi Tahu Land for Poutini Ngāi Tahu Activities or Specified Māori Land outside of Significant Natural Areas.								
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					<p>ECO-R1 – ECO-R34.</p> <p>Wording to the effect that indigenous vegetation clearance is permitted where permission or certification has been obtained from Poutini Ngai Tahu.</p> <p>Amendment to the wording as follows:</p> <p><i>“Activity Status where compliance not achieved:</i></p> <p><i>Controlled or Restricted Discretionary where this is in the Grey District and Discretionary where this is</i></p>
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					<i>in the Buller and Westland Districts”</i>				
				<p>New ECO-R6,</p> <table border="1"> <tr> <td>ECO - R6</td> <td>Indigenous vegetation clearance outside of Significant Natural Areas not provided for in another Permitted Activity Rule</td> </tr> <tr> <td> <p>Activity Status Permitted Where this is:</p> <ol style="list-style-type: none"> 1. For the construction of new fences and traplines associated with Conservation Activities or to exclude stock or pest animals from indigenous vegetation or the margins of waterbodies, or the coast; or 2. Necessary to remove vegetation that endangers human life or existing buildings or structures; or 3. For the construction of parks facilities, parks furniture or public access points within an Open Space and Recreation Zone; or 4. For installation of an environmental monitoring and extreme weather event monitoring facility; or 5. For the establishment of a river crossing point up to 3 metres wide; or 6. For new natural hazard mitigation structures undertaken by a statutory agency or their authorised contractor acting on its behalf; or 7. Unavoidable in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or is removal of unwanted organisms declared under the Biosecurity Act 2015; or 8. To comply with section 43 of the Fire and Emergency Act 2017; or 9. To upgrade public walking or cycling tracks up to 3 metres in width undertaken by the Council or its authorised contractor acting on its behalf; or 10. Within an area subject to a QE II National Trust Covenant or Ngā Whenua Rahui Kawaneta, a Reserves or Conservation Act covenant or a Heritage covenant under the Heritage New Zealand/Pouhere Taonga Act and the vegetation disturbance is authorised by that legal instrument; or 11. For the establishment of a building platform and access to a building site in an approved subdivision, or where there is no existing residential building on the site that will not exceed 500m² clearance per allotment, and where this is not located within a riparian margin of a waterbody; or 12. For mineral extraction or prospecting activities within the MINZ - Mineral Extraction Zone or BCZ - Buller Coalfield Zone; or 13. Outside of the coastal environment or riparian margins of waterbodies, it is removal of windthrow timber through: <ol style="list-style-type: none"> i. Use of helicopter recovery methods; or ii. Ground-based recovery, where this is only undertaken from areas adjacent to existing vehicle tracks; or 14. For any other purpose, where this is not located within a riparian margin of a waterbody or the coastal environment, and will not exceed 2,000m² clearance per property. </td> <td> <p>Activity status where compliance not achieved: Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p> </td> </tr> </table>	ECO - R6	Indigenous vegetation clearance outside of Significant Natural Areas not provided for in another Permitted Activity Rule	<p>Activity Status Permitted Where this is:</p> <ol style="list-style-type: none"> 1. For the construction of new fences and traplines associated with Conservation Activities or to exclude stock or pest animals from indigenous vegetation or the margins of waterbodies, or the coast; or 2. Necessary to remove vegetation that endangers human life or existing buildings or structures; or 3. 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Within an area subject to a QE II National Trust Covenant or Ngā Whenua Rahui Kawaneta, a Reserves or Conservation Act covenant or a Heritage covenant under the Heritage New Zealand/Pouhere Taonga Act and the vegetation disturbance is authorised by that legal instrument; or 11. For the establishment of a building platform and access to a building site in an approved subdivision, or where there is no existing residential building on the site that will not exceed 500m² clearance per allotment, and where this is not located within a riparian margin of a waterbody; or 12. For mineral extraction or prospecting activities within the MINZ - Mineral Extraction Zone or BCZ - Buller Coalfield Zone; or 13. Outside of the coastal environment or riparian margins of waterbodies, it is removal of windthrow timber through: <ol style="list-style-type: none"> i. Use of helicopter recovery methods; or ii. Ground-based recovery, where this is only undertaken from areas adjacent to existing vehicle tracks; or 14. For any other purpose, where this is not located within a riparian margin of a waterbody or the coastal environment, and will not exceed 2,000m² clearance per property. 	<p>Activity status where compliance not achieved: Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller and Westland Districts</p>	<p>Amendment s to reflect at 14.:</p> <p><i>“2000m² clearance per site property”.</i></p> <p>Advice note added that ECO-R1 –R5 do not apply.</p> <p>Amendment to the wording as follows:</p> <p><i>“Activity Status where compliance not achieved:</i> <u>Controlled or Restricted Discretionary where this is in the Grey District and Discretionary where this is in the Buller</u></p>
ECO - R6	Indigenous vegetation clearance outside of Significant Natural Areas not provided for in another Permitted Activity Rule								
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					<i>and Westland Districts"</i>				
				<p>New ECO-R7,</p> <table border="1"> <tr> <td>ECO - R7</td> <td>Indigenous Vegetation Clearance within a Significant Natural Area</td> </tr> <tr> <td> <p>Activity Status Permitted <u>Where this is:</u></p> <ol style="list-style-type: none"> For the maintenance, operation and repair of lawfully established activities and structures including tracks, fences, drains, structures, infrastructure and renewable electricity generation activities where: <ol style="list-style-type: none"> This is at the same or similar scale, character and intensity as at 14 July 2022; and The clearance is within 3 metres of the lawfully established activity and is limited to a maximum area of 50m² per individual Significant Natural Area; Necessary to remove vegetation that endangers human life or existing buildings or structures, where this is certified by a Council Approved Contractor; For the safe and efficient operation (including maintenance and repair) of any formed public road, rail corridor or access where the removal is within 3 metres of the formed width of the road, rail corridor or access where this is undertaken by a Road or Rail Controlling Authority; To comply with section 43 of the Fire and Emergency Act 2017; To enable removal of unwanted organisms declared under the Biosecurity Act 2015. </td> <td> <p>Activity status where compliance not achieved: Discretionary</p> </td> </tr> </table>	ECO - R7	Indigenous Vegetation Clearance within a Significant Natural Area	<p>Activity Status Permitted <u>Where this is:</u></p> <ol style="list-style-type: none"> For the maintenance, operation and repair of lawfully established activities and structures including tracks, fences, drains, structures, infrastructure and renewable electricity generation activities where: <ol style="list-style-type: none"> This is at the same or similar scale, character and intensity as at 14 July 2022; and The clearance is within 3 metres of the lawfully established activity and is limited to a maximum area of 50m² per individual Significant Natural Area; Necessary to remove vegetation that endangers human life or existing buildings or structures, where this is certified by a Council Approved Contractor; For the safe and efficient operation (including maintenance and repair) of any formed public road, rail corridor or access where the removal is within 3 metres of the formed width of the road, rail corridor or access where this is undertaken by a Road or Rail Controlling Authority; To comply with section 43 of the Fire and Emergency Act 2017; To enable removal of unwanted organisms declared under the Biosecurity Act 2015. 	<p>Activity status where compliance not achieved: Discretionary</p>	<p>Wording that enables the maintenance , operation and repair of network utility operations in particular the deletion of 1(ii) and the ability to provide for clearance to control vegetation in accordance with any Electrical Safety Regulations.</p> <p>Insert provision for: - "upgrading " of network utilities, infrastructure, and Regionally Significant Infrastructu</p>
ECO - R7	Indigenous Vegetation Clearance within a Significant Natural Area								
<p>Activity Status Permitted <u>Where this is:</u></p> <ol style="list-style-type: none"> For the maintenance, operation and repair of lawfully established activities and structures including tracks, fences, drains, structures, infrastructure and renewable electricity generation activities where: <ol style="list-style-type: none"> This is at the same or similar scale, character and intensity as at 14 July 2022; and The clearance is within 3 metres of the lawfully established activity and is limited to a maximum area of 50m² per individual Significant Natural Area; Necessary to remove vegetation that endangers human life or existing buildings or structures, where this is certified by a Council Approved Contractor; For the safe and efficient operation (including maintenance and repair) of any formed public road, rail corridor or access where the removal is within 3 metres of the formed width of the road, rail corridor or access where this is undertaken by a Road or Rail Controlling Authority; To comply with section 43 of the Fire and Emergency Act 2017; To enable removal of unwanted organisms declared under the Biosecurity Act 2015. 	<p>Activity status where compliance not achieved: Discretionary</p>								

					<p>re and provide parameters ; and - “new” network utilities and infrastructure and Regionally Significant Infrastructure and provide parameters .</p> <p>Amend: - “1.ii” seeks to limit “1.i” which is not appropriate for the electricity network and infrastructure, including existing. Clause R7.1.ii should be removed. in preference</p>
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					<p>to 1.i or amended to provide appropriate standards.</p> <p>- provide for clearance to meet the requirements to control vegetation in accordance with Electrical Safety Regulations</p> <p>.</p> <p>Amendment to the wording as follows:</p> <p><i>“Activity Status where compliance not achieved:</i></p> <p><u>Controlled or Restricted</u></p> <p><i>Discretionary”</i></p>
S547.269	ECO - R5	Amend	Where Rule ECO-R2 is relocated to the Coastal Environment Chapter replicate this rule.	ECO-R5 is now ECO-R9 with the introduction of a range of new rules,	Insert new Controlled activity rule for network utilities,

				ECO - R5R9 Indigenous vegetation clearance not meeting Permitted or Controlled Activity Standards outside of a Significant Natural Area in the Grey District	infrastructure and Regionally Significant Infrastructure, with a default to Restricted Discretionary activity where compliance not achieved.
				Activity Status Restricted Discretionary Where: 1. This is not within: i. A Significant Natural Area identified in Schedule Four; ii. An area of land environment of category one or two of the Threatened Environment Classification; <u>or</u> iii. An Outstanding Natural Landscape identified in Schedule Five; <u>or</u> iv. An Outstanding Natural Feature identified in Schedule Six; <u>or</u> v. An area of High Coastal Natural Character identified in Schedule Seven; <u>or</u> vi. An area of Outstanding Coastal Natural Character identified in Schedule Eight. Discretion is restricted to: a. Whether there are other regulations impacting the site that have meant the land is unable to be used for economic rural uses <u>Effects on indigenous biodiversity;</u> b. <u>Constraints imposed by Consideration of the functional need or operational need of network utilities, renewable electricity generation and critical regionally significant infrastructure;</u> c. Effects on habitats of any threatened or <u>protected at risk (declining) species;</u> d. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; e. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems; f. Effects on the intrinsic values of ecosystems; g. Effects on recreational values of public land; h. <u>Natural hazard management and geotechnical considerations;</u> and i. <u>The matters outlined in Policies ECO - P6 and ECO - P7 Poutini Ngā Tahu values.</u>	Activity status where compliance not achieved: Discretionary
S547.271	ECO - R5	Amend	Amend item 1.ii, "An area of land ... Environment Classification at the ecological district level. "	a. Whether there are other regulations impacting the site that have meant the land is unable to be used for economic rural uses <u>Effects on indigenous biodiversity;</u> b. <u>Constraints imposed by Consideration of the functional need or operational need of network utilities, renewable electricity generation and critical regionally significant infrastructure;</u> c. Effects on habitats of any threatened or <u>protected at risk (declining) species;</u> d. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; e. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;	As sought in original submission.
S547.272	ECO - R5	Amend	Amend item b., "Constraints imposed by The technical, locational, functional or operational need of network utility constraints or requirements of energy activities and infrastructure, including critical infrastructure and renewable energy generation. "	f. Effects on the intrinsic values of ecosystems; g. Effects on recreational values of public land; h. <u>Natural hazard management and geotechnical considerations;</u> and i. <u>The matters outlined in Policies ECO - P6 and ECO - P7 Poutini Ngā Tahu values.</u> Advice Note/Notes: 1. <u>Where indigenous vegetation clearance is proposed within the riparian margin of a waterbody refer to this section of the Plan for the Rules around this clearance.</u> 2. Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM - R4 will also apply. 3. Where indigenous vegetation clearance is proposed within a wetland this is also be subject to <u>additional</u> rules within the NES - Freshwater and Regional Land and Water Plan which are administered by the West Coast Regional Council. 4. This rule also applies to <u>plantation commercial</u> forestry activities, where this provision is more stringent than the NES - <u>PFCE</u> and the indigenous vegetation clearance is within the coastal environment.	As sought in original submission.

S547.273	ECO - R5	Amend	Add new i., <u>“The benefits arising from the proposed activity.”</u>		As ought in original submission.								
S547.274	ECO - R7	Amend	Amend item 1., “Where ... assessment against the objectives and policies of both the ...will be required <u>where relevant.</u> ”	<p>Original ECO-R7 now amended ECO-R10,</p> <table border="1" data-bbox="920 296 1946 549"> <tr> <td data-bbox="920 296 1122 363">ECO - R7R10</td> <td data-bbox="1122 296 1946 363">Indigenous vegetation clearance not meeting ECO - R5 Permitted, Controlled or Restricted Discretionary Rules</td> </tr> <tr> <td colspan="2" data-bbox="920 363 1946 395">Activity Status Discretionary</td> </tr> <tr> <td colspan="2" data-bbox="920 395 1946 419"><u>Where:</u></td> </tr> <tr> <td data-bbox="920 419 1639 549"> <ol style="list-style-type: none"> 1. <u>An ecological assessment undertaken by a suitably qualified ecologist identifies that the indigenous vegetation clearance will not adversely affect an area of significant indigenous biodiversity using the WCRPS, Appendix 1; and</u> 2. <u>Adverse effects of the clearance on indigenous biodiversity are</u> </td> <td data-bbox="1639 363 1946 549"> Activity status where compliance not achieved: <u>N/A where standard 1, 2 or 4 is complied with</u> <u>Non-complying where standard 3 is not complied with</u> </td> </tr> </table>	ECO - R7R10	Indigenous vegetation clearance not meeting ECO - R5 Permitted, Controlled or Restricted Discretionary Rules	Activity Status Discretionary		<u>Where:</u>		<ol style="list-style-type: none"> 1. <u>An ecological assessment undertaken by a suitably qualified ecologist identifies that the indigenous vegetation clearance will not adversely affect an area of significant indigenous biodiversity using the WCRPS, Appendix 1; and</u> 2. <u>Adverse effects of the clearance on indigenous biodiversity are</u> 	Activity status where compliance not achieved: <u>N/A where standard 1, 2 or 4 is complied with</u> <u>Non-complying where standard 3 is not complied with</u>	<p>As sought in original wording and other amendments to ensure the maintenance , operation and repair of network utility operations.</p> <p>An advice note should be added to the effect that this rule does not apply activities provided for in Rule ECO-R11.</p>
ECO - R7R10	Indigenous vegetation clearance not meeting ECO - R5 Permitted, Controlled or Restricted Discretionary Rules												
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<ol style="list-style-type: none"> 1. <u>An ecological assessment undertaken by a suitably qualified ecologist identifies that the indigenous vegetation clearance will not adversely affect an area of significant indigenous biodiversity using the WCRPS, Appendix 1; and</u> 2. <u>Adverse effects of the clearance on indigenous biodiversity are</u> 	Activity status where compliance not achieved: <u>N/A where standard 1, 2 or 4 is complied with</u> <u>Non-complying where standard 3 is not complied with</u>												

				<p>managed by applying the effects management hierarchy to achieve Objective ECO - O1.</p> <p>OR</p> <p>3. An ecological assessment undertaken by a suitably qualified ecologist identifies that the indigenous vegetation clearance is within an area of significant indigenous biodiversity using the WCRPS, Appendix 1, and avoid any of the following:</p> <ul style="list-style-type: none"> a. Loss of ecosystem representation and extent; or b. Disruption to sequences, mosaics or ecosystem function; or c. Fragmentation of areas of significant indigenous biodiversity or the loss of buffers or connections with areas of significant indigenous biodiversity; or d. A reduction in the function of the area of significant indigenous biodiversity as a buffer or connection to important habitats or ecosystems; or e. A reduction in the population size or occupancy of any threatened or at risk (declining) species that use the area of significant indigenous biodiversity. <p>OR</p> <p>4. In the case of:</p> <ul style="list-style-type: none"> a. Mineral extraction that provides significant national public benefit that could not otherwise be achieved using resources within New Zealand, and it can be demonstrated that there is a functional need or operational need to be in that particular location, and there are no practicable alternative locations; or b. Aggregate extraction that provides significant national or regional public benefit that could not otherwise be achieved using resources within New Zealand, and it can be demonstrated that there is a functional need or operational need to be in that particular location, and there are no practicable alternative locations; or c. A single residential dwelling on an allotment created before 4 August 2023, and there is no practicable alternative location on the allotment for the dwelling and essential associated onsite infrastructure; or d. This is for a commercial forestry activity and is required for the commercial forestry activity to continue; and <p>The adverse effects on areas of significant indigenous biodiversity are managed by applying the effects management hierarchy, including demonstrating how each step is applied, and if biodiversity offsetting and biodiversity compensation is applied, having regard to the principles in Appendix Fourteen and Appendix Fifteen</p> <p>Advice Note Notes:</p> <ol style="list-style-type: none"> 1. Where assessing resource consents for indigenous vegetation clearance under this rule, assessment against the relevant objectives and policies of both the Ecosystems and Indigenous Biodiversity Chapter, and Coastal Environment Chapter, Natural Features and Landscapes Chapter, the Energy, Infrastructure and Transport Chapters will and the MINZ - Mineral Extraction Zone and BCZ Buller Coalfield Zone Chapters may be required. 2. This In relation to Significant Natural Areas, this rule also applies to plantation commercial forestry activities, where this provision is more stringent than the NES - PFCF. 3. When assessing resource consents for indigenous vegetation clearance on Specified Māori Land under this rule, the provisions of the NPSIB in relation to Specified Māori Land must be taken into account. 4. When assessing resource consents for indigenous vegetation clearance within the riparian margins of waterbodies under this rule, the objectives and policies of the Natural Character and the Margins of Waterbodies Chapter must be taken into account. 	
				New ECO-R11,	An advice note should be added to

				<table border="1"> <tr> <td>ECO - R11</td> <td>Indigenous vegetation clearance for regionally significant infrastructure, the National Grid and renewable electricity generation activities</td> </tr> <tr> <td>Activity Status Discretionary</td> <td>Activity status where compliance not achieved: N/A</td> </tr> </table>	ECO - R11	Indigenous vegetation clearance for regionally significant infrastructure, the National Grid and renewable electricity generation activities	Activity Status Discretionary	Activity status where compliance not achieved: N/A	the effect that this rule does not apply to activities provided for in Rule ECO-R10.		
ECO - R11	Indigenous vegetation clearance for regionally significant infrastructure, the National Grid and renewable electricity generation activities										
Activity Status Discretionary	Activity status where compliance not achieved: N/A										
S547.367	SUB - R7/ ECO - R4	Amend	<p>(1) Add a new item f., "<u>f. The provision of infrastructure and services for drinking water, waste water and stormwater, telecommunications and energy.</u>"</p> <p>(2) Add a new item g., "<u>g. The provision of easements, including for both existing and proposed energy activities and associated infrastructure.</u>"</p> <p>(3) Add a new item h., "<u>h. Management of potential reverse sensitivity effects on existing land</u>"</p>	<p>ECO-R4/SUB-R7 deleted in entirety,</p> <table border="1"> <tr> <td>ECO - R4/SUB - R7</td> <td>Subdivision of Land to Create Allotments Containing an Area of Significant Indigenous Biodiversity</td> </tr> <tr> <td>Activity Status: Controlled</td> <td>Activity status where compliance not achieved:</td> </tr> <tr> <td> <p>Where:</p> <ol style="list-style-type: none"> One new allotment with a minimum lot size of 4,000m² is created from the parent title, provided that in the GRUZ – General Rural Zone there is a balance area remaining on the original title of at least 4 ha; and The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant with an authorised agency and is contained within a single allotment; The subdivision will not result in buildings or access ways being located within the identified area of significant indigenous biodiversity or the need for clearance of significant indigenous vegetation to provide for future access to any site; and Subdivision standards S2-S11 are complied with. <p>Matters of control are:</p> <ol style="list-style-type: none"> Subdivision layout, access, design, location and proximity of building platforms to areas of significant indigenous biodiversity; Management of earthworks, including earthworks for the location of building platforms and access ways; The protection of habitats of threatened or at risk species; and The measures to minimise any adverse effects on: <ol style="list-style-type: none"> The significant indigenous biodiversity; The cultural significance to Poutini Ngāi Tahu. <p>Advice Note: This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB – R4.</p> </td> <td> <p>Restricted Discretionary where standard 1 is not complied with.</p> <p>Discretionary where standards 2-4 are not complied with</p> </td> </tr> </table>	ECO - R4/SUB - R7	Subdivision of Land to Create Allotments Containing an Area of Significant Indigenous Biodiversity	Activity Status: Controlled	Activity status where compliance not achieved:	<p>Where:</p> <ol style="list-style-type: none"> One new allotment with a minimum lot size of 4,000m² is created from the parent title, provided that in the GRUZ – General Rural Zone there is a balance area remaining on the original title of at least 4 ha; and The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant with an authorised agency and is contained within a single allotment; The subdivision will not result in buildings or access ways being located within the identified area of significant indigenous biodiversity or the need for clearance of significant indigenous vegetation to provide for future access to any site; and Subdivision standards S2-S11 are complied with. <p>Matters of control are:</p> <ol style="list-style-type: none"> Subdivision layout, access, design, location and proximity of building platforms to areas of significant indigenous biodiversity; Management of earthworks, including earthworks for the location of building platforms and access ways; The protection of habitats of threatened or at risk species; and The measures to minimise any adverse effects on: <ol style="list-style-type: none"> The significant indigenous biodiversity; The cultural significance to Poutini Ngāi Tahu. <p>Advice Note: This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB – R4.</p>	<p>Restricted Discretionary where standard 1 is not complied with.</p> <p>Discretionary where standards 2-4 are not complied with</p>	As sought in original submission. Now shown in the subdivision table
ECO - R4/SUB - R7	Subdivision of Land to Create Allotments Containing an Area of Significant Indigenous Biodiversity										
Activity Status: Controlled	Activity status where compliance not achieved:										
<p>Where:</p> <ol style="list-style-type: none"> One new allotment with a minimum lot size of 4,000m² is created from the parent title, provided that in the GRUZ – General Rural Zone there is a balance area remaining on the original title of at least 4 ha; and The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant with an authorised agency and is contained within a single allotment; The subdivision will not result in buildings or access ways being located within the identified area of significant indigenous biodiversity or the need for clearance of significant indigenous vegetation to provide for future access to any site; and Subdivision standards S2-S11 are complied with. <p>Matters of control are:</p> <ol style="list-style-type: none"> Subdivision layout, access, design, location and proximity of building platforms to areas of significant indigenous biodiversity; Management of earthworks, including earthworks for the location of building platforms and access ways; The protection of habitats of threatened or at risk species; and The measures to minimise any adverse effects on: <ol style="list-style-type: none"> The significant indigenous biodiversity; The cultural significance to Poutini Ngāi Tahu. <p>Advice Note: This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB – R4.</p>	<p>Restricted Discretionary where standard 1 is not complied with.</p> <p>Discretionary where standards 2-4 are not complied with</p>										

			<u>uses, including network utilities and critical infrastructure (including energy activities), rural activities or significant hazardous facilities."</u>			
S547.375	SUB - R9/ ECO - R6	Amend	Add item e., <u>"The provision of infrastructure and services for drinking water, waste water and stormwater, telecommunications and energy."</u>	ECO-R6/Sub-R9 deleted in entirety, ECO - R6/SUB - R9 Subdivision of Land to create Allotments Containing an Area of Significant Indigenous Biodiversity not meeting Rule ECO - R4	As sought in original submission. Now shown in the subdivision table	
S547.376	SUB - R9/ ECO - R6	Amend	Add item f., <u>"The provision of easements, including for both existing and proposed energy activities and associated infrastructure."</u>	Activity Status Restricted Discretionary Where: 1. Up to three allotments with a minimum lot size of 4,000m ² are created from the parent title; 2. The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant with an authorised agency and is contained within a single allotment; 3. The subdivision will not result in buildings or access ways being located within any Significant Natural Area identified in Schedule Four; and 4. Subdivision standards S2-S11 are complied with. Discretion is restricted to: a. Whether there are other regulations impacting the site that have meant the land is unable to be used for economic rural uses; b. The extent to which the subdivision layout, access, allotment size and design and the location of building platforms may adversely impact the significant indigenous vegetation and/or significant habitat of indigenous fauna; c. Management of earthworks including earthworks for the location of building platforms and access ways; d. The protection of habitats of threatened or at risk species; e. The measures to minimise any adverse effects on: i. The significant indigenous biodiversity; and ii. The particular cultural, spiritual and/or heritage values, interests or associations of importance to Poutini Ngāi Tahu as kaitiaki and mana whenua that are associated with the significant indigenous vegetation and/or significant habitats of indigenous fauna and the potential impact on those values, interests or association.	Activity status where compliance not achieved: Discretionary	As sought in original submission. Now shown in the subdivision table
S547.377	SUB - R9/ ECO - R6	Amend	Add item g., <u>"g. Management of potential reverse sensitivity effects on existing land uses, including network utilities and critical infrastructure</u>		As sought in original submission. Now shown in the subdivision table	

			<u>(including energy activities), rural activities or significant hazardous facilities.”</u>		
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Provisions Appealed – Part 2 NC – Natural Character and the Margins of Waterbodies

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought				
FS222.004	Interpretation	Oppose	<p>add new definition: <u>“Bank A streambank or riverbank is defined as the edge of the defined channel or riverbed or where this is not obvious, the point at which terrestrial vegetation (eg: grassland, shrubland or forest) commences. The boundary of a natural wetland margin is where indigenous wetland plants (ie: those indigenous plants such as sedges and rushes adapted to living in wet conditions) give way to other species. The boundary of a tidal wetland is defined as the point of mean high water springs (MHWS).”</u></p>	<p>New definition added,</p> <table border="1" data-bbox="936 300 1951 363"> <tr> <td data-bbox="936 300 1144 363">BANK</td> <td data-bbox="1144 300 1951 363">means the land on either side of a river which confines the natural flow of the water whether the normal flow, or flood flows.</td> </tr> </table> <p>Definition of “Bed”,</p> <table border="1" data-bbox="936 419 1951 906"> <tr> <td data-bbox="936 419 1144 906">BED</td> <td data-bbox="1144 419 1951 906"> <p>has the same meaning as set out in Section 2 of the RMA (as set out below)</p> <p>means</p> <p>in relation to any river—</p> <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks; ii. in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and <p>a. in relation to any lake, except a lake controlled by artificial means,—</p> <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin; ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and <p>b. in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and</p> <p>c. in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.</p> </td> </tr> </table>	BANK	means the land on either side of a river which confines the natural flow of the water whether the normal flow, or flood flows.	BED	<p>has the same meaning as set out in Section 2 of the RMA (as set out below)</p> <p>means</p> <p>in relation to any river—</p> <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks; ii. in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and <p>a. in relation to any lake, except a lake controlled by artificial means,—</p> <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin; ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and <p>b. in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and</p> <p>c. in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.</p>	Removal of the definition of “Bank”.
BANK	means the land on either side of a river which confines the natural flow of the water whether the normal flow, or flood flows.								
BED	<p>has the same meaning as set out in Section 2 of the RMA (as set out below)</p> <p>means</p> <p>in relation to any river—</p> <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks; ii. in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and <p>a. in relation to any lake, except a lake controlled by artificial means,—</p> <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin; ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and <p>b. in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and</p> <p>c. in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.</p>								
FS222.0117	Interpretation	Oppose	<p>add new definition: <u>“Bank A streambank or riverbank is defined as the edge of the defined channel or riverbed or where</u></p>		Removal of the definition of “Bank”.				

			<p><u>this is not obvious, the point at which terrestrial vegetation (eg: grassland, shrubland or forest) commences. The boundary of a natural wetland margin is where indigenous wetland plants (ie: those indigenous plants such as sedges and rushes adapted to living in wet conditions) give way to other species. The boundary of a tidal wetland is defined as the point of mean high water springs (MHWS)."</u></p>				
FS222.0338	RIPARIAN MARGIN	Oppose	<p>Include the following wording to the notified definition: <u>"d. 5 m of any stream or river with an average bed width of 3 metres or less."</u></p>	<p>Definition amended,</p> <table border="1"> <tr> <td>RIPARIAN MARGIN</td> <td> <p>means all land within:</p> <ul style="list-style-type: none"> a. 10m of any wetland that is located in the coastal marine area.; b. 20m of any lake; and c. 10m of any stream or river with an average bed width greater than 3m; and d. 3m of any river with an average bed width greater than 1m and less than 3m. <p>As measured from the point of annual fullest flow for a river or annual fullest water level for a lake or mean high water springs for a coastal wetland.</p> <p>Advice Note: Activities within 10m of a natural inland wetland are regulated under the NESF and administered by the West Coast Regional Council.</p> </td> </tr> </table>	RIPARIAN MARGIN	<p>means all land within:</p> <ul style="list-style-type: none"> a. 10m of any wetland that is located in the coastal marine area.; b. 20m of any lake; and c. 10m of any stream or river with an average bed width greater than 3m; and d. 3m of any river with an average bed width greater than 1m and less than 3m. <p>As measured from the point of annual fullest flow for a river or annual fullest water level for a lake or mean high water springs for a coastal wetland.</p> <p>Advice Note: Activities within 10m of a natural inland wetland are regulated under the NESF and administered by the West Coast Regional Council.</p>	Deletion of item d.
RIPARIAN MARGIN	<p>means all land within:</p> <ul style="list-style-type: none"> a. 10m of any wetland that is located in the coastal marine area.; b. 20m of any lake; and c. 10m of any stream or river with an average bed width greater than 3m; and d. 3m of any river with an average bed width greater than 1m and less than 3m. <p>As measured from the point of annual fullest flow for a river or annual fullest water level for a lake or mean high water springs for a coastal wetland.</p> <p>Advice Note: Activities within 10m of a natural inland wetland are regulated under the NESF and administered by the West Coast Regional Council.</p>						
S547.036	RIVER	Amend	<p>Amend the definition of river to be consistent with the Regional Land and Water Plan River, <u>"means a continually or intermittently flowing body of fresh water; and includes a</u></p>	<p>Definition of "River" retained as per the RMA,</p> <table border="1"> <tr> <td>RIVER</td> <td> <p>has the same meaning as in section 2 of the RMA (as set out below) means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation and farm drainage canal).</p> </td> </tr> </table>	RIVER	<p>has the same meaning as in section 2 of the RMA (as set out below) means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation and farm drainage canal).</p>	As sought in original submission.
RIVER	<p>has the same meaning as in section 2 of the RMA (as set out below) means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation and farm drainage canal).</p>						

			<p><u>stream and modified watercourse; but does not include an artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal) or ephemeral water bodies. A storm flowpath that carries flow only for a short period after heavy rain is not considered to be a river.”</u></p>		
S547.309	Natural Character and Margins of Waterbodies	Amend	Ensure appropriate recognition and provision for the existing energy activities and infrastructure located within them.	Need to consider this in light of the amendments to provisions below	As sought in original submission.
S547.310	Natural Character and Margins of Waterbodies	Amend	Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the	Need to consider this in light of the amendments to provisions below	As sought in original submission.

			generation and supply of renewable energy, including new activities, to enable communities.		
S547.311	Overview	Amend	<p>(1) Amend the "Overview" by adding a paragraph,</p> <p><u>"There is a considerable network of energy activities and infrastructure, including critical infrastructure, on the West Coast that services the communities spread throughout the region and in to neighbouring regions. Such activities have been, and will continue to be, developed and undertaken recognising and taking into account the local conditions. Given the topography and extent of waterbodies and landscapes on the West Coast practical management solutions are required to ensure maintenance and</u></p>	<p>Amended Overview,</p> <p>Overview Waterbodies and their their margins are an important part of the West Coast/Te Te Tai o Poutini/the West Coast. Waterbodies are connected to (k Ki uta ki ta). - from the mountains to the sea) and have important values, including for biodiversity, cultural, <u>recreational</u> or historical reasons. Under section 31 of the RMA district councils are responsible for the management of activities on land, including the margins of waterbodies. <u>Natural Character and the margins of waterbodies require protection as a matter of national importance under Section 6 (a) of the RMA. Te Tai o Poutini Plan also manages activities on the surface of waterbodies.</u> The West Coast Regional Council has responsibility for the management of wetlands, lakes and rivers, including land uses in the beds of rivers. This section of Te Tai o Poutini Plan focuses on the natural character of the margins of wetlands, lakes, and rivers, thereby avoiding duplication with Regional Council functions. The three district councils work with the West Coast Regional Council and Poutini Ngāi Tahu to ensure waterbodies are managed in an integrated way. Poutini Ngāi Tahu have a special relationship with the mauri of waterbodies, and ancestral, cultural, spiritual or historical associations with waterbodies. Many waterbodies in the West Coast/Te in Te Tai o Poutini/the West Coast are identified as statutory acknowledgement areas and there are also nohoanga entitlements in place in some locations. These waterbodies contain contain associated kāinga, pā, important sites for the gathering of kai, tauranga ika and specialised zones for various activities of high cultural value such as cleansing, iniringa, food preparation and bathing, which continue to be vital to the wellbeing, livelihood and lifestyle of Poutini Ngāi Tahu. Rivers, streams, lakes and wetlands have important ecological, natural character, <u>recreational</u> and hydrological values, and they They provide important habitat for native <u>indigenous</u> plants, fish, birds, lizards, frogs, insects and aquatic and terrestrial macroinvertebrate aquatic life <u>and opportunities for access to and along waterways.</u> <u>Some waterbodies (both natural and artificial) also form an important resource for the generation of hydroelectricity, which contributes to the wellbeing of people and communities.</u> The National Policy Statement for Freshwater Management 2020 (NPSFM) guides decision-making regarding the freshwater resources of New Zealand/Aotearoa. In particular the councils must have regard to its objectives and policies in consent decision-making. The National Environmental Standard for Freshwater Management 2020 (NESFM) has specific rules which relate to freshwater, in particular as relate to activities in the margins of freshwater wetlands. <u>The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (NESF) has specific rules which relate to freshwater, in particular in relation to activities in the margins of freshwater wetlands. These rules relate to the regional functions of the West Coast Regional Council and are administered by that organisation. The provisions in Te Tai o Poutini Plan have been developed considering the NESF and what additional provisions are required to fulfil the statutory functions of the district councils in relation to natural character of waterbodies. The Tai o Poutini Plan provisions in relation to riparian margins of wetlands only relate to wetlands in the coastal marine area to avoid duplication with the NESF.</u></p>	As sought in original submission.

			<p><u>enhancement of the supply of renewable energy to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable energy. The National Policy Statement for Renewable Electricity Generation also recognises the constraints and requirements of such activities including, amongst other matters, being located where the resource is.</u></p> <p>(2) Add references to Strategic Objectives and Policies as per previous chapters.</p>	<p><u>Plantation Commercial Forestry</u> <u>Plantation Commercial Forestry</u> is principally regulated by the Resource Management (National Environmental Standard for <u>Plantation Commercial Forestry</u>) <u>Regulations 2017 (NES-PF-CF)</u>. However the NES-<u>PF-CF</u> allows that district plans can be more stringent where this gives effect to an objective in the National Policy Statement for Freshwater Management. Where provisions within this chapter over-rule the requirements of the NES - <u>PF-CF</u> an advice note to that effect is included within the Rule.</p> <p><u>Other relevant Te Tai o Poutini Plan provisions</u></p> <p>It is important to note that <u>in addition</u> to the zone chapters, a number of District <u>Wide</u> and Overlay chapters also contain provisions that may be relevant for waterbodies, including:</p> <ul style="list-style-type: none"> • <u>Public Access</u> - The Public Access Chapter contains provisions relating to the provision and maintenance of public access to waterbodies. • <u>Subdivision</u> - The Subdivision Chapter contains provisions which manage subdivision and specific standards in relation to the provision of esplanade reserves and strips, in particular SUB - S9. • <u>Activities on the Surface of Water</u> - The Activities on the Surface of Water Chapter contains provisions that manage activities that occur on the surface of water. • <u>Coastal Environment</u> - The Coastal Environment Chapter contains provisions that manage the natural character of the coastal environment • <u>Earthworks</u> - The Earthworks Chapter includes provisions around earthworks management. <u>These relate to requirements for earthworks within zones and include general standards for earthworks. These rules apply in addition to rules on earthworks within the Natural Character of Waterbodies Chapter.</u> • <u>Ecosystems and Indigenous Biodiversity</u> - The Ecosystems and Indigenous Biodiversity Chapter contains <u>provisions around vegetation clearance, including in the margins of waterbodies.</u> • <u>Energy, Infrastructure and Transport</u> - The Energy, Infrastructure and Transport Chapters contain policies <u>that are also relevant and should be assessed in relation to energy infrastructure or transport activities that trigger resource consent under Natural Character of Waterbodies Rules.</u> <p><u>Also the Strategic Objectives and Policies.</u></p> <p><u>Advice Note:</u></p> <p><u>Other Relevant Government Bodies</u></p> <p><u>Aside from regional and local government there are other key agencies and government groups involved in the integrated management of waterbodies. These include:</u></p> <ul style="list-style-type: none"> • <u>Department of Conservation</u> • <u>West Coast Fish and Game Council</u> • <u>NZ Landcare Trust</u> • <u>Catchment care and other restoration groups; and</u> • <u>Herenga ā Nuku Aotearoa, the Outdoor Access Commission.</u> 	
S547.312	Overview	Amend	Add references to Strategic Objectives and Policies as per previous chapters.		Revert back to wording as originally notified where strategic Objectives regarding “Connections ,” have been

					altered to “Climate Change”, and infrastructure related “Objectives” originally included in that section, have now become “Policies”.		
S547.313	NC- O1	Amend	<p>Delete and amend to read:</p> <p><u>“1. To protect the natural character of the regions wetlands, and lakes and rivers and their margins, from inappropriate subdivision, use and development.”</u></p> <p><u>“2. Provide for appropriate subdivision, use and development to enable people and communities to maintain their economic, social and cultural wellbeing.”</u></p>	<p>Amended NC-O1,</p> <table border="1"> <tr> <td>NC - O1</td> <td>To preserve the natural character of lakes, rivers and wetlands and their margins while providing for appropriate and the protection of them from inappropriate subdivision, use and development where adverse effects can be avoided or mitigated.</td> </tr> </table>	NC - O1	To preserve the natural character of lakes, rivers and wetlands and their margins while providing for appropriate and the protection of them from inappropriate subdivision, use and development where adverse effects can be avoided or mitigated.	As sought in original submission.
NC - O1	To preserve the natural character of lakes, rivers and wetlands and their margins while providing for appropriate and the protection of them from inappropriate subdivision, use and development where adverse effects can be avoided or mitigated.						
S547.314	NC – O3	Amend	<p>Amend:</p> <p><u>“To provide for activities which due to technical, locational, functional or</u></p>	<p>Amended NC-O3,</p> <table border="1"> <tr> <td>NC - O3</td> <td>To provide for activities which have a functional need to locate in the margins of lakes, rivers and wetlands in such a way that the impacts while ensuring adverse effects on natural character are minimised.</td> </tr> </table>	NC - O3	To provide for activities which have a functional need to locate in the margins of lakes, rivers and wetlands in such a way that the impacts while ensuring adverse effects on natural character are minimised.	As sought in original submission.
NC - O3	To provide for activities which have a functional need to locate in the margins of lakes, rivers and wetlands in such a way that the impacts while ensuring adverse effects on natural character are minimised.						

			<u>operational constraints or requirements</u> need to locate in the margins of lakes, rivers and wetlands <u>while managing adverse effects on natural character.</u>				
S547.315	NC – P1	Amend	Amend: <u>“Avoid, remedy or mitigate the adverse effects of activities on the elements, patterns and processes that together contribute to the natural character of wetlands, lakes and rivers and their margins.”</u>	Amended NC-P1, <table border="1" data-bbox="943 475 1960 592"> <tr> <td>NC - P1</td> <td>Minimise the<u>Avoid, remedy or mitigate</u> adverse effects of activities on the natural character of the riparian margins of lakes, rivers and wetlands by ensuring that subdivision, <u>development</u> and land use maintains the elements, patterns and processes that contribute to their natural character.</td> </tr> </table>	NC - P1	Minimise the <u>Avoid, remedy or mitigate</u> adverse effects of activities on the natural character of the riparian margins of lakes, rivers and wetlands by ensuring that subdivision, <u>development</u> and land use maintains the elements, patterns and processes that contribute to their natural character.	As sought in original submission.
NC - P1	Minimise the <u>Avoid, remedy or mitigate</u> adverse effects of activities on the natural character of the riparian margins of lakes, rivers and wetlands by ensuring that subdivision, <u>development</u> and land use maintains the elements, patterns and processes that contribute to their natural character.						
S547.316	NC – P2	Amend	Amend: “Provide for indigenous vegetation removal and ... where significant adverse effects on natural character are <u>avoided, remedied or mitigated</u> and;”	Amended NC-P2, <table border="1" data-bbox="943 946 1960 1305"> <tr> <td>NC - P2</td> <td>Provide for indigenous vegetation removal and earthworks within riparian margins of lakes, rivers and wetlands where significant adverse effects on natural character are minimised as far as practicable<u>avoided, remedied or mitigated</u> and: a. It is for the purpose of natural hazard mitigation; or b. It is for the maintenance, repair, upgrade and extension of network utilities and <u>regionally significant</u> infrastructure including the national grid; or c. It is for the establishment, operation, maintenance or upgrading of renewable electricity generation structures<u>activities</u> or <u>regionally significant</u> infrastructure where this has a functional or operational need to be located in a riparian margin; or d. It is for Poutini Ngāi Tahu cultural purposes<u>Activities or Māori Purpose Activities in accordance with an Iwi/Papatipu Rūnanga Management Plan</u>; or e. It is for the repair and maintenance of legally established structures; or f. The activity has a functional or operational need to be located adjoining a waterbody.</td> </tr> </table>	NC - P2	Provide for indigenous vegetation removal and earthworks within riparian margins of lakes, rivers and wetlands where significant adverse effects on natural character are minimised as far as practicable <u>avoided, remedied or mitigated</u> and: a. It is for the purpose of natural hazard mitigation; or b. It is for the maintenance, repair, upgrade and extension of network utilities and <u>regionally significant</u> infrastructure including the national grid; or c. It is for the establishment, operation, maintenance or upgrading of renewable electricity generation structures <u>activities</u> or <u>regionally significant</u> infrastructure where this has a functional or operational need to be located in a riparian margin; or d. It is for Poutini Ngāi Tahu cultural purposes <u>Activities or Māori Purpose Activities in accordance with an Iwi/Papatipu Rūnanga Management Plan</u> ; or e. It is for the repair and maintenance of legally established structures; or f. The activity has a functional or operational need to be located adjoining a waterbody.	Revert to the wording as originally notified and as sought in original submission.
NC - P2	Provide for indigenous vegetation removal and earthworks within riparian margins of lakes, rivers and wetlands where significant adverse effects on natural character are minimised as far as practicable <u>avoided, remedied or mitigated</u> and: a. It is for the purpose of natural hazard mitigation; or b. It is for the maintenance, repair, upgrade and extension of network utilities and <u>regionally significant</u> infrastructure including the national grid; or c. It is for the establishment, operation, maintenance or upgrading of renewable electricity generation structures <u>activities</u> or <u>regionally significant</u> infrastructure where this has a functional or operational need to be located in a riparian margin; or d. It is for Poutini Ngāi Tahu cultural purposes <u>Activities or Māori Purpose Activities in accordance with an Iwi/Papatipu Rūnanga Management Plan</u> ; or e. It is for the repair and maintenance of legally established structures; or f. The activity has a functional or operational need to be located adjoining a waterbody.						
S547.317	NC - P2	Amend	Amend item b., “It is for the ... of network utilities, infrastructure, <u>energy activities and critical infrastructure</u> ,	Amended NC-P3,	As sought in original submission.		

			including the national grid; or ...”	NC - P3	Provide for <u>new buildings and structures and the upgrading of existing</u> buildings and structures within riparian margins of lakes, rivers and wetlands where these: a. Have a functional need for their location; and b. They are of a form and scale that will not adversely effect <u>affect</u> the natural character of the riparian area <u>margin</u> .	
S547.319	NC – P3	Amend	Amend item a., “ <u>Need to be undertaken in such areas due to technical, locational,</u> Have a functional need for their location or operational constraints or requirements; and”			This policy conflicts with NC-P2. We seek it is limited for activities not provided for in NC-P2. Also amendments as sought in original submission.
S547.320	NC – P3	Amend	Amend item b., “ <u>They avoid, remedy or mitigate adverse effects on the natural character of the riparian area.</u> ”			As sought in original submission.
S547.322	Natural Character and Margins of Waterbodies	Amend	Insert new controlled activity Rule: <ul style="list-style-type: none"> • Provide for earthworks, vegetation clearance, buildings and structures. • Items e. and f. of NFL-R10 rule would be removed for the new rule. 			Insert new controlled activity rule (as sought in submission), for network utilities, infrastructure and regionally significant infrastructure, with a default to restricted

			<ul style="list-style-type: none"> Item 2 would be amended to include "Earthworks and vegetation ...". Item c. under "Matters of control are:" would be removed. The advice notes would need amendment as appropriate. 		<p>discretionary activity where compliance not achieved.</p> <p>Such controlled activity to include hazard mitigation structures of a Statutory Authority.</p>		
FS222.027	Natural Character and the Margins of Waterbodies Rules	Oppose	<p>Increase setback in rules:</p> <p><u>"Streams between 1 and 3 metres wide have a 5 metre riparian setback, and all major (specified) rivers in the region have a 15 metre riparian setback"</u></p>	<p>Amended definition of Riparian Margin,</p> <table border="1"> <tr> <td>RIPARIAN MARGIN</td> <td> <p>means all land within:</p> <p>a. 10m of any wetland that is located in the coastal marine area. ;</p> <p>b. 20m of any lake; and</p> <p>c. 10m of any stream or river with an average bed width greater than 3m; and</p> <p>d. 3m of any river with an average bed width greater than 1m and less than 3m.</p> <p>As measured from the point of annual fullest flow for a river or annual fullest water level for a lake or mean high water springs for a coastal wetland.</p> <p>Advice Note: Activities within 10m of a natural inland wetland are regulated under the NESF and administered by the West Coast Regional Council.</p> </td> </tr> </table>	RIPARIAN MARGIN	<p>means all land within:</p> <p>a. 10m of any wetland that is located in the coastal marine area. ;</p> <p>b. 20m of any lake; and</p> <p>c. 10m of any stream or river with an average bed width greater than 3m; and</p> <p>d. 3m of any river with an average bed width greater than 1m and less than 3m.</p> <p>As measured from the point of annual fullest flow for a river or annual fullest water level for a lake or mean high water springs for a coastal wetland.</p> <p>Advice Note: Activities within 10m of a natural inland wetland are regulated under the NESF and administered by the West Coast Regional Council.</p>	Deletion of item d.
RIPARIAN MARGIN	<p>means all land within:</p> <p>a. 10m of any wetland that is located in the coastal marine area. ;</p> <p>b. 20m of any lake; and</p> <p>c. 10m of any stream or river with an average bed width greater than 3m; and</p> <p>d. 3m of any river with an average bed width greater than 1m and less than 3m.</p> <p>As measured from the point of annual fullest flow for a river or annual fullest water level for a lake or mean high water springs for a coastal wetland.</p> <p>Advice Note: Activities within 10m of a natural inland wetland are regulated under the NESF and administered by the West Coast Regional Council.</p>						
FS222.0267	Natural Character and the Margins of Waterbodies Rules	Oppose	<p>All vegetation clearance associated with earthworks must be governed by rules at least as, if not more, stringent, than the ECO chapter as amended by our submission.</p>		As sought in further submission.		
FS222.0195	Natural Character and	Support in part	<p>Add a new rule NC - RX as follows:</p>	<p>New NC-R3 added,</p>	Restricted Discretionary		

<p>the Margins of Waterbodies Rules</p>		<p><u>“Earthworks not meeting Permitted Activity Rule NC - R1</u></p> <p><u>Activity Status Restricted Discretionary</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>a) The location of any earthworks and indigenous vegetation clearance;</u></p> <p><u>b) Volume and area of earthworks and indigenous vegetation clearance;</u></p> <p><u>c) The effects on potential or existing public access to the riparian margin;</u></p> <p><u>d) Effects on habitats of any threatened or protected flora or fauna species;</u></p> <p><u>e) Effects on recreational values of public land;</u></p> <p><u>f) Effects on Poutini Ngāi Tahu values and any Sites and Areas of Significance to Māori identified</u></p>	<table border="1"> <tr> <td data-bbox="925 94 1144 165">NC - R3</td> <td data-bbox="1144 94 1960 165">Natural Hazard Mitigation Structures within the Riparian Margin of a River, Lake or Wetland not meeting Permitted Activity Rules</td> </tr> <tr> <td colspan="2" data-bbox="925 165 1650 331"> Activity Status Restricted Discretionary Discretion is restricted to: <ul style="list-style-type: none"> a. <u>Design and location of the structure;</u> b. <u>Visual impact of the structure; and</u> c. <u>Methods to avoid, remedy or mitigate adverse effects on natural character or public access.</u> </td> <td data-bbox="1650 165 1960 331"> Activity status where compliance not achieved: N/A </td> </tr> </table>	NC - R3	Natural Hazard Mitigation Structures within the Riparian Margin of a River, Lake or Wetland not meeting Permitted Activity Rules	Activity Status Restricted Discretionary Discretion is restricted to: <ul style="list-style-type: none"> a. <u>Design and location of the structure;</u> b. <u>Visual impact of the structure; and</u> c. <u>Methods to avoid, remedy or mitigate adverse effects on natural character or public access.</u> 		Activity status where compliance not achieved: N/A	<p>Status for a wider range of activities.</p>
NC - R3	Natural Hazard Mitigation Structures within the Riparian Margin of a River, Lake or Wetland not meeting Permitted Activity Rules								
Activity Status Restricted Discretionary Discretion is restricted to: <ul style="list-style-type: none"> a. <u>Design and location of the structure;</u> b. <u>Visual impact of the structure; and</u> c. <u>Methods to avoid, remedy or mitigate adverse effects on natural character or public access.</u> 		Activity status where compliance not achieved: N/A							

			in Schedule Three; and g) Landscape and visual effects.”									
S547.323	NC – R1	Amend	Amend item b., “Maintenance, operation ... of network utilities, infrastructure, energy activities, critical infrastructure or ...; ”	<p>Amended NC-R1,</p> <table border="1"> <tr> <td>NC - R1</td> <td>Indigenous Vegetation Clearance and Earthworks within the Riparian Margin of a River, Lake or Wetland</td> </tr> <tr> <td colspan="2">Activity Status Permitted</td> </tr> <tr> <td colspan="2"> <ul style="list-style-type: none"> Where this is outside of any Significant Natural Area identified in Schedule Four, and for: <ul style="list-style-type: none"> i. Fence lines; or ii. Maintenance, operation, minor upgrade and repair of network utilities, critical regionally significant infrastructure or renewable electricity generation activities; or iii. <u>New network utilities and regionally significant infrastructure where these are underground and located within a formed legal road or attached to an existing bridge; or</u> iv. Connections to wastewater, stormwater and reticulated network utility systems <u>and underground energy and infrastructure connections; or</u> v. Installation of an environmental monitoring and extreme weather event monitoring facility; or vi. Maintenance and repair of lawfully established structures; or vii. The construction of parks facilities, parks furniture or public access points within an Open Space and Recreation Zone; or viii. The establishment of a river crossing point up to 3m wide; or ix. Poutini Ngāi Tahu activities; x. Activities on Māori Purpose Zoned land <u>or Site or Area of Significance to Māori in Schedule Three and is</u> undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or xi. Natural Maintenance and repair of lawfully established natural hazard mitigation activities structures; or xii. <u>New natural hazard mitigation structures and upgrading of existing natural hazard mitigation structures</u> undertaken by a statutory agency or their nominated authorised contractor <u>acting on its behalf; or</u> xiii. <u>Arable, horticultural or pastoral farming use where this is lawfully established at 14 July 2022; and;</u> a. The amount of indigenous vegetation clearance is not greater than 20m² </td> <td>Activity status where compliance not achieved: Discretionary</td> </tr> </table>	NC - R1	Indigenous Vegetation Clearance and Earthworks within the Riparian Margin of a River, Lake or Wetland	Activity Status Permitted		<ul style="list-style-type: none"> Where this is outside of any Significant Natural Area identified in Schedule Four, and for: <ul style="list-style-type: none"> i. Fence lines; or ii. Maintenance, operation, minor upgrade and repair of network utilities, critical regionally significant infrastructure or renewable electricity generation activities; or iii. <u>New network utilities and regionally significant infrastructure where these are underground and located within a formed legal road or attached to an existing bridge; or</u> iv. Connections to wastewater, stormwater and reticulated network utility systems <u>and underground energy and infrastructure connections; or</u> v. Installation of an environmental monitoring and extreme weather event monitoring facility; or vi. Maintenance and repair of lawfully established structures; or vii. The construction of parks facilities, parks furniture or public access points within an Open Space and Recreation Zone; or viii. The establishment of a river crossing point up to 3m wide; or ix. Poutini Ngāi Tahu activities; x. Activities on Māori Purpose Zoned land <u>or Site or Area of Significance to Māori in Schedule Three and is</u> undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or xi. Natural Maintenance and repair of lawfully established natural hazard mitigation activities structures; or xii. <u>New natural hazard mitigation structures and upgrading of existing natural hazard mitigation structures</u> undertaken by a statutory agency or their nominated authorised contractor <u>acting on its behalf; or</u> xiii. <u>Arable, horticultural or pastoral farming use where this is lawfully established at 14 July 2022; and;</u> a. The amount of indigenous vegetation clearance is not greater than 20m² 		Activity status where compliance not achieved: Discretionary	As sought in original submission.
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S547.324	NC – R1	Amend	Amend item c., “Connections to ... utility systems, including energy activities and infrastructure; or”		As sought in original submission.							
S547.325	NC – R1	Amend	Amend item g., “The establishment of a river crossing point up to 3m wide, or in the case of energy activities 10m to allow for safe operation; or ...”		As sought in original submission.							
S547.326	NC – R1	Amend	Amend items 2. and 3. to be calculated consistent with item f. and the width of riparian margins.	As sought in original submission.								
S547.327	NC – R1	Amend	Add item 6., “Notwithstanding the areas or volumes in items 2. and 3. Vegetation clearance and earthworks activities undertaken	As sought in original submission.								

			<p>for energy activities, including energy aspects of infrastructure, shall be the minimum necessary to achieve the activity provided for in items b., c., e., g., and j. above.”</p>	<p>per 200m length of Riparian Margin;</p> <p>b. The amount of earthworks is not greater than 20m25m³ per 200m length of Riparian Margin; and</p> <p>c. All earthworks stockpiles are located outside of the Riparian Margin of the waterbody; and</p> <p>d. Unless carried out by a statutory agency or their nominated contractor responsible for natural hazard mitigation, the clearance and earthworks are not located within areas used and identified for natural hazard mitigation structures.</p> <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> 1. Rules in other Overlay Chapters particularly Historic Heritage, Sites and Areas of Significance to Māori, Natural Hazards and Natural Features and Landscapes may also apply in these locations. 2. <u>Also refer to Rules in the Energy, Infrastructure and Transport Chapters for activities in relation to those matters.</u> 3. Activities within the margins of waterbodies and wetlands are also the subject of regulation under the NES Freshwater, NPS Freshwater <u>Management</u> and the West Coast Regional Land and Water Plan. 4. This rule also applies to plantationcommercial forestry activities, where this provision is more stringent than the NES - PFCE. 	
S547.329	NC – R2	Amend	<p>Amend item f., “Renewable electricity generation <u>activities</u> where these have a <u>need to locate within the riparian margin</u> <u>dues to technical, locational, functional or operational constraints or requirements</u>; or”</p>	<p>Amended NC-R2,</p>	<p>As sought in original submission.</p>

				<table border="1"> <tr> <th>NC - R2</th> <th>Buildings and Structures within the Riparian Margin of a River, Lake or Wetland</th> </tr> <tr> <td> Activity Status Permitted 1. Where the buildings and structures <u>have a functional need to locate in the riparian margin and</u> are: i. Network utilities and regionally significant infrastructure; or ii. Temporary whitebait stands and temporary mai mai for game bird hunting provided these are removed within two weeks at the end of the season; or iii. Environmental monitoring facilities; or iv. Parks facilities and parks furniture within an Open Space and Recreation Zone; or v. Natural hazard mitigation structures constructed by a statutory agency or their nominated authorised contractor acting on its behalf; or vi. Renewable electricity generation facilities where these have a functional need to locate within the riparian margin activities; or vii. Stormwater discharge structures and water supply intake structures constructed in accordance with NZS 4404 Code of Practice for Land Development and Subdivision Infrastructure; or viii. Temporary bridges constructed as part of a temporary military training activity; or ix. Pump sheds, less than 5m². Advice Note 1. Rules in other Overlay Chapters particularly Historic Heritage, Sites and Areas of Significance to Māori, Natural Hazards and Natural Features and Landscapes may also apply in these locations. 2. Activities within the margins of waterbodies and wetlands are also the subject of regulation under the NES Freshwater, NPS Freshwater Management and the West Coast Regional Land and Water Plan. </td> <td> Activity status where compliance not achieved: Discretionary </td> </tr> </table>	NC - R2	Buildings and Structures within the Riparian Margin of a River, Lake or Wetland	Activity Status Permitted 1. Where the buildings and structures <u>have a functional need to locate in the riparian margin and</u> are: i. Network utilities and regionally significant infrastructure; or ii. Temporary whitebait stands and temporary mai mai for game bird hunting provided these are removed within two weeks at the end of the season; or iii. Environmental monitoring facilities; or iv. Parks facilities and parks furniture within an Open Space and Recreation Zone; or v. Natural hazard mitigation structures constructed by a statutory agency or their nominated authorised contractor acting on its behalf; or vi. Renewable electricity generation facilities where these have a functional need to locate within the riparian margin activities; or vii. Stormwater discharge structures and water supply intake structures constructed in accordance with NZS 4404 Code of Practice for Land Development and Subdivision Infrastructure; or viii. Temporary bridges constructed as part of a temporary military training activity; or ix. Pump sheds, less than 5m ² . Advice Note 1. Rules in other Overlay Chapters particularly Historic Heritage, Sites and Areas of Significance to Māori, Natural Hazards and Natural Features and Landscapes may also apply in these locations. 2. Activities within the margins of waterbodies and wetlands are also the subject of regulation under the NES Freshwater, NPS Freshwater Management and the West Coast Regional Land and Water Plan.	Activity status where compliance not achieved: Discretionary	
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S547.330	NC – R3	Support	Retain	<p>Original NC-R3 deleted,</p> <table border="1"> <tr> <th>NC - R3</th> <th>New Natural Hazard Mitigation Structures</th> </tr> <tr> <td> Activity Status Permitted Where: 1. These are constructed by a Statutory Agency or their authorised contractor. </td> <td> Activity status where compliance not achieved: Discretionary </td> </tr> </table> <p>New NC-R3 added,</p>	NC - R3	New Natural Hazard Mitigation Structures	Activity Status Permitted Where: 1. These are constructed by a Statutory Agency or their authorised contractor.	Activity status where compliance not achieved: Discretionary	<p>Amend the heading to NC-R3 to seek a much wider range of activities.</p> <p>(Relating to S547.322).</p>
NC - R3	New Natural Hazard Mitigation Structures								
Activity Status Permitted Where: 1. These are constructed by a Statutory Agency or their authorised contractor.	Activity status where compliance not achieved: Discretionary								

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S547.331	NC – R3	Amend	Amend heading: “Indigenous ... Permitted <u>or</u> Controlled Activity Rules.”	<p>Original NC-R3 now Amended NC-R4,</p> <table border="1"> <tr> <td>NC - R3R4</td> <td>Indigenous Vegetation Clearance and Earthworks Earthworks within the Riparian Margin of a River, Lake or Wetland not meeting the Permitted Activity Rules</td> </tr> <tr> <td> Activity Status Discretionary Advice NoteNotes: <ol style="list-style-type: none"> 1. This rule also applies to <u>plantation commercial</u> forestry activities, where this provision is more stringent than the NES - <u>PFCE</u> 2. The NES - Freshwater has extensive regulation around works that can be undertaken in or near any natural <u>inland</u> wetland. These rules are administered by the West Coast Regional Council and are not repeated in this Plan. </td> <td> Activity status where compliance not achieved: N/A </td> </tr> </table>	NC - R3R4	Indigenous Vegetation Clearance and Earthworks Earthworks within the Riparian Margin of a River, Lake or Wetland not meeting the Permitted Activity Rules	Activity Status Discretionary Advice NoteNotes: <ol style="list-style-type: none"> 1. This rule also applies to <u>plantation commercial</u> forestry activities, where this provision is more stringent than the NES - <u>PFCE</u> 2. The NES - Freshwater has extensive regulation around works that can be undertaken in or near any natural <u>inland</u> wetland. These rules are administered by the West Coast Regional Council and are not repeated in this Plan. 	Activity status where compliance not achieved: N/A	As sought in original submission and amendment from “Discretionary” to “Restricted Discretionary” and other associated amendments of criteria.
NC - R3R4	Indigenous Vegetation Clearance and Earthworks Earthworks within the Riparian Margin of a River, Lake or Wetland not meeting the Permitted Activity Rules								
Activity Status Discretionary Advice NoteNotes: <ol style="list-style-type: none"> 1. This rule also applies to <u>plantation commercial</u> forestry activities, where this provision is more stringent than the NES - <u>PFCE</u> 2. The NES - Freshwater has extensive regulation around works that can be undertaken in or near any natural <u>inland</u> wetland. These rules are administered by the West Coast Regional Council and are not repeated in this Plan. 	Activity status where compliance not achieved: N/A								
S547.332	NC – R4	Amend	Amend heading: “Indigenous ... Permitted <u>or</u> Controlled Activity Rules.”	<p>Original NC-R4 now NC-R5,</p> <table border="1"> <tr> <td>NC - R4R5</td> <td>Buildings and Structures within the Riparian Margin of a River, Lake or Wetland not meeting the Permitted Activity Rules</td> </tr> <tr> <td> Activity Status Discretionary </td> <td> Activity status where compliance not achieved: N/A </td> </tr> </table>	NC - R4R5	Buildings and Structures within the Riparian Margin of a River, Lake or Wetland not meeting the Permitted Activity Rules	Activity Status Discretionary	Activity status where compliance not achieved: N/A	As sought in original submission.
NC - R4R5	Buildings and Structures within the Riparian Margin of a River, Lake or Wetland not meeting the Permitted Activity Rules								
Activity Status Discretionary	Activity status where compliance not achieved: N/A								

Provisions Appealed – Part 2 NFL – Natural Features and Landscapes

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought
S547.276	Natural Features and Landscapes	Amend	Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities.		As sought in original submission
S547.275	Natural Features and Landscapes	Amend	Ensure identification of outstanding natural features and landscapes appropriately recognise and provide for the existing energy activities and infrastructure located within them.	Amended preamble to Schedule Five – Outstanding Natural Landscapes, Preamble Schedule Five identifies and describes 55 Outstanding Natural Landscapes (ONLs). The ONL Schedules are a tool to assist with the identification of the landscape values that are protected within an area. They contain both factual information and evaluative content and are to inform plan development and plan implementation processes and assist technical landscape assessment. The ONL Schedules are based on the scale of the relevant ONL and form a relatively "high level" summary of the more natural landscape values of the area. This means that the landscape values identified in an ONL Schedule may not apply to a site within the ONL. The ONL Schedules do not address established modifications that form part of the landscape to which they apply, such as infrastructure, rural buildings, farmhouses, roads, pastoral land use and production forestry. It is acknowledged that this existing modification is of a scale, character and/or location such that the area still qualifies as ONL. Given the scale of the landscape assessment underpinning the ONL schedules and the high-level nature of the schedules themselves, a finer grain proposal-specific assessment of landscape values will typically be required for plan development or plan implementation purposes (including plan changes or resource consent applications). Through any proposal-specific landscape assessment, landscape modifications and/or additional landscape values may be identified that are not recorded in the ONL Schedules.	As sought in original submission.
FS222.024	Natural Features and Landscapes	Oppose	Amend NFL chapter, 'natural character' in the objectives and policies, and all rules		As sought in further submission.

			need to refer to protection of it;		
FS222.025	Natural Features and Landscapes	Oppose	Amend to mention ecosystem services. It is at the landscape level that ecosystem services are maintained or, hopefully, enhanced.		As sought in further submission.
S547.0507	Overview	Support In Part	(1) Add a new paragraph to the Overview, <u>"There is a considerable network of energy activities and infrastructure, including critical infrastructure, on the West Coast that services the communities spread throughout the region and in to neighbouring regions. Such activities have been, and will continue to be, developed and undertaken recognising and taking into account the local conditions. Given the topography and extent of natural features and landscapes on the West Coast practical management solutions are required to ensure</u>	Amended Overview, Overview The Natural Features and Landscapes chapter contains provisions that relate to the Outstanding Natural Features and Outstanding Natural Landscapes which are identified as overlays on the Planning Maps and described in Schedule Five and Schedule Six. The identification of these areas is in response to section 6(b) of the RMA, which requires outstanding natural features and landscapes to be protected from inappropriate subdivision, use and development. The Outstanding Natural Features and Outstanding Natural Landscapes identification applies to areas which have been assessed and identified as having high levels of scientific, biophysical, sensory or associative landscape values, which makes them outstanding. In almost all instances these areas are also bush covered and provide habitat for <u>native indigenous</u> fauna. These areas may also include <u>critical regionally significant</u> infrastructure, renewable electricity generation activities, and other elements of the built environment and have varying degrees of modification. <u>Given the topography and extent of outstanding natural features and landscapes on the West Coast, practical management solutions are required to ensure maintenance and enhancement of the supply of renewable energy to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable energy.</u> The process supporting the identification of the Outstanding Natural Landscape overlay and the associated values is described in the West Coast Landscape and Natural Character Reports produced in 2013, 2021 and 2022. <u>The West Coast/Te</u> <u>Te Tai o Poutini/the West Coast</u> Outstanding Natural Landscapes are identified in Schedule Five and Outstanding Natural Features are identified in Schedule Six. The rules in this chapter relate to earthworks, buildings, structures, plantation forestry and Māori Purpose Activities in Outstanding Natural Landscapes and Outstanding Natural Features. Where Outstanding Natural Landscapes and Outstanding Natural Features are located in the Coastal Environment, the Objectives, Policies and Rules of the Coastal Environment Chapter apply. <u>Outstanding natural landscapes (ONL) have been identified as having the following values:</u> <ul style="list-style-type: none"> • <u>Biophysical values - including the landforms, vegetation type, presence of waterbodies and the sea, evidence of natural processes and land uses within the landscape</u> • <u>Perceptual/ Aesthetic values - including composition and structure, vividness, expressiveness and legibility, dynamic and transient values, the presence of landmarks and key views, coherence, and unity.</u> • <u>Associative values - naturalness and endemic value (distinctive NZ/ West Coast sense of place), including Poutini Ngāi Tahu values and associations, and historical/ heritage associations.</u> 	As sought in original submission, and amendments in the wording to ensure new energy activities and infrastructure is recognised and provided for in addition to existing infrastructure. Given the new paragraph regarding the values of identified ONL, wording needs to be added to highlight that existing infrastructure was not recognised or provided for in

		<p><u>maintenance and enhancement of the supply of renewable energy to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable energy. The National Policy Statement for Renewable Electricity Generation also recognises the constraints and requirements of such activities including, amongst other matters, being located where the resource is."</u></p> <p>(2) Format "natural environment values" chapters consistently to advise how chapters work together to assist with implementation.</p> <p>(3) Consistent with the ECO section, reference the Strategic Objectives and Policies, including amendments</p>	<p>Plantation/Commercial Forestry</p> <p><u>Plantation</u> forestry is principally regulated by the Resource Management (National Environmental Standard for <u>Plantation Commercial Forestry</u>) Regulations 2017 (NES-<u>PF-CF</u>). However the NES-<u>PF-CF</u> allows that district plans can be more stringent to protect ONLs, and ONFs and their values. Where provisions within this chapter over-rule the requirements of the NES - <u>PECF</u> an advice note to that effect is included within the Rule.</p> <p>Other relevant Te Tai o Poutini Plan provisions</p> <p>It is important to note that in addition to the zone chapters, a number of Part 2: District-wide Matters chapters also contain provisions that may be relevant for certain activities within outstanding natural features and landscapes, including:</p> <ul style="list-style-type: none"> • Ecosystems and Indigenous Biodiversity - the Ecosystems and Indigenous Biodiversity Chapter contains objectives, policies and rules relating to native vegetation clearance including that within outstanding natural features and landscapes. • Natural Character and Activities Adjacent to the Margins of Waterbodies - the Natural Character and the Margins of Waterbodies Chapter contains the objectives, policies and rules relating to activities adjacent to waterbodies. • Coastal Environment - the Coastal Environment Chapter contains the objectives, policies and rules for activities within the coastal environment overlay - including buildings and structures and earthworks. • • Activities on the Surface of Water - <u>objectives; objectives</u>, policies and rules for activities undertaken on the surface of a lake or river (including jetties, pontoons, fish farms and boating activities), are found in the Activities on the Surface of Water Chapter. • Energy, Infrastructure and Transport Chapters - <u>objectives, policies and rules for energy activities, infrastructure and transport are found in the Energy, Infrastructure and Transport Chapters.</u> • Strategic Objectives - <u>the Strategic Objectives are particularly relevant when assessing matters under the Natural Features and Landscape Chapter. The Natural Environment, Poutini Ngāi Tahu, Tourism, Mineral Extraction, and Climate Change and Resilience Strategic Objectives are particularly relevant.</u> 	<p>identifying these areas.</p> <p>Strategic objectives should also refer to policies given the changes made to that section.</p>
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			arising in this submission above.		
S547.277	Overview	Amend	<p>Add:</p> <p><u>“There is a considerable network of energy activities and infrastructure, including critical infrastructure, on the West Coast that services the communities spread throughout the region and in to neighbouring regions. Such activities have been, and will continue to be, developed and undertaken recognising and taking into account the local conditions. Given the topography and extent of natural features and landscapes on the West Coast practical management solutions are required to ensure maintenance and enhancement of the supply of renewable energy to, and between, communities for the benefit of those communities and the wider environment from the</u></p>		As sought in original submission.

			<u>use and development of renewable energy. The National Policy Statement for Renewable Electricity Generation also recognises the constraints and requirements of such activities including, amongst other matters, being located where the resource is.”</u>				
S547.278	Overview	Amend	Format Natural Environment Values chapters consistently to advise how chapters work together to assist with implementation.		As ought in original submission.		
S547.279	Overview	Amend	Consistent with the ECO section, reference the Strategic Objectives and Policies, including amendments arising in this submission above.		As ought in original submission.		
S547.280	NFL - O1	Amend	Delete and replace, <u>“1. Protect the region's outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development; and</u>	Amended NFL-O1, <table border="1" data-bbox="878 1177 1917 1289"> <tr> <td>NFL - O1</td> <td>To protect the The values of outstanding natural landscapelandscapes and outstanding natural features on the West Coast/Teon Te Tai o Poutini, while providing for/the West Coast are protected from inappropriate subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.</td> </tr> </table>	NFL - O1	To protect the The values of outstanding natural landscape landscapes and outstanding natural features on the West Coast/Teon Te Tai o Poutini, while providing for/the West Coast are protected from inappropriate subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.	As sought in original submission, specifically the inclusion of the wording suggested in “2.”.
NFL - O1	To protect the The values of outstanding natural landscape landscapes and outstanding natural features on the West Coast/Teon Te Tai o Poutini, while providing for/the West Coast are protected from inappropriate subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.						

			<p><u>2. Provide for appropriate subdivision, use and development on, in, or adjacent to outstanding natural features and outstanding natural landscapes to enable people and communities to maintain or enhance social, economic and cultural wellbeing.”</u></p>				
FS222.0191	Natural Features and Landscapes Policies	Support in part	<p>Add a new policy NFL - P1 as follows,</p> <p><u>“Identify the District's landscapes by:</u></p> <p><u>a. assessing the values and characteristics of the landscapes according to the following criteria:</u></p> <p><u>i. biophysical (abiotic, biotic); and</u></p> <p><u>ii. sensory (legibility, naturalness, vividness, coherence, aesthetic, transient values); and</u></p>	<p>New Policy NFL-P1,</p> <table border="1"> <tr> <td><u>NFL - P1</u></td> <td> <p><u>To identify Outstanding Natural Landscapes on Te Tai o Poutini/the West Coast by:</u></p> <p>a. <u>Assessing the values and characteristics of the landscapes according to the following factors:</u></p> <p>i. <u>Physical characteristics and values;</u></p> <p>ii. <u>Perceptual characteristics and values;</u></p> <p>iii. <u>Associative characteristics and values</u></p> <p>b. <u>Including these on the planning maps as Outstanding Natural Landscapes; and</u></p> <p>c. <u>Describing the characteristics and values of each Outstanding Natural Landscape within Schedule Five.</u></p> </td> </tr> </table>	<u>NFL - P1</u>	<p><u>To identify Outstanding Natural Landscapes on Te Tai o Poutini/the West Coast by:</u></p> <p>a. <u>Assessing the values and characteristics of the landscapes according to the following factors:</u></p> <p>i. <u>Physical characteristics and values;</u></p> <p>ii. <u>Perceptual characteristics and values;</u></p> <p>iii. <u>Associative characteristics and values</u></p> <p>b. <u>Including these on the planning maps as Outstanding Natural Landscapes; and</u></p> <p>c. <u>Describing the characteristics and values of each Outstanding Natural Landscape within Schedule Five.</u></p>	<p>This is a completely new policy. Amendment is sought to rectify the fact that the policy overlooks Schedule 6, and replication of the note in Schedule 5 regarding the lack of recognition of existing modification. This note should be added to P1 to ensure it is clear that the</p>
<u>NFL - P1</u>	<p><u>To identify Outstanding Natural Landscapes on Te Tai o Poutini/the West Coast by:</u></p> <p>a. <u>Assessing the values and characteristics of the landscapes according to the following factors:</u></p> <p>i. <u>Physical characteristics and values;</u></p> <p>ii. <u>Perceptual characteristics and values;</u></p> <p>iii. <u>Associative characteristics and values</u></p> <p>b. <u>Including these on the planning maps as Outstanding Natural Landscapes; and</u></p> <p>c. <u>Describing the characteristics and values of each Outstanding Natural Landscape within Schedule Five.</u></p>						

			<p><u>iii. associative (shared and recognised values, mana whenua values, historic heritage associations); and</u></p> <p><u>b. identifying landscapes, based on their values and characteristics, on the planning maps as Outstanding Natural Features, or Outstanding Natural Landscapes; and</u></p> <p><u>c. describing the values and characteristics of each Outstanding Natural Feature, or Outstanding Natural Landscape within Schedules Five and Six.”</u></p> <p>Amend the Plan by consequentially renumbering Plan provisions and making any other necessary to related changes to give effect to the relief sought.</p>		<p>mapped areas (“b.”) did not assess all physical characteristics and values (“a.”), and all characteristics and values (“c.”) have not been identified.</p>
S547.281	NFL – P1	Amend	Amend: “Allow Provide for activities within ...	Amended NFL-P2 (previously P1),	As set out in original submission.

			where they do not adversely affect the adverse effects on the values that together contribute to a natural feature or landscape being outstanding are avoided, remedied or mitigated , and are for;”	NFL - P4P2	Provide for activities within outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six where they do not adversely affect maintain the values that contribute to a natural feature or landscape being outstanding and are for: a. Existing land uses and lawfully established activities including existing residential activities, regionally significant infrastructure , network utilities, energy renewable electricity generation activities, mineral extraction , agricultural, horticultural and pastoral activities; b. Conservation activities; c. Recreational activities; d. Natural Maintenance and repair of existing lawfully established natural hazard mitigation activities structures ; e. Upgrading of existing lawfully established natural hazard mitigation structures where this is undertaken by a statutory agency of authorised contractor acting on its behalf ; f. Operation, maintenance and upgrade of existing lawfully established renewable electricity generation facilities; g. Operation, maintenance and upgrading of existing lawfully established network infrastructure and regionally significant infrastructure; h. Upgrading and/or new infrastructure and New renewable electricity generation facilities activities where there is a functional need for it to be located in these areas; i. Poutini Ngāi Tahu uses activities ; or j. The alteration, maintenance or removal of existing lawfully established buildings or structures; and k. Use and development of Māori land .	
S547.284	NFL - P1	Amend	Amend g., “g. Upgrading ... new energy activities and infrastructure, including critical infrastructure and renewable generation activities , where there is a technical, locational, functional or operational constraint or requirement for it to be located in these areas;		As sought in original submission with amendment to “h” to include “ <i>new Infrastructure and Regionally Significant Infrastructure</i> ”, and “ <i>Operational Need</i> ” in addition to functional need.	
S547.285	NFL – P2	Amend	Amend NFL P2: “Where practicable , avoid significant adverse effects on the values that together contribute to ... cannot be avoided, ensure that the adverse effects are remedied, mitigated including any	Amended NFL-P3 (previously P2), NFL - P2P3 Where possible, avoid significant Avoid adverse effects on the values that contribute to outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six. Where significant adverse effects cannot be avoided, ensure that the adverse effects are remedied, and mitigated or offset to be no more than minor .	As sought in original submission, or as originally notified.	

			proposed offsetting or compensation.”				
S547.286	NFL – P3	Amend	Amend: “Recognise that there are settlements, farms, energy activities and infrastructure, including critical infrastructure , located within outstanding natural landscapes or outstanding natural features and allow new activities and existing uses in these areas where adverse effects on the values that together contribute to the outstanding natural landscape or feature are avoided, remedied or mitigated.”	Amended NFL-P4 (previously P3), <table border="1" data-bbox="884 225 1921 375"> <tr> <td>NFL - P3P4</td> <td>Recognise that there are settlements, farms, land uses, and infrastructure and activities located within outstanding natural landscapes or outstanding natural features and provide by providing for new activities and allowing existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are not adversely affected maintained.</td> </tr> </table>	NFL - P3P4	Recognise that there are settlements, farms, land uses , and infrastructure and activities located within outstanding natural landscapes or outstanding natural features and provide by providing for new activities and allowing existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are not adversely affected maintained .	As sought in original submission, with the change in wording from critical infrastructure to “... <i>Infrastructure and Regionally Significant Infrastructure</i> ”.
NFL - P3P4	Recognise that there are settlements, farms, land uses , and infrastructure and activities located within outstanding natural landscapes or outstanding natural features and provide by providing for new activities and allowing existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are not adversely affected maintained .						
S547.288	NFL – P4	Amend	(1) Amend the first paragraph of P4, "Require that new buildings, structures within outstanding natural features or landscapes avoid, remedy or mitigate any adverse visual effects by;" (2) Amend c., “c. Limiting the prominence or visibility of buildings and	Amended NFL-P5 (previously P4), <table border="1" data-bbox="884 946 1906 1236"> <tr> <td>NFL - P4P5</td> <td>Require that new buildings, structures within outstanding natural features or landscapes minimise avoid, remedy or mitigate any adverse visual effects including by: a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location; b. Using naturally occurring building platforms, materials and colour that blends into the landscape; and c. Limiting Minimising landform modification from earthworks; d. Minimising the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape; and e. Landscaping buildings and structures with appropriate vegetation to reduce visual effects.</td> </tr> </table>	NFL - P4P5	Require that new buildings, structures within outstanding natural features or landscapes minimise avoid, remedy or mitigate any adverse visual effects including by : a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location; b. Using naturally occurring building platforms, materials and colour that blends into the landscape; and c. Limiting Minimising landform modification from earthworks ; d. Minimising the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape; and e. Landscaping buildings and structures with appropriate vegetation to reduce visual effects .	As sought in original submission where that wording has not been incorporated.
NFL - P4P5	Require that new buildings, structures within outstanding natural features or landscapes minimise avoid, remedy or mitigate any adverse visual effects including by : a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location; b. Using naturally occurring building platforms, materials and colour that blends into the landscape; and c. Limiting Minimising landform modification from earthworks ; d. Minimising the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape; and e. Landscaping buildings and structures with appropriate vegetation to reduce visual effects .						

			structures including by, as far as is practicable , integrating it into the outstanding natural feature or landscape.” (3) Add new d., “d. Providing for the technical, locational, functional or operational needs of energy activities and infrastructure, including critical infrastructure when implementing items a.-c.”		
S547.292	NFL – P5	Amend	Consider amending j. to remove items i.-iii.	Amended NFL-P5 (previously P4),	As per original submission.
S547.290	NFL – P5	Amend	Consider amending items "a.-d." to reflect Policy 3, Chapter 7B, RPS wording.	<p>NFL - P5P6</p> <p>Minimise adverse effects on outstanding natural landscapes and outstanding natural features by consideringWhen assessing whether a proposal for land use or subdivision is <u>appropriate, consider</u> the following matters when assessing proposals for land use or subdivision:</p> <ul style="list-style-type: none"> a. The <u>nature, scale and extent</u> of modification to the landscape <u>or feature</u>; b. Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change; c. Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines; d. The temporary, <u>short term</u> or permanent nature of any adverse effects; e. The functional, technical, operational or locational need of any activity to be sited in the particular location, <u>including an assessment of alternative sites</u>; f. Any historical, spiritual or cultural association held by Poutini Ngāi Tahu; g. Any positive effects the development has on the identified characteristics and qualities; h. Any positive effects at a national, regional and local level; i. Any relevant public safety considerations; and j. The measures proposed to mitigate the effects on the values and characteristics; <u>including-</u> <ul style="list-style-type: none"> i. The location, design and scale of any buildings or structures, or earthworks; ii. <u>The intensity management of any activity effects on natural character, amenity, recreation, historical and biodiversity values;</u> and iii. The finish<u>Any effects on values</u> of any buildings or structures, including <u>materials, reflectivity and colour</u> <u>Māori land</u> ; <u>-and landscaping and fencing.</u> 	As sought in original submission.

S547.293	NFL – R1	Amend	<p>Amend heading: “Maintenance, operation, repair and minor upgrading of ... network utilities, energy activities, renewable electricity ...”</p>	<p>Amended NFL-R1,</p> <table border="1" data-bbox="880 153 1910 592"> <tr> <td data-bbox="880 153 1088 300">NFL - R1</td> <td data-bbox="1088 153 1910 300">Maintenance, operation and repair of lawfully established buildings, structures, network utilities, renewable electricity generation activities, fence lines, drains, roads, railway, critical regionally significant infrastructure and tracks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six</td> </tr> <tr> <td colspan="2" data-bbox="880 300 1910 331">Activity Status Permitted</td> </tr> <tr> <td colspan="2" data-bbox="880 331 1910 363">Advice Note:</td> </tr> <tr> <td data-bbox="880 363 1603 592"> <ol style="list-style-type: none"> Any indigenous vegetation clearance associated with maintenance and repair is subject to the provisions in the Ecosystems and Biodiversity Chapter. Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply. Where activities are located in a Historic Heritage, Notable Tree or Sites and Areas of Significance to Māori Overlay Chapter area, these provisions apply. </td> <td data-bbox="1603 363 1910 592"> Activity status where compliance not achieved: Refer to other relevant Overlay Chapter where these activities occur in multiple overlays. </td> </tr> </table>	NFL - R1	Maintenance, operation and repair of lawfully established buildings, structures, network utilities, renewable electricity generation activities, fence lines, drains, roads, railway, critical regionally significant infrastructure and tracks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six	Activity Status Permitted		Advice Note:		<ol style="list-style-type: none"> Any indigenous vegetation clearance associated with maintenance and repair is subject to the provisions in the Ecosystems and Biodiversity Chapter. Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply. Where activities are located in a Historic Heritage, Notable Tree or Sites and Areas of Significance to Māori Overlay Chapter area, these provisions apply. 	Activity status where compliance not achieved: Refer to other relevant Overlay Chapter where these activities occur in multiple overlays.	As sought in original submission.				
NFL - R1	Maintenance, operation and repair of lawfully established buildings, structures, network utilities, renewable electricity generation activities, fence lines, drains, roads, railway, critical regionally significant infrastructure and tracks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six																
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FS222.026	NFL – R3	Oppose	<p>Require that new buildings, structures within outstanding natural features or landscapes minimise any adverse visual effects by:</p> <ol style="list-style-type: none"> Ensuring the scale, design and materials of the building and/or structure are appropriate in the location; Using naturally occurring building platforms, materials and colour that blends into the landscape; Limiting the prominence or 	<p>Amended NFL-R3,</p> <table border="1" data-bbox="880 632 1910 1273"> <tr> <td data-bbox="880 632 1088 727">NFL - R3</td> <td data-bbox="1088 632 1910 727">Natural Repair, maintenance and upgrading of natural hazard mitigation activities structures including earthworks in an Outstanding Natural Landscape described in Schedule Five</td> </tr> <tr> <td colspan="2" data-bbox="880 727 1910 759">Activity Status Permitted</td> </tr> <tr> <td colspan="2" data-bbox="880 759 1910 791">Where:</td> </tr> <tr> <td colspan="2" data-bbox="880 791 1910 1015"> <ol style="list-style-type: none"> The natural hazard mitigation activities are to protect critical infrastructure structure has been lawfully established; The Any upgrading of natural hazard mitigation activities structures are undertaken by a statutory agency or their nominated authorised contractor acting on its behalf, where there is not change to more than 10% to the overall dimensions, orientation or outline of the structures as of 14 July 2022; and The work does not involve modification of an Outstanding Natural Feature described in Schedule Six. </td> </tr> <tr> <td colspan="2" data-bbox="880 1015 1910 1046">Advice Notes:</td> </tr> <tr> <td colspan="2" data-bbox="880 1046 1910 1273"> <ol style="list-style-type: none"> Any indigenous vegetation clearance associated with natural hazard mitigation activities structure is subject to the provisions in the Ecosystems and Biodiversity Chapter For any natural hazard mitigation activity structure within Outstanding Natural Landscapes in the coastal environment, refer to the Coastal Environment Chapter. Where activities are located in a Historic Heritage, Notable Tree or Sites and Areas of Significance to Māori Overlay Chapter area, these provisions apply. </td> </tr> </table> <p>New definition of Statutory Agency,</p>	NFL - R3	Natural Repair, maintenance and upgrading of natural hazard mitigation activities structures including earthworks in an Outstanding Natural Landscape described in Schedule Five	Activity Status Permitted		Where:		<ol style="list-style-type: none"> The natural hazard mitigation activities are to protect critical infrastructure structure has been lawfully established; The Any upgrading of natural hazard mitigation activities structures are undertaken by a statutory agency or their nominated authorised contractor acting on its behalf, where there is not change to more than 10% to the overall dimensions, orientation or outline of the structures as of 14 July 2022; and The work does not involve modification of an Outstanding Natural Feature described in Schedule Six. 		Advice Notes:		<ol style="list-style-type: none"> Any indigenous vegetation clearance associated with natural hazard mitigation activities structure is subject to the provisions in the Ecosystems and Biodiversity Chapter For any natural hazard mitigation activity structure within Outstanding Natural Landscapes in the coastal environment, refer to the Coastal Environment Chapter. Where activities are located in a Historic Heritage, Notable Tree or Sites and Areas of Significance to Māori Overlay Chapter area, these provisions apply. 		Increase in (2) as follows: “where there is not change to more than 10% 20% to the overall dimensions...”
NFL - R3	Natural Repair, maintenance and upgrading of natural hazard mitigation activities structures including earthworks in an Outstanding Natural Landscape described in Schedule Five																
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			<p><u>visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape</u></p> <p><u>Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:</u></p> <ol style="list-style-type: none"> <u>1. The scale of modification to the landscape;</u> <u>2. Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;</u> <u>3. Whether the proposal can be visually integrated into the landscape and whether it would break the</u> 	<table border="1"> <tr> <td data-bbox="882 105 1084 209"> <p>STATUTORY AGENCY</p> </td> <td data-bbox="1084 105 1904 209"> <p>means, in relation to construction of natural hazard mitigation structures, a District or Regional Council, Waka Kotahi - New Zealand Transport Agency, Transpower New Zealand, Kiwirail New Zealand or the Department of Conservation or any network utility operator.</p> </td> </tr> </table>	<p>STATUTORY AGENCY</p>	<p>means, in relation to construction of natural hazard mitigation structures, a District or Regional Council, Waka Kotahi - New Zealand Transport Agency, Transpower New Zealand, Kiwirail New Zealand or the Department of Conservation or any network utility operator.</p>	
<p>STATUTORY AGENCY</p>	<p>means, in relation to construction of natural hazard mitigation structures, a District or Regional Council, Waka Kotahi - New Zealand Transport Agency, Transpower New Zealand, Kiwirail New Zealand or the Department of Conservation or any network utility operator.</p>						

			<p><u>skyline or ridgelines;</u></p> <p><u>4. The temporary or permanent nature of any adverse effects;</u></p> <p><u>5. The functional, technical, operational or locational need of any activity to be sited in the particular location;</u></p> <p><u>6. Any historical, spiritual or cultural association held by Poutini Ngāi Tahu;</u></p> <p><u>7. Any positive effects the development has on the identified characteristics and qualities;</u></p> <p><u>8. Any positive effects at a national, regional and local level;</u></p> <p><u>9. Any relevant public safety considerations; and</u></p> <p><u>10. The measures proposed to mitigate the effects on the values and</u></p>	
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			<p>characteristics, including:</p> <p>11. The location, design and scale of any buildings or structures, or earthworks;</p> <p>12. The intensity of any activity; and</p> <p>13. The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing.</p>								
S547.295	NFL – R5	Amend	Amend 1., 1. the maximum height of any addition or alteration to buildings and ...	<p>Amended NFL-R5,</p> <table border="1"> <tr> <td>NFL - R5</td> <td>Additions or alterations to buildings and structures, including minor upgrades to Renewable Electricity Generation Activities and Network Utility Infrastructure within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six</td> </tr> <tr> <td> <p>Activity Status Permitted</p> <p>1. <u>This is minor upgrade of infrastructure undertaken by a Network Utility Operator or Renewable Electricity Generation Activity; or</u></p> <p>2. <u>For all other activities:</u></p> <p>i. <u>The maximum height of buildings and structures any addition or alteration is 5m above ground level; and</u></p> <p>ii. <u>The maximum area of any addition is 5m no greater than 50m², or 10% of the total floor area, whichever is the greater.</u></p> <p>Advice Note: Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply and this rule does not apply.</p> </td> <td> <p>Activity status where compliance not achieved: Restricted Discretionary</p> </td> </tr> </table> <p>New definition of “Minor Upgrade”,</p> <table border="1"> <tr> <td>MINOR UPGRADE</td> <td>means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.</td> </tr> </table>	NFL - R5	Additions or alterations to buildings and structures, including minor upgrades to Renewable Electricity Generation Activities and Network Utility Infrastructure within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six	<p>Activity Status Permitted</p> <p>1. <u>This is minor upgrade of infrastructure undertaken by a Network Utility Operator or Renewable Electricity Generation Activity; or</u></p> <p>2. <u>For all other activities:</u></p> <p>i. <u>The maximum height of buildings and structures any addition or alteration is 5m above ground level; and</u></p> <p>ii. <u>The maximum area of any addition is 5m no greater than 50m², or 10% of the total floor area, whichever is the greater.</u></p> <p>Advice Note: Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply and this rule does not apply.</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p>	MINOR UPGRADE	means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.	Changes as follows: “The maximum height of any addition or alteration is 5m 12m above ground level”.
NFL - R5	Additions or alterations to buildings and structures, including minor upgrades to Renewable Electricity Generation Activities and Network Utility Infrastructure within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six										
<p>Activity Status Permitted</p> <p>1. <u>This is minor upgrade of infrastructure undertaken by a Network Utility Operator or Renewable Electricity Generation Activity; or</u></p> <p>2. <u>For all other activities:</u></p> <p>i. <u>The maximum height of buildings and structures any addition or alteration is 5m above ground level; and</u></p> <p>ii. <u>The maximum area of any addition is 5m no greater than 50m², or 10% of the total floor area, whichever is the greater.</u></p> <p>Advice Note: Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply and this rule does not apply.</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p>										
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FS222.0192	NFL-R6	Support in part	<p>Amend NFL - R6 as follows: “Activity Status Permitted Where: 1. All performance standards for Earthworks Rule EW - R1 are complied with; and 2. This is ancillary to: a. An infrastructure activity undertaken by a network utility operator in accordance with the Permitted Activity standards in Infrastructure Rule INF - R7; or b. Any renewable electricity generation activity or energy activity undertaken by a network work utility operator in accordance with the Permitted Activity standards in Energy Rule ENG - R14; or 3. For other earthworks (beyond those provided for in clause 1 and 2</p>	<p>Amended NFL-R6,</p> <table border="1" data-bbox="882 150 1912 943"> <tr> <th data-bbox="882 150 1088 217">NFL - R6</th> <th data-bbox="1088 150 1912 217">Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six</th> </tr> <tr> <td data-bbox="882 217 1603 943"> <p>Activity Status Permitted Where: • All performance standards for Earthworks Rule EW - R1 are complied with; and • This is ancillary to: i. An infrastructure activity undertaken by a network utility operator in accordance with the Permitted Activity standards in Infrastructure Rule INF - R7; or ii. An energy activity undertaken by Additions or alterations to a building or structure, including minor upgrades of renewable electricity generation and network work utility operator infrastructure provided for in accordance with the Permitted Activity standards in Energy Rule ENG NFL - R4R5; a. For other earthworks, the following standards are complied with: i. The cut height or fill depth does not exceed one metre vertically; and ii. No more than 500m³ of earthworks are undertaken /12 per 12 month period/site; and iii. The earthworks are undertaken outside of per site or per 4 hectares, whichever is the Coastal Environment greater.</p> <p>Advice Note Notes: 1. Earthworks associated with natural hazard mitigation activities are subject to Rule NFL - R3. 2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PFCE. 3. Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply and this rule does not apply.</p> </td> <td data-bbox="1603 217 1912 943"> <p>Activity status where compliance not achieved: Controlled Restricted Discretionary Refer to the Coastal Environment Rules for Earthworks in the Outstanding Coastal Environment</p> </td> </tr> </table>	NFL - R6	Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six	<p>Activity Status Permitted Where: • All performance standards for Earthworks Rule EW - R1 are complied with; and • This is ancillary to: i. An infrastructure activity undertaken by a network utility operator in accordance with the Permitted Activity standards in Infrastructure Rule INF - R7; or ii. An energy activity undertaken by Additions or alterations to a building or structure, including minor upgrades of renewable electricity generation and network work utility operator infrastructure provided for in accordance with the Permitted Activity standards in Energy Rule ENG NFL - R4R5; a. For other earthworks, the following standards are complied with: i. The cut height or fill depth does not exceed one metre vertically; and ii. No more than 500m³ of earthworks are undertaken /12 per 12 month period/site; and iii. The earthworks are undertaken outside of per site or per 4 hectares, whichever is the Coastal Environment greater.</p> <p>Advice Note Notes: 1. Earthworks associated with natural hazard mitigation activities are subject to Rule NFL - R3. 2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PFCE. 3. Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply and this rule does not apply.</p>	<p>Activity status where compliance not achieved: Controlled Restricted Discretionary Refer to the Coastal Environment Rules for Earthworks in the Outstanding Coastal Environment</p>
NFL - R6	Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six							
<p>Activity Status Permitted Where: • All performance standards for Earthworks Rule EW - R1 are complied with; and • This is ancillary to: i. An infrastructure activity undertaken by a network utility operator in accordance with the Permitted Activity standards in Infrastructure Rule INF - R7; or ii. An energy activity undertaken by Additions or alterations to a building or structure, including minor upgrades of renewable electricity generation and network work utility operator infrastructure provided for in accordance with the Permitted Activity standards in Energy Rule ENG NFL - R4R5; a. For other earthworks, the following standards are complied with: i. The cut height or fill depth does not exceed one metre vertically; and ii. No more than 500m³ of earthworks are undertaken /12 per 12 month period/site; and iii. The earthworks are undertaken outside of per site or per 4 hectares, whichever is the Coastal Environment greater.</p> <p>Advice Note Notes: 1. Earthworks associated with natural hazard mitigation activities are subject to Rule NFL - R3. 2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PFCE. 3. Where activities are located in the Coastal Environment, the provisions in the Coastal Environment Chapter apply and this rule does not apply.</p>	<p>Activity status where compliance not achieved: Controlled Restricted Discretionary Refer to the Coastal Environment Rules for Earthworks in the Outstanding Coastal Environment</p>							
As sought in further original submission.								

			<p>above), the following standards are complied with:</p> <ul style="list-style-type: none"> a) The cut height or fill depth does not exceed one metre vertically; b) No more than 500m³ of earthworks are undertaken/12 month period/site; and c) The earthworks are undertaken outside of the Coastal Environment” 	
FS222.087	NFL – R6	Oppose	<p>Amend: “Activity Status Permitted Where: 1. All performance standards for Earthworks Rule EW – R1 are complied with; and 2. This is ancillary to: a. An infrastructure activity</p>	As sought in further submission.

			<p>undertaken by a network utility operator in accordance with the Permitted Activity standards in Infrastructure Rule INF – R7; or</p> <p>b. An energy activity undertaken by a network work utility operator in accordance with the Permitted Activity standards in Energy Rule ENG – R4;</p> <p>3. For other earthworks, the following standards are complied with:</p> <p>a. The cut height or fill depth does not exceed one metre vertically;</p> <p>b. No more than 5200m3 of earthworks are undertaken/12 month period/site;”</p>		
FS222.0193	NFL – R8	Support in part	Amend NFL - R8 as follows:	Amended NFL-R8,	In 4, the inclusion of

		<p>“Activity Status Permitted Where the structure is:</p> <ol style="list-style-type: none"> 1. A fence; or 2. Associated with stock water reticulation including tanks, pipes and water troughs; or 3. For parks facilities or parks furniture in any Open Space Zone; or 4. For a network utility (including customer connections) in accordance with the Permitted Activity standards for Infrastructure in Rule INF - R7; or 5. For a small-scale renewable electricity generation activity with a maximum height above ground level of 5m where: <ol style="list-style-type: none"> a. The maximum height is 5m above ground level; and b. The gross floor area of any 	<table border="1"> <tr> <th data-bbox="882 102 1084 169">NFL - R8</th> <th colspan="2" data-bbox="1084 102 1904 169">Erection of a building or structure not otherwise provided for as a Permitted Activity within an Outstanding Natural Landscape described in Schedule Five</th> </tr> <tr> <td data-bbox="882 169 1084 810"> Activity Status Permitted Where the structure is: <ol style="list-style-type: none"> 1. A fence; or 2. Associated with stock water reticulation including tanks, pipes and water troughs; or 3. For parks facilities or parks furniture in any Open Space Zone; or 4. For a network utility (including customer connections) in accordance with the Permitted Activity standards for Infrastructure in Rule INF - R7 <u>and for energy network utilities Rule ENG - R4, underground lines or small network utility structures not exceeding 3m in height and 5m² in area</u>; or 5. For a <u>single</u> small-scale renewable electricity generation activity <u>with a per allotment, where</u> <ol style="list-style-type: none"> i. <u>The maximum height is 5m above</u> above ground level; ii. <u>The gross floor area of 5m² any building does not exceed 100m²;</u> <u>or</u> 6. For agricultural, pastoral and horticultural activities <u>and mahinga kai activities</u> or any accessory building where: <ol style="list-style-type: none"> i. The maximum height is 3m above ground level; and ii. The gross floor area of any building does not exceed 100m²; <p>a. <u>A bridge constructed as part of a Temporary Training Activity.</u></p> <p>Advice Note: Where activities are located in the Coastal Environment, the provisions are also located in the Coastal Environment Chapter apply and this rule does not apply.</p> </td> <td data-bbox="1084 169 1599 810"></td> <td data-bbox="1599 169 1904 810"> Activity status where compliance not achieved: Restricted Discretionary </td> </tr> </table> <p>For reference – Rule INF-R7 (not for electricity purposes),</p> <table border="1"> <tr> <th data-bbox="882 874 1084 909">INF - R7R7</th> <th colspan="2" data-bbox="1084 874 1904 909">New Lines, Telecommunication Poles or Towers</th> </tr> <tr> <td data-bbox="882 909 1084 1126"> Activity Status Permitted Where: <ol style="list-style-type: none"> 1. <u>This meets the All</u> performance standards in Rule INF - R1 <u>are complied with</u>; 2. This is located in a GRUZ - General Rural Zone or INZ - Industrial Zone; 3. Poles do not exceed a height of 25m; <u>and</u> 4. Towers do not exceed a height of 15m; <u>or</u> 5. <u>The activity is located below ground.</u> </td> <td data-bbox="1084 909 1599 1126"></td> <td data-bbox="1599 909 1904 1126"> Activity status where compliance not achieved: Non-complying where standard 1 is not complied with. Discretionary where standards 2-4 are not complied with. </td> </tr> </table>	NFL - R8	Erection of a building or structure not otherwise provided for as a Permitted Activity within an Outstanding Natural Landscape described in Schedule Five		Activity Status Permitted Where the structure is: <ol style="list-style-type: none"> 1. A fence; or 2. Associated with stock water reticulation including tanks, pipes and water troughs; or 3. For parks facilities or parks furniture in any Open Space Zone; or 4. For a network utility (including customer connections) in accordance with the Permitted Activity standards for Infrastructure in Rule INF - R7 <u>and for energy network utilities Rule ENG - R4, underground lines or small network utility structures not exceeding 3m in height and 5m² in area</u>; or 5. For a <u>single</u> small-scale renewable electricity generation activity <u>with a per allotment, where</u> <ol style="list-style-type: none"> i. <u>The maximum height is 5m above</u> above ground level; ii. <u>The gross floor area of 5m² any building does not exceed 100m²;</u> <u>or</u> 6. For agricultural, pastoral and horticultural activities <u>and mahinga kai activities</u> or any accessory building where: <ol style="list-style-type: none"> i. The maximum height is 3m above ground level; and ii. The gross floor area of any building does not exceed 100m²; <p>a. <u>A bridge constructed as part of a Temporary Training Activity.</u></p> <p>Advice Note: Where activities are located in the Coastal Environment, the provisions are also located in the Coastal Environment Chapter apply and this rule does not apply.</p>		Activity status where compliance not achieved: Restricted Discretionary	INF - R7 R7	New Lines, Telecommunication Poles or Towers		Activity Status Permitted Where: <ol style="list-style-type: none"> 1. <u>This meets the All</u> performance standards in Rule INF - R1 <u>are complied with</u>; 2. This is located in a GRUZ - General Rural Zone or INZ - Industrial Zone; 3. Poles do not exceed a height of 25m; <u>and</u> 4. Towers do not exceed a height of 15m; <u>or</u> 5. <u>The activity is located below ground.</u> 		Activity status where compliance not achieved: Non-complying where standard 1 is not complied with. Discretionary where standards 2-4 are not complied with.	<p>overhead lines up to 12m as follows: “Rule ENG-R4, <u>overhead lines not exceeding 12 m in height, underground lines...</u>”</p>
NFL - R8	Erection of a building or structure not otherwise provided for as a Permitted Activity within an Outstanding Natural Landscape described in Schedule Five															
Activity Status Permitted Where the structure is: <ol style="list-style-type: none"> 1. A fence; or 2. Associated with stock water reticulation including tanks, pipes and water troughs; or 3. For parks facilities or parks furniture in any Open Space Zone; or 4. For a network utility (including customer connections) in accordance with the Permitted Activity standards for Infrastructure in Rule INF - R7 <u>and for energy network utilities Rule ENG - R4, underground lines or small network utility structures not exceeding 3m in height and 5m² in area</u>; or 5. For a <u>single</u> small-scale renewable electricity generation activity <u>with a per allotment, where</u> <ol style="list-style-type: none"> i. <u>The maximum height is 5m above</u> above ground level; ii. <u>The gross floor area of 5m² any building does not exceed 100m²;</u> <u>or</u> 6. For agricultural, pastoral and horticultural activities <u>and mahinga kai activities</u> or any accessory building where: <ol style="list-style-type: none"> i. The maximum height is 3m above ground level; and ii. The gross floor area of any building does not exceed 100m²; <p>a. <u>A bridge constructed as part of a Temporary Training Activity.</u></p> <p>Advice Note: Where activities are located in the Coastal Environment, the provisions are also located in the Coastal Environment Chapter apply and this rule does not apply.</p>		Activity status where compliance not achieved: Restricted Discretionary														
INF - R7 R7	New Lines, Telecommunication Poles or Towers															
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. <u>This meets the All</u> performance standards in Rule INF - R1 <u>are complied with</u>; 2. This is located in a GRUZ - General Rural Zone or INZ - Industrial Zone; 3. Poles do not exceed a height of 25m; <u>and</u> 4. Towers do not exceed a height of 15m; <u>or</u> 5. <u>The activity is located below ground.</u> 		Activity status where compliance not achieved: Non-complying where standard 1 is not complied with. Discretionary where standards 2-4 are not complied with.														

			<p>building does not exceed 100m²; or</p> <p>6. For agricultural, pastoral and horticultural activities or any accessory building where:</p> <p>a. The maximum height is 3m above ground level; and</p> <p>b. The gross floor area of any building does not exceed 100m²”</p>						
S547.298	NFL – R9	Amend	Amend item 1., “1. These are to protect Critical Infrastructure, including Energy Activities. ”	<p>Amended NFL-R9,</p> <table border="1"> <tr> <td>NFL - R9</td> <td>Natural Hazard Mitigation Activities Structures in an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature in Schedule Six including Earthworks not meeting Rule NFL - R3</td> </tr> <tr> <td> <p>Activity Status Controlled Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> These are to protect Critical Infrastructure; and These will not destroy any Any Outstanding Natural Landscape identified in Schedule Five or Outstanding Natural Feature identified in Schedule Six or and the values which make it Outstanding are protected. <p>Matters of control are Discretion is restricted to:</p> <ol style="list-style-type: none"> Any requirements for landscape evaluation; Managing adverse effects on historical, cultural and biodiversity values; Amenity and visual effects; Managing effects on public access and natural character; Effects on the values that make the feature Outstanding; Identifying and avoiding adverse effects on Poutini Ngāi Tahu values; Extent and design of earthworks; and Landscape measures Measures to mitigate landscape effects. <p>Notification: Applications which</p> <p>When making notification decisions in relation to this rule, the Council will substantially modify an Outstanding Natural Feature will be notified to the consult with Geosciences Society and may be publicly notified of New Zealand.</p> </td> <td> <p>Activity status where compliance not achieved:</p> <p>Discretionary</p> </td> </tr> </table>	NFL - R9	Natural Hazard Mitigation Activities Structures in an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature in Schedule Six including Earthworks not meeting Rule NFL - R3	<p>Activity Status Controlled Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> These are to protect Critical Infrastructure; and These will not destroy any Any Outstanding Natural Landscape identified in Schedule Five or Outstanding Natural Feature identified in Schedule Six or and the values which make it Outstanding are protected. <p>Matters of control are Discretion is restricted to:</p> <ol style="list-style-type: none"> Any requirements for landscape evaluation; Managing adverse effects on historical, cultural and biodiversity values; Amenity and visual effects; Managing effects on public access and natural character; Effects on the values that make the feature Outstanding; Identifying and avoiding adverse effects on Poutini Ngāi Tahu values; Extent and design of earthworks; and Landscape measures Measures to mitigate landscape effects. <p>Notification: Applications which</p> <p>When making notification decisions in relation to this rule, the Council will substantially modify an Outstanding Natural Feature will be notified to the consult with Geosciences Society and may be publicly notified of New Zealand.</p>	<p>Activity status where compliance not achieved:</p> <p>Discretionary</p>	As sought in original submission, but with reference to Regionally Significant Infrastructure instead of “critical infrastructure”
NFL - R9	Natural Hazard Mitigation Activities Structures in an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature in Schedule Six including Earthworks not meeting Rule NFL - R3								
<p>Activity Status Controlled Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> These are to protect Critical Infrastructure; and These will not destroy any Any Outstanding Natural Landscape identified in Schedule Five or Outstanding Natural Feature identified in Schedule Six or and the values which make it Outstanding are protected. <p>Matters of control are Discretion is restricted to:</p> <ol style="list-style-type: none"> Any requirements for landscape evaluation; Managing adverse effects on historical, cultural and biodiversity values; Amenity and visual effects; Managing effects on public access and natural character; Effects on the values that make the feature Outstanding; Identifying and avoiding adverse effects on Poutini Ngāi Tahu values; Extent and design of earthworks; and Landscape measures Measures to mitigate landscape effects. <p>Notification: Applications which</p> <p>When making notification decisions in relation to this rule, the Council will substantially modify an Outstanding Natural Feature will be notified to the consult with Geosciences Society and may be publicly notified of New Zealand.</p>	<p>Activity status where compliance not achieved:</p> <p>Discretionary</p>								
S547.299	NFL – R9	Amend	Amend item 2., “2. These will not ... the values which together make it Outstanding.”		As set out in wording as originally notified, and as amended in the original submission.				

<p>S547.300</p>	<p>NFL – R10</p>	<p>Amend</p>	<p>(1) Amend item c., "c. Installation of ... infrastructure, including energy activities."</p> <p>(2) Amend item d., "Installation of a ... generation activity; or".</p> <p>(3) Remove "Discretion is restricted to:" and replace with "Matters of control are:".</p> <p>(4) Amend advice note 1., "1. For earthworks ... Environment Rules, and this rule does not apply."</p>	<p>Amended NFL-R10,</p> <table border="1" data-bbox="880 188 1899 1054"> <tr> <td data-bbox="880 188 1081 284"> <p>NFL - R10</p> </td> <td data-bbox="1081 188 1899 284"> <p>Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R6</p> </td> </tr> <tr> <td data-bbox="880 284 1592 1054"> <p>Activity Status Controlled Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> • These are for: <ul style="list-style-type: none"> i. Walking/cycling tracks; or ii. Roads, farm tracks or fences; or iii. Installation of network utility infrastructure; or iv. Installation, <u>upgrade, maintenance, operation and repair</u> of a renewable electricity generation <u>facility activity</u>; or v. Establishment of a building platform and access to a building site in an approved subdivision or for a residential building where there is no existing residential building on the property; or vi. Protection of critical <u>regionally significant</u> infrastructure from natural hazards; and, a. Earthworks are the minimum required to undertake the activity. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Any requirements for landscape evaluation; b. <u>Managing adverse effects on historical, cultural, and biodiversity values;</u> c. <u>Amenity and visual effects;</u> d. Managing effects on public access and natural character; e. Effects on the values that make the feature Outstanding; f. <u>Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;</u> g. Extent and design of earthworks; and h. <u>Landscape Mitigation</u> measures <u>for landscape effects.</u> <p>Advice Note Notes:</p> <ol style="list-style-type: none"> 1. For earthworks <u>Within the Coastal Environment, Rule NFL -R10 Earthworks</u> within Outstanding Natural Features and Landscapes in the Coastal Environment refer <u>does not apply. Refer</u> to the Coastal Environment Rules. 2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PFCE. </td> <td data-bbox="1592 284 1899 1054"> <p>Activity status where compliance not achieved:</p> <p>Discretionary</p> </td> </tr> </table>	<p>NFL - R10</p>	<p>Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R6</p>	<p>Activity Status Controlled Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> • These are for: <ul style="list-style-type: none"> i. Walking/cycling tracks; or ii. Roads, farm tracks or fences; or iii. Installation of network utility infrastructure; or iv. Installation, <u>upgrade, maintenance, operation and repair</u> of a renewable electricity generation <u>facility activity</u>; or v. Establishment of a building platform and access to a building site in an approved subdivision or for a residential building where there is no existing residential building on the property; or vi. Protection of critical <u>regionally significant</u> infrastructure from natural hazards; and, a. Earthworks are the minimum required to undertake the activity. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Any requirements for landscape evaluation; b. <u>Managing adverse effects on historical, cultural, and biodiversity values;</u> c. <u>Amenity and visual effects;</u> d. Managing effects on public access and natural character; e. Effects on the values that make the feature Outstanding; f. <u>Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;</u> g. Extent and design of earthworks; and h. <u>Landscape Mitigation</u> measures <u>for landscape effects.</u> <p>Advice Note Notes:</p> <ol style="list-style-type: none"> 1. For earthworks <u>Within the Coastal Environment, Rule NFL -R10 Earthworks</u> within Outstanding Natural Features and Landscapes in the Coastal Environment refer <u>does not apply. Refer</u> to the Coastal Environment Rules. 2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PFCE. 	<p>Activity status where compliance not achieved:</p> <p>Discretionary</p>	
<p>NFL - R10</p>	<p>Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Rule NFL - R6</p>								
<p>Activity Status Controlled Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> • These are for: <ul style="list-style-type: none"> i. Walking/cycling tracks; or ii. Roads, farm tracks or fences; or iii. Installation of network utility infrastructure; or iv. Installation, <u>upgrade, maintenance, operation and repair</u> of a renewable electricity generation <u>facility activity</u>; or v. Establishment of a building platform and access to a building site in an approved subdivision or for a residential building where there is no existing residential building on the property; or vi. Protection of critical <u>regionally significant</u> infrastructure from natural hazards; and, a. Earthworks are the minimum required to undertake the activity. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Any requirements for landscape evaluation; b. <u>Managing adverse effects on historical, cultural, and biodiversity values;</u> c. <u>Amenity and visual effects;</u> d. Managing effects on public access and natural character; e. Effects on the values that make the feature Outstanding; f. <u>Identifying and avoiding adverse effects on Poutini Ngāi Tahu values;</u> g. Extent and design of earthworks; and h. <u>Landscape Mitigation</u> measures <u>for landscape effects.</u> <p>Advice Note Notes:</p> <ol style="list-style-type: none"> 1. For earthworks <u>Within the Coastal Environment, Rule NFL -R10 Earthworks</u> within Outstanding Natural Features and Landscapes in the Coastal Environment refer <u>does not apply. Refer</u> to the Coastal Environment Rules. 2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PFCE. 	<p>Activity status where compliance not achieved:</p> <p>Discretionary</p>								
<p>FS222.089</p>	<p>NFL – R10</p>	<p>Oppose</p>	<p>Amend: "Activity Status Controlled Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. These are for: <ol style="list-style-type: none"> a. Walking/cycling tracks; b. Roads, farm tracks or fences; c. Installation of network utility infrastructure; or d. Installation of a renewable 	<p>As sought in further submission.</p>					

			<p>electricity generation facility; or</p> <p>e. Establishment of a building platform and access to a building site in an approved subdivision or for a residential building where there is no existing residential building on the property; and</p> <p>f. Protection of critical infrastructure from natural hazards; and</p> <p>2. Earthworks are the minimum required to undertake the activity... Discretion is restricted to:</p> <p>1. <u>Any requirements for landscape evaluation;</u></p> <p>2. <u>Managing effects on public access and natural character;</u></p>	
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			<p><u>3. Effects on the values that make the feature Outstanding;</u></p> <p><u>4. Extent and design of earthworks;</u></p> <p><u>5. Effects on historical, cultural, and biodiversity values;</u></p> <p><u>6. Amenity and visual effects;</u></p> <p><u>and</u></p> <p><u>7. Landscape measures.</u></p> <p>Activity status where compliance not achieved: Discretionary"</p>		
S547.303	NFL – R12	Amend	Amend item 3.a., <u>“3.a. Energy activities and infrastructure, including critical infrastructure.”</u>	Amended NFL-R13 (previously R12),	As sought in original submission and to the extent that the rule does not change, amendments to ensure there is no conflict with NFL-R10 and the addition of consideration of benefits as a

				<table border="1"> <tr> <td>NFL - R12R13</td> <td>Buildings or Structures and associated Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Permitted Activity rules.</td> </tr> <tr> <td> Activity Status Restricted Discretionary Where: <ul style="list-style-type: none"> This is an addition to an existing building or a building accessory to an existing building; or The building is identified on an approved subdivision plan for the site or for a residential building where there is no existing residential building on the property; or This is required for: <ul style="list-style-type: none"> A network utility; A renewable electricity generation activity; An agricultural pastoral or horticultural activity; A conservation activity; or A recreational activity in an Open Space Zone. Discretion is restricted to: <ul style="list-style-type: none"> Any requirements for landscape evaluation; Managing <u>adverse effects on historical, cultural, and biodiversity values</u>; <u>Amenity and visual effects</u>; <u>Managing</u> effects on public access and natural character; Effects on the values that make the feature Outstanding; <u>Identifying and avoiding adverse effects on Poutini Ngāi Tahu values</u>; Extent and design of earthworks; and <u>Landscape Mitigation</u> measures for landscape effects; <u>Any functional or operational needs that relate to the proposal and its location</u>; and <u>Any matters of public safety</u>. </td> <td>Activity status where compliance not achieved: Discretionary</td> </tr> </table>	NFL - R12R13	Buildings or Structures and associated Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Permitted Activity rules.	Activity Status Restricted Discretionary Where: <ul style="list-style-type: none"> This is an addition to an existing building or a building accessory to an existing building; or The building is identified on an approved subdivision plan for the site or for a residential building where there is no existing residential building on the property; or This is required for: <ul style="list-style-type: none"> A network utility; A renewable electricity generation activity; An agricultural pastoral or horticultural activity; A conservation activity; or A recreational activity in an Open Space Zone. Discretion is restricted to: <ul style="list-style-type: none"> Any requirements for landscape evaluation; Managing <u>adverse effects on historical, cultural, and biodiversity values</u>; <u>Amenity and visual effects</u>; <u>Managing</u> effects on public access and natural character; Effects on the values that make the feature Outstanding; <u>Identifying and avoiding adverse effects on Poutini Ngāi Tahu values</u>; Extent and design of earthworks; and <u>Landscape Mitigation</u> measures for landscape effects; <u>Any functional or operational needs that relate to the proposal and its location</u>; and <u>Any matters of public safety</u>. 	Activity status where compliance not achieved: Discretionary	matter of discretion.
NFL - R12R13	Buildings or Structures and associated Earthworks within an Outstanding Natural Landscape described in Schedule Five or Outstanding Natural Feature described in Schedule Six not meeting Permitted Activity rules.								
Activity Status Restricted Discretionary Where: <ul style="list-style-type: none"> This is an addition to an existing building or a building accessory to an existing building; or The building is identified on an approved subdivision plan for the site or for a residential building where there is no existing residential building on the property; or This is required for: <ul style="list-style-type: none"> A network utility; A renewable electricity generation activity; An agricultural pastoral or horticultural activity; A conservation activity; or A recreational activity in an Open Space Zone. Discretion is restricted to: <ul style="list-style-type: none"> Any requirements for landscape evaluation; Managing <u>adverse effects on historical, cultural, and biodiversity values</u>; <u>Amenity and visual effects</u>; <u>Managing</u> effects on public access and natural character; Effects on the values that make the feature Outstanding; <u>Identifying and avoiding adverse effects on Poutini Ngāi Tahu values</u>; Extent and design of earthworks; and <u>Landscape Mitigation</u> measures for landscape effects; <u>Any functional or operational needs that relate to the proposal and its location</u>; and <u>Any matters of public safety</u>. 	Activity status where compliance not achieved: Discretionary								
S547.305	NFL – R12	Amend	Amend item g., <u>“g. The benefits arising from the proposed activity.”</u>		As sought in original submission.				
S547.306	NFL – R14	Amend	Retain	Amended NFL-R14, <table border="1"> <tr> <td>NFL - R14</td> <td>Buildings and Structures within Outstanding Natural Landscapes and Outstanding Natural Features not meeting Permitted, Controlled or Restricted Discretionary rules</td> </tr> <tr> <td>Activity Status Discretionary</td> <td>Activity status where compliance not achieved: N/A</td> </tr> </table>	NFL - R14	Buildings and Structures within Outstanding Natural Landscapes and Outstanding Natural Features not meeting Permitted, Controlled or Restricted Discretionary rules	Activity Status Discretionary	Activity status where compliance not achieved: N/A	Wording as originally notified.
NFL - R14	Buildings and Structures within Outstanding Natural Landscapes and Outstanding Natural Features not meeting Permitted, Controlled or Restricted Discretionary rules								
Activity Status Discretionary	Activity status where compliance not achieved: N/A								
S547.380	SUB – R11	Amend	Add item g., <u>“g. The provision of easements, including for both existing and proposed energy activities and associated infrastructure.”</u>	Not included	As sought in original submission,				
S547.381	SUB – R11	Amend	Add item h.,		As sought in original				

			<p><u>“h. Management of potential reverse sensitivity effects on existing land uses, including network utilities and critical infrastructure (including energy activities), rural activities or significant hazardous facilities.”</u></p>		<p>submission noting movement to the subdivision chapter.</p>
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Provisions Appealed – Part 2 FC – Financial Contributions

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought												
FS222.0194	FC	Support in Part	<p>Delete all pTTPP provisions relating to the taking of financial contributions on land use consents for management of effects, including (but not limited to): FC-O1 (part) FC-O2 FC-P1 (part) FC-P2 (part) FC-P6 FC-P7 FC-R1 (part) FC-R2 (part) FC-R12.</p> <p>In the alternative, amend all of the provisions listed above in order to:</p> <ul style="list-style-type: none"> clearly state the purpose of contributions, and whether these are intended to apply to offsetting and/or compensation (or 	<p>Provisions not included below,</p> <table border="1" data-bbox="900 331 1957 1318"> <tr> <td data-bbox="900 331 1115 475">FC - O1</td> <td data-bbox="1115 331 1957 475">Through the use of Financial Contributions the West Coast/Te Tai o Poutini's <u>the West Coast's</u> infrastructure is able to meet the demands generated by subdivision, land use and development so that it does not adversely affect natural and physical resources, or compromise the quality of service provided to existing users, through the use of financial contributions.</td> </tr> <tr> <td data-bbox="900 515 1115 627">FC - O2</td> <td data-bbox="1115 515 1957 627">To ensure that new activities and development contributes fairly and equitably towards the costs of avoiding, remedying, mitigating or offsetting <u>managing</u> adverse effects on the environment and infrastructure resources of the West Coast/Te Tai o Poutini <u>the West Coast.</u></td> </tr> <tr> <td data-bbox="900 667 1115 778">FC - P1</td> <td data-bbox="1115 667 1957 778">To require financial contributions as a condition of subdivision, development and land use consents to remedy or mitigate adverse effects created by the need to create, extend or upgrade public infrastructure, reserves and community facilities as a result of the subdivision, <u>land</u> use or development.</td> </tr> <tr> <td data-bbox="900 818 1115 1010">FC - P2</td> <td data-bbox="1115 818 1957 1010">Financial contributions shall <u>must</u> be applied in a fair and equitable manner that: a. Is financially transparent, <u>reasonable and appropriate to the circumstances</u>; b. Reflects the adverse effects and demand on services and facilities generated by the subdivision, land use or development; c. Is complementary to the Council's other financial management policies; and d. Takes into account any costs incurred in <u>and financial benefits associated with the</u> taking, holding and allocating the financial contributions. ;</td> </tr> <tr> <td data-bbox="900 1050 1115 1193">FC - P6</td> <td data-bbox="1115 1050 1957 1193">To provide for the use of financial contributions for managing adverse environmental effects, including those on significant indigenous biodiversity and outstanding natural landscapes where these cannot be avoided, remedied or mitigated and the activities have specific spatial location requirements or functional and operational needs such as mineral extraction, renewable electricity generation activities and critical infrastructure.</td> </tr> <tr> <td data-bbox="900 1233 1115 1318">FC - P7</td> <td data-bbox="1115 1233 1957 1318">When calculating financial contributions as a method of managing adverse environmental effects of activities, take into account the local, regional and national benefits of the proposed activity.</td> </tr> </table> <p>See FC-R1 and FC-R2 below</p>	FC - O1	Through the use of Financial Contributions the West Coast/Te Tai o Poutini's <u>the West Coast's</u> infrastructure is able to meet the demands generated by subdivision, land use and development so that it does not adversely affect natural and physical resources, or compromise the quality of service provided to existing users, through the use of financial contributions.	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FC - P7	When calculating financial contributions as a method of managing adverse environmental effects of activities, take into account the local, regional and national benefits of the proposed activity.																

		<p>only the latter as indicated in Rule FC – R1(1)).</p> <ul style="list-style-type: none"> clearly set out the relationship between the various sections of the Plan, particularly the principles established in ECO P9 and the relationship to FC – R12. state how and when contributions will be applied (i.e. if financial contributions are to be collected to offset or compensate for residual adverse effects then the money or land should be used to fulfil that purpose). explain the nature of the contribution – noting that Section 108 of the Resource Management Act prescribes those 	<table border="1"> <tr> <td data-bbox="900 97 1115 164">FC – R12</td> <td data-bbox="1115 97 1966 164">Financial Contribution for Offsetting and Compensation for Adverse Environmental Effects on Natural Landscape Values or Biodiversity Values</td> </tr> <tr> <td colspan="2" data-bbox="900 164 1966 360"> <ol style="list-style-type: none"> The maximum financial contribution for offsetting or compensation for adverse environmental effects on outstanding natural landscape values, areas of significant indigenous vegetation or areas of significant habitat of indigenous fauna will be the amount of money needed to fully offset or compensate (or any combination of these) any adverse environmental effects that cannot otherwise be avoided, remedied or mitigated. In assessing the level of financial contribution required for biodiversity offsetting and compensation the principles in Policy ECO – P9 will be adhered to. </td> </tr> </table>	FC – R12	Financial Contribution for Offsetting and Compensation for Adverse Environmental Effects on Natural Landscape Values or Biodiversity Values	<ol style="list-style-type: none"> The maximum financial contribution for offsetting or compensation for adverse environmental effects on outstanding natural landscape values, areas of significant indigenous vegetation or areas of significant habitat of indigenous fauna will be the amount of money needed to fully offset or compensate (or any combination of these) any adverse environmental effects that cannot otherwise be avoided, remedied or mitigated. In assessing the level of financial contribution required for biodiversity offsetting and compensation the principles in Policy ECO – P9 will be adhered to. 		
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			<p>financial contributions can be taken for money or land only.</p> <ul style="list-style-type: none">• provide a clear methodology for how such a contribution will be calculated, over which period of time, and who is responsible for such a calculation.• explain how the various Councils administering the Plan will implement these provisions in a cohesive, coordinated and transparent manner, and deal with any cross boundary matters (including projects or associated effects or offsetting/compensation) that transcend local		
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			authority boundaries.		
FS222.0269	Financial Contributions	Oppose	All provisions in the Financial Contributions chapter that provide for financial contributions in lieu of appropriately managing adverse effects, in particular on biodiversity and landscape, should be deleted.		As set out in further submission.
FS222.0270	Financial Contributions	Oppose	Reconsider approach in this chapter and make amendments. It must be clear that the obligation to manage adverse effects lies with the consent applicant. In particular, any provisions that provides for the payment of a financial contribution for biodiversity effects, or landscape effects, must be deleted.		As set out in further submission.

FS222.090	Overview	Oppose	Amend Paragraph 1: “This section of Te Tai o Poutini Plan contains the objectives, policies and rules for financial contributions for infrastructure and for their use to offset where compensation is required to address adverse effects on the environment of the West Coast/Te Tai o Poutini.....”	Amended “Overview”, Overview This section of Te Tai o Poutini Plan contains the objectives, policies and rules for financial contributions for infrastructure and for their use to offset adverse effects on the environment of the West Coast/Te Tai o Poutini. Currently the three District Councils on the West Coast/Te Tai o Poutini/the West Coast use financial contributions under the RMA as the sole mechanism to provide for the costs and impacts of development on Council infrastructure and these draft provisions have been developed on the basis of that approach continuing. However, the District Councils are exploring the potential to move to a Development Contributions regime under the Local Government Act 2002 (LGA). If the Councils do introduce Development Contributions under the LGA then these provisions will be amended by Variation or Plan Change to reflect the updated regime.	As set out in further submission.
S547.335	FC - P6	Support	Retain	Deleted FC-P6, FC – P6 To provide for the use of financial contributions for managing adverse environmental effects, including those on significant indigenous biodiversity and outstanding natural landscapes where these cannot be avoided, remedied or mitigated and the activities have specific spatial location requirements or functional and operational needs such as mineral extraction, renewable electricity generation activities and critical infrastructure.	As sought in original submission.
S547.336	FC - P7	Support	Retain	Deleted FC-P7, FC – P7 When calculating financial contributions as a method of managing adverse environmental effects of activities, take into account the local, regional and national benefits of the proposed activity.	As set out in original submission.
S547.341	FC – R12	Amend	Amend 1: “ <u>The maximum financial contribution for offsetting or compensation for adverse effects will be the amount of money, land or</u> ”	Amended FC-R12, FC – R12 Financial Contribution for Offsetting and Compensation for Adverse Environmental Effects on Natural Landscape Values or Biodiversity Values 1. The maximum financial contribution for offsetting or compensation for adverse environmental effects on outstanding natural landscape values, areas of significant indigenous vegetation or areas of significant habitat of indigenous fauna will be the amount of money needed to fully offset or compensate (or any combination of these) any adverse environmental effects that cannot otherwise be avoided, remedied or mitigated. 2. In assessing the level of financial contribution required for biodiversity offsetting and compensation the principles in Policy ECO – P9 will be adhered to.	Reinstatement of FC-R12 and the changes as sought in the original submission.

			<u>works assessed as appropriate through the consent process in relation to adverse environmental effects that cannot be avoided, remedied or mitigated.”</u>	
S547.340	FC - R12	Amend	Amend heading: <u>“Financial Contributions for Proposed Offsetting and Compensation ...”</u>	Reinstatement of FC-R12 and the changes as sought in the original submission.

Provisions Appealed – Part 2 SUB – Subdivision

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought		
S547.342	Overview	Amend	<p>Amend paragraph 1: “Subdivision is the process of ... but it also impacts on adjacent sites and the future use of land, including energy activities and infrastructure and the provision of services. Subdivision affects the natural ...”</p>	<p>Amended “Overview”,</p> <p>Overview Subdivision is the process of dividing an allotment of land or building into one or more additional lots or units or changing an existing boundary location. The way an allotment is subdivided, including its size and shape, is important as it not only determines the quality and character of development, but it also impacts on adjacent sites and the future use of land. Subdivision affects the natural and physical environment and introduces long-term development patterns that cannot be easily changed. Subdivision should include the provision of infrastructure services. Subdivision should also provide for good connectivity and integration which incorporates multi-modal transport opportunities. Subdivision will be assessed against Te Tai o Poutini Plan objectives, policies, rules and standards and any relevant development plans. Subdivision Additional provisions apply for subdivision of land that contains an identified outstanding natural feature, an outstanding natural landscape, an area of significant indigenous biodiversity, a site or area of natural historic heritage, cultural an area of high natural character, historical a site or ecological area of significance to Māori, or where there are significant natural hazards will be subject to additional provisions - and assessment against the objectives and policies in the relevant Overlay chapter concerning the feature, site or area. Subdivision applications involving identified these features, sites or areas may need to be accompanied by expert reports to assess the effect of the subdivision on the identified feature, site or area. These sites, areas and features include those identified in schedules and overlays, and may also include those identified through other methods, for example the resource consent process. The provisions in this chapter should be read in conjunction with district - wide provisions, including hazards and risks and natural environment values. Māori land is exempt from the subdivision provisions of the Act. It is primarily controlled by the Te Ture Whenua Māori Act 1993 and administered by the Māori Land Court.</p>	As sought in original submission.		
S547.343	SUB - O2	Amend	<p>Amend a., “Is supported by the capacity of existing energy and infrastructure networks ... or provides for energy and infrastructure activities, facilities and networks that area sufficient to accommodate growth ...;”</p>	<p>Amended SUB-O2,</p> <table border="1" data-bbox="902 965 1939 1364"> <tr> <td data-bbox="902 965 1111 1364">SUB - O2</td> <td data-bbox="1111 965 1939 1364"> Subdivision occurs in locations and at a rate that: <ol style="list-style-type: none"> Is supported by the capacity of existing infrastructure networks, or provides for infrastructure facilities and networks that are sufficient to accommodate growth and development that meets the standards required by the Council and the Plan; Facilitates the safe, efficient and effective operation of critical regionally significant infrastructure; Enables access and connectivity; Provide for the health, wellbeing and safety of the West Coast/Te Tai o Poutini/the West Coast community; Provides for growth and expansion of West Coast/Te Tai o Poutini/the settlements West Coast settlements, businesses and businesses industry; and Avoids significant natural hazards the Severe Natural Hazard Overlays and are built to be resilient to natural hazards; Protects highly productive land as defined in the NPS - HPL; and Maintains and enhances amenity values. </td> </tr> </table>	SUB - O2	Subdivision occurs in locations and at a rate that: <ol style="list-style-type: none"> Is supported by the capacity of existing infrastructure networks, or provides for infrastructure facilities and networks that are sufficient to accommodate growth and development that meets the standards required by the Council and the Plan; Facilitates the safe, efficient and effective operation of critical regionally significant infrastructure; Enables access and connectivity; Provide for the health, wellbeing and safety of the West Coast/Te Tai o Poutini/the West Coast community; Provides for growth and expansion of West Coast/Te Tai o Poutini/the settlements West Coast settlements, businesses and businesses industry; and Avoids significant natural hazards the Severe Natural Hazard Overlays and are built to be resilient to natural hazards; Protects highly productive land as defined in the NPS - HPL; and Maintains and enhances amenity values. 	As sought in original submission.
SUB - O2	Subdivision occurs in locations and at a rate that: <ol style="list-style-type: none"> Is supported by the capacity of existing infrastructure networks, or provides for infrastructure facilities and networks that are sufficient to accommodate growth and development that meets the standards required by the Council and the Plan; Facilitates the safe, efficient and effective operation of critical regionally significant infrastructure; Enables access and connectivity; Provide for the health, wellbeing and safety of the West Coast/Te Tai o Poutini/the West Coast community; Provides for growth and expansion of West Coast/Te Tai o Poutini/the settlements West Coast settlements, businesses and businesses industry; and Avoids significant natural hazards the Severe Natural Hazard Overlays and are built to be resilient to natural hazards; Protects highly productive land as defined in the NPS - HPL; and Maintains and enhances amenity values. 						

S547.344	SUB - O2	Amend	Amend b., “Facilitates, maintains and provides for, and does not adversely impact, the operation and maintenance of critical infrastructure, including energy activities; ”	Definition of “Infrastructure” includes, d. facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding lines and support structures if a person- i. uses them in connection with the generation of electricity for the person's use; and ii. does not use them to generate any electricity for supply to any other person;	As sought in original submission.
S547.346	SUB - P1	Amend	Add f. “Can be appropriately serviced and does not adversely affect the operation and maintenance of critical infrastructure, including energy activities.”	Amended SUB-P1, SUB - P1 Enable subdivision that creates allotments that: a. Are consistent with the purpose, character, and qualities of the applicable zone; b. Maintains the integrity of the zone with lot sizes and dimensions sufficient to accommodate intended land uses; c. Minimises natural hazard risk to people's lives and properties; d. Protects areas of significant cultural indigenous biodiversity, historical, outstanding natural and ecological features, sites and landscapes, cultural values, areas identified on of historic heritage and natural character of the planning maps and in the Schedules in the Plancoastal environment; and e. Maintains indigenous biodiversity; f. Have legal, physical and safe access to to each allotment created allotment created by the subdivision; g. Are integrated and connected to the immediately surrounding area and road network; and h. Protect the safe and efficient operation and maintenance of infrastructure, subdivision;	As sought in original submission.
S547.347	SUB - P2	Amend	(1) Amend the first paragraph, “Ensure subdivision is appropriately serviced ... or planned infrastructure and energy activities in an efficient,	Amended SUB-P2,	As sought in original submission.

			<p>integrated and coordinated ..."</p> <p>(2) Amend item a., "a. Infrastructure and energy activity networks have sufficient ...;"</p> <p>(3) Amend item n.ii., "ii. Underground reticulation of services. This is with the exception that electricity activities and infrastructure in the INZ- Industrial zone can be above ground;".</p>	<p>SUB - P2</p> <p>Ensure subdivision is appropriately serviced and integrated with existing or planned infrastructure that is provided in an efficient, integrated and coordinated manner by ensuring:</p> <ol style="list-style-type: none"> a. Infrastructure networks have sufficient capacity to accommodate the additional development, and requiring any necessary upgrades to be completed at the time of subdivision; b. Infrastructure is installed at the time of subdivision, except for on-site infrastructure that cannot be determined until the allotment is developed; c. Sufficient provision has been made for legal and physical access to each allotment created by the subdivision; d. Provision of safe, efficient and efficient effective transport connections and linkages, including pedestrian, cycling linkages, public transport and vehicle access; e. Provision for open space and reserves, including pedestrian and cycle linkages; f. Drinking Provision of drinking water compliant with New Zealand Drinking Water Standards; g. Adequate water supply for firefighting; h. Treatment and safe disposal of stormwater that does not result in increased flooding and erosion risk; i. Treatment and safe disposal of wastewater with a preference for land-based treatment where no reticulated network is in place; j. Where community scale infrastructure is developed to support more than 10 privately owned lots this should be to appropriate standards and vested in the Council to ensure ongoing maintenance and renewal; k. Supply of electricity and telecommunications using a method that is appropriate to the type of development, location and character of the area including off-grid renewable electricity supply / wireless /satellite where deemed reasonable by the Council; l. Connections are made to wastewater, water supply and stormwater systems where they are available and there is capacity; and m. Where new community infrastructure is developed, that there is adequate provision for ongoing maintenance either by the vesting of the infrastructure in the relevant Council, or in the case of papakāinga developments, that an ongoing hapū entity may be responsible for maintenance; n. In all RESZ - Residential, INZ - Industrial and CMUZ - Commercial and Mixed Use Zones requiringrequire: <ol style="list-style-type: none"> i. Roads to a sealed standard; ii. Underground reticulation of services; iii. Sealed footpaths; iv. Streetlights in urban areas; and o. Financial contributions are provided where additional or upgraded network utility infrastructure is required to service development. <p>Advice Note: The standards for road construction can be found in Appendix One: Transport Performance Standards.</p>	
FS222.067	SUB - P2	Oppose	<p>Amend item k., "Supply of electricity and telecommunication s using a method that is appropriate to the type of development, location and character of the area including off-grid renewable electricity supply /</p>		<p>As sought in further submission.</p>

			wireless /satellite <u>where deemed reasonable by the Council;</u>		
S547.352	SUB – P5	Amend	Amend item b. “The need for significant ..., or other infrastructure, <u>including energy activities</u> , in advance of ...;”	Amended SUB-P5, SUB - P5 Avoid subdivision within Unless subdivision occurs in accordance with a Structure Plan adopted by the relevant District Council, avoid subdivision within the FUZ - Future Urban Zone that may result in one or more of the following: a. A compromise Compromise in the efficient and effective operation of the local and wider transport transport network; b. The need for significant upgrades, provisions or extensions to the reticulated wastewater, reticulated water supply or stormwater networks, or other infrastructure in advance of integrated urban development; c. The Compromise of the efficient provision of infrastructure being compromised or access to proposed or operating infrastructure; d. Reverse sensitivity effects when urban development occurs; e. Reverse sensitivity effects on existing rural activities or infrastructure; or f. Fragmentation of sites in a manner that may compromise the appropriate form or nature of future urban development.	As sought in original submission.
S547.353	SUB – P5	Amend	Amend item c., <u>“The efficient provision, access to, operation, maintenance, repair, upgrade or extension of infrastructure and energy activities being compromised.”</u>		As sought in original submission.
S547.356	SUB – R1	Amend	Clarify whether this rule is intended to apply to overlays	Amended SUB-R1,	As set out in original submission
S547.355	SUB – R1	Amend	Add item 6., <u>“6. The ability to access, operate, maintain and upgrade existing energy activities, including associated infrastructure is maintained.”</u>		As set out in original submission.

				<p>SUB - R1 GeneralRESZ - Residential ZoneZones and GeneralRURZ - Rural ZoneZones - Boundary adjustments</p> <p>Activity Status Permitted Where:</p> <ul style="list-style-type: none"> • The boundary adjustment does not alter: <ul style="list-style-type: none"> i. The permitted activity status of any existing permitted activities occurring on the allotments and/or the ability of an existing permitted activity to continue to comply as a permitted activity under theall rules and standards in this Plan; and ii. The extent or degree to which any consented or otherwise lawfully established activity occurring on the allotments does not comply with a rule or standard in this Plan; and, iii. The ability of an existing permitted activity (including on adjacent lots) to continue to comply with the Plan; a. No new roading or access points are required; b. All existing vehicle access points comply with the requirements of Rule TRN - R1; c. No new Council services are required; and d. In the GRUZ - General Rural Zone the boundary adjustment does not result in potential additional residential units as a permitted activity. 	
					<p>Activity status where compliance not achieved: Controlled</p>
S541.359	SUB – R3	Amend	Amend item f., “Management of adverse effects on natural features ...”	Amended SUB-R3,	As sought in original submission.

				<p>SUB - R3 All Zones and All Overlays - Boundary Adjustments</p> <p>Activity Status Controlled Where: <ul style="list-style-type: none"> • These are not Permitted Activities under Rule SUB - R1; • All Subdivision Standards are complied with; and • The existing or proposed buildings must: <ul style="list-style-type: none"> i. Comply with all permitted activity standards relevant to the zone and any overlays and a building consent has been issued for any proposed buildings; or ii. BeAre subject to an approved resource consent for any non-compliances; or iii. Where there is an existing building that does not comply with the current district plan, the subdivision must not increase the extent to which the existing building fails to comply. <p>Matters of control are:</p> <ul style="list-style-type: none"> a. The design and layout of allotments, including space for a compliant building platform within any vacant allotment, and the ability to accommodate permitted and/or intended land uses; b. The design and provision of access; c. The provision, design and construction of infrastructure and services; d. Any requirements which arise from the location in relation to natural hazards; e. Effects of development phase works on the surrounding area; and f. Protection, maintenance or enhancement of outstanding natural features and landformslandscapes, areas of significant indigenous biodiversity, historic heritage, sites and areas of significance to Māori, archaeological sites, natural character of the coastal environment or any other identified features; and g. The ability to access, operate, maintain, or upgrade lawfully established infrastructure activities is retained. </p>	<p>Activity status where compliance not achieved: Discretionary where Standard 2 is not complied with. Refer relevant zone and overlay subdivision rules where not compliant with Standard 3.</p>	
S547.361	SUB - R4	Amend	Amend item a., “The size, design and layout of allotments for the purpose of network utilities and critical infrastructure, including energy activities and infrastructure, reserves or access;”	<p>Amended SUB-R4,</p> <p>SUB - R4 All Zones and All Overlays - Subdivision for a Network UtilitiesUtility, CriticalRegionally Significant Infrastructure, Access or Reserves</p> <p>Activity Status Controlled Where: <ol style="list-style-type: none"> 1. The Subdivision is not a Permitted Activity under Rule SUB - R2 <p>Matters of control are:</p> <ul style="list-style-type: none"> a. The size, design and layout of allotments for the purpose of of public network utilities, regionally significant infrastructure, reserves or access; b. Legal and physical access to and from allotments; c. Protection, maintenance or enhancement of outstanding natural features and landformslandscapes, natural character, the coastal environment, waterbodies, significant indigenous biodiversity, historic heritage, sites sites and areas of significance to Māori, archaeological sites or, natural character of the coastal environment or any other identified features; d. Where relevant, compliance with Subdivision Standards; and e. Any requirements which arise from the location in relation to natural hazards, esplanade reserves or esplanade strips. </p>	<p>Activity status where compliance not achieved: N/A.</p>	As set out in original submission.

S547.362	SUB - R4	Amend	Amend item c., “ Management of <u>adverse effects</u> on natural features and landforms ...”		As set out in original submission.
S547.363	SUB – R5	Amend	Amend Matter of Control g., “The provision of easements, <u>including for both existing and proposed energy activities and associated infrastructure.</u> ”	Amended SUB-R5,	As set out in original submission.
S547.364	SUB – R5	Amend	Amend Matter of Control p., “Management of potential ..., including network utilities <u>and critical infrastructure (including energy activities)</u> , rural ...”		Reinstatement of “network utilities” as matter of control (p).

				<p>SUB - R5</p> <p>Subdivision to create allotment(s) in all RESZ - Residential Zones, CMUZ - Commercial and Mixed Use Zones, INZ - Industrial Zones, SVZ - Scenic Visitor Zone or PORTZ - Port Zones</p> <p>Activity Status Controlled Where:</p> <ol style="list-style-type: none"> This is not within a Significant Natural Area as identified in Schedule Four subject to Rule SUB - R7; This is not within one of the following locations in the coastal environment: <ol style="list-style-type: none"> Outstanding Natural Landscape as identified in Schedule Five; Outstanding Natural Feature as identified in Schedule Six; High or Outstanding Coastal Natural Character as identified in Schedules Seven and Eight; or This is not within an area of: <ol style="list-style-type: none"> Outstanding Natural Landscape as identified in Schedule Five; Outstanding Natural Feature as identified in Schedule Six; Sites of Historic Heritage as identified in Schedule One; Any Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert or Coastal Tsunami Hazard Overlay; This only occurs in the following sites and areas <u>is not within a Site or Area of significance</u> <u>Significance to Māori except those listed below</u> identified in Schedule Three: <ol style="list-style-type: none"> SASM 10 Kawatiri <u>Kawatiri</u> Pā; SASM SASM 12 Kawatiri <u>Kawatiri</u> Town Reserve; SASM SASM 15 No. 42 Kawatiri <u>(Township) Native Reserve</u>; SASM SASM 31 Punakaiki <u>Punakaiki</u> Area; SASM SASM 56 Māwhera Pā 1; SASM SASM 57 Māwhera Gardens; SASM SASM 58 Greymouth <u>Greymouth</u> Railway Land; SASM SASM 59 Māwhera Pā 2; SASM SASM 60 Māwhera Kāinga; SASM SASM 61 Victoria <u>Victoria</u> Park; SASM SASM 62 No. 31 Māwhera Native Reserve; SASM SASM 63 No. 32 Nga Moana e Rua Native Reserve; SASM SASM 94 No. 30 Arahura Native Reserve; SASM SASM 96 Taramakau <u>Taramakau</u> River; SASM SASM 104 Kawhaka <u>Kawhaka</u> Creek Catchment; SASM SASM 112 Arahura <u>Arahura</u> River at Tūhua; SASM SASM 117 Waitaiki <u>Waitaiki</u> Catchment; SASM SASM 121 Waitaiki <u>Waitaiki</u> Historic Reserve; SASM SASM 197 Ōkuru; This is not within the Earthquake Hazard Overlay; This is not within an area of Flood Severe, Coastal Severe or Westport Hazard Overlay or the Airport Noise Control Overlay; All Subdivision Standards are complied with; and The subdivision is in general accordance with any <u>structure plan or outline development plan in place for the site</u>; <u>and in the case of the Moana North Development Area is in accordance with the Moana North Development Area Outline Plan in the Development Areas section of the Plan</u> <p>Matters of control are:</p> <ol style="list-style-type: none"> The design and layout of allotments, <u>including space for a compliant</u> 	<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary where 3 and 4 is not complied with.</p> <p>Discretionary <u>where 2,6, 7-of, or 8 is not complied with.</u></p> <p>Non-complying where 5 is not complied with.</p>
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				<p><u>building platform within any vacant allotment</u> and the ability to accommodate permitted and/or intended land <u>land</u> uses;</p> <p>b. The design and provision of roads, pedestrian and cycle ways; and</p> <p>c. The design and provision of access;</p> <p>d. The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy;</p> <p>e. The adequacy of water supply for firefighting;</p> <p>f. Any requirements arising from meeting the relevant district Council Engineering Standards, or where no such Standard exists, NZS 4404:2010 Land Development and Subdivision Infrastructure;</p> <p>g. The provision of easements;</p> <p>h. The provision of local purpose reserves;</p> <p>i. The requirement for financial contributions as outlined in Rules FC — R1 to FC — R12;</p> <p>j. Effects of development phase works on the surrounding area <u>R10</u>;</p> <p>k. Effects on Poutini Ngāi Tahu values, notable trees or historic heritage within or adjacent to the site;</p> <p>l. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created;</p> <p>m. The extent to which any land identified as contaminated is safe for habitation; and</p> <p>n. Natural hazards or <u>and</u> geotechnical constraints <u>considerations</u>.</p> <p>o. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control, and</p> <p>p. Management of potential reverse sensitivity effects <u>effects</u> on existing land uses <u>lawfully established activities</u>, including network utilities <u>regionally significant infrastructure</u>, rural activities or <u>or</u> significant hazardous facilities;</p> <p>q. <u>The protection, maintenance or enhancement of waterbodies; and</u></p> <p>r. <u>Within the Moana North Development Area:</u></p> <p>i. <u>Future ownership and management of the former landfill;</u></p> <p>ii. <u>Management of adverse effects on the significant values of natural wetlands.</u></p>	
S547.365	SUB – R6	Amend	<p>(1) Amend item m.,</p> <p>"m. Management of potential ..., including network utilities <u>and critical infrastructure (including energy activities)</u>, rural ...".</p> <p>(2) Add a new item n.,</p>	Amended SUB-R6,	As sought in original submission

		<p>"n. The provision of easements, <u>including for both existing and proposed energy activities and associated infrastructure.</u>".</p>	<p>SUB - R6</p>	<p>Subdivision to create allotment(s) in any RURZ - Rural Zone or MPZ - Māori Purpose Zone</p>	
			<p>Activity Status Controlled Where:</p> <ol style="list-style-type: none"> 1. This is not within a Significant Significant Natural Area as identified in Schedule Four or an area of significant indigenous biodiversity and subject to Rule SUB - R7; 2. This is not within one of the following locations in the coastal environment: <ol style="list-style-type: none"> i. Outstanding Natural Landscape as identified in Schedule Five; ii. Outstanding Natural Feature as identified in Schedule Six; iii. High or Outstanding Coastal Natural Character as identified in Schedules Seven and Eight; or 3. This is not within an area of: <ol style="list-style-type: none"> i. Outstanding Natural Landscape as identified in Schedule Five; ii. Outstanding Natural Feature as identified in Schedule Six; iii. Sites of Historic Heritage as identified in Schedule One; 4. Any It does not create a building platform for a Potentially Hazard Sensitive or Hazard Sensitive Activity in the: <ol style="list-style-type: none"> i. Flood Susceptibility, Flood Plain Earthquake Susceptibility, Land Instability, Coastal Alert Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2, or Hokitika Coastal Tsunami Hazard Overlay; ii. This is not within the Earthquake Westport Hazard Overlay; iii. Flood Severe, Coastal Hazard Erosion and Inundation or Earthquake Severe Overlay; 5. This is not within an area of Flood Severe, Coastal Severe or Westport 	<p>Activity status where compliance not achieved Restricted Discretionary where 3 is not complied with. Discretionary where 2, or 5- 8 is not complied with. Non-complying where 4 and not complied with.</p>	

				<p>Hazard Overlay or the Airport Airport Noise Control Overlay;</p> <p>6. All Subdivision Standards are complied with; and</p> <p>7. Subdivision in the MPZ - Māori Purpose Zone is in accordance with an Iwi/Papatipu Rūnanga Management Plan for the site; and</p> <p>8. <u>Any subdivision in the Moana North Development Area is in accordance with the Moana North Development Area Outline Plan in the Development Areas section of the Plan.</u></p> <p>Matters of control are:</p> <ol style="list-style-type: none"> a. The size, design, shape, location and layout of allotments <u>including space for a compliant building platform within any vacant allotment;</u> b. The design and provision of roads, pedestrian and cycle ways; c. The design and provision of access; d. Efficient use of land and compatibility with rural character and the role, function and predominant character of the Rural or Māori Purpose Zone in which the subdivision is located; e. Any requirements arising from meeting the relevant District Council's Engineering Standards, or where no such Standards exist, NZS 4404:2010 Land Development and Subdivision Infrastructure; f. The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy; g. The adequacy of water supply for firefighting; h. The requirement for financial contributions as outlined in Rules FC — R1 to FC — R12; i. Effects on Poutini Ngāi Tahu values or notable trees within or adjacent to the site; j. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created; k. Management of any effects on the production value of any highly productive land or high value soils such as those located at Karamea and Totara Flat; l. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control; and m. Management of potential reverse sensitivity effects <u>effects</u> on existing land uses, including network utilities <u>regionally significant infrastructure, rural and rural industry activities</u> or or significant hazardous facilities; n. <u>Natural hazards and geotechnical considerations;</u> o. <u>The provision of easements;</u> p. <u>The protection, maintenance or enhancement of the margins of waterbodies; and</u> q. <u>Within the Moana North Development Area:</u> <ol style="list-style-type: none"> i. <u>Future ownership and management of "no build areas" adjacent to Moana Scenic Reserve; and</u> ii. <u>Development and implementation of an ecological management plan.</u> 	
S547.367	SUB - R7/ ECO - R4	Amend	(1) Add a new item f.,	Amended SUB-R7 (previously SUB-R7/ECO-R4),	As sought in original submission.

		<p>"f. The provision of infrastructure and services for drinking water, waste water and stormwater, telecommunication s and energy."</p> <p>(2) Add a new item g., "g. The provision of easements, including for both existing and proposed energy activities and associated infrastructure."</p> <p>(3) Add a new item h., "h. Management of potential reverse sensitivity effects on existing land uses, including network utilities and critical infrastructure (including energy activities), rural activities or significant hazardous facilities."</p>	<p>SUB - R7/EGO--R4 Subdivision to create allotment Create Allotment(s) of Land Containing an Significant Indigenous Biodiversity: Where Legal Protection of the Area of Significant Indigenous Biodiversity is Proposed</p> <p>Activity Status Controlled Where:</p> <ol style="list-style-type: none"> 1. One new allotment with a minimum lot size of 1,000m² is created from the parent title, provided that in the GRUZ - General Rural Zone there is a balance area remaining on the original/parent title of at least 4 ha; 2. An assessment of the site against the significance criteria in the WCRPS Appendix 1 is provided with the application and this is undertaken by a suitably qualified ecologist, unless the site has already been identified as a Significant Natural Area as part of a district-wide Significant Natural Area assessment process; and 3. Any areas of significant indigenous biodiversity are legally protected in perpetuity by way of a conservation covenant with an <p>Activity status where compliance not achieved: Restricted Discretionary where where standard 1 is not complied and Discretionary where standards 2-4-5 are not complied with.</p>	
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				<p>authorised agency or via consent notice on the title and isare contained within a single allotment;</p> <p>4. The subdivision will will not result in buildings or access ways being located within the identified area of significant indigenous biodiversity or the need for clearance <u>within the area</u> of significant indigenous vegetation to provide for <u>a future building site or</u> future access to any site; and</p> <p>5. Subdivision standards S2-S11 are complied with.</p> <p>Matters of control are:</p> <p>a. Subdivision layout, access, design, location and proximity of building platforms to areas of significant indigenous biodiversity <u>and whether buffering of significant areas is also appropriate;</u></p> <p>b. The design and provision of access; ;</p> <p>c. <u>The provision of infrastructure and services for drinking water, wastewater, stormwater, telecommunications and energy/electricity;</u></p> <p>d. <u>The adequacy of water supply for firefighting;</u></p> <p>e. <u>Specification of the location of the building sites and access through the use of consent notices;</u></p> <p>f. <u>Management of potential reverse sensitivity effects on existing land uses, including network utilities and regionally significant infrastructure, rural activities or significant hazardous facilities;</u></p> <p>g. <u>Measures to address any natural hazards or geotechnical constraints;</u></p> <p>h. Management of earthworks, including earthworks for the location of building platforms and access ways;</p> <p>i. The protection of habitats of threatened or at risk species; and</p> <p>j. The measures to minimiseavoid, remedy or mitigate any adverse effects on:</p> <p>i. The significant indigenous biodiversity; and</p> <p>ii. The cultural significance to Poutini Ngāi Tahu <u>values.</u></p> <p>Advice NoteNotes:</p> <p>1. This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule<u>either of Rules SUB - R2 or SUB - R4.</u></p> <p>2. <u>When assessing resource consent applications under this rule, reference should also be made to the objectives and policies in the ECO Chapter.</u></p>	
S547.370	SUB – R8	Oppose	(1) Amend permitted standard 8,iii., "iii. Could accommodate ... for the Zone it is located in <u>and rules in the Energy Chapter regarding</u>	Amended SUB-R8,	In relation to deleted SUB-R8, a new subdivision rule similar to new SUB-R13, ie "Subdivision to create

		<p><u>Significant Electricity Distribution Lines.</u></p> <p>(2) Amend permitted standard 10., "10. Written documentation is provided ... occurred with the relevant Electricity Transmission or Distribution Operator including any response ..."</p> <p>(3) Amend item i., "i. Management of reverse ... national grid and any Significant Electricity Distribution Line."</p> <p>(4) Amend item m., "m. Management of potential ..., including network utilities and critical infrastructure (including energy activities), rural ..."</p> <p>(5) Add a new item g., "g. The provision of easements,</p>	<table border="1"> <tr> <td data-bbox="889 97 1111 169">SUB-R8</td> <td data-bbox="1111 97 1957 169">Subdivision to create allotment(s) of Land that contains or is within the Electricity Transmission and Distribution Yard</td> </tr> <tr> <td colspan="2" data-bbox="889 169 1957 408"> <p>Activity Status Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. This is not within a Significant Natural Area as identified in Schedule Four and subject to Rule SUB-R7; 2. This is not within one of the following locations in the coastal environment: <ol style="list-style-type: none"> i. Outstanding Natural Landscape as identified in Schedule Five; ii. Outstanding Natural Feature as identified in Schedule Six; iii. High or Outstanding Coastal Natural Character as identified in </td> </tr> <tr> <td colspan="2" data-bbox="889 408 1957 1455"> <p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary where 1, 3 or 4 is not complied with</p> <p>Discretionary where 2 or 5 is not complied with</p> <p>Non-complying where 6-11 is not complied with</p> </td> </tr> </table>	SUB-R8	Subdivision to create allotment(s) of Land that contains or is within the Electricity Transmission and Distribution Yard	<p>Activity Status Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. This is not within a Significant Natural Area as identified in Schedule Four and subject to Rule SUB-R7; 2. This is not within one of the following locations in the coastal environment: <ol style="list-style-type: none"> i. Outstanding Natural Landscape as identified in Schedule Five; ii. Outstanding Natural Feature as identified in Schedule Six; iii. High or Outstanding Coastal Natural Character as identified in 		<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary where 1, 3 or 4 is not complied with</p> <p>Discretionary where 2 or 5 is not complied with</p> <p>Non-complying where 6-11 is not complied with</p>		<p><i>allotments in the national grid subdivision, and Distribution Line Corridor"</i> an subsequent amendments , ie definition of SDL corridor.</p> <p>With regard to the new Rule SUB-R8, all usual matters of control as in other subdivision rules, including amendments sought by Westpower to those rules, unless those other subdivision rules also apply in which case an advice note should be added to</p>
SUB-R8	Subdivision to create allotment(s) of Land that contains or is within the Electricity Transmission and Distribution Yard									
<p>Activity Status Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. This is not within a Significant Natural Area as identified in Schedule Four and subject to Rule SUB-R7; 2. This is not within one of the following locations in the coastal environment: <ol style="list-style-type: none"> i. Outstanding Natural Landscape as identified in Schedule Five; ii. Outstanding Natural Feature as identified in Schedule Six; iii. High or Outstanding Coastal Natural Character as identified in 										
<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary where 1, 3 or 4 is not complied with</p> <p>Discretionary where 2 or 5 is not complied with</p> <p>Non-complying where 6-11 is not complied with</p>										

			<p>including for both existing and proposed energy activities and associated infrastructure."</p>	<p>Schedules Seven and Eight; or</p> <ol style="list-style-type: none"> 3. This is not within an area of: <ol style="list-style-type: none"> i. Outstanding Natural Landscape as identified in Schedule Five; ii. Outstanding Natural Feature as identified in Schedule Six; iii. Sites of Historic Heritage as identified in Schedule One; iv. Sites and Areas of Significance to Māori as identified in Schedule Three; v. Any Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert or Coastal Tsunami Hazard Overlay; 4. This is not within an area of Flood Severe, Coastal Severe or Westport Hazard Overlay or the Airport Noise Control Overlay; 5. All Subdivision Standards are complied with; and 6. Subdivision in the MPZ – Māori Purpose Zone is in accordance with an Iwi/Papatipu Rūnanga Management Plan for the site; 7. This is not within the Earthquake Hazard Overlay; 8. Any allotment created can contain a 15x15m area of land which: <ol style="list-style-type: none"> i. Is located entirely outside of the Electricity Transmission and Distribution Yard; ii. Has reasonable physical and legal access; and iii. Could accommodate a building which can comply with all Permitted Activity standards for the Zone it is located in. 9. The subdivision maintains any existing access to Electricity Transmission and Distribution Yard; 10. Written documentation is provided that demonstrates consultation has occurred with the Electricity Transmission Operator including any response from the operator; and 11. The minimum lot size for any allotment that contains any part of the Electricity Transmission Corridor shall be 1ha. <p>Matters of control are:</p> <ol style="list-style-type: none"> a. The size, design, shape, location and layout of allotments; b. Efficient use of land and compatibility with the role, function and predominant character of the Zone in which the subdivision is located; c. Where relevant consistency with the NZS 4404 Code of Practice for Land Development and Subdivision infrastructure; d. The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy; e. The adequacy of water supply for firefighting; f. The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; g. Effects on Poutini Ngāi Tahu values or notable trees within or adjacent to the site; h. Management of any contaminated land; i. Management of reverse sensitivity effects on the national grid; j. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created; k. Management of any effects on the production value of any highly productive land or high value soils such as those located at Karamea and Totara Flat; l. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control; and m. Management of potential reverse sensitivity effects on existing land uses, including network utilities, rural activities or significant hazardous facilities. <p>Advice Note: This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB – R4.</p>		<p>say that relevant zone/topic subdivision rules must also be complied with.</p>
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				<p>New SUB-R9 added,</p> <table border="1"> <tr> <td>SUB - R8</td> <td>Subdivision to create allotment(s) for Less Hazard Sensitive Activities in the Flood Susceptibility, Flood Alert, Earthquake Susceptibility, Land Instability, Coastal Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2, Hokitika Coastal, Westport, Coastal Hazard Erosion and Inundation, Flood Severe, or Earthquake Severe Hazard Overlays</td> </tr> <tr> <td>Activity Status Controlled Matters of control are:</td> <td>Activity status where compliance not achieved:</td> </tr> <tr> <td> <ul style="list-style-type: none"> a. Risk to people, buildings and regionally significant infrastructure from the proposal and any measures to mitigate those risks; and b. The location and design of proposed buildings, vehicle access, and regionally significant infrastructure in relation to the natural hazard. </td> <td>N/A</td> </tr> </table> <p>New SUB-R13 added for “restricted discretionary” activity in the National Grid Yard (have not included here)</p>	SUB - R8	Subdivision to create allotment(s) for Less Hazard Sensitive Activities in the Flood Susceptibility, Flood Alert, Earthquake Susceptibility, Land Instability, Coastal Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2, Hokitika Coastal, Westport, Coastal Hazard Erosion and Inundation, Flood Severe, or Earthquake Severe Hazard Overlays	Activity Status Controlled Matters of control are:	Activity status where compliance not achieved:	<ul style="list-style-type: none"> a. Risk to people, buildings and regionally significant infrastructure from the proposal and any measures to mitigate those risks; and b. The location and design of proposed buildings, vehicle access, and regionally significant infrastructure in relation to the natural hazard. 	N/A	
SUB - R8	Subdivision to create allotment(s) for Less Hazard Sensitive Activities in the Flood Susceptibility, Flood Alert, Earthquake Susceptibility, Land Instability, Coastal Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2, Hokitika Coastal, Westport, Coastal Hazard Erosion and Inundation, Flood Severe, or Earthquake Severe Hazard Overlays										
Activity Status Controlled Matters of control are:	Activity status where compliance not achieved:										
<ul style="list-style-type: none"> a. Risk to people, buildings and regionally significant infrastructure from the proposal and any measures to mitigate those risks; and b. The location and design of proposed buildings, vehicle access, and regionally significant infrastructure in relation to the natural hazard. 	N/A										
S547.375	SUB - R9/ ECO - R6	Amend	Add item e., <u>“e. The provision of infrastructure and services for drinking water, waste water and stormwater, telecommunication s and energy.”</u>	<p>Amended Sub-R9 (previously SUB-R9/ECO-R6),</p> <table border="1"> <tr> <td>SUB - R9/ECO - R6</td> <td>Subdivision of Land to create allotment(s) Containing an Area of Significant Indigenous Biodiversity where Legal Protection of the Area of Significant Indigenous Biodiversity is Proposed, not meeting Rule SUB — R7</td> </tr> </table>	SUB - R9/ECO - R6	Subdivision of Land to create allotment(s) Containing an Area of Significant Indigenous Biodiversity where Legal Protection of the Area of Significant Indigenous Biodiversity is Proposed, not meeting Rule SUB — R7	As sought in original submission				
SUB - R9/ECO - R6	Subdivision of Land to create allotment(s) Containing an Area of Significant Indigenous Biodiversity where Legal Protection of the Area of Significant Indigenous Biodiversity is Proposed, not meeting Rule SUB — R7										
S547.376	SUB - R9/ ECO - R6	Amend	Add item f., <u>“f. The provision of easements, including for both existing and proposed energy activities and associated infrastructure.”</u>		As sought in original submission.						
S547.377	SUB - R9/ ECO - R6	Amend	Add item g., <u>“g. Management of potential reverse sensitivity effects on existing land uses, including</u>		As sought in original submission.						

			<p><u>network utilities and critical infrastructure (including energy activities), rural activities or significant hazardous facilities.”</u></p>	<p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. Up to three allotments with a minimum lot size of 4 1,000m² are created from the parent title; 2. The area An assessment of the site against the significance criteria in the WCRPS Appendix 1 is provided with the application and this is undertaken by a suitably qualified ecologist, unless the site has already been identified as an SNA as part of a district - wide Significant Natural Area assessment process; and 3. Any areas of significant indigenous biodiversity is are legally protected in perpetuity by way of a conservation covenant with an authorised agency or via a consent notice on the title and is are contained within a single allotment; 4. The subdivision will will not result in buildings or access ways being located within any Significant Natural Area identified in Schedule Four or the need for clearance within the area of significant indigenous vegetation to provide for a future building site or future access to the site; and 5. Subdivision standards S2-S11 are complied with. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The extent to which the subdivision layout, access, allotment size and design and the location of building platforms may adversely impact the significant indigenous vegetation and/or significant habitat of indigenous fauna and whether buffering of significant areas is also appropriate; b. The provision of infrastructure and services for drinking water, wastewater, stormwater, telecommunications and energy/electricity; c. The adequacy of water supply for firefighting; d. Specification of the location of building sites and access through the use of consent notices; e. Management of potential reverse sensitivity effects on existing land uses, including network utilities and regionally significant infrastructure, rural activities or significant hazardous facilities; ; f. Management of earthworks including earthworks for the location of building platforms and access ways; g. The protection of habitats of threatened or at risk species; and h. The measures to minimise avoid, remedy or mitigate any adverse effects on: <ol style="list-style-type: none"> i. The area of significant indigenous biodiversity; and ii. The particular cultural, spiritual and/or heritage values, interests or associations of importance to Poutini Ngāi Tahu, as kaitiaki and mana whenua that are associated with the significant indigenous vegetation and/or significant habitats of indigenous fauna and the potential impact on those values, interests or association. <p>Advice Note: When assessing resource consent applications under this rule, the objectives and policies in the ECO Chapter should also be referred to.</p>	<p>Activity status where compliance not achieved: Discretionary</p>	
S547.379	SUB – R10	Amend	Add item k., <u>“k. The provision of easements, including for both</u>	Amended SUB-R10,		The modification of discretion (I) to the

			<u>existing and proposed energy activities and associated infrastructure.</u>	SUB - R10	Subdivision of Land to create allotment(s) in Areas of Historic Heritage identified in Schedule One or within Sites or Areas of Significance to Māori identified in Schedule Three not meeting Rule SUB - R5		wording as sought in the original submission.
S547.378	SUB – R10	Amend	Add item l., <u>“l. Management of potential reverse sensitivity effects on existing land uses, including network utilities and critical infrastructure (including energy activities), rural activities or significant hazardous facilities.</u>	Activity Status Restricted Discretionary Where: 1. Written confirmation is provided by the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngati Waewae or Te Rūnanga o Makaawhio, that the activity will not impact on any sites or areas of significance to Maori within Schedule Three <u>(except for those sites and areas of significance to Māori listed in SUB - R5.4.i where no written confirmation is required)</u> ; and 2. All Subdivision Standards are complied with. Discretion is restricted to:		Activity status where compliance not achieved: Discretionary	As sought in the original submission.
S547.380	SUB – R11	Amend	Add item g., <u>“g. The provision of easements, including for both existing and proposed energy activities and associated infrastructure.”</u>				As sought in original submission.
S547.381	SUB – R11	Amend	Add item h., <u>“h. Management of potential reverse sensitivity effects on existing land uses, including network utilities and critical</u>				As sought in original submission.

			<p><u>infrastructure (including energy activities), rural activities or significant hazardous facilities.”</u></p>	<p>a. Ensuring the values for which the area is scheduled or identified in Te Tai o Poutini Plan are maintained and protected;</p> <p>b. Ensuring sufficient land is provided around the heritage resource to protect associated heritage values including from any potential effects of natural hazards;</p> <p>c. Measures used to minimise obstruction of views of the heritage resource from adjoining public spaces that may result from any future land use or development;</p> <p>d. Whether there are any adverse effects on a Notable Tree, that has any associated heritage or Poutini Ngāi Tahu values; and</p> <p>e. The size, design, shape, location and layout of allotments, <u>including space for a complaint building platform within any vacant allotment</u>;</p> <p>f. Whether the allotments are of a size that will continue to provide the heritage resource with a suitable setting to maintain the associated heritage or Poutini Ngāi Tahu values.</p> <p>g. The provision of infrastructure and services for <u>transport</u>, drinking water, wastewater and stormwater, telecommunications and energy;</p> <p>h. The adequacy of water supply for firefighting;</p> <p>i. The requirement for financial contributions as outlined in Rules FC — R1 to FC — R12;</p> <p>j. The provision of esplanade reserves or strips, and the need for access to to be provided to any esplanade <u>esplanade</u> reserve or strip created;</p> <p>k. <u>Natural hazards and geotechnical considerations; and</u></p> <p>l. <u>The provision of easements.</u></p> <p>Notification:</p> <p>1. <u>Applications</u>When making decisions in relation to applications to subdivide a lot with<u>within</u> a Site or Area of Significance to Māori identified in Schedule Three, <u>the Council</u> will always be limited notified <u>informed by advice from</u> the relevant rūnanga and may be publicly notified.</p> <p>2. <u>Applications</u>When making decisions in relation to applications to subdivide a lot with a Historical Heritage feature <u>the Council</u> will always be limited notified <u>informed by advice from</u> Heritage New Zealand - Pouhere Taonga and may be publicly notified.</p> <p>3.</p> <p>Advice Note: This rule does not apply to subdivisions to create allotments for network utilities, <u>regionally significant infrastructure</u>, access or reserves which are subject to Rule SUB - R4.</p>		
				Amended SUB-R11,		

				SUB - R11	Subdivision to create allotment(s) of Land within the an Outstanding Natural Landscape identified in Schedule Five or Outstanding Natural Feature identified in Schedule Six	
				<p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. The site is outside of the Coastal Environment; 2. The area has not been identified as an Area of Significant Biodiversity subject to Rules SUB — R8, SUB — R9 or SUB R14; — R14 3. The area is not a Significant Natural Area identified in Schedule Four; and 4. All Subdivision Standards are complied with. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Matters outlined in Policies NFL P1 — NFL -P9 as relevant; b. Ensuring that landscape or natural feature values within the overlay for which the area or feature is scheduled are maintained; c. The size, design, shape, location and layout of allotments; d. The provision of infrastructure and services for <u>transport</u>, drinking water, wastewater and stormwater, telecommunications and energy; e. The adequacy of water supply <u>supply</u> for firefighting; f. <u>Measures to address any natural hazards or geotechnical considerations;</u> g. <u>Management of potential reverse sensitivity effects on existing land uses, including network utilities and regionally significant infrastructure, rural activities or significant hazardous facilities;</u> h. The requirement for financial contributions as outlined in Rules FC — R1 to FC — R12; and i. The provision of esplanade reserves or strips, and the need for access to <u>to</u> be provided to any esplanade <u>esplanade</u> reserve or strip created. <p>Advice Note: This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB — R4;</p>	<p>Activity status where compliance not achieved: Discretionary</p>	
S547.383	SUB-R12	Amend	Add item k., <u>“k. The provision of easements, including for both existing and proposed energy activities and associated infrastructure.”</u>	Amended SUB-R12,		As sought in original submission.

				<p>SUB - R12 Subdivision of land to create allotment(s) within the FUZ - Future Urban Zone</p> <p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. All Subdivision Standards are complied with; <u>except that</u> 2. <u>Compliance with SUB - S1 is not required when the subdivision is in accordance with any structure plan that has been adopted by the relevant district council for the Future Urban Zone area.</u> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The size, design, shape, location and layout of allotments; b. The extent to which the subdivision will be consistent with the Objectives and Policies for the Future Urban Zone and Policy SUB - P5; c. Where relevant consistency with the NZS 4404 Code of Practice for Land Development and Subdivision infrastructure; d. The provision of infrastructure and services for <u>transport</u>, drinking water, wastewater and stormwater, telecommunications and energy; e. The adequacy of water supply for firefighting; f. The requirement for financial contributions as outlined in Rules FC — R1 to FC — R12; g. Effects on Poutini Ngāi Tahu values, <u>indigenous biodiversity, historic heritage identified in Schedule One, natural character of waterbodies or notable trees identified in Schedule Two</u> within or adjacent to the site; h. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created; i. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and <u>and</u> erosion and sediment control; and j. Management of potential reverse sensitivity effects <u>effects</u> on <u>existing land uses</u> <u>lawfully established activities</u>, including network utilities, rural activities or <u>regionally significant infrastructure or</u> significant hazardous facilities; k. <u>Management of adverse effects on existing infrastructure;</u> l. <u>Management of natural hazards and any geotechnical constraints; and</u> m. <u>The extent to which area - wide land stability measures are undertaken on potentially unstable slopes prior to development.</u> <p>Advice Note: This rule does not apply to subdivisions to create allotments for network utilities, access or reserves which are subject to Rule SUB - R4.</p>	<p>Activity status where compliance not achieved: Non-complying</p>	
S547.384	SUB-R13	Amend	Add item f., <u>“f. The provision of infrastructure and services for drinking water, waste water and stormwater, telecommunication s and energy.”</u>	Amended SUB-R14 (previously SUB-13),		As sought in original submission. Amendment of Discretion Criteria (b) and (c) to include the provision to

				<p>SUB - R13R14</p> <p>Subdivision to create allotment(s) for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Flood Susceptibility, Flood Plain Alert, Land Instability, Coastal Alert Earthquake Susceptibility, Coastal Setback Hazard Inundation Overlay 1, Lake Tsunami and Coastal Tsunami Hazard Inundation Overlay 2 or Hokitika Coastal Hazard Overlays</p>	<p>“on-site services”.</p> <p>As sought in original submission.</p>				
S547.385	SUB-R13	Amend	Add item g., “g. The provision of easements, including for both existing and proposed energy activities and associated infrastructure.”	<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The subdivision will not lead to use of the land within the Coastal Tsunami Overlay for critical response facilities; This is accompanied by a hazard risk assessment undertaken by a suitably qualified and experienced practitioner; and All Subdivision Standards are complied with as provided. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Matters outlined in the accompanying hazard risk assessment; Risk to life, people, property, buildings and the environment, regionally significant infrastructure from the proposal and any measures to mitigate those risks; The location and design of proposed buildings, vehicle access and regionally significant infrastructure in relation to the natural hazard risk; Whether the intended future use of the subdivision is for sensitive activities, or critical response facilities; and Any adverse effect on the environment of any proposed natural hazard mitigation measures. 	<p>Activity status where compliance not achieved:</p> <p>Discretionary</p>				
S547.386	SUB-R13	Amend	Add item h., “h. Management of potential reverse sensitivity effects on existing land uses, including network utilities and critical infrastructure (including energy activities), rural activities or significant hazardous facilities.”		<p>As sought in original submission.</p>				
S547.388	SUB – S7	Amend	(1) Delete the second sentence of item 2. Discussed at hearing S42A Summary omits; (2) Amend item 3., "3. All necessary easements for the protection of and	<p>Amended SUB-S7,</p> <table border="1"> <tr> <td>SUB - S7</td> <td>Energy Supply</td> </tr> <tr> <td colspan="2"> <ol style="list-style-type: none"> For all new allotments electricity services must be provided with electricity to the boundary of each new lot or the applicant shall demonstrate that electricity services are able to be provided by alternative means. At the time of subdivision, sufficient land for transformers and any associated ancillary services must be set aside. For a subdivision that creates more than 15 lots, consultation with energy network utility operators may will be required. All necessary easements for the protection of and access to energy network utility services services and infrastructure must be duly granted and reserved. </td> </tr> </table>	SUB - S7	Energy Supply	<ol style="list-style-type: none"> For all new allotments electricity services must be provided with electricity to the boundary of each new lot or the applicant shall demonstrate that electricity services are able to be provided by alternative means. At the time of subdivision, sufficient land for transformers and any associated ancillary services must be set aside. For a subdivision that creates more than 15 lots, consultation with energy network utility operators may will be required. All necessary easements for the protection of and access to energy network utility services services and infrastructure must be duly granted and reserved. 		<p>Amendment to clause “1.”</p> <p>As follows:</p> <p>“1. All new ... or the applicant must demonstrate, to the Council, that renewable</p>
SUB - S7	Energy Supply								
<ol style="list-style-type: none"> For all new allotments electricity services must be provided with electricity to the boundary of each new lot or the applicant shall demonstrate that electricity services are able to be provided by alternative means. At the time of subdivision, sufficient land for transformers and any associated ancillary services must be set aside. For a subdivision that creates more than 15 lots, consultation with energy network utility operators may will be required. All necessary easements for the protection of and access to energy network utility services services and infrastructure must be duly granted and reserved. 									

		<p><u>access to existing and proposed energy network utility services and infrastructure</u> must be granted and reserved."</p> <p>(3) Add a new item 4.,</p> <p><u>"4. At the time of subdivision the applicant shall supply written confirmation from the energy network utility operator that electricity can be provided to the subdivision and that appropriate easements are proposed to ensure the ongoing ability to access, operate, maintain and upgrade existing and proposed electricity infrastructure. At the time of completion of the subdivision certification shall be provided from the energy</u></p>		<p><u>electricity services are ...".</u></p> <p>Add new clause 4 as follows:</p> <p><u>"4. At the time of subdivision, the applicant shall supply written confirmation from the energy network utility operator that electricity can be provided to the subdivision and that appropriate easements are proposed to ensure the ongoing ability to access, operate, maintain</u></p>
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			<p><u>network utility operator that electricity is available at the boundary of each newly created lot and the required easements have been granted and reserved on the survey plan."</u></p>		<p><u>and upgrade existing and proposed electricity infrastructure. At the time of completion of the subdivision certification shall be provided from the energy network utility operator that electricity is available at the boundary of each newly created lot and the required easements have been granted and reserved on the survey plan."</u></p>
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Provisions Appealed – Part 2 ASW – Activities on the Surface of Water

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought
S547.394	Overview	Amend	Amend first paragraph: On the West Coast/Te Tai o Poutini ..., lagoons and lakes. These include activities <u>which due to technical, locational, functional or operational constraints or requirements need to occur on water surfaces such as energy activities and infrastructure,</u> ...	<p>Amended Overview,</p> <p>Overview On the West Coast/Te Tai o Poutini/the West Coast a range of activities occur on the surface of rivers, streams, lagoons and lakes. These include activities that have a functional need to locate on water surfaces such as jetties and piers, recreation activities like fishing and boating and cultural activities undertaken undertaken by Poutini Ngāi Tahu. <u>Activities on the surface of water can provide benefits and contribute to the wellbeing of people and communities.</u></p> <p>The provisions in this chapter manage the effects of activities on the surface of water. Many of the activities that occur on the surface of water have few effects (e.g. occasional recreational boating or sailing). Other, more permanent activities such as structures have potential to generate adverse effects which could compromise important water values (such as the natural character, ecological, cultural, amenity and recreational values of waterbodies).</p> <p>Other relevant Te Tai o Poutini Plan provisions</p> <ul style="list-style-type: none"> • Natural Character and the Margins of Waterbodies - Many activities on the surface of water may also involve activities in the riparian margin of the adjacent riverbank or lakeside. Provisions for managing activities next to waterbodies are found in the Natural Character and the Margins of Waterbodies Chapter. • Sites and Areas of Significance to Māori - Many rivers and lakes have a high degree of significance to Poutini Ngāi Tahu and are identified in Schedule Three Sites and Areas of Significance of Māori. Where rivers or lakes are included within Schedule Three, the Sites and Areas of Significance to Māori provisions also apply. • Energy, Infrastructure and Transport - The Energy, Infrastructure and Transport Chapters contain policies that are also relevant and should be assessed in relation to Energy, Infrastructure or Transport Activities that trigger resource consent under the Activities on the Surface of Water Rules. <p>Other relevant regulations</p> <p>The responsibility for managing the effect of activities on the bed of waterbodies lies with the West Coast Regional Council and are managed through the West Coast Regional Land and Water Plan.</p>	As sought in original submission.
S547.396	Overview	Amend	Add references to Strategic Objectives and Policies as per previous chapters.	The responsibility for managing the effect of activities on the bed of waterbodies lies with the West Coast Regional Council and are managed through the West Coast Regional Land and Water Plan.	As sought in original submission.
S547.397	Activities on the Surface of Water Objective	Amend	Add new Objective: <u>“The benefits of activities and structures on the surface of the District's rivers, lakes and lagoons are recognised and provided for.”</u>	No new objective	As sought in original submission.

S547.398	ASW – O1	Amend	Amend ASW-01, “Potential adverse effects on the ecological, ..., lakes and lagoons from activities and structures on the surface of water are appropriately managed.”	Amended ASW-01, <table border="1" data-bbox="900 150 1951 240"> <tr> <td data-bbox="900 150 1111 240">ASW - O1</td> <td data-bbox="1111 150 1951 240">The ecological, recreational, natural character, natural landscape and features, amenity and Poutini Ngāi Tahu values of the District's rivers, lakes and lagoons are protected from the adverse effects of activities and structures on the surface of water.</td> </tr> </table>	ASW - O1	The ecological, recreational, natural character, natural landscape and features, amenity and Poutini Ngāi Tahu values of the District's rivers, lakes and lagoons are protected from the adverse effects of activities and structures on the surface of water.	As sought in original submission or wording to the effect that ASW-01 does not apply to Energy Activities.
ASW - O1	The ecological, recreational, natural character, natural landscape and features, amenity and Poutini Ngāi Tahu values of the District's rivers, lakes and lagoons are protected from the adverse effects of activities and structures on the surface of water.						
S547.399	Activities on the Surface of Water Policies	Amend	Add a new Policy: “Provide for energy and infrastructure, including critical infrastructure, activities and structures that due to technical, locational, functional or operational constraints or requirements need to occur on the surface of water.”	No new policy	As sought in original submission.		
S547.400	ASW – P3	Amend	Amend the first paragraph: “Provide for ... provided that the activity avoids, remedies or mitigates,”	Amended ASW-P3, <table border="1" data-bbox="900 1086 1951 1396"> <tr> <td data-bbox="900 1086 1111 1396">ASW - P3</td> <td data-bbox="1111 1086 1951 1396">Provide for commercial activities and structures on the surface of West Coast/Te Tai o Poutini rivers, lakes and lagoons provided that the activity does not create: a. Adverse effects on i. Significant natural heritage environment values including identified scheduled sites; ii. Cultural and spiritual values including sites and areas of significance to Māori; iii. Poutini Ngāi Tahu values and in particular as relate to culturally significant rivers and lakes; b. Significant More than minor adverse effects on i. Amenity values; ii. Ecological values; iii. Natural character;</td> </tr> </table>	ASW - P3	Provide for commercial activities and structures on the surface of West Coast/Te Tai o Poutini rivers, lakes and lagoons provided that the activity does not create: a. Adverse effects on i. Significant natural heritage environment values including identified scheduled sites; ii. Cultural and spiritual values including sites and areas of significance to Māori; iii. Poutini Ngāi Tahu values and in particular as relate to culturally significant rivers and lakes; b. Significant More than minor adverse effects on i. Amenity values; ii. Ecological values; iii. Natural character;	As sought in original submission
ASW - P3	Provide for commercial activities and structures on the surface of West Coast/Te Tai o Poutini rivers, lakes and lagoons provided that the activity does not create: a. Adverse effects on i. Significant natural heritage environment values including identified scheduled sites; ii. Cultural and spiritual values including sites and areas of significance to Māori; iii. Poutini Ngāi Tahu values and in particular as relate to culturally significant rivers and lakes; b. Significant More than minor adverse effects on i. Amenity values; ii. Ecological values; iii. Natural character;						
FS222.0273	Activities on the surface of water	Oppose	Amend ASW P3.b. to delete 'significant'.		As sought in further submission.		

				iv. Other recreational uses; and c. Cumulative adverse effects with any other structures or activities on the surface of waterbodies.	
S547.401	Permitted Activities	Amend	Add an advice note to Rules regarding the intent of the rule not to apply to activities or structures already managed under regional plan provisions for activities in the bed of waterways. Ensure that activities permitted in the regional plan for the beds of waterways are permitted activities in this plan.	No new not added. The "Overview" does include, Other relevant regulations The responsibility for managing the effect of activities on the bed of waterbodies lies with the West Coast Regional Council and are managed through the West Coast Regional Land and Water Plan.	As sought in original submission.
S547.402	Permitted Activities	Amend	Add a new permitted activity rule for the operation, maintenance, repair and upgrade of existing Energy Activities and Infrastructure, including Critical Infrastructure, where they are the same or similar in character, scale or intensity.	No new rule added, but amendment made to ASW-P4 below	As sought in original submission.

S547.0504	ASW – R4	Amend	(1) See the outcome sought under permitted activities above.	Amended ASW-R4,		As sought in original submission.				
S547.0508	ASW – R4	Amend	(1) See the outcome sought under permitted activities above.	<table border="1"> <thead> <tr> <th data-bbox="902 153 1115 193">ASW - R4</th> <th data-bbox="1115 153 1951 193">Installation of Structures on the Surface of Natural Waterbodies</th> </tr> </thead> <tbody> <tr> <td data-bbox="902 193 1637 815"> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> These are temporary whitebait stands installed in accordance with West Coast Whitebait Fishing Regulations and are removed within two weeks of the end of the whitebait season; or These are temporary mai mai installed for the purposes of lawful gamebird hunting provided these are removed within two weeks of the end of the game bird season; or These are temporary swimming platforms installed for a single swimming season; or These are structures installed by Poutini Ngāi Tahu that are identified in an Iwi/Papatipu Rūnanga Management Plan for Arahura River, Makaawhio River, Waitangiroto River, Mahinapua Creek/Tuwharewhare, Makatata Stream or Lake Mahinapua; or These are marker buoys used by the Lake Māhinapua Aquatic Club Incorporated on Lake Māhinapua; or This is the operation, maintenance and have-written approval repair of the relevant Poutini Ngāi Tahu rūnanga – Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio existing lawfully established structures as of 14 July 2022. <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> Whitebait stands are primarily regulated by the West Coast Regional Council through the West Coast Regional Land and Water Plan. Where structures are proposed on the surface of waterbodies check the </td> <td data-bbox="1637 193 1951 815"> <p>Activity status where compliance not achieved: Controlled where standard 23 is not complied with. Discretionary where standards 1, 2, 4 and 35 are not complied with.</p> </td> </tr> </tbody> </table>		ASW - R4	Installation of Structures on the Surface of Natural Waterbodies	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> These are temporary whitebait stands installed in accordance with West Coast Whitebait Fishing Regulations and are removed within two weeks of the end of the whitebait season; or These are temporary mai mai installed for the purposes of lawful gamebird hunting provided these are removed within two weeks of the end of the game bird season; or These are temporary swimming platforms installed for a single swimming season; or These are structures installed by Poutini Ngāi Tahu that are identified in an Iwi/Papatipu Rūnanga Management Plan for Arahura River, Makaawhio River, Waitangiroto River, Mahinapua Creek/Tuwharewhare, Makatata Stream or Lake Mahinapua; or These are marker buoys used by the Lake Māhinapua Aquatic Club Incorporated on Lake Māhinapua; or This is the operation, maintenance and have-written approval repair of the relevant Poutini Ngāi Tahu rūnanga – Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio existing lawfully established structures as of 14 July 2022. <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> Whitebait stands are primarily regulated by the West Coast Regional Council through the West Coast Regional Land and Water Plan. Where structures are proposed on the surface of waterbodies check the 	<p>Activity status where compliance not achieved: Controlled where standard 23 is not complied with. Discretionary where standards 1, 2, 4 and 35 are not complied with.</p>	As sought in original submission.
ASW - R4	Installation of Structures on the Surface of Natural Waterbodies									
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> These are temporary whitebait stands installed in accordance with West Coast Whitebait Fishing Regulations and are removed within two weeks of the end of the whitebait season; or These are temporary mai mai installed for the purposes of lawful gamebird hunting provided these are removed within two weeks of the end of the game bird season; or These are temporary swimming platforms installed for a single swimming season; or These are structures installed by Poutini Ngāi Tahu that are identified in an Iwi/Papatipu Rūnanga Management Plan for Arahura River, Makaawhio River, Waitangiroto River, Mahinapua Creek/Tuwharewhare, Makatata Stream or Lake Mahinapua; or These are marker buoys used by the Lake Māhinapua Aquatic Club Incorporated on Lake Māhinapua; or This is the operation, maintenance and have-written approval repair of the relevant Poutini Ngāi Tahu rūnanga – Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio existing lawfully established structures as of 14 July 2022. <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> Whitebait stands are primarily regulated by the West Coast Regional Council through the West Coast Regional Land and Water Plan. Where structures are proposed on the surface of waterbodies check the 	<p>Activity status where compliance not achieved: Controlled where standard 23 is not complied with. Discretionary where standards 1, 2, 4 and 35 are not complied with.</p>									

				ASW - R4	Installation of Structures on the Surface of Natural Waterbodies			
				<p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. These are <u>temporary</u> whitebait stands installed in accordance with West Coast Whitebait Fishing Regulations and are removed within two weeks of the end of the whitebait season; or 2. <u>These are temporary mai mai installed for the purposes of lawful gamebird hunting provided these are removed within two weeks of the end of the game bird season; or</u> 3. These are temporary swimming platforms installed for a single swimming season; or 4. These are structures installed by Poutini Ngāi Tahu that are identified in an Iwi/Papatipu Rūnanga Management Plan for Arahura River, Makaawhio River, Waitangirotu River, Mahinapua Creek/Tuwharewhare, Makatata Stream or Lake Mahinapua; or 5. <u>These are marker buoys used by the Lake Māhinapua Aquatic Club Incorporated on Lake Māhinapua; or</u> 6. <u>This is the operation, maintenance and have written approval repair of the relevant Poutini Ngāi Tahu rūnanga – Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio existing lawfully established structures as of 14 July 2022.</u> 	<p>Activity status where compliance not achieved:</p> <p>Controlled where standard <u>23</u> is not complied with. Discretionary where standards <u>1, 2, 4</u> and <u>35</u> are not complied with.</p>			
				<p>Advice Note Notes:</p> <ol style="list-style-type: none"> 1. Whitebait stands are primarily regulated by the West Coast Regional Council through the West Coast Regional Land and Water Plan. 2. Where structures are proposed on the surface of waterbodies check the Natural Character and Margins of Waterbodies provisions to determine whether consent is required for the landward portion of the structure located in any riparian margin. 3. Where structures are proposed on the surface of waterbodies within Sites and Areas of Significance to Māori these also subject to Rule SASM - R6 in the Sites and Areas of Significance to Māori Chapter. 4. <u>Consultation with the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio is recommended. In relation to Lake Māhinapua consultation with Te Rūnanga o Ngāti Tahu in addition to Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio is recommended.</u> 5. <u>For the avoidance of doubt this rule regulates whitebaiting structures not whitebaiting activities.</u> 				
FS222.092	ASW - R6	Oppose	<p>“Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any commercial activity on the Makaawhio River, Arahura 	Amended ASW-R6 (would now be ASW-R7),		Deletion of 1(e).		

		<p>River, Lake Mahinapua, Mahinapua Creek/Tuwhareware, Makatata Stream, Saltwater Lagoon (at Paroa), Waitangiroto River or Kaimata/New River is in accordance with an Iwi/Papatipu Rūnanga Management Plan and has written approval of the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio.</p> <p>Discretion is restricted to:</p> <p>a. Effects on public access and recreational use of the waterbody;</p> <p>b. Effects on landscape, natural features or natural character of the</p>	<table border="1"> <thead> <tr> <th colspan="2" data-bbox="902 102 1910 140">Restricted Discretionary Activities</th> </tr> <tr> <th data-bbox="902 140 1104 204">ASW - R6</th> <th data-bbox="1104 140 1910 204">Commercial Activities on the Surface of Rivers, Lagoons and Lakes not associated with Westport Harbour Port and Port of Greymouth</th> </tr> </thead> <tbody> <tr> <td data-bbox="902 204 1608 938"> <p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> Any commercial activity on the Makaawhio River, Arahura River, Lake Mahinapua, Mahinapua Creek/Tuwhareware, Makatata Stream, Saltwater Lagoon (at Paroa), Waitangiroto River or Kaimata/New River is in accordance with an Iwi/Papatipu Rūnanga Management Plan and has written approval of the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Effects on public access and recreational use of the waterbody; Effects on landscape, natural features or natural character of the waterbody and its margins; Effects on the amenity values or any adjacent residential activities; Effects on significant natural or historic heritage values including effects on scheduled sites or areas; Effects on ecological, biodiversity and conservation values; Effects of noise on the natural character, ecological and amenity values; and Effects on Poutini Ngāi Tahu cultural values including access to mahinga kai and scheduled sites and areas. <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> Where activities are proposed on the surface of waterbodies within Sites and Areas of Significance to Māori these are also subject to rules in the Sites and Areas of Significance to Māori Chapter. Written approval is recommended from the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio. In relation to Lake Mahinapua, written approval from Te Rūnanga o Ngāti Tahu in addition to Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio is recommended. </td> <td data-bbox="1608 204 1910 938"> <p>Activity status where compliance not achieved:Discretionary</p> </td> </tr> </tbody> </table>	Restricted Discretionary Activities		ASW - R6	Commercial Activities on the Surface of Rivers, Lagoons and Lakes not associated with Westport Harbour Port and Port of Greymouth	<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> Any commercial activity on the Makaawhio River, Arahura River, Lake Mahinapua, Mahinapua Creek/Tuwhareware, Makatata Stream, Saltwater Lagoon (at Paroa), Waitangiroto River or Kaimata/New River is in accordance with an Iwi/Papatipu Rūnanga Management Plan and has written approval of the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Effects on public access and recreational use of the waterbody; Effects on landscape, natural features or natural character of the waterbody and its margins; Effects on the amenity values or any adjacent residential activities; Effects on significant natural or historic heritage values including effects on scheduled sites or areas; Effects on ecological, biodiversity and conservation values; Effects of noise on the natural character, ecological and amenity values; and Effects on Poutini Ngāi Tahu cultural values including access to mahinga kai and scheduled sites and areas. <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> Where activities are proposed on the surface of waterbodies within Sites and Areas of Significance to Māori these are also subject to rules in the Sites and Areas of Significance to Māori Chapter. Written approval is recommended from the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio. In relation to Lake Mahinapua, written approval from Te Rūnanga o Ngāti Tahu in addition to Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio is recommended. 	<p>Activity status where compliance not achieved:Discretionary</p>	
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			<p>waterbody and its margins;</p> <p>c. Effects on the amenity values or any adjacent residential activities;</p> <p>d. Effects on significant natural or historic heritage values including effects on scheduled sites or areas;</p> <p>e. <u>Effects on ecological, biodiversity and conservation values;</u></p> <p>f. Effects of noise on the natural character, ecological and amenity values; and</p> <p>g. Effects on Poutini Ngāi Tahu cultural values including access to mahinga kai and scheduled sites and areas.</p> <p>Advice Note:</p> <p>1. Where activities are proposed on the surface of</p>		
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			<p>waterbodies within Sites and Areas of Significance to Māori these also subject to rules in the Sites and Areas of Significance to Māori Chapter.</p> <p>Activity status where compliance not achieved: Discretionary”</p>		
FS222.0275	Activities on the surface of water	Oppose	Amend ASW - R7 so that it applies to "Use of Motorised Watercraft for Non-Commercial Use, Commercial Activities, and Structures on the Surface of Water, other than where the activity is provided for as a not meeting Permitted, Controlled or Restricted Discretionary Activity in the ASW rules."		As sought in further submission.

Provisions Appealed – Part 2 CE – Coastal Environment

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought						
S547.012	General Coastal Environment Area	Amend	Clarify the definition of urban area	<p>Description of General Coastal Environment Area removed,</p> <table border="1" data-bbox="902 331 1955 424"> <tr> <td data-bbox="902 331 1218 424">General Coastal Environment Area</td> <td data-bbox="1218 331 1955 424">Areas of the coastal environment outside of the urban area identified where human values dominate over natural character restrictions apply to land disturbance, earthworks, quarrying and mineral extraction activities.</td> </tr> </table> <p>New description of coastal area included,</p> <table border="1" data-bbox="902 496 1955 611"> <tr> <td data-bbox="902 496 1218 611">Previously Mined Locations in Rural and Open Space Zones Coastal Environment</td> <td data-bbox="1218 496 1955 611">Areas previously mined subject to specific rules. Extent of area that meets Policy 1 of the NZCPS. The coastal environment extends from Mean High Water Springs inland over the mapped area as identified in the Rural and Open Space Zones Planning Maps.</td> </tr> </table> <p>Definition of “Urban Zone” amended,</p> <table border="1" data-bbox="902 667 1955 782"> <tr> <td data-bbox="902 667 1111 782">URBAN ZONE</td> <td data-bbox="1111 667 1955 782">means one or more of the RESZ - Residential zones, CMUZ - Commercial and mixed use zones, INZ - industrial zones, FUZ - Future Urban Zone or any part of any OSRZ - Open space and recreation zone that is surrounded by one of these zones.</td> </tr> </table>	General Coastal Environment Area	Areas of the coastal environment outside of the urban area identified where human values dominate over natural character restrictions apply to land disturbance, earthworks, quarrying and mineral extraction activities.	Previously Mined Locations in Rural and Open Space Zones Coastal Environment	Areas previously mined subject to specific rules. Extent of area that meets Policy 1 of the NZCPS. The coastal environment extends from Mean High Water Springs inland over the mapped area as identified in the Rural and Open Space Zones Planning Maps.	URBAN ZONE	means one or more of the RESZ - Residential zones, CMUZ - Commercial and mixed use zones, INZ - industrial zones, FUZ - Future Urban Zone or any part of any OSRZ - Open space and recreation zone that is surrounded by one of these zones.	As sought in submission, including mapping the urban area as these areas may include parts of other zones from the perspective of the infrastructure networks that need to be included.
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S547.013	General Coastal Environment Area	Amend	Amend the description and add an advice note to Coastal Environment Chapter and relevant zone provisions to advise, “ Advice Note: The coastal environment ”		As sought in submission, including mapping the urban area as these areas may include parts of						

			<p><u>overlay does not apply in the Urban Area or Zone as defined in this plan.</u></p> <p>(note: if the "urban area" is intended to be different to the "urban zone" then clarification is required for the advice note.)</p>		<p>other zones from the perspective of the infrastructure networks that need to be included.</p>
S547.014	General Coastal Environment Area	Amend	Amend maps to remove urban areas from the coastal environment overlay		<p>As sought in submission, including mapping the urban area as these areas may include parts of other zones from the perspective of the infrastructure networks that need to be included.</p>
S547.404	Coastal Environment	Amend	Ensure identification of outstanding natural features,	New commentary added to " <i>Schedule Five – Outstanding Natural Landscapes</i> ",	As sought in original submission.

			landscapes character (including high natural character) appropriately recognise and provide for the existing energy activities and infrastructure located within them.	<p>Preamble Schedule Five identifies and describes 55 Outstanding Natural Landscapes (ONLs). The ONL Schedules are a tool to assist with the identification of the landscape values that are protected within an area. They contain both factual information and evaluative content and are to inform plan development and plan implementation processes and assist technical landscape assessment. The ONL Schedules are based on the scale of the relevant ONL and form a relatively "high level" summary of the more natural landscape values of the area. This means that the landscape values identified in an ONL Schedule may not apply to a site within the ONL. The ONL Schedules do not address established modifications that form part of the landscape to which they apply, such as infrastructure, rural buildings, farmhouses, roads, pastoral land use and production forestry. It is acknowledged that this existing modification is of a scale, character and/or location such that the area still qualifies as ONL. Given the scale of the landscape assessment underpinning the ONL schedules and the high-level nature of the schedules themselves, a finer grain proposal-specific assessment of landscape values will typically be required for plan development or plan implementation purposes (including plan changes or resource consent applications). Through any proposal-specific landscape assessment, landscape modifications and/or additional landscape values may be identified that are not recorded in the ONL Schedules.</p>	In addition, that the commentary added to Schedule 5 – Outstanding Natural Landscapes that acknowledges that existing modification has not been identified as part of the values assessment for landscape matters be added to Schedule 6-ONF, 7-HCNC and 8-OCNC which inform rules in the Coastal Environment.
S547.405	Coastal Environment	Amend	Ensure provisions adequately recognise the		As sought in original submission.

			importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities.	
S547.0509	Coastal Environment	Support	(1) Ensure identification of outstanding natural features, landscapes character (including high natural character) appropriately recognise and provide for the existing energy activities and infrastructure located within them. (2) Ensure provisions adequately	As sought in original submission with respect to (1) and related to submission point 547.405.

			recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities.	
S547.414	Coastal Environment	Amend	Ensure the built environment and infrastructure, including energy activities and critical infrastructure are identified and shown on relevant maps for the coastal environment, including the extent of Urban Areas not forming part of the coastal environment overlay.	As sought in submission and in relation to submission appeal points above.

FS222.0276	Coastal Environment	Oppose	Ensure provisions align with NZCPS.		As sought in further submission.
S547.406	Overview	Amend	<p>Add a new paragraph 2:</p> <p><u>Development, Energy Activities and Infrastructure</u></p> <p><u>Given the topography of the West Coast a significant level of development, including energy activities and infrastructure, occurs in and through the coastal environment.</u></p> <p><u>These activities are important and integral components in ensuring resilience, and enabling the social, cultural and economic wellbeing, of communities throughout the West Coast. As well as the spatial location of communities there is a requirement to</u></p>	<p>Amended Overview,</p> <p>Overview</p> <p>The West Coast/Te Tai o Poutini/the West Coast Coastline stretches from Kahurangi Point in the north of the Buller District to Awarua Point in South Westland - a distance of more than 500 kilometres. The natural character, landscape and biodiversity values of this coastal environment contribute to the distinctive and unique character of the West Coast/Te Tai o Poutini/the West Coast. The narrow strip of land between the mountains and the sea in the West Coast/Te Tai o Poutini/the West Coast means that most of the community lives on or near the coast - with three of the four major towns and many small settlements being located on or near the coast. <u>In parts of the coastal environment a significant level of development, infrastructure and other activities occur, including where these have a functional or operational need to locate in the coastal environment. Many of these activities are integral components in ensuring resilience, and enabling the social, cultural and economic wellbeing of communities throughout Te Tai o Poutini/the West Coast.</u></p> <p>The Buller, Grey and Westland District Councils are responsible for managing activities on land - the landward side of Mean High Water Springs (MHWS) and the West Coast Regional Council is responsible for activities in the Coastal Marine Area - the land seaward of MHWS. Integrated management is needed to manage activities that cross the jurisdictional boundary between the regional and territorial authorities as well as with the Department of Conservation and Poutini Ngāi Tahu.</p> <p>Approach to managing the coastal environment</p> <p>Te Tai o Poutini Plan must give effect to the New Zealand Coastal Policy Statement 2010 (NZCPS), which requires a strategic approach to managing development on the West Coast/Te Tai o Poutini/the West Coast. Te Tai o Poutini Plan achieves this by identifying and mapping a Coastal Environment overlay <u>on the planning maps that recognises the landward extent and characteristics of the coastal environment where coastal natural character and coastal processes (including coastal erosion), influences or qualities are significant. This extent was determined with reference to Policy 1 of the New Zealand Coastal Policy Statement (2010). Within this coastal environment areas of High Coastal Natural Character (HCNC), Outstanding Coastal Natural Character (OCNC) and Outstanding Natural Landscapes (ONLs) within the Coastal Environment are also identified and mapped as overlays in the Plan. The NZCPS also requires protection of areas of significant indigenous biodiversity and the avoidance of significant adverse effects on all indigenous biodiversity values in the coastal environment. Provisions for indigenous vegetation and biodiversity management within the coastal environment are located in the Ecosystems and Biodiversity Chapter.</u> Within this coastal environment close collaboration with other bodies and agencies with functions relevant to the coastal environment is required.</p>	As sought in original submission including in relation to appeal points above regarding identification and recognition of infrastructure in identifying and mapping the coastal environment under the “Approach to managing the coastal environment” and “Natural Character, Landscape and Natural

		<p><u>recognise the network of communities and the linkages between them in managing activities within the coastal environment as a whole. Both national policies, ie NZCPS and NPSREG, and regional policies, ie RPS, recognise the need for activities, including energy activities and infrastructure, to be undertaken within or through the coastal environment. The plan must appropriately provide for activities taking in to account the topography, conditions, existing and required activities and development and values present in the coastal environment.</u></p>	<p>Natural Character, Landscape and Natural Features</p> <p>The protectionpreservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use and development is a matter of national importance under the RMA and a requirement of the NZCPS. This chapter contains the overarching objective and policy framework and rules to protectpreserve and manageprotect the natural character of the coastal environment.</p> <p>Because of the very high natural values associated with the coastal environment in parts of the West Coast/Te Te Tai o Poutinithe West Coast, Te Tai o Poutini Plan also identifies areas within the coastal environment which are:</p> <ul style="list-style-type: none"> • High coastal natural character detailed in Schedule Seven; • Outstanding coastal natural character detailed in Schedule Eight. <p>Alongside this there are outstanding natural landscapes in Schedule Five andand outstanding natural features in Schedule Six identifiedidentified in the coastal environment. Areas of outstanding natural character, outstanding natural landscape and outstanding natural features within the coastal environment are known as the Outstanding Coastal Environment Area within the rules. The rules below are grouped into different categories to reflect these different areas within the Coastal Environment.</p> <p>Coastal Natural Hazards</p> <p>The NZCPS also requires Te Tai o Poutini Plan to identify coastal natural hazards and to manage subdivision, use and development within areas potentially affected by coastal hazards over a 100 year timeframe, including taking into account the effects of climate change. Because of the complex interaction of natural hazards at the coast - particularly around river mouths, and the overlap with flood hazards, coastal hazard provisions are included within the Natural Hazards Chapter.</p> <p>Plantation/Commercial Forestry</p> <p>PlantationPlantation forestry is principally regulated by the Resource Management (National Environmental Standard for PlantationCommercial Forestry) Regulations 2017 (NES-PF-CE). However the NES-PF-CE allows that district plans canto be more stringent in relation to any of policies 11, 13, 15, and 22 of the New Zealand Coastal Policy Statement 2010.</p> <p>Policy 13 of the NZCPS relates to the preservation of natural character and therefore more stringent rules can be applied to areas with outstanding and high natural character within the coastal environment. Where provisions within this chapter over-rule the requirements of the NES - PFCE an advice note to that effect is included within the Rule.</p> <p>Other relevant Te Tai o Poutini Plan provisions</p> <p>It is important to note that in addition to the provisions in this chapter and the underlying zone chapter, a number of Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities within the coastal environment, including:</p> <ul style="list-style-type: none"> • Strategic Direction — The strategic objectives and policies set out the overarching direction for Te Tai o Poutini Plan. • Indigenous Biodiversity — The objectives, policies and rules in relation to clearance of indigenous vegetation in the coastal environment are located in the ECO - Ecosystems and Indigenous Biodiversity Chapter. • Sites and Areas of Significance to Māori - The coastal environment is of high significance to Poutini Ngāi Tahu, who have kaitiakitanga and rangatiratanga responsibilities in respect of it. Many Statutory Acknowledgement Areas are also within the coastal environment. The Sites and Areas of Significance to Māori Chapter contains objectives, policies and rules relating to the protection of these important cultural areas. • Public Access- The Public Access Chapter contains additional provisions relating to recreational and public access to and along the coastal environment, in particular relevant objectives and policies. • Energy, Infrastructure and Transport — These chapters contain the objectives, policies and rules for managing energy activities, infrastructure and transport. These apply alongside the General District-Wide provisions, including the Coastal Environment provisions within this chapter. 	<p>Features” sections.</p>
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S547.411	Coastal Environment Policies	Amend	<p>(1) Add a new Policy: <u>Provide for new and existing renewable electricity generation activities in the coastal environment, including having particular regard to:</u></p> <p><u>a) The need to locate where the renewable energy resource is available;</u></p> <p><u>b) The technical, functional or operational needs of renewable electricity generation activities</u></p> <p>(2) Ensure matters in Policy 3, Chapter 9 of the RPS are given effect in policies providing for subdivision, use and development</p>		As sought in original submission.
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			in this section of the plan.				
S547.412	CE-P1	Amend	<p>(1) Amend item f., "The built environment and infrastructure, including energy activities and critical infrastructure, which have modified the coastal environment."</p> <p>(2) Clearly identify existing energy activities and infrastructure within values assessments.</p> <p>(3) Ensure these matters are identified and shown on relevant maps for the coastal environment, including the extent of Urban Areas not forming part of the coastal environment overlay.</p>	<p>Amended CE-P1,</p> <p>Identification of the Coastal Environment</p> <table border="1"> <tr> <td>CE - P1</td> <td>Identify and map a Coastal Environment overlay that recognises and provides for the extent of the coastal environment and different areas, elements or characteristics within it, including: <ul style="list-style-type: none"> a. Areas where coastal processes, influences or qualities are significant <u>including coastal lakes, lagoons, tidal estuaries, saltmarshes and coastal wetlands and their margins;</u> b. Elements and features that contribute to the natural character, landscape, visual qualities or amenity values; c. Areas along the coast and river mouths where coastal erosion and coastal inundation is likely, and within the wider coastal environment where there is a potential hazard risk should accelerated sea level rise occur; d. Historic heritage and Poutini Ngāi Tahu cultural areas or features<u>values;</u> e. <u>Islands;</u> f. <u>Inter-related coastal marine and terrestrial systems, including the intertidal zone;</u> g. Areas of significant coastal vegetation and habitat of indigenous coastal flora and fauna species, <u>including migratory birds;</u> and h. The built environment and infrastructure which have modified the coastal environment. </td> </tr> </table>	CE - P1	Identify and map a Coastal Environment overlay that recognises and provides for the extent of the coastal environment and different areas, elements or characteristics within it, including: <ul style="list-style-type: none"> a. Areas where coastal processes, influences or qualities are significant <u>including coastal lakes, lagoons, tidal estuaries, saltmarshes and coastal wetlands and their margins;</u> b. Elements and features that contribute to the natural character, landscape, visual qualities or amenity values; c. Areas along the coast and river mouths where coastal erosion and coastal inundation is likely, and within the wider coastal environment where there is a potential hazard risk should accelerated sea level rise occur; d. Historic heritage and Poutini Ngāi Tahu cultural areas or features<u>values;</u> e. <u>Islands;</u> f. <u>Inter-related coastal marine and terrestrial systems, including the intertidal zone;</u> g. Areas of significant coastal vegetation and habitat of indigenous coastal flora and fauna species, <u>including migratory birds;</u> and h. The built environment and infrastructure which have modified the coastal environment. 	As set out in original submission; and a map of the Coastal Environment Overlay that identifies all of the matters in (a)-(h).
CE - P1	Identify and map a Coastal Environment overlay that recognises and provides for the extent of the coastal environment and different areas, elements or characteristics within it, including: <ul style="list-style-type: none"> a. Areas where coastal processes, influences or qualities are significant <u>including coastal lakes, lagoons, tidal estuaries, saltmarshes and coastal wetlands and their margins;</u> b. Elements and features that contribute to the natural character, landscape, visual qualities or amenity values; c. Areas along the coast and river mouths where coastal erosion and coastal inundation is likely, and within the wider coastal environment where there is a potential hazard risk should accelerated sea level rise occur; d. Historic heritage and Poutini Ngāi Tahu cultural areas or features<u>values;</u> e. <u>Islands;</u> f. <u>Inter-related coastal marine and terrestrial systems, including the intertidal zone;</u> g. Areas of significant coastal vegetation and habitat of indigenous coastal flora and fauna species, <u>including migratory birds;</u> and h. The built environment and infrastructure which have modified the coastal environment. 						
S547.416	CE-P3	Amend	(1) Amend the first paragraph,	Amended CE-P3,	As set out in original		

			<p>"Allow new subdivision, use ...".</p> <p>(2) Amend item e., "It is National Grid infrastructure or other energy activity, including energy aspects of infrastructure and critical infrastructure, that due to technical, locational, functional or operational constraints and requirements needs to be undertaken within or through these areas."</p>	<p>CE -P3</p> <p>Only allow new subdivision, use use and development within areas of outstanding and high coastal natural character, outstanding coastal natural landscapes and outstanding coastal natural features where:</p> <ol style="list-style-type: none"> The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained; Significant adverse effects on natural character, natural landscapes and natural features, and adverse Adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features Outstanding Coastal Environment Areas are avoided; The development is of a size, scale and nature that is appropriate to the environment; It is for a Poutini: <ol style="list-style-type: none"> Poutini Ngāi Tahu cultural purpose activities; or Māori Purpose Activities within the Māori Purpose Zone; or Cultural harvest; It is National Grid infrastructure that has a functional and/or operational need to locate in these areas; It has a minor or transitory effect. 	<p>submission points (1) and (2). With respect to point (2) reference in "e." needs to be to "<i>Regionally Significant Infrastructure</i>", ie "<i>It is National Grid infrastructure or Regionally Significant Infrastructure that has a functional need or operational ...</i>"</p>
S547.417	CE-P4	Amend	<p>Amend item e., "It is National Grid infrastructure or other energy activity, including energy aspects of infrastructure and critical infrastructure, that due to technical,</p>	<p>Amended CE-P4,</p> <p>CE -P4</p> <p>Provide for primary production activities within the areas of outstanding and high natural character, outstanding natural landscapes and outstanding natural features within the coastal environment where:</p> <ol style="list-style-type: none"> These are existing lawfully established activities and associated lawfully established buildings and structures; or The use does not degrade protects the elements, patterns or processes that contribute to the outstanding or high natural character values; and Adverse effects on outstanding natural character, outstanding natural landscapes and outstanding natural features are avoided. 	<p>Changes to the wording of CE-P4 that provides for Regionally significant infrastructure in areas</p>

			<u>locational, functional or operational constraints and requirements needs to be undertaken within or through these areas.”</u>		containing high or outstanding natural values.
S547.420	CE-P5	Amend	Amend item c., “Are in parts of the coastal environment that have been historically modified by built development, <u>energy activities and infrastructure (including critical infrastructure)</u> , and primary production activities; or ...”	Amended CE-P5, CE -P5 Provide for buildings and structures within the coastal environment outside of areas of outstanding coastal natural character, outstanding natural landscape and outstanding natural features where these: a. Are existing lawfully established structures; buildings or b. Are of a size, scale and nature that is appropriate to the area structures; or c. Are in the parts of the coastal environment that have been historically modified by built development, infrastructure and primary production activities; or d. Have a functional need or operational need to locate within the coastal environment; or e. Are new renewable electricity generation activities; f. Are of a size, scale and nature that is appropriate to the area; and g. Ensure that significant adverse effects on amenity, natural character, historic and cultural values, and indigenous biodiversity are appropriately managed.	As sought in original submission, with change in terminology from infrastructure (including critical infrastructure) to Regionally Significant Infrastructure.
S547.421	CE-P5	Amend	Amend item d., “Have a <u>technical, locational, functional or operational constraint or requirements to be undertaken within or through to</u> locate within the		As set out in original submission.

			coastal environment.”	
FS222.094	CE-P5	Oppose	<p>Amend: Provide for buildings and structures within the coastal environment outside of areas of outstanding coastal natural character, outstanding natural landscape and outstanding natural features where these:</p> <p>a. Are existing lawfully established structures; or</p> <p>b. Are in the parts of the coastal environment that have been historically modified by built development and primary production activities; or</p> <p>c. Have a functional or operational need to locate within the coastal environment, and</p>	As sought in further submission.

			<p><u>d. adverse effects on amenity, natural character, historic and cultural values, and biodiversity are appropriately managed; and e. are of a size, scale and nature that is appropriate to the area; and f. is consistent with the NZCPS</u></p>				
S547.422	CE-P6	Support	<p>Amend the first paragraph: “Recognise that there are existing settlements and urban areas ... Hokitika and enable new subdivision, use and development (including buildings and structures) within and expansion of towns and settlements where: ...”</p>	<p>Amended CE-P6,</p> <table border="1"> <tr> <td>CE - P6</td> <td> <p>Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini/the West Coast including parts of Westport/Kawatiri/Westport, Greymouth/Māwhera/Greymouth and Hokitika and enable new subdivision, buildings use and structures within development and expansion of towns and settlements where:</p> <ol style="list-style-type: none"> These settlements where these activities are located in areas already modified by built development or primary production activities, or Where located in unmodified areas, any adverse impact on natural character can be mitigated; In areas of outstanding or high natural character: <ol style="list-style-type: none"> Provide for lawfully established land uses and activities to continue; Allow for other uses with a functional need to locate in the coastal environment; Allow for Poutini Ngāi Tahu cultural uses; Avoid encroachment into unmodified areas of the coastal environment; and Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are minimised. </td> </tr> </table> <p>New NFL-P7 added,</p>	CE - P6	<p>Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini/the West Coast including parts of Westport/Kawatiri/Westport, Greymouth/Māwhera/Greymouth and Hokitika and enable new subdivision, buildings use and structures within development and expansion of towns and settlements where:</p> <ol style="list-style-type: none"> These settlements where these activities are located in areas already modified by built development or primary production activities, or Where located in unmodified areas, any adverse impact on natural character can be mitigated; In areas of outstanding or high natural character: <ol style="list-style-type: none"> Provide for lawfully established land uses and activities to continue; Allow for other uses with a functional need to locate in the coastal environment; Allow for Poutini Ngāi Tahu cultural uses; Avoid encroachment into unmodified areas of the coastal environment; and Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are minimised. 	<p>As per submission retain clause “b.” for appropriate subdivision, use or development where effects are avoided, remedied or mitigated, or where an activity has a functional need or operational need to locate in an</p>
CE - P6	<p>Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini/the West Coast including parts of Westport/Kawatiri/Westport, Greymouth/Māwhera/Greymouth and Hokitika and enable new subdivision, buildings use and structures within development and expansion of towns and settlements where:</p> <ol style="list-style-type: none"> These settlements where these activities are located in areas already modified by built development or primary production activities, or Where located in unmodified areas, any adverse impact on natural character can be mitigated; In areas of outstanding or high natural character: <ol style="list-style-type: none"> Provide for lawfully established land uses and activities to continue; Allow for other uses with a functional need to locate in the coastal environment; Allow for Poutini Ngāi Tahu cultural uses; Avoid encroachment into unmodified areas of the coastal environment; and Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are minimised. 						

				<p>CE - P7</p> <p><u>In areas of high natural character:</u></p> <ul style="list-style-type: none"> a. <u>Provide for lawfully established land uses and activities to continue;</u> b. <u>Provide for other uses with a functional need or operational need to locate in the coastal environment;</u> c. <u>Allow for Poutini Ngāi Tahu Activities and Māori Purpose Activities;</u> d. <u>Avoid encroachment into unmodified areas of the coastal environment; and</u> e. <u>Ensure subdivision, use and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are avoided, remedied or mitigated.</u> 	unmodified area in the coastal environment.
S547.423	CE-P6 (Now CE-P7)	Amend	Amend item c., “In areas of <u>outstanding natural landscape and/or</u> in areas of outstanding or high natural character: ...”		As sought in original submission
S547.424	CE-P6 (Now CE-P7)	Amend	Amend item c.ii., “ Allow for other uses with a <u>activities which, due to technical, locational, functional or operational constraints or requirements need to be undertaken within or through the</u> coastal environment.”		As sought in original submission.
S547.425	CE-P6 (Now CE-P7)	Amend	Amend item c.iv., “ <u>Manage</u> encroachment into unmodified areas of the coastal environment <u>to enable appropriate subdivision, use or development to occur.</u> ”		As sought in original submission with respect to new P7.d.

FS222.0284	Coastal Environment Rules	Oppose	Amend and restructure the CE rules so that: Conditions for earthworks are included within the same rule as the activities to which they, unless the EW rules can be relied upon in which case a condition or information note to that effect should be included. There in one permitted activity rule for maintenance and repair of lawfully established activities which includes the more restrictive requirement within overlays		As sought in further submission				
S547.428	CE-R1	Amend	Avoid conflict between this rule and rules in the areas of High Coastal Natural Character and Outstanding Coast Environment by deleting item "1." In its entirety.	<p>Amended Rule CE-R1,</p> <table border="1" data-bbox="900 1086 1951 1321"> <tr> <td data-bbox="900 1086 1115 1182">CE - R1</td> <td data-bbox="1115 1086 1951 1182">Maintenance, repair and repair minor upgrade of lawfully established structures, network utilities, renewable electricity generation activities, regionally significant infrastructure, fence lines and tracks within the Coastal Environment</td> </tr> <tr> <td data-bbox="900 1182 1637 1321"> Activity Status Permitted Where: • When the maintenance and repair or minor upgrade is within an area of High Coastal Natural Character or the Outstanding Coastal Environment: i. The activity is limited to what is necessary to maintain the existing </td> <td data-bbox="1637 1182 1951 1321"> Activity status where compliance not achieved: N/A Refer to relevant rules for the High Coastal Natural Character </td> </tr> </table>	CE - R1	Maintenance, repair and repair minor upgrade of lawfully established structures, network utilities, renewable electricity generation activities, regionally significant infrastructure, fence lines and tracks within the Coastal Environment	Activity Status Permitted Where: • When the maintenance and repair or minor upgrade is within an area of High Coastal Natural Character or the Outstanding Coastal Environment: i. The activity is limited to what is necessary to maintain the existing	Activity status where compliance not achieved: N/A Refer to relevant rules for the High Coastal Natural Character	As set out in original submission, resolve any conflict between rules in the High Coastal Natural Character
CE - R1	Maintenance, repair and repair minor upgrade of lawfully established structures, network utilities, renewable electricity generation activities, regionally significant infrastructure, fence lines and tracks within the Coastal Environment								
Activity Status Permitted Where: • When the maintenance and repair or minor upgrade is within an area of High Coastal Natural Character or the Outstanding Coastal Environment: i. The activity is limited to what is necessary to maintain the existing	Activity status where compliance not achieved: N/A Refer to relevant rules for the High Coastal Natural Character								

				<p>structure or undertake the minor upgrade, within the footprint or modified ground compromised by the existing structure; and</p> <p>ii. The activity does not involve the installation of any new structures.</p> <p>Advice Note Notes:</p> <ol style="list-style-type: none"> 1. Any indigenous vegetation clearance associated with maintenance and repair is subject to the provisions in the Ecosystems and Indigenous Biodiversity Chapter. 2. Works shall not undermine or have an adverse effect on any hazard mitigation/protection measure that exists within the coastal environment. 3. Where activities occur within Scheduled areas included within other Overlay Chapter Areas, then the relevant Overlay Chapter Rules also apply. 4. Where earthworks are proposed as part of maintenance and repair, refer to the rules in the Earthworks Chapter 	<p>Area and Outstanding Coastal Environment.</p>	<p>and Outstanding Coast Environment.</p> <p>Amend bullet point "i.", "The activity is limited ... structure or undertake the minor upgrade, within the ... existing structure, or undertake the minor upgrade; and"</p>		
S547.429	CE-R1	Amend	Amend heading to: " Operation, maintenance, repair, minor upgrade and upgrade of lawfully established structures, network utilities, renewable energy generation, energy activities and critical infrastructure,	<p>New definition of "Minor Upgrade,</p> <table border="1" data-bbox="902 563 1957 707"> <tr> <td data-bbox="902 563 1111 707">MINOR UPGRADE</td> <td data-bbox="1111 563 1957 707">means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.</td> </tr> </table>	MINOR UPGRADE	means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.	<p>As set out in original submission by adding "operation" and "upgrade", ie; "Operation, maintenance, repair, upgrade</p>	
MINOR UPGRADE	means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.							

			fence lines and tracks within the Coastal Environment.”		and minor upgrade of ...”.				
S547.430	CE-R4	Amend	Retain	<p>Amended Rule CE-R4,</p> <table border="1"> <tr> <td>CE - R4</td> <td>Buildings and Structures in the Coastal Environment</td> </tr> <tr> <td> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. These are not located within: <ol style="list-style-type: none"> i. An Outstanding Natural Landscape identified in Schedule Five; ii. An Outstanding Natural Feature identified in Schedule Six; iii. An area of High Coastal Natural Character identified in Schedule Seven and subject to Rule CE - R5; </td> <td> <p>Activity status where compliance not achieved: Outside of the scheduled overlay chapter areas and the RURZ - Rural Zones, OSZ - Open Space Zone and NOSZ - Natural Open Space Zone, the relevant zone rules apply.</p> </td> </tr> </table>	CE - R4	Buildings and Structures in the Coastal Environment	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. These are not located within: <ol style="list-style-type: none"> i. An Outstanding Natural Landscape identified in Schedule Five; ii. An Outstanding Natural Feature identified in Schedule Six; iii. An area of High Coastal Natural Character identified in Schedule Seven and subject to Rule CE - R5; 	<p>Activity status where compliance not achieved: Outside of the scheduled overlay chapter areas and the RURZ - Rural Zones, OSZ - Open Space Zone and NOSZ - Natural Open Space Zone, the relevant zone rules apply.</p>	As sought in original submission.
CE - R4	Buildings and Structures in the Coastal Environment								
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. These are not located within: <ol style="list-style-type: none"> i. An Outstanding Natural Landscape identified in Schedule Five; ii. An Outstanding Natural Feature identified in Schedule Six; iii. An area of High Coastal Natural Character identified in Schedule Seven and subject to Rule CE - R5; 	<p>Activity status where compliance not achieved: Outside of the scheduled overlay chapter areas and the RURZ - Rural Zones, OSZ - Open Space Zone and NOSZ - Natural Open Space Zone, the relevant zone rules apply.</p>								

			<p>iv. An area of The Outstanding Coastal Natural Character identified in Schedule Eight Environment Area; and/or</p> <p>a. <u>These are:</u></p> <p>i. <u>Buildings and structures that comply with the rules for buildings and structures within the relevant zone, except that within the GRUZ - General Rural Zone, RLZ - Rural Lifestyle and SETZ - Settlement Zone, OSZ - Open Space Zone and the NOSZ - Natural Open Space Zone:</u></p> <p>a. Maximum height is 7m for new buildings;</p> <p>b. No height limits apply where this is replacement of a lawfully established building with another building of the same height, in the same location; and</p> <p>c. The gross ground floor area is:</p> <p>I. A maximum of 200m² per building for new buildings;</p> <p>II. No maximum area where this is the replacement of a lawfully established building with another building of the same ground floor area, in the same location; and</p> <p>d. <u>New buildings are set back 25m from Mean High Water Springs except where these are:</u></p> <p>I. <u>New network utility buildings, where these are located within a legal road reserve; or</u></p> <p>II. <u>Parks facilities or parks furniture within any OSRZ - Open Space and Recreation Zone; or</u></p> <p>i. Are Energy <u>Energy Activities or Network Utilities, including ancillary earthworks, subject to provisions that are permitted activities in the Energy, Infrastructure and Transport Chapters of the Plan; or</u></p> <p>ii. Are natural hazard mitigation structures constructed by a Statutory Agency or their authorised contractor.</p>	<p>In the case of Energy Activities and Network Utilities the relevant Energy, Infrastructure or Transport Rules apply. Otherwise Restricted Discretionary</p>	
			<p>Advice Note Notes:</p> <p>1. Refer to the Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and Margins of Waterbodies Overlay Chapters and zone chapters for other rules in relation to buildings and structures in these areas.</p> <p>2. <u>For the avoidance of doubt, within the General Rural, Rural Lifestyle, Settlement and Open Space and Recreation Zones, outside of scheduled areas, this rule regulates new buildings only, not structures, or any additions to existing buildings.</u></p>		

S547.432	CE-R5	Amend	Amend item 1., “These buildings and ... And repair of network utilities, <i>including energy activities and critical infrastructure, or renewable electricity generation activities; or</i> ”	<p>Amended Rule CE-R5,</p> <table border="1" data-bbox="902 153 1962 807"> <tr> <td data-bbox="902 153 1115 220">CE - R5</td> <td data-bbox="1115 153 1962 220">Buildings and Structures in the Coastal Environment within the High Coastal Natural Character Overlay as identified in Schedule Seven.</td> </tr> <tr> <td colspan="2" data-bbox="902 220 1962 807"> <p>Activity Status Permitted Where:</p> <ul style="list-style-type: none"> • These buildings and structures are required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or • Within the OSRZ - Open Space and Recreation Zones, this is parks facilities or parks furniture; or • Within the Māori Purpose Zone, these are Māori Purpose Activities; or • In all other zones: <ul style="list-style-type: none"> i. Any new residential dwelling on a site where no other dwelling is located is no more than 150m² ground floor area; ii. Any other new building is no more than 100m² ground floor area; iii. Any addition increases the total building footprint by no more than 50m²; iv. The maximum height above ground level is for any building or structure is 7m; and v. New buildings are set back 25m from mean high water springs. <p>Advice Note: Refer to the Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and the Margins of Waterbodies Overlay Chapters and zone chapters for other rules in relation to buildings and structures in these areas.</p> </td> </tr> <tr> <td colspan="2" data-bbox="902 220 1644 807"> <p>Activity Status Permitted Where:</p> <ul style="list-style-type: none"> • These buildings and structures are required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or • Within the OSRZ - Open Space and Recreation Zones, this is parks facilities or parks furniture; or • Within the Māori Purpose Zone, these are Māori Purpose Activities; or • In all other zones: <ul style="list-style-type: none"> i. Any new residential dwelling on a site where no other dwelling is located is no more than 150m² ground floor area; ii. Any other new building is no more than 100m² ground floor area; iii. Any addition increases the total building footprint by no more than 50m²; iv. The maximum height above ground level is for any building or structure is 7m; and v. New buildings are set back 25m from mean high water springs. <p>Advice Note: Refer to the Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and the Margins of Waterbodies Overlay Chapters and zone chapters for other rules in relation to buildings and structures in these areas.</p> </td> <td data-bbox="1644 220 1962 807"> <p>Activity status where compliance not achieved: Restricted Discretionary</p> </td> </tr> </table>	CE - R5	Buildings and Structures in the Coastal Environment within the High Coastal Natural Character Overlay as identified in Schedule Seven.	<p>Activity Status Permitted Where:</p> <ul style="list-style-type: none"> • These buildings and structures are required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or • Within the OSRZ - Open Space and Recreation Zones, this is parks facilities or parks furniture; or • Within the Māori Purpose Zone, these are Māori Purpose Activities; or • In all other zones: <ul style="list-style-type: none"> i. Any new residential dwelling on a site where no other dwelling is located is no more than 150m² ground floor area; ii. Any other new building is no more than 100m² ground floor area; iii. Any addition increases the total building footprint by no more than 50m²; iv. The maximum height above ground level is for any building or structure is 7m; and v. New buildings are set back 25m from mean high water springs. <p>Advice Note: Refer to the Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and the Margins of Waterbodies Overlay Chapters and zone chapters for other rules in relation to buildings and structures in these areas.</p>		<p>Activity Status Permitted Where:</p> <ul style="list-style-type: none"> • These buildings and structures are required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or • Within the OSRZ - Open Space and Recreation Zones, this is parks facilities or parks furniture; or • Within the Māori Purpose Zone, these are Māori Purpose Activities; or • In all other zones: <ul style="list-style-type: none"> i. Any new residential dwelling on a site where no other dwelling is located is no more than 150m² ground floor area; ii. Any other new building is no more than 100m² ground floor area; iii. Any addition increases the total building footprint by no more than 50m²; iv. The maximum height above ground level is for any building or structure is 7m; and v. New buildings are set back 25m from mean high water springs. <p>Advice Note: Refer to the Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and the Margins of Waterbodies Overlay Chapters and zone chapters for other rules in relation to buildings and structures in these areas.</p>		<p>Activity status where compliance not achieved: Restricted Discretionary</p>	As sought in submission with amended terminology, ie; “These buildings ... generation activities and regionally significant infrastructure.”
CE - R5	Buildings and Structures in the Coastal Environment within the High Coastal Natural Character Overlay as identified in Schedule Seven.											
<p>Activity Status Permitted Where:</p> <ul style="list-style-type: none"> • These buildings and structures are required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or • Within the OSRZ - Open Space and Recreation Zones, this is parks facilities or parks furniture; or • Within the Māori Purpose Zone, these are Māori Purpose Activities; or • In all other zones: <ul style="list-style-type: none"> i. Any new residential dwelling on a site where no other dwelling is located is no more than 150m² ground floor area; ii. Any other new building is no more than 100m² ground floor area; iii. Any addition increases the total building footprint by no more than 50m²; iv. The maximum height above ground level is for any building or structure is 7m; and v. New buildings are set back 25m from mean high water springs. <p>Advice Note: Refer to the Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and the Margins of Waterbodies Overlay Chapters and zone chapters for other rules in relation to buildings and structures in these areas.</p>												
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FS222.0289	CE-R6	Oppose	Consider combining CE - R9 into R6 and as a consequence delete CE - R9. Amend CE - R6 as follows: Amend the heading of CE - R6: <ul style="list-style-type: none"> • Delete "Reconstruction" from the title of the rule and ensure that activity is captured under other rules as for new activities.	Amended Rule CE-R6,	As sought in the further submission. with the exception of retention of amendments to clause “6.”							

			<ul style="list-style-type: none"> Amend condition 2. to include limits as follows: "Earthworks and land disturbance is the minimum required to undertake the activity and are within 2m of the structure and involves no more than 100m³ of material excavated, deposited or remove; Retain other aspects of the rule. 	<p>CE - R6</p> <p>Maintenance, Alteration, Repair and Reconstruction Upgrade of Natural Hazard Mitigation Structures and associated earthworks in the Coastal Environment within the High Coastal Natural Character Overlay identified in Schedule Seven.</p> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> The structure has been lawfully established; Earthworks and land disturbance is the minimum required to undertake no more than 25m³ per 200m length of coastline in which the activity structure is located; There is no reduction in public access; The materials used are the same as the original, or most significant material, or the closest equivalent provided that only Only cleanfill is used where fill materials are part of the structure; There is no change to more than 10% to the overall dimensions, orientation, height or outline length of structure from the consented lawfully established structure, and an assessment and the structure is provided certified by a suitably qualified professional confirming that the effects of the activity are no greater than the consented lawfully established structure; and The activity Any upgrade of the structure is undertaken by a Statutory Agency or their designated authorised contractor acting on its behalf. <p>Advice Note Notes:</p> <ol style="list-style-type: none"> The rules in the Earthworks Chapter do not apply to Permitted Activities under Rule CE - R6. Earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and Indigenous Biodiversity Chapter. 	<p>Activity status where compliance not achieved: Controlled Restricted Discretionary</p>			
FS222.097	CE-R6	Oppose	Amend: CE-R7 Maintenance, Alteration, and Repair and Reconstruction of Natural Hazard Mitigation Structures and associated earthworks in the Coastal Environment within the High Coastal Natural Character Overlay identified in Schedule Seven	<p>New definition of "Statutory Agency",</p> <table border="1"> <tr> <td>STATUTORY AGENCY</td> <td>means, in relation to construction of natural hazard mitigation structures, a District or Regional Council, Waka Kotahi - New Zealand Transport Agency, Transpower New Zealand, Kiwirail New Zealand or the Department of Conservation or any network utility operator.</td> </tr> </table>	STATUTORY AGENCY	means, in relation to construction of natural hazard mitigation structures, a District or Regional Council, Waka Kotahi - New Zealand Transport Agency, Transpower New Zealand, Kiwirail New Zealand or the Department of Conservation or any network utility operator.		As sought in the further submission. with the exception of retention of amendments to clause "6."
STATUTORY AGENCY	means, in relation to construction of natural hazard mitigation structures, a District or Regional Council, Waka Kotahi - New Zealand Transport Agency, Transpower New Zealand, Kiwirail New Zealand or the Department of Conservation or any network utility operator.							

		<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The structure has been lawfully established; 2. Earthworks and land disturbance is the minimum required to <u>undertake the activity contained wholly within the footprint of the mitigation structure</u>; 3. There is no reduction in public access; 4. The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure; 5. There is no change to more 		
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		<p>than 10% to the overall dimensions, orientation or outline of structure from the consented structure, and an assessment is provided by a suitably qualified professional confirming the adverse effects are no greater than the consented structure; and</p> <p>6. The activity is undertaken by a Statutory Agency or their designated contractor.</p> <p>Advice Note:</p> <p>1. The rules in the Earthworks Chapter do not apply to Permitted Activities under Rule CE - R6.</p> <p>2. Earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to</p>		
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			<p>Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters.</p> <p>3. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and Biodiversity Chapter.</p> <p>Activity status where compliance not achieved: Controlled Restricted Discretionary</p>																		
S547.433	CE-R7	Amend	<p>Amend item b., “Operation, maintenance, repair, upgrade of existing and/or installation of new network utility infrastructure, including energy activities and critical infrastructure, or renewable</p>	<p>Amended Rule CE-R7,</p> <table border="1"> <tr> <td>CE - R7</td> <td>Earthworks within the Coastal Environment in the High Coastal Natural Character Overlay identified in Schedule Seven.</td> </tr> <tr> <td colspan="2">Activity Status Permitted</td> </tr> <tr> <td colspan="2">Where:</td> </tr> <tr> <td colspan="2">• These are for:</td> </tr> <tr> <td colspan="2">i. WalkingOperation, maintenance, repair and upgrade of walking/cycling tracks, roads, farm tracks or fences lawfully established;</td> </tr> <tr> <td colspan="2">ii. Operation, maintenance, repair, upgrade or installation of new network utility infrastructure or renewable electricity generation activities lawfully established; or</td> </tr> <tr> <td colspan="2">iii. Installation of new network utility infrastructure located within road</td> </tr> <tr> <td></td> <td>Activity status where compliance not achieved: Restricted Discretionary</td> </tr> </table>	CE - R7	Earthworks within the Coastal Environment in the High Coastal Natural Character Overlay identified in Schedule Seven.	Activity Status Permitted		Where:		• These are for:		i. Walking Operation, maintenance, repair and upgrade of walking/cycling tracks, roads, farm tracks or fences lawfully established ;		ii. Operation, maintenance, repair, upgrade or installation of new network utility infrastructure or renewable electricity generation activities lawfully established ; or		iii. Installation of new network utility infrastructure located within road			Activity status where compliance not achieved: Restricted Discretionary	<p>As set out in original submission with amendment of “critical infrastructure” to “regionally significant infrastructure”.</p>
CE - R7	Earthworks within the Coastal Environment in the High Coastal Natural Character Overlay identified in Schedule Seven.																				
Activity Status Permitted																					
Where:																					
• These are for:																					
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iii. Installation of new network utility infrastructure located within road																					
	Activity status where compliance not achieved: Restricted Discretionary																				

			electricity generation; or”	<p><u>reserve:</u></p> <p>iv. Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site;</p> <p>v. <u>Establishment of buildings permitted by Rule CE - R5; and</u></p> <p>a. Any fill, excavation or removal is not more than 250m²/ha and 250m³/ha.</p> <p>Advice NoteNotes:</p> <p>1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and <u>Indigenous Biodiversity</u> Chapter.</p> <p>2. Any earthworks are also subject to relevant rules in the <u>Earthworks</u>, Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters.</p> <p>3. This rule also applies to <u>plantationcommercial</u> forestry activities, where this provision is more stringent than the NES - <u>PFCE</u>.</p>						
S547.434	CE-R8	Amend	Amend item 2., “The maximum height of any addition or alteration to a building or structure is 5m above ground level. ”	<p>Amended Rule CE-R8,</p> <table border="1"> <thead> <tr> <th>CE - R8</th> <th>Additions and Alterations to Lawfully Established Buildings and Structures in the Outstanding Coastal Environment Area</th> </tr> </thead> <tbody> <tr> <td> <p>Activity Status Permitted</p> <p>Where:</p> <p>1. The addition or alteration increases the building footprint or footprint of the structure by no more than 50m²;</p> <p>2. The maximum height of <u>any addition to a building and/or structures is 5m above ground level is 5m or the height of the existing lawfully established building or structure.</u></p> <p>Advice NoteNotes:</p> <p>1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and <u>Indigenous Biodiversity</u> Chapter.</p> <p>2. Any earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and the Margins of Waterbodies Chapters.</p> </td> <td> <p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary</p> </td> </tr> </tbody> </table>	CE - R8	Additions and Alterations to Lawfully Established Buildings and Structures in the Outstanding Coastal Environment Area	<p>Activity Status Permitted</p> <p>Where:</p> <p>1. The addition or alteration increases the building footprint or footprint of the structure by no more than 50m²;</p> <p>2. The maximum height of <u>any addition to a building and/or structures is 5m above ground level is 5m or the height of the existing lawfully established building or structure.</u></p> <p>Advice NoteNotes:</p> <p>1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and <u>Indigenous Biodiversity</u> Chapter.</p> <p>2. Any earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and the Margins of Waterbodies Chapters.</p>	<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary</p>		Reinstatement of the word “ <i>alteration</i> ” to 1 and heading.
CE - R8	Additions and Alterations to Lawfully Established Buildings and Structures in the Outstanding Coastal Environment Area									
<p>Activity Status Permitted</p> <p>Where:</p> <p>1. The addition or alteration increases the building footprint or footprint of the structure by no more than 50m²;</p> <p>2. The maximum height of <u>any addition to a building and/or structures is 5m above ground level is 5m or the height of the existing lawfully established building or structure.</u></p> <p>Advice NoteNotes:</p> <p>1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and <u>Indigenous Biodiversity</u> Chapter.</p> <p>2. Any earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and the Margins of Waterbodies Chapters.</p>	<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary</p>									
FS222.098	CE-R9	Oppose	Amend: CE-R9, “Maintenance, Alteration, and Repair and Reconstruction of Natural Hazard Mitigation Structures within the Outstanding Coastal Environment Area Activity Status Permitted Where:	Amended Rule CE-R9,		Wording as originally notified, with the exception of retention of amendments to clause “6.”				

		<p>1. The structure has been lawfully established;</p> <p>2. Earthworks and land disturbance is the minimum required to undertake the activity <u>contained wholly within the footprint of the mitigation structure</u>;</p> <p>3. There is no reduction in public access;</p> <p>4. The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure;</p> <p>5. There is no change to more than 10% to the overall dimensions, orientation or outline of structure</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="background-color: #92d050; text-align: left; padding: 5px;">CE - R9 Maintenance, Alteration, Repair and Reconstruction Repair of Natural Hazard Mitigation Structures within the Outstanding Coastal Environment Area</th> </tr> <tr> <td style="width: 60%; padding: 5px; vertical-align: top;"> Activity Status Permitted Where: <ol style="list-style-type: none"> 1. The structure has been lawfully established; 2. Earthworks and land disturbance are the minimum required to undertake the activity; 3. There is no reduction in public access; 4. The materials used are the same as the original, or most significant material, or the closest equivalent provided that only Only cleanfill is used where fill materials are part of the structure; 5. There is no change to more than 10% to the overall dimensions, orientation, height or outline length of structure from that originally consented the lawfully established structure, or consented variation, and an assessment and the structure is provided certified certified by a suitably qualified professional confirming that the effects of the activity are no greater than the originally consented or consented variation lawfully established structure; and 6. The activity is undertaken by a Statutory Agency or their designated authorised contractor acting on its behalf. Advice Note Notes: <ol style="list-style-type: none"> 1. The rules in the Earthworks Chapter do not apply to Permitted Activities under Rule CE - R9. 2. Earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and the Margins of Waterbodies Chapters. 3. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and <u>Indigenous Biodiversity</u> Chapter. </td> <td style="width: 40%; padding: 5px; vertical-align: top;"> Activity status where compliance not achieved: Controlled Restricted Discretionary </td> </tr> </table> <p style="margin-top: 10px;">New definition of “Statutory Agency”,</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 20%; padding: 5px;"><u>STATUTORY AGENCY</u></td> <td style="padding: 5px;">means, in relation to construction of natural hazard mitigation structures, a District or Regional Council, Waka Kotahi - New Zealand Transport Agency, Transpower New Zealand, Kiwirail New Zealand or the Department of Conservation or any network utility operator.</td> </tr> </table>	CE - R9 Maintenance, Alteration, Repair and Reconstruction Repair of Natural Hazard Mitigation Structures within the Outstanding Coastal Environment Area		Activity Status Permitted Where: <ol style="list-style-type: none"> 1. The structure has been lawfully established; 2. Earthworks and land disturbance are the minimum required to undertake the activity; 3. There is no reduction in public access; 4. The materials used are the same as the original, or most significant material, or the closest equivalent provided that only Only cleanfill is used where fill materials are part of the structure; 5. There is no change to more than 10% to the overall dimensions, orientation, height or outline length of structure from that originally consented the lawfully established structure, or consented variation, and an assessment and the structure is provided certified certified by a suitably qualified professional confirming that the effects of the activity are no greater than the originally consented or consented variation lawfully established structure; and 6. The activity is undertaken by a Statutory Agency or their designated authorised contractor acting on its behalf. Advice Note Notes: <ol style="list-style-type: none"> 1. The rules in the Earthworks Chapter do not apply to Permitted Activities under Rule CE - R9. 2. Earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and the Margins of Waterbodies Chapters. 3. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and <u>Indigenous Biodiversity</u> Chapter. 	Activity status where compliance not achieved: Controlled Restricted Discretionary	<u>STATUTORY AGENCY</u>	means, in relation to construction of natural hazard mitigation structures, a District or Regional Council, Waka Kotahi - New Zealand Transport Agency, Transpower New Zealand, Kiwirail New Zealand or the Department of Conservation or any network utility operator.
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		<p>from the consented structure, and an assessment is provided by a suitably qualified professional confirming the effects are no greater than the consented structure; and</p> <p>6. The activity is undertaken by a Statutory Agency or their designated contractor.</p> <p>Advice Note:</p> <p>1. The rules in the Earthworks Chapter do not apply to Permitted Activities under Rule CE - R9.</p> <p>2. Earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of</p>		
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			<p>Waterbodies Chapters.</p> <p>3. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and Biodiversity Chapter.</p> <p>Activity status where compliance not achieved: Controlled <u>Discretionary</u>”</p>							
S547.437	CE-R10	Amend	<p>Amend item 3., “Required for the maintenance ... repair of network utilities, <u>including energy activities and critical infrastructure</u>, or renewable electricity generation activities; or”</p>	<p>Amended Rule CE-R10,</p> <table border="1"> <tr> <td>CE - R10</td> <td>Erection of a BuildingBuildings or StructureStructures in the Outstanding Coastal Environment Area</td> </tr> <tr> <td colspan="2"> <p>Activity Status Permitted Where the structure is:</p> <ol style="list-style-type: none"> 1. A fence; or 2. Associated with stock water reticulation including tanks, pipes and water troughs; or 3. Required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or 4. For a network utility customer connections, or environmental monitoring and extreme weather event monitoring; or 5. For agricultural pastoral and horticultural activities or an accessory building; and <ol style="list-style-type: none"> i. The height of any building or structure does not exceed 5m above ground level; and ii. The gross floor area of any building does not exceed 100m² <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> 1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and <u>Indigenous</u> Biodiversity Chapter. 2. Any earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters. </td> <td> <p>Activity status where compliance not achieved: Restricted Discretionary</p> </td> </tr> </table>	CE - R10	Erection of a BuildingBuildings or StructureStructures in the Outstanding Coastal Environment Area	<p>Activity Status Permitted Where the structure is:</p> <ol style="list-style-type: none"> 1. A fence; or 2. Associated with stock water reticulation including tanks, pipes and water troughs; or 3. Required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or 4. For a network utility customer connections, or environmental monitoring and extreme weather event monitoring; or 5. For agricultural pastoral and horticultural activities or an accessory building; and <ol style="list-style-type: none"> i. The height of any building or structure does not exceed 5m above ground level; and ii. The gross floor area of any building does not exceed 100m² <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> 1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and <u>Indigenous</u> Biodiversity Chapter. 2. Any earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters. 		<p>Activity status where compliance not achieved: Restricted Discretionary</p>	<p>As set out in original submission with amended terminology, ie; “<i>Required for the ... generation activities <u>and regionally significant infrastructure</u>..”</i></p> <p>Retention as a</p>
CE - R10	Erection of a BuildingBuildings or StructureStructures in the Outstanding Coastal Environment Area									
<p>Activity Status Permitted Where the structure is:</p> <ol style="list-style-type: none"> 1. A fence; or 2. Associated with stock water reticulation including tanks, pipes and water troughs; or 3. Required for the maintenance, operation, minor upgrade and repair of network utilities or renewable electricity generation activities; or 4. For a network utility customer connections, or environmental monitoring and extreme weather event monitoring; or 5. For agricultural pastoral and horticultural activities or an accessory building; and <ol style="list-style-type: none"> i. The height of any building or structure does not exceed 5m above ground level; and ii. The gross floor area of any building does not exceed 100m² <p>Advice NoteNotes:</p> <ol style="list-style-type: none"> 1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and <u>Indigenous</u> Biodiversity Chapter. 2. Any earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters. 		<p>Activity status where compliance not achieved: Restricted Discretionary</p>								

				<p>New definition of “Minor Upgrade,</p> <table border="1"> <tr> <td>MINOR UPGRADE</td> <td>means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.</td> </tr> </table>	MINOR UPGRADE	means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.	restricted discretionary activity where compliance not achieved.
MINOR UPGRADE	means increasing the carrying capacity, efficiency, security, or safety of a network utility, or renewable electricity generation activity where the effects of the activity are the same or similar in character, intensity and scale as the existing structure or activity. This includes increasing generation, transmission or distribution capacity and includes replacing support structures within the footprint of existing lawfully established activities.						
S547.436	CE-R10	Amend	Amend the heading of Rule: “Buildings and/or Structures in the Outstanding Coastal Area”	As set out in original submission.	Retention as a restricted discretionary activity where compliance not achieved.		
FS222.099	CE-R10	Oppose	Amend: “Activity Status Permitted Where the structure is: 1. A fence; or 2. Associated with stock water reticulation including tanks, pipes and water troughs; or 3. Required for the maintenance, operation, minor	As set out in further submission.			

		<p>upgrade and repair of network utilities or renewable electricity generation activities; or</p> <p>4. For a network utility customer connections, or environmental monitoring and extreme weather event monitoring; or</p> <p>5. For agricultural pastoral and horticultural activities or an accessory building; and</p> <ul style="list-style-type: none"> i. The height of any building or structure does not exceed 533m above ground level; and ii. The gross floor area of any building does not exceed 50100100m² <p>Advice Note:</p>	
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			<p>1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and Biodiversity Chapter.</p> <p>2. Any earthworks are also subject to relevant rules in the Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters.</p> <p>Activity status where compliance not achieved: Restricted Discretionary”</p>		
S547.438	CE-R11	Amend	Amend item b., “Operation ... of network utility infrastructure, <u>including energy activities and critical infrastructure</u> , or	Amended Rule CE-R11,	Wording as set out as originally notified and as sought to be amended

				CE - R11	Earthworks in the Outstanding Coastal Environment		
			renewable electricity generation activities. ”	Activity Status Permitted 1. Where the earthworks are entirely contained within the existing footprint or modified ground disturbed by a lawfully established activity and these are for: <ul style="list-style-type: none"> i. Maintenance repair or upgrade of walking/cycling tracks, roads, farm tracks or fences; or ii. Operation, maintenance, repair and upgrade of Regionally Significant Infrastructure, network utility infrastructure or renewable electricity generation activities; and a. Where the earthworks are for additions to lawfully established buildings or structures provided for in Rule CE - R8 where any fill, excavation or removal of material is not more than 100m ² per hectare and 100m ³ per hectare.		Activity status where compliance not achieved: Restricted Discretionary	in original submission, with the exception of amendments to clause 1.ii, which inserts new terminology “Regionally Significant Infrastructure”
FS222.0296	CE-R11	Oppose	Amend R11 to include appropriate limits and to refer to the CE permitted activities it relates to. Ensure that limits for earthworks are not more than required to meet the limits to the scale of permitted activities sought in Forest & Birds submissions.	Advice NoteNotes: 1. Any indigenous vegetation clearance or disturbance is subject to the relevant rules in the Ecosystems and Indigenous Biodiversity Chapter. 2. Any earthworks are also subject to relevant rules in the Historic Earthworks, Historic Heritage, Sites and Areas of Significance to Māori, Notable Trees, and Natural Character and Margins of Waterbodies Chapters. 3. This rule also applies to plantation commercial forestry activities where this provision is more stringent than the NES - PFCF.			As set out in further submission.
S547.439	CE-R12	Amend	Retain	Amended Rule CE-R12,			As sought in original submission with the inclusion of “Regionally

				<p>CE - R12 Natural Hazard Mitigation Structures and associated Earthworks in the Coastal Environment in High Coastal Natural Character Overlay Area identified in Schedule Seven and the Outstanding Coastal Environment Area not provided for as a meeting Permitted Activity standards</p> <p>Activity Status Controlled Restricted Discretionary</p> <p>Where:</p> <p>1. These Within the Outstanding Coastal Environment Area, these are only to protect the coastal State Highway, Special Purpose Roads or other Critical Regionally Significant Infrastructure;</p> <p>2. These are Westport flood and coastal protection works constructed by a statutory agency or its authorised contractor.</p> <p>Matters of control are Discretion is restricted to:</p> <ol style="list-style-type: none"> Effects on indigenous vegetation and habitats of any threatened or protected flora or indigenous fauna species; Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems; Effects on the intrinsic values of ecosystems; Effects on recreational values of public land; Effects on Poutini Ngāi Tahu values, and any archaeological sites, historic heritage or any Sites and Areas of Significance to Māori identified in Schedule Three; Landscape and visual effects, including design and location of any buildings, structures or earthworks; Effects on natural character and natural features; Location, dimensions and appearance of the structure; Effects on public access to and along the coast; and Effects on the level of hazard risk created by the structure on other properties. <p>Advice Note:</p> <ol style="list-style-type: none"> The rules in the Earthworks Chapter do not apply to Controlled Activities under Rule CE – R11. This rule also applies to plantation forestry activities where this provision is more stringent than the NES – PF. 	<p>Significant Infrastructure” as set out in 1, and other appropriate amendments in particular: the Activity Status to be retained as “Controlled” as originally notified with an activity status, where compliance is not achieved of Restricted Discretionary Activity.</p> <p>Where the Activity Status is a Restricted Discretionary, additional matters of discretion</p>
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					<p>to be added as follows:</p> <ul style="list-style-type: none"> • the functional need and operational need of the activity (see CE-R14 and CE-R15) • the risk to RSI from not undertaking the works • the effects on the community of damage or loss of the RSI.
FS222.0299	CE-R12	Oppose	Amend the Activity status where compliance not achieved as follows: " for maintenance, alteration, repair,		As sought in further submission.

			<p><u>or reconstruction with standard 2: Restricted Discretionary.</u> except In all other cases: Discretionary where these are within the Outstanding Coastal Environment Area”</p>	
FS222.0101	CE-R12	Oppose	<p>Amend: “Activity Status Controlled <u>Restricted Discretionary</u> Where: These are to protect the coastal State Highway, Special Purpose Roads or other Critical Infrastructure; These are Westport flood and coastal protection works constructed by a statutory agency or its authorised contractor. Matters of control are: Discretion is restricted to: Effects on habitats of</p>	As sought in further submission.

		<p>any threatened or protected flora or fauna species;</p> <p><u>indigenous vegetation and habitats of indigenous fauna;</u></p> <p>Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;</p> <p>Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;</p> <p>Effects on the intrinsic values of ecosystems;</p> <p>Effects on recreational values of public land;</p> <p>Effects on Poutini Ngāi Tahu values and any Sites and Areas of Significance to Māori identified in Schedule Three;</p> <p>Landscape and visual effects;</p>	
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		<p>Effects on natural character and natural features; Location, dimensions and appearance of the structure; Effects on public access to the coast.; <u>Adverse effects on amenity, natural character, and historic heritage; and Consideration of the extent to which hard protection structures are avoided.</u></p> <p>Advice Note: The rules in the Earthworks Chapter do not apply to Controlled Activities under Rule CE - R11. This rule also applies to plantation forestry activities where this provision is more stringent than the NES - PF.</p> <p>Activity status where compliance</p>		
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			not achieved: NA Restricted Discretionary except Discretionary where these are within the Outstanding Coastal Environment Area”			
S547.440	CE-R14	Amend	Add item k., “The benefits arising from the proposed activity.”	Amended Rule CE-R14, CE - R14 Buildings and Structures not meeting Rule CE - R4 outside of the Outstanding Coastal Environment Area and High Coastal Natural Character Overlay identified in Schedule Seven	As sought in original submission.	
S547.441	CE-R14	Amend	Add item l., “The technical, locational, functional or operational constraints and/or requirements of the activity.”	<p>Activity Status Restricted Discretionary Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Any requirements for landscape evaluation; b. The extent to which the site is visible from a road or public place; c. The effects on the natural character of the coast; d. The effects effects on Poutini Ngāi Tahu values, any archaeological sites, historic heritage or on any Site and Areas of Significance to Māori identified in Schedule Three; e. The effects on potential or current public access to the coast; f. Design and location of any buildings, structures or earthworks; g. Volume and area of earthworks; h. Area and location of any vegetation clearance; i. Impacts Effects on biodiversity values; j. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems; k. Effects on the intrinsic values of ecosystems; l. Measures to mitigate landscape effects; m. The effects on natural landscapes and natural features in the coastal environment; and n. Landscape measures The functional or operational needs of the activity. 	Activity status where compliance not achieved: N/A	Amendment of “n” to reflect the relief sought in the original submission, ie “The functional needs or operations ...”
FS222.0301	CE-R14	Oppose	Add matters of discretion for “effects on natural character, including High natural character, natural landscapes and features of the coastal environment.”		As set out in further submission, including new “m”.	

FS222.0302	CE-R14	Oppose	Add matters of discretion for "effects on natural character, natural landscapes and features of the coastal environment."		As per further submission, including new "m".		
S547.442	CE-R15	Amend	Add item n., "The benefits arising from the proposed activity."	Amended Rule CE-R15, <table border="1" data-bbox="902 443 1957 512"> <tr> <td>CE - R15</td> <td>Buildings, Structures and Earthworks within the High Coastal Natural Character Overlay not meeting Permitted Activity Standards</td> </tr> </table>	CE - R15	Buildings, Structures and Earthworks within the High Coastal Natural Character Overlay not meeting Permitted Activity Standards	As set out in original submission.
CE - R15	Buildings, Structures and Earthworks within the High Coastal Natural Character Overlay not meeting Permitted Activity Standards						
S547.443	CE-R15	Amend	Add item o., "The technical, locational, functional or operational constraints and/or requirements of the activity."	<table border="1" data-bbox="902 512 1957 1225"> <tr> <td> Activity Status Restricted Discretionary Discretion is restricted to: <ul style="list-style-type: none"> a. Any requirements for landscape evaluation; b. The extent to which the site is visible from a road or public place; c. The effects on the natural character of the coast; d. The effects on landscape and natural features of the coast; e. The effects on potential or existing public access to <u>and along</u> the coast; f. Design and location of any buildings, structure or earthworks; g. Volume and area of earthworks; h. Effects on <u>indigenous vegetation and habitats of any threatened or protected flora or indigenous fauna</u>; i. <u>Effects species on the ecological functioning and the life supporting capacity of air, water, soil and ecosystems</u>; j. <u>Effects on the intrinsic values of ecosystems</u>; k. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; l. Effects on recreational values of public land; m. Effects on Poutini Ngāi Tahu values, <u>any archaeological sites, historic heritage</u> and any Sites and Areas of Significance to Māori identified in Schedule Three; n. Landscape and visual effects; <u>and</u> o. Location, dimensions and appearance of any structure; <u>and</u> p. <u>The functional need or operational need of the activity</u> Advice Note: <ul style="list-style-type: none"> 1. This rule also applies to <u>plantation commercial</u> forestry activities where this provision is more stringent than the NES - <u>PFCE</u>. </td> <td> Activity status where compliance not achieved: N/A </td> </tr> </table>	Activity Status Restricted Discretionary Discretion is restricted to: <ul style="list-style-type: none"> a. Any requirements for landscape evaluation; b. The extent to which the site is visible from a road or public place; c. The effects on the natural character of the coast; d. The effects on landscape and natural features of the coast; e. The effects on potential or existing public access to <u>and along</u> the coast; f. Design and location of any buildings, structure or earthworks; g. Volume and area of earthworks; h. Effects on <u>indigenous vegetation and habitats of any threatened or protected flora or indigenous fauna</u>; i. <u>Effects species on the ecological functioning and the life supporting capacity of air, water, soil and ecosystems</u>; j. <u>Effects on the intrinsic values of ecosystems</u>; k. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; l. Effects on recreational values of public land; m. Effects on Poutini Ngāi Tahu values, <u>any archaeological sites, historic heritage</u> and any Sites and Areas of Significance to Māori identified in Schedule Three; n. Landscape and visual effects; <u>and</u> o. Location, dimensions and appearance of any structure; <u>and</u> p. <u>The functional need or operational need of the activity</u> Advice Note: <ul style="list-style-type: none"> 1. This rule also applies to <u>plantation commercial</u> forestry activities where this provision is more stringent than the NES - <u>PFCE</u>. 	Activity status where compliance not achieved: N/A	As sought in the original submission.
Activity Status Restricted Discretionary Discretion is restricted to: <ul style="list-style-type: none"> a. Any requirements for landscape evaluation; b. The extent to which the site is visible from a road or public place; c. The effects on the natural character of the coast; d. The effects on landscape and natural features of the coast; e. The effects on potential or existing public access to <u>and along</u> the coast; f. Design and location of any buildings, structure or earthworks; g. Volume and area of earthworks; h. Effects on <u>indigenous vegetation and habitats of any threatened or protected flora or indigenous fauna</u>; i. <u>Effects species on the ecological functioning and the life supporting capacity of air, water, soil and ecosystems</u>; j. <u>Effects on the intrinsic values of ecosystems</u>; k. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; l. Effects on recreational values of public land; m. Effects on Poutini Ngāi Tahu values, <u>any archaeological sites, historic heritage</u> and any Sites and Areas of Significance to Māori identified in Schedule Three; n. Landscape and visual effects; <u>and</u> o. Location, dimensions and appearance of any structure; <u>and</u> p. <u>The functional need or operational need of the activity</u> Advice Note: <ul style="list-style-type: none"> 1. This rule also applies to <u>plantation commercial</u> forestry activities where this provision is more stringent than the NES - <u>PFCE</u>. 	Activity status where compliance not achieved: N/A						
S547.444	CE-R16	Amend	(1) Amend item 3.i., "i. A network utility, energy activity, critical	Amended Rule CE-R19 (previously CE-R16),	Wording as originally notified, with amendmen		

			<p>infrastructure, or electricity generation activity."</p> <p>(2) Add a new item m., "The benefits arising from the proposed activity."</p> <p>(3) Add a new item n., "The technical, locational, functional or operational constraints and/or requirements of the activity."</p>	<p>CE - R16R19</p> <p>Additions to Existinglawfully established Buildings and New Buildings and Structures and associated Earthworks within the Outstanding Coastal Environment Area not meeting Permitted Activity Standards</p> <p>Activity Status-Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. This is an addition to an existinglawfully established building or a building accessory to an existinga lawfully established building; or 2. The building or structure is identified on an approved subdivision plan for the site or where there is no existing residential building on the site; or 3. The building or structure is required for: <ol style="list-style-type: none"> i. A network utility or renewable electricity generation activity; ii. An agricultural pastoral or horticultural activity in a RURZ - Rural Zone; iii. A conservation activity; or iv. A recreational activity in any OSZ - Open Space Zone. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Any requirements for landscape evaluation; b. Effects on habitats of any threatened or protected species; c. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; d. The extent to which the site is visible from a road or public place; e. Any effects on the values that make the site Outstanding; f. The effects on potential or current public access to the coast; g. The effects on Poutini Ngāi Tahu values and Sites and Areas of Significance to Māori identified in Schedule Three; h. Design and location of any buildings, structures or earthworks; i. Volume and area of earthworks; j. Area and location of indigenous vegetation clearance and its effects on biodiversity values; k. Landscape measures; and l. Where relevant, matters included within Policy NFL – P6. 	<p>Activity status where compliance not achieved: Discretionary/Non-complying</p>	<p>ts as set out in original submission and to include lawfully established structures in the heading.</p> <p>Resolve conflict with CE-R16 and CE-R18</p>
FS222.0304	CE-R16	Oppose	Combine CE - R16 with CE - 21 so that the activity is Discretionary on the same condition for natural features.			As sought in further submission
S547.447	CE-R17 (now CE-R12)	Amend	<p>(1) Add a new item l., "The benefits arising from the proposed activity."</p> <p>(2) Add a new m., "The technical, locational, functional or</p>	Amended Rule CE-R17,		Wording as originally notified and amendments as sought in original submission and appeal

			operational constraints and/or requirements of the activity."	CE - R17	Natural Hazard Mitigation Structures and Activities in the High Coastal Natural Character Overlay not meeting Controlled Activity Standards	<p>matters to CE-R12.</p>	
S547.448	CE-R17	Amend	Add item m., "The technical, locational, functional or operational constraints and/or requirements of the activity."	<p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. These are not within the Outstanding Coastal Environment Area: <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Any requirements for landscape evaluation; b. Effects on habitats of any threatened or protected species; c. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; d. The extent to which the site is visible from a road or public place; e. Any effects on the natural character of the coast; f. The effects on potential or current public access to the coast; g. The effects on Poutini Ngāi Tahu values; h. Design and location of any buildings, structures or earthworks; i. Volume and area of earthworks; j. Area and location of indigenous vegetation clearance; and k. Landscape measures. 		<p>Activity status where compliance not achieved: Discretionary</p>	<p>Wording as originally notified and amendments as sought in original submission and appeal matters to CE-R12.</p>
FS222.0305	CE-R17	Oppose	Amend: "Maintenance, repair, alteration and reconstruction of Natural Hazard Mitigation Structures and Activities in the High Coastal Natural Character Overlay not meeting Controlled Activity Standards of CE - R12 Activity Status Restricted Discretionary Where: 1. These are not within the Outstanding			<p>As sought in further submission.</p>	

		<p>Coastal Environment Area. Discretion is restricted to: <u>a. whether the natural hazard mitigation structure is lawfully established;</u> <u>ab.</u> Any requirements for landscape evaluation; <u>bc.</u> Effects on habitats of any threatened or protected <u>flora or fauna</u> species; <u>ed.</u> Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; <u>e. Effects on ecological functioning and the life supporting capacity of air, water, soil, and ecosystems;</u> <u>f. Effects on the intrinsic values of ecosystems;</u> <u>Effects on public access;</u> <u>g. Effects on Poutini</u></p>		
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			<p><u>Ngāi Tahu values and any Sites and Areas of Significance to Māori identified in Schedule Three; h. Landscape and visual effects; di. The extent to which the site is visible from a road or public place; ej. Any effects on the natural character of the coast; k. Location, dimensions, and appearance of the structure.</u></p> <p>Activity status where compliance not achieved: Discretionary Non-complying”</p>	
FS222.0286	CE-R17	Oppose	<p>Amend: That provision for minor upgrades on the National Grid may be appropriate at the permitted level given the distinction from other upgrades under the NPS for ET, but that other upgrades for infrastructure more</p>	<p>The same treatment for the National Grid as other Regionally Significant Infrastructure.</p>

			restricted requirements as for new activities should apply.			
S547.449	CE-R18 (Was CE-R16)	Amend	Amend 1.iii., “Installation of network utility infrastructure, energy activity infrastructure, critical infrastructure, or renewable electricity generation activities.”	Amended Rule CE-R16 (previously CE-R18), CE - R18R16 Earthworks within the Outstanding Coastal Environment Area not provided for as meeting Permitted Activity standards Activity Status Restricted Discretionary Where: 1. These are for: i. Walking/cycling tracks; ii. Roads, farm tracks or fences; iii. Installation of network utility infrastructure or renewable electricity generation activities; or iv. For establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site; and, 2. Earthworks are the minimum required to undertake the activity. Discretion is restricted to: a. Any requirements for landscape evaluation; b. The extent to which the site is visible from a road or public place; c. Any effects on the values that make the site Outstanding; d. Effects on indigenous vegetation and habitats of any threatened or protected species indigenous fauna; e. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems; f. Effects on the intrinsic value of ecosystems; g. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification; h. The effects effects on Poutini Ngāi Tahu values, any archaeological sites, historic heritage and any Sites and Areas of Significance to Māori identified in Schedule Three; i. Design and location of any earthworks; j. Volume and area of any earthworks; k. Area and location of vegetation clearance; l. Landscape measures to reduce the visual effects on the values of the Outstanding Natural Landscape or Feature; and m. Where relevant, matters included within Policy NFL - P6; n. The effects on the natural character of the coastal environment; and o. The effects on natural features and landscapes. Advice Note: 1. This rule also applies to plantation commercial forestry activities where this provision is more stringent than the NES - PFCE.	Activity status where compliance not achieved: Discretionary	Amendments as sought in original submission, but replacement of “critical infrastructure” with “Regionally Significant Infrastructure”.
S547.450	CE-R18	Amend	Add item l., “ The benefits arising from the proposed activity. ”		As sought in original submission.	
S547.451	CE-R18	Amend	Add item m., “ The technical, locational, functional or operational constraints and/or requirements of the activity. ”		As sought in original submission, with amended wording at a discretion criteria: “The functional needs or operational needs of the activity.”	
				New CE-R18 inserted,		

				<p>CE - R18 Earthworks within the Outstanding Coastal Environment Area not provided for as a Permitted or Restricted Discretionary Activity</p> <p>Activity Status Discretionary Where: 1. These will not destroy any Outstanding Natural Feature identified in Schedule Six or the values which make it Outstanding; except 2. Where a written report of a suitably qualified natural hazards professional identifies that the Outstanding Natural Feature is a severe risk to people or property.</p> <p>Advice Notes: 1. When assessing resource consents for natural hazard mitigation activities under this rule, assessment against the relevant Coastal Environment, Ecosystems and Indigenous Biodiversity, Natural Features and Landscapes objectives and policies will be required. 2. This rule also applies to commercial forestry activities where this provision is more stringent than the NES - CF.</p> <p>Notification: When making notification decisions in relation to applications to destroy any Outstanding Natural Feature or the Values which make it Outstanding the Council will consult with the Geosciences Society of New Zealand.</p>	
S547.452	CE-R19 (Now CE-R18)	Amend	“1. These will not destroy ... or the values which together make it Outstanding; except ...”	<p>Deleted Rule CE-R19,</p> <p>CE - R19 Natural Hazard Mitigation Structures and Activities in the Outstanding Coastal Environment not meeting Rule CE - R11</p> <p>Activity Status Discretionary Where: 1. These will not destroy any Outstanding Natural Feature identified in Schedule Six or the values which make it Outstanding; except 2. Where a written report of a suitably qualified natural hazards professional identifies that the Outstanding Natural Feature is a severe risk to people or property.</p> <p>Notification: Applications to destroy any Outstanding Natural Feature or the Values which make it Outstanding will always be Limited Notified to the Geosciences Society of New Zealand and may be publicly notified.</p> <p>Advice Note: When assessing resource consents for natural hazard mitigation activities under this rule, assessment against the relevant Coastal Environment, Ecosystems and Indigenous Biodiversity, Natural Features and Landscapes policies will be required.</p>	As set out in original submission, now with respect to new CE-R18.
S547.454	CE-R22 (Now CE-R21)	Amend	Amend heading: “Activities in the Coastal Environment that would ... or the values which	Amended Rule CE-R21 (previously CE-R22),	As set out in original submission.

		<p>together make it Outstanding”</p>	<table border="1"> <tr> <td data-bbox="887 94 1115 165">CE - R22R21</td> <td data-bbox="1115 94 1960 165">Activities in the Coastal Environment that would destroy any Outstanding Natural Feature identified in Schedule Six or the values which make it Outstanding</td> </tr> <tr> <td data-bbox="887 165 1639 529"> <p>Activity Status Non-complying Notification: ApplicationsWhen making notification decisions in relation to applications to destroy any Outstanding Natural Feature or the Values which make it Outstanding the Council will always be Limited Notified to consult with the Geosciences Society of New Zealand and may be publicly notified. Advice NoteNotes: 1. When assessing resource consents for activities under this rule, assessment against both the Coastal Environment, and Natural Features and Landscapes policies will be required. 2. This rule also applies to plantation forestry activities where this provision</p> <p>New Rule CE-R22,</p> </td> <td data-bbox="1639 165 1960 529"> <p>Activity status where compliance not achieved: N/A</p> </td> </tr> <tr> <td data-bbox="887 529 1115 601">CE - R22</td> <td data-bbox="1115 529 1960 601">Buildings and Structures in the Outstanding Coastal Environment Area not meeting Permitted, Restricted Discretionary or Discretionary Activity Rules</td> </tr> <tr> <td data-bbox="887 601 1639 689">Activity Status Non-complying</td> <td data-bbox="1639 601 1960 689">Activity status where compliance not achieved: N/A</td> </tr> </table>	CE - R22R21	Activities in the Coastal Environment that would destroy any Outstanding Natural Feature identified in Schedule Six or the values which make it Outstanding	<p>Activity Status Non-complying Notification: ApplicationsWhen making notification decisions in relation to applications to destroy any Outstanding Natural Feature or the Values which make it Outstanding the Council will always be Limited Notified to consult with the Geosciences Society of New Zealand and may be publicly notified. Advice NoteNotes: 1. When assessing resource consents for activities under this rule, assessment against both the Coastal Environment, and Natural Features and Landscapes policies will be required. 2. This rule also applies to plantation forestry activities where this provision</p> <p>New Rule CE-R22,</p>	<p>Activity status where compliance not achieved: N/A</p>	CE - R22	Buildings and Structures in the Outstanding Coastal Environment Area not meeting Permitted, Restricted Discretionary or Discretionary Activity Rules	Activity Status Non-complying	Activity status where compliance not achieved: N/A
CE - R22R21	Activities in the Coastal Environment that would destroy any Outstanding Natural Feature identified in Schedule Six or the values which make it Outstanding										
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CE - R22	Buildings and Structures in the Outstanding Coastal Environment Area not meeting Permitted, Restricted Discretionary or Discretionary Activity Rules										
Activity Status Non-complying	Activity status where compliance not achieved: N/A										

Provisions Appealed – Part 2 EW – Earthworks

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought								
S547.458	Overview	Amend	Insert section on Strategic Objectives and Policies as per previous chapters.	<p>Amended “Overview”,</p> <table border="1" data-bbox="900 384 1928 512"> <tr> <th colspan="2" data-bbox="900 384 1928 424">Earthworks Objectives</th> </tr> <tr> <td data-bbox="900 424 1106 512">EW - O1</td> <td data-bbox="1106 424 1928 512">To provide for earthworks to facilitate subdivision, use and development of the West Coast/Te Tai o Poutini/the West Coast's land resource, while ensuring that their adverse effects on the surrounding environment are avoided, remedied or mitigated.</td> </tr> </table> <p>Also the Strategic Objectives and Policies</p> <table border="1" data-bbox="900 564 1928 660"> <tr> <th colspan="2" data-bbox="900 564 1928 604">Earthworks Policies</th> </tr> <tr> <td data-bbox="900 604 1106 660">EW - P1</td> <td data-bbox="1106 604 1928 660">Enable temporary and small scale earthworks for the subdivision, use and development of land, the provision of utilities infrastructure, and hazard mitigation, while managing those</td> </tr> </table> <p>Overview Earthworks are usually an essential prerequisite for development. Earthworks are the physical works that modify land so that it can be used for living, business, and recreation purposes, farming and forestry and the construction and maintenance of infrastructure. The scope and scale of earthworks range from large bulk earthworks, which can alter the landform and its topography, to small and discrete areas of works most often associated with minor development. Earthworks can adversely affect amenity values (visual, dust nuisance, noise and traffic), natural environment values (such as indigenous biodiversity, habitat, environmental quality and landscape) and result in changes to natural landforms. Earthworks can cause changes to the appearance and character of the neighbourhoods they are located in and can impact on people's experience of their environment.</p> <p>Other relevant Te Tai o Poutini Plan provisions In addition to the provisions in this chapter, earthworks and land disturbance are earthworks are also subject to additional provisions in some zone chapters and a number of Part 2: District-Wide Matters chapters, including:</p> <ul style="list-style-type: none"> • District Wide Chapters - Energy, Infrastructure, and Natural Hazards Chapters have provisions relating to earthworks. • Overlay Chapters - the the Overlay Chapters have provisions in relation to earthworks in the Historic Heritage; Notable Trees; Sites and Areas of Significance to Māori; Ecosystems and Indigenous Biodiversity; Natural Features and Landscapes; Natural Character and Margins of Waterbodies ; Natural Hazards; and the Coastal Environment. Where earthworks are located within an overlay area (as identified in the planning maps) then the relevant overlay chapter provisions apply. • Earthworks Associated with Mineral Extraction - the Zone and Overlay Chapters have provisions in relation to which manage mineral extraction and its ancillary activities, including earthworks. The earthwork rules within this chapter do not apply to mineral extraction, mineral prospecting or mineral exploration. 	Earthworks Objectives		EW - O1	To provide for earthworks to facilitate subdivision, use and development of the West Coast/Te Tai o Poutini/the West Coast's land resource, while ensuring that their adverse effects on the surrounding environment are avoided, remedied or mitigated.	Earthworks Policies		EW - P1	Enable temporary and small scale earthworks for the subdivision, use and development of land, the provision of utilities infrastructure, and hazard mitigation, while managing those	As sought in original submission.
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				<p>Other relevant regulations</p> <p>A number of other regulatory and non-regulatory methods also manage the effects of earthworks. For instance, certain earthworks carried out as part of building work are subject to the New Zealand Building Code and may require a building consent under the Building Act 2004 and earthworks in the vicinity of electrical infrastructure are required under the New Zealand Code of Practice for Electrical Safe Distances (NZCEP 34:2001).</p> <p>Earthworks and land disturbance affecting archaeological sites may also require authorisation under the Heritage New Zealand Pouhere Taonga Act 2014. The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. This is regardless of whether a site is scheduled in Te Tai o Poutini Plan or not, and is in addition to any resource consent obtained. If you wish to do any work that may affect an archaeological site you must obtain an authority from Heritage New Zealand before you begin.</p> <p>Earthworks may need additional resource consents from the West Coast Regional Council under the Regional Land and Water or Coastal Plans for the West Coast/Te Tai o Poutini, or under the National Environmental Standard for Freshwater 2020 including earthworks that may result in silt or sediment contamination of water or those which will affect wetlands.</p> <p>Where earthworks associated with the removal of contaminated land and soil are undertaken, the provisions of the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil for Human Health will also apply.</p> <p>The National Environmental Standard for Plantation Commercial Forestry 2017 regulates Amendment Regulations 2023 regulates earthworks for for plantation forestry and and these rules do not apply to those works.</p>					
S547.460	EW - P1	Amend	Amend: “Enable temporary and small scale ... land, the provision of utilities, including energy activities and critical infrastructure, and hazard ...”	<p>Amended EW-P1,</p> <table border="1" data-bbox="902 707 1928 799"> <tr> <td data-bbox="902 707 1106 799">EW - P1</td> <td data-bbox="1106 707 1928 799">Enable temporary and small scale earthworks for the subdivision, use and development of land, the provision of utilities infrastructure, and hazard mitigation, while managing those with the potential to create significant more than minor adverse effects..</td> </tr> </table> <p>Definition of “Infrastructure”,</p> <table border="1" data-bbox="902 871 1928 1053"> <tr> <td data-bbox="902 871 1106 1053">INFRASTRUCTURE</td> <td data-bbox="1106 871 1928 1053"> <p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means</p> <ol style="list-style-type: none"> pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel or geothermal energy; a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001; a network for the purpose of radiocommunication as defined in Section 2(1) of the </td> </tr> </table>	EW - P1	Enable temporary and small scale earthworks for the subdivision, use and development of land, the provision of utilities infrastructure, and hazard mitigation, while managing those with the potential to create significant more than minor adverse effects..	INFRASTRUCTURE	<p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means</p> <ol style="list-style-type: none"> pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel or geothermal energy; a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001; a network for the purpose of radiocommunication as defined in Section 2(1) of the 	Insertion of the original wording as notified: <i>“significant more than minor effects adverse effects.”</i>
EW - P1	Enable temporary and small scale earthworks for the subdivision, use and development of land, the provision of utilities infrastructure, and hazard mitigation, while managing those with the potential to create significant more than minor adverse effects..								
INFRASTRUCTURE	<p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means</p> <ol style="list-style-type: none"> pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel or geothermal energy; a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001; a network for the purpose of radiocommunication as defined in Section 2(1) of the 								

				<p>Radiocommunications Act 1989;</p> <p>d. facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding lines and support structures if a person-</p> <p>i. uses them in connection with the generation of electricity for the person's use; and</p> <p>ii. does not use them to generate any electricity for supply to any other person;</p> <p>e. a water supply distribution system, including a system for irrigation;</p> <p>f. a drainage or sewerage system;</p> <p>g. structures for transport on land by cycleways, rail, roads, walkways, or any other means;</p> <p>h. facilities for the loading or unloading of cargo or passengers transported on land by any means;</p> <p>i. an airport as defined in section 2 of the Airport Authorities Act 1966;</p> <p>j. a navigation installation as defined in section 2 (1) of the Port Companies Act 1988; and</p> <p>k. <u>facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988;</u></p> <p>l. anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.</p> <p><u>Note: Electricity activities are addressed in the Energy Chapter of the Plan.</u></p>	
S547.465	EW - R1	Amend	Amend item 1., "1. Earthworks must not exceed a maximum depth of 1.5m or height above ground of 2m measured vertically within 1.5m of a boundary except ..."	Amended EW-R1,	As sought in original submission to allow for earthworks of a maximum height above ground of 2m.
S547.468	EW – R1	Amend	Avoid duplication of compliance by removing items 3. and 4. Where these matters are already provided for in regulations administered by regional plans in regard to earthworks.		The amendment from "Local Government Agency" to "Statutory Agency".

				EW - R1	Earthworks General Standards		
				<p>All Permitted activities must comply with the following relevant standards.</p> <ul style="list-style-type: none"> • Earthworks must not exceed a maximum depth or height above ground level of 1.5m measured vertically within 1.5m of a boundary except where these are undertaken by a network utility operator for the purpose of: <ul style="list-style-type: none"> i. Pole foundations; ii. Backfilled trenches; or iii. Installation of services by trenchless methods such as directional drilling; iv. <u>Installation of underground equipment as part of the electricity supply or distribution network;</u> v. <u>Achieving safe separation between conductors and the ground;</u> vi. <u>Stockpiles required for network utility or regionally significant infrastructure maintenance, operation, repair, upgrade, or installation of new network utilities;</u> a. All <u>imported</u> fill must consist of cleanfill material; b. Erosion and sediment control measures must be <u>put in place designed, installed and maintained until earthworks are completed</u> to avoid sediment run-off from <u>earthworks earthworks</u> activities entering <u>a Council reticulated Council reticulated</u> network or into <u>waterbodies waterbodies</u>; c. No diversion of stormwater and overland flow shall occur beyond the site boundary and water must not be diverted to adjacent properties or the road; d. Any earthworks within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:2001); e. No earthworks are to be undertaken on or within 10m of any public natural hazard mitigation structure unless <u>under</u> the written approval has been obtained from the <u>relevant local government agency; and</u> f. In the event of discovery of any sensitive or archaeological material that the Accidental Discovery Protocol outlined in Appendix Four must be followed; <u>and</u> g. <u>Rule EW - R1 does not apply to earthworks associated with mineral extraction, mineral exploration, or mineral prospecting.</u> <p>Advice Notes:</p> <ol style="list-style-type: none"> 1. Earthworks are also regulated by the West Coast Regional Land and Water Plan and the NES - Freshwater 2020 administered by the West Coast Regional Council. 2. Earthworks undertaken in areas of contaminated land are subject to the Rules in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>		
FS222.0315	EW - R3	Oppose	b. Add to Rule EW - R3 the following conditions: <u>"4. Where the earthworks are in the NOSZ they are:</u>	Amended EW-R3,			As sought in further submission.

			<p>a. A maximum of 250m²/site of land is disturbed in any 12-month period;</p> <p>b. A maximum of 200m³ of material is transported off site in any 12-month period; and</p> <p>c. There is a maximum 1m change of existing ground level."</p>	<table border="1"> <tr> <td data-bbox="902 102 1111 193">EW - R3</td> <td data-bbox="1111 102 1928 193">Earthworks in the GRUZ - General Rural Zone, RLZ - Rural Lifestyle Zone, any INZ - Industrial Zone, FUZ - Future Urban Zone, AIRPZ - Airport Zone, any OSRZ - Open Space and Recreation Zone and the MPZ - Māori Purpose Zone</td> </tr> <tr> <td colspan="2" data-bbox="902 193 1928 659"> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All standards in Rule EW - R1 are complied with; and These are ancillary earthworks for: <ol style="list-style-type: none"> A Permitted Activity, except that in the Rural Lifestyle Zone a maximum of 500m²/site of land is disturbed in any 12 month period; or An Energy Activity, <u>Regionally Significant Infrastructure, a Network Utility Operation or Transport Activity.</u> Where the earthworks are undertaken within an Overlay Chapter area these earthworks meet the Permitted Activity standards for the relevant Overlay chapterChapter; <u>In the Natural Open Space Zone a maximum of 250m² per site of land is disturbed in any 12 month period and a maximum of 250m³ of material is transported off site in any 12 month period, and there is a maximum 1m change of existing ground level; and</u> Rule EW - R3 does not apply to earthworks associated with mineral extraction, mineral exploration, or mineral prospecting. </td> </tr> <tr> <td colspan="2" data-bbox="902 659 1928 740"> <p>Activity status where compliance not achieved: Restricted Discretionary where standard 1 and 2 are not complied with. Refer to the relevant Overlay Chapter where standard 3 is not complied with.</p> </td> </tr> </table>	EW - R3	Earthworks in the GRUZ - General Rural Zone, RLZ - Rural Lifestyle Zone, any INZ - Industrial Zone, FUZ - Future Urban Zone, AIRPZ - Airport Zone, any OSRZ - Open Space and Recreation Zone and the MPZ - Māori Purpose Zone	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All standards in Rule EW - R1 are complied with; and These are ancillary earthworks for: <ol style="list-style-type: none"> A Permitted Activity, except that in the Rural Lifestyle Zone a maximum of 500m²/site of land is disturbed in any 12 month period; or An Energy Activity, <u>Regionally Significant Infrastructure, a Network Utility Operation or Transport Activity.</u> Where the earthworks are undertaken within an Overlay Chapter area these earthworks meet the Permitted Activity standards for the relevant Overlay chapterChapter; <u>In the Natural Open Space Zone a maximum of 250m² per site of land is disturbed in any 12 month period and a maximum of 250m³ of material is transported off site in any 12 month period, and there is a maximum 1m change of existing ground level; and</u> Rule EW - R3 does not apply to earthworks associated with mineral extraction, mineral exploration, or mineral prospecting. 		<p>Activity status where compliance not achieved: Restricted Discretionary where standard 1 and 2 are not complied with. Refer to the relevant Overlay Chapter where standard 3 is not complied with.</p>		
EW - R3	Earthworks in the GRUZ - General Rural Zone, RLZ - Rural Lifestyle Zone, any INZ - Industrial Zone, FUZ - Future Urban Zone, AIRPZ - Airport Zone, any OSRZ - Open Space and Recreation Zone and the MPZ - Māori Purpose Zone										
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All standards in Rule EW - R1 are complied with; and These are ancillary earthworks for: <ol style="list-style-type: none"> A Permitted Activity, except that in the Rural Lifestyle Zone a maximum of 500m²/site of land is disturbed in any 12 month period; or An Energy Activity, <u>Regionally Significant Infrastructure, a Network Utility Operation or Transport Activity.</u> Where the earthworks are undertaken within an Overlay Chapter area these earthworks meet the Permitted Activity standards for the relevant Overlay chapterChapter; <u>In the Natural Open Space Zone a maximum of 250m² per site of land is disturbed in any 12 month period and a maximum of 250m³ of material is transported off site in any 12 month period, and there is a maximum 1m change of existing ground level; and</u> Rule EW - R3 does not apply to earthworks associated with mineral extraction, mineral exploration, or mineral prospecting. 											
<p>Activity status where compliance not achieved: Restricted Discretionary where standard 1 and 2 are not complied with. Refer to the relevant Overlay Chapter where standard 3 is not complied with.</p>											
S547.473	EW – R6	Retain	Support	<p>Deleted EW-R6,</p> <table border="1"> <tr> <td data-bbox="902 807 1111 842">EW – R6</td> <td data-bbox="1111 807 1928 842">Earthworks in the BCZ – Buller Goalfield Zone and MINZ – Mineral Extraction Zone</td> </tr> <tr> <td colspan="2" data-bbox="902 842 1928 1137"> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All standards in Rule EW – R1 are complied with; and Where the earthworks are undertaken within a Overlay Chapter area these earthworks meet the Permitted Activity standards for the relevant Overlay Chapter. <p>Activity Status Where:</p> <ol style="list-style-type: none"> Where the earthworks are undertaken within a Overlay Chapter area these earthworks meet the Permitted Activity standards for the relevant Overlay Chapter. </td> </tr> <tr> <td colspan="2" data-bbox="902 1137 1928 1174"> <p>Activity status where compliance not achieved: Controlled Activity under the relevant Zone rule – Rule BCZ – Buller Goalfield Zone and Rule MINZ – Mineral Extraction Zone</p> </td> </tr> </table>	EW – R6	Earthworks in the BCZ – Buller Goalfield Zone and MINZ – Mineral Extraction Zone	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All standards in Rule EW – R1 are complied with; and Where the earthworks are undertaken within a Overlay Chapter area these earthworks meet the Permitted Activity standards for the relevant Overlay Chapter. <p>Activity Status Where:</p> <ol style="list-style-type: none"> Where the earthworks are undertaken within a Overlay Chapter area these earthworks meet the Permitted Activity standards for the relevant Overlay Chapter. 		<p>Activity status where compliance not achieved: Controlled Activity under the relevant Zone rule – Rule BCZ – Buller Goalfield Zone and Rule MINZ – Mineral Extraction Zone</p>		As sought in original submission.
EW – R6	Earthworks in the BCZ – Buller Goalfield Zone and MINZ – Mineral Extraction Zone										
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> All standards in Rule EW – R1 are complied with; and Where the earthworks are undertaken within a Overlay Chapter area these earthworks meet the Permitted Activity standards for the relevant Overlay Chapter. <p>Activity Status Where:</p> <ol style="list-style-type: none"> Where the earthworks are undertaken within a Overlay Chapter area these earthworks meet the Permitted Activity standards for the relevant Overlay Chapter. 											
<p>Activity status where compliance not achieved: Controlled Activity under the relevant Zone rule – Rule BCZ – Buller Goalfield Zone and Rule MINZ – Mineral Extraction Zone</p>											

New EW-R6- relates only to the National Grid, included here for reference regarding “3.a.”,

EW - R6	Earthworks and vertical holes within the National Grid Yard
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. All standards in Rule EW - R1 are complied with; and 2. Earthworks and vertical holes do not: <ol style="list-style-type: none"> i. Exceed 300mm in depth within 6m of the outer visible edge of a National Grid support structure; ii. Exceed 3m in depth between 6m and 12m of the outer visible edge of a National Grid support structure; iii. Result in a reduction of the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001; iv. Compromise the stability of any National Grid support structures; and v. Result in the loss of vehicular access to a National Grid support structure. 3. Earthworks and vertical holes for the following activities are exempt from compliance with EW - R7.1(a) to (e): <ol style="list-style-type: none"> a. Earthworks or vertical holes, excluding mining and quarrying, that are undertaken by a network utility operator as defined by the Resource Management Act 1991; b. Agricultural or domestic cultivation; c. The repair, sealing or resealing of a vehicle access, farm track, footpath, or driveway; d. Vertical holes not exceeding 500mm in diameter that are more than 1.5m from the outer edge of a National Grid pole or stay wire, or are a post hole for a farm fence or horticulture structure more than 6m from the visible outer edge of a National Grid tower foundation; and e. Earthworks and vertical holes subject to a dispensation from Transpower under New Zealand NZECP 34: 2001. 	<p>Activity status where compliance not achieved: Non Complying</p>

Deleted EW-R7,

S547.474

EW - R7
(Now EW-R6)

Amend

Delete e.

Wording EW-R7 has been completely re-written.

In the new wording amend: 2(i) as follows:
“Exceed ~~300mm~~ 3m in depth”.

				<table border="1"> <tr> <th>EW - R7</th> <th>Earthworks within the National Grid Yard Not Meeting Rule EW - R2</th> </tr> <tr> <td> Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> Effects on the operation, maintenance, upgrading and development of the National Grid; The risk to the structural integrity of the National Grid support structure (s); Any impact on the ability to access the National Grid; Management of stormwater and overland flow; Any adverse effects on landscape, amenity, natural features, water quality, cultural and heritage sites, biodiversity and habitat of indigenous flora and fauna, and the quality of the environment; The risk of electrical hazards affecting public or individual safety and the risk of property damage; and The outcome of any consultation with the owner and operator of the National Grid. </td> <td> Activity status where compliance not achieved: N/A </td> </tr> </table>	EW - R7	Earthworks within the National Grid Yard Not Meeting Rule EW - R2	Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> Effects on the operation, maintenance, upgrading and development of the National Grid; The risk to the structural integrity of the National Grid support structure (s); Any impact on the ability to access the National Grid; Management of stormwater and overland flow; Any adverse effects on landscape, amenity, natural features, water quality, cultural and heritage sites, biodiversity and habitat of indigenous flora and fauna, and the quality of the environment; The risk of electrical hazards affecting public or individual safety and the risk of property damage; and The outcome of any consultation with the owner and operator of the National Grid. 	Activity status where compliance not achieved: N/A	As sought in the original submission.
EW - R7	Earthworks within the National Grid Yard Not Meeting Rule EW - R2								
Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> Effects on the operation, maintenance, upgrading and development of the National Grid; The risk to the structural integrity of the National Grid support structure (s); Any impact on the ability to access the National Grid; Management of stormwater and overland flow; Any adverse effects on landscape, amenity, natural features, water quality, cultural and heritage sites, biodiversity and habitat of indigenous flora and fauna, and the quality of the environment; The risk of electrical hazards affecting public or individual safety and the risk of property damage; and The outcome of any consultation with the owner and operator of the National Grid. 	Activity status where compliance not achieved: N/A								
S547.475	EW - R7 (Now EW-R6)	Amend	Add h., “h. Any technical, locational, functional or operational constraints or requirements of the proposed activity.”						
S547.476	EW - R7 (Now EQ-R6)	Amend	Add i., “i. The benefits arising from the proposed new activity.”	<p>New EW-R7 (Previously EW-R8),</p> <table border="1"> <tr> <th>EW - R8R7</th> <th>Earthworks in any Zone not meeting Permitted Activity standards</th> </tr> <tr> <td> Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> The impact of earthworks on visual amenity, landscape character, outlook and privacy; Potential dust nuisance, sedimentation, land instability, contamination and erosion effects; Effects that result from the stockpiling in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy; The effectiveness of proposed management or mitigation measures to minimise avoid, remedy or mitigate any potential adverse effects beyond the property boundary of the activity; Any changes to the patterns of surface drainage or subsoil drains that could result in a higher risk of drainage problems, inundation run-off, flooding, or raise or lower the water table; The impact of earthworks on critical regionally significant infrastructure; The impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; Any adverse effects on landscape, amenity and natural character, natural features, water quality, cultural and heritage items and areas, archaeological sites, biodiversity and habitat of indigenous flora and fauna, including mahinga kai species, and the quality of the environment; The impact on stormwater infrastructure and any overland flow paths; and The impact on any natural hazards infrastructure and the effectiveness of its operation. Advice Note: Rules in relation to earthworks in overlay areas can be found in the Overlay Chapters. </td> <td> Activity status where compliance not achieved: N/A </td> </tr> </table>	EW - R8R7	Earthworks in any Zone not meeting Permitted Activity standards	Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> The impact of earthworks on visual amenity, landscape character, outlook and privacy; Potential dust nuisance, sedimentation, land instability, contamination and erosion effects; Effects that result from the stockpiling in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy; The effectiveness of proposed management or mitigation measures to minimise avoid, remedy or mitigate any potential adverse effects beyond the property boundary of the activity; Any changes to the patterns of surface drainage or subsoil drains that could result in a higher risk of drainage problems, inundation run-off, flooding, or raise or lower the water table; The impact of earthworks on critical regionally significant infrastructure; The impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; Any adverse effects on landscape, amenity and natural character, natural features, water quality, cultural and heritage items and areas, archaeological sites, biodiversity and habitat of indigenous flora and fauna, including mahinga kai species, and the quality of the environment; The impact on stormwater infrastructure and any overland flow paths; and The impact on any natural hazards infrastructure and the effectiveness of its operation. Advice Note: Rules in relation to earthworks in overlay areas can be found in the Overlay Chapters.	Activity status where compliance not achieved: N/A	As sought in original submission
EW - R8R7	Earthworks in any Zone not meeting Permitted Activity standards								
Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> The impact of earthworks on visual amenity, landscape character, outlook and privacy; Potential dust nuisance, sedimentation, land instability, contamination and erosion effects; Effects that result from the stockpiling in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy; The effectiveness of proposed management or mitigation measures to minimise avoid, remedy or mitigate any potential adverse effects beyond the property boundary of the activity; Any changes to the patterns of surface drainage or subsoil drains that could result in a higher risk of drainage problems, inundation run-off, flooding, or raise or lower the water table; The impact of earthworks on critical regionally significant infrastructure; The impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; Any adverse effects on landscape, amenity and natural character, natural features, water quality, cultural and heritage items and areas, archaeological sites, biodiversity and habitat of indigenous flora and fauna, including mahinga kai species, and the quality of the environment; The impact on stormwater infrastructure and any overland flow paths; and The impact on any natural hazards infrastructure and the effectiveness of its operation. Advice Note: Rules in relation to earthworks in overlay areas can be found in the Overlay Chapters.	Activity status where compliance not achieved: N/A								

FS222.0319	EW - R7 (Now – EW-R6)	Oppose	Make it clear in these two roles, by way of a condition, that: <u>“any vegetation clearance that is caused by the earthworks, or by the associated works (e.g., smothering by the excavated materials) must comply with the provisions of the ECO chapter.”</u>		As sought in original submission.				
S547.478	EW - R8 (Now EW-R7)	Amend	Amend g., <u>“The impact of earthworks on energy activities and infrastructure, including critical infrastructure.”</u>		Wording as originally notified, and as sought in original submission with the amendment from <i>“critical infrastructure,</i> to <i>“Regionally Significant Infrastructure.”</i>				
				<p>New EW-R8,</p> <table border="1" data-bbox="902 1198 1928 1353"> <tr> <td data-bbox="902 1198 1111 1262"><u>EW - R8</u></td> <td data-bbox="1111 1198 1928 1262"><u>Earthworks within the National Grid Yard not meeting Permitted Activity standards</u></td> </tr> <tr> <td data-bbox="902 1262 1626 1353"><u>Activity Status Non-complying</u></td> <td data-bbox="1626 1262 1928 1353"><u>Activity status where compliance not achieved:</u> <u>N/A</u></td> </tr> </table>	<u>EW - R8</u>	<u>Earthworks within the National Grid Yard not meeting Permitted Activity standards</u>	<u>Activity Status Non-complying</u>	<u>Activity status where compliance not achieved:</u> <u>N/A</u>	That the activity status be amended as following: <u>“Non-complying Discretionary”</u> .
<u>EW - R8</u>	<u>Earthworks within the National Grid Yard not meeting Permitted Activity standards</u>								
<u>Activity Status Non-complying</u>	<u>Activity status where compliance not achieved:</u> <u>N/A</u>								

Provisions Appealed – Part 2 LIGHT – Light

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought
S547.481	LIGHT -O2	Amend	Amend Artificial lighting is located, operated and designed to maintain ensure that potential adverse effects on the character and amenity values within zones , the health and safety of people, the safe operation of the transport network, protects views of the night sky, the habitats and ecosystems of nocturnal native fauna and the-species themselves are avoided, remedied or mitigated.	<p>Amended LIGHT-O2,</p> <p>LIGHT - O2</p> <p>Artificial outdoor lighting is located, designed and operated to maintain maintain:</p> <ul style="list-style-type: none"> a. Maintain Maintain the character and amenity values within zones, so that it does not adversely affect so that it does not adversely affect; b. Protect Protect the natural character of the coastal environment and outstanding natural features and landscapes; c. Provide for Provide for the health and safety of people, and and the safe operation of the transport network, protects views protects views; d. Protect and maintain Protect and maintain the qualities of the natural darkness of the night sky.; e. Outside the coastal environment, protect significant habitats and ecosystems of nocturnal native fauna Outside the coastal environment, protect significant habitats and ecosystems of nocturnal native fauna indigenous biodiversity and the species themselves by applying the effects management hierarchy and maintain the habitats of biodiversity and the species themselves applying the effects management hierarchy and maintain the habitats of biodiversity and the species themselves; f. Protect significant indigenous biodiversity within the coastal environment by avoiding adverse effects on Threatened or At Risk indigenous species and their habitats; and Protect significant indigenous biodiversity within the coastal environment by avoiding adverse effects on Threatened or At Risk indigenous species and their habitats; and g. Protect indigenous biodiversity within the coastal environment by avoiding significant adverse effects on indigenous species and their habitats. Protect indigenous biodiversity within the coastal environment by avoiding significant adverse effects on indigenous species and their habitats. 	Wording as originally notified with the amendments sought in the original submission.
S547.482	LIGHT – P1	Amend	Amend LIGHT – P1, “Provide for the use of ... a. ...	Amended LIGHT-P1,	Wording of P1 as originally notified with the amendments

			<p>b. <u>avoids, remedies or mitigates</u> adverse effects on the character and amenity values of</p> <p>c. ...</p> <p>d. ...</p> <p>e. <u>avoids, remedies or mitigates adverse effects on</u> the health and wellbeing ...</p> <p>f. <u>recognises the technical, location, functional or operation constraints or requirements of activities.</u>”</p>	<p>LIGHT - P1</p> <p>Provide for the use of artificial outdoor lighting that:</p> <ol style="list-style-type: none"> Allows people and communities to enjoy and use sites and facilities during night time hours and contributes to the security and safety of private and public spaces; Maintains the character and amenity values of the zone and surrounding area; Supports the social, cultural, and economic wellbeing or health and safety of people and communities, including road safety; Minimises <u>Maintains the natural darkness of the night sky glow within the coastal environment and light spill</u> minimises adverse effects on the darkness of the night sky in other areas; and Protects <u>Outside the health coastal environment, avoids adverse effects on significant habitats of indigenous biodiversity and well-being threatened or at risk species by applying the effects management hierarchy and maintains the habitats of people</u> other indigenous biodiversity and ecosystems <u>the species themselves;</u> <u>Recognises the functional or operational needs of activities</u> <u>Within the coastal environment, avoids adverse effects on significant indigenous biodiversity, habitats and threatened or at risk indigenous species and their habitats; and</u> <u>Within the coastal environment, avoids significant adverse effects on indigenous biodiversity and their habitats.</u> 	<p>sought in the original submission to avoid the conflicts between LIGHT-01 and LIGHT-02.</p>
FS222.0322	LIGHT - P1	Oppose	<p>Include “<u>and avoids adverse effects on indigenous biodiversity</u>” at end of(e).</p>		<p>As sought in further submission.</p>
FS222.0107	LIGHT - P1	Oppose	<p>Amend: Ensure that any artificial outdoor lighting avoids conflict with existing light sensitive areas and uses; Internalise light spill within the</p>		<p>As sought in further submission.</p>

			<p>site where the outdoor lighting is located; Minimises adverse effects on views of the night sky and intrinsically dark landscapes including in areas of outstanding coastal natural character; Minimises adverse effects on the significant habitats of light sensitive native indigenous vegetation and habitats of indigenous fauna and the species themselves; and Minimises adverse effects on the health and safety of people and communities in the surrounding area.</p>	
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Provisions Appealed – Part 2 NOISE – Noise

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought		
S547.485	NOISE – P1	Amend	Add item f., <u>“f. The technical, locational, functional or operational constraints and/or requirements of the activity.”</u>	Amended NOISE-P1, <table border="1" data-bbox="902 331 1888 512"> <tr> <td>NOISE - P1</td> <td>Enable the generation of noise when it is noise of a type, character, scale and level that is appropriate to the zone, having regard to: a. The purpose, character and qualities of the zone that the activity is located in; b. The nature, frequency and duration of the noise generating activity; c. Whether the noise generating activity is critical regionally significant infrastructure; d. Methods of mitigation; and e. The sensitivity of the surrounding environment.</td> </tr> </table>	NOISE - P1	Enable the generation of noise when it is noise of a type, character, scale and level that is appropriate to the zone, having regard to: a. The purpose, character and qualities of the zone that the activity is located in; b. The nature, frequency and duration of the noise generating activity; c. Whether the noise generating activity is critical regionally significant infrastructure; d. Methods of mitigation; and e. The sensitivity of the surrounding environment.	As set out in original submission.
NOISE - P1	Enable the generation of noise when it is noise of a type, character, scale and level that is appropriate to the zone, having regard to: a. The purpose, character and qualities of the zone that the activity is located in; b. The nature, frequency and duration of the noise generating activity; c. Whether the noise generating activity is critical regionally significant infrastructure; d. Methods of mitigation; and e. The sensitivity of the surrounding environment.						
S547.486	NOISE – P1	Amend	Add item g., <u>“g. Benefits from the work being undertaken and energy activities and infrastructure developed.”</u>		As set out in original submission.		
S547.488	NOISE – P4	Amend	Add item f., <u>“f. The technical, locational, functional or operational constraints and/or requirements of the activity.”</u>	Amended NOISE-P4, <table border="1" data-bbox="902 874 1818 1109"> <tr> <td>NOISE - P4</td> <td>Ensure noise effects generated by an activity are of a type, scale and level that are appropriate for the predominant role, function and character of the receiving environment and protect the health and wellbeing of people and communities by having regard to: a. Maximum noise limits to reflect the character and amenity of each zone; b. Type, scale and location of the activity in relation to any noise sensitive activities; c. Hours of operation and duration of activity; d. The temporary or permanent nature of any adverse effects; effects; and e. The ability to internalise and/or minimise any conflict with adjacent activities avoid, remedy or mitigate adverse effects; and f. The functional or operational need of the activity.</td> </tr> </table>	NOISE - P4	Ensure noise effects generated by an activity are of a type, scale and level that are appropriate for the predominant role, function and character of the receiving environment and protect the health and wellbeing of people and communities by having regard to: a. Maximum noise limits to reflect the character and amenity of each zone; b. Type, scale and location of the activity in relation to any noise sensitive activities; c. Hours of operation and duration of activity; d. The temporary or permanent nature of any adverse effects; effects; and e. The ability to internalise and/or minimise any conflict with adjacent activities avoid, remedy or mitigate adverse effects; and f. The functional or operational need of the activity.	Amendments to f. as set out in original submission.
NOISE - P4	Ensure noise effects generated by an activity are of a type, scale and level that are appropriate for the predominant role, function and character of the receiving environment and protect the health and wellbeing of people and communities by having regard to: a. Maximum noise limits to reflect the character and amenity of each zone; b. Type, scale and location of the activity in relation to any noise sensitive activities; c. Hours of operation and duration of activity; d. The temporary or permanent nature of any adverse effects; effects; and e. The ability to internalise and/or minimise any conflict with adjacent activities avoid, remedy or mitigate adverse effects; and f. The functional or operational need of the activity.						
S547.489	NOISE – P4	Amend	Add item g., <u>“g. Benefits from the work being undertaken and energy activities and infrastructure developed.”</u>		As sought in original submission		

Provisions Appealed – Part 2 TEMP – Temporary Activities

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought		
				<ul style="list-style-type: none"> • Energy, Infrastructure and Transport - provisions in relation to temporary network utilities and temporary energy activities are included within the Energy and Infrastructure Chapters of the Plan. <u>The rules within this chapter do not apply to energy and infrastructure activities.</u> 	<p>That the new wording: <i>“The rules within this chapter do not apply to energy and infrastructure activities”</i> is deleted.</p> <p>NB: This did not arise from a specific submission/further submission but from the s42A Recommendations through the hearing process.</p>		
S547.042	TEMPORARY ACTIVITY	Amend	Amend (e) “... buildings and structures for ...	<p>Temporary Activity unchanged,</p> <table border="1" data-bbox="896 1212 1948 1292"> <tr> <td data-bbox="896 1212 1108 1292">TEMPORARY ACTIVITY</td> <td data-bbox="1113 1212 1948 1292">means activities and their ancillary buildings and structures that are intended to have a limited duration and incidence and are not part of a permanent activity that occurs on the site.</td> </tr> </table>	TEMPORARY ACTIVITY	means activities and their ancillary buildings and structures that are intended to have a limited duration and incidence and are not part of a permanent activity that occurs on the site.	As sought in original submission.
TEMPORARY ACTIVITY	means activities and their ancillary buildings and structures that are intended to have a limited duration and incidence and are not part of a permanent activity that occurs on the site.						

				<p>They include:</p> <ul style="list-style-type: none"> a. fairs, festivals, sporting and special events; b. commercial filming or video production activities; c. emergency services training events; d. public firework displays; e. structures for construction and demolition projects; and f. temporary farmers or crafts markets. <p>Note: Temporary Activities do not include:</p> <ul style="list-style-type: none"> i. Permitted Recreation Activities meeting Zone standards; ii. Events and other types of activities meeting Zone standards in the Stadium Zone or any Open Space and Recreation Zone; or iii. Temporary military training activities. 					
				<p>Definition of “Structure”,</p> <table border="1"> <tr> <td>STRUCTURE</td> <td>has the same meaning as in section 2 of the RMA (as set out below) means any building, equipment, device, or other facility made by people and which is fixed to land, and includes any raft.</td> </tr> </table>	STRUCTURE	has the same meaning as in section 2 of the RMA (as set out below) means any building, equipment, device, or other facility made by people and which is fixed to land, and includes any raft.			
STRUCTURE	has the same meaning as in section 2 of the RMA (as set out below) means any building, equipment, device, or other facility made by people and which is fixed to land, and includes any raft.								
S547.495	TEMP - R2	Amend	Amend item 2., “The building or structure is located on the same site as the construction or demolition activity, <u>or on a site in the vicinity where there will be no greater effect arising to any other landowner</u> ”	<p>Amended TEMP-R2,</p> <table border="1"> <tr> <td>TEMP - R2</td> <td>Temporary Buildings and Structures Ancillary to Construction and Demolition Activity</td> </tr> <tr> <td> <p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. These are removed within 1 month of the activity ceasing and the site reinstated to the original or better condition; 2. The building or structure is located on the same site as the construction or demolition activity; 3. Relevant zone Setback standards are met where the activity adjoins any Residential or Settlement Zone; 4. The building or structure is on the same site as the construction or demolition activity; and 5. Any temporary building is no more than 50m² in gross floor area where this adjoins a residential zone. </td> <td> <p>Activity status where compliance not achieved: Restricted Discretionary</p> </td> </tr> </table>	TEMP - R2	Temporary Buildings and Structures Ancillary to Construction and Demolition Activity	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. These are removed within 1 month of the activity ceasing and the site reinstated to the original or better condition; 2. The building or structure is located on the same site as the construction or demolition activity; 3. Relevant zone Setback standards are met where the activity adjoins any Residential or Settlement Zone; 4. The building or structure is on the same site as the construction or demolition activity; and 5. Any temporary building is no more than 50m² in gross floor area where this adjoins a residential zone. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>	As sought in original submission.
TEMP - R2	Temporary Buildings and Structures Ancillary to Construction and Demolition Activity								
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. These are removed within 1 month of the activity ceasing and the site reinstated to the original or better condition; 2. The building or structure is located on the same site as the construction or demolition activity; 3. Relevant zone Setback standards are met where the activity adjoins any Residential or Settlement Zone; 4. The building or structure is on the same site as the construction or demolition activity; and 5. Any temporary building is no more than 50m² in gross floor area where this adjoins a residential zone. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>								
S547.497	TEMP - R8	Amend	Add item c., “ <u>The technical, locational, functional or operational constraints and/or requirements of the activity.</u> ”	<p>Amended TEMP-R8,</p> <table border="1"> <tr> <td>TEMP - R8</td> <td>Temporary Buildings and Structures Ancillary to a Construction and Demolition Activity not meeting Permitted Activity Standards</td> </tr> <tr> <td> <p>Activity Status Restricted Discretionary Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Effects on outlook, shading, loss of privacy and amenity to any nearby properties; and b. Location and design. </td> <td> <p>Activity status where compliance not achieved: N/A</p> </td> </tr> </table>	TEMP - R8	Temporary Buildings and Structures Ancillary to a Construction and Demolition Activity not meeting Permitted Activity Standards	<p>Activity Status Restricted Discretionary Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Effects on outlook, shading, loss of privacy and amenity to any nearby properties; and b. Location and design. 	<p>Activity status where compliance not achieved: N/A</p>	As sought in original submission.
TEMP - R8	Temporary Buildings and Structures Ancillary to a Construction and Demolition Activity not meeting Permitted Activity Standards								
<p>Activity Status Restricted Discretionary Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Effects on outlook, shading, loss of privacy and amenity to any nearby properties; and b. Location and design. 	<p>Activity status where compliance not achieved: N/A</p>								
S547.498	TEMP - R8	Amend	Add item d., “ <u>Benefits from the work being undertaken and</u> ”		As sought in original submission.				

			<u>energy activities and infrastructure developed.</u>								
S547.499	TEMP - R9	Amend	Add item g., <u>“The technical, locational, functional or operational constraints and/or requirements of the activity.”</u>	Amended TEMP-R9, <table border="1"> <tr> <td>TEMP - R9</td> <td>Other Temporary Activities and Buildings not meeting Permitted Activity Standards</td> </tr> <tr> <td colspan="2"> Activity Status Restricted Discretionary Discretion is restricted to: <ul style="list-style-type: none"> a. Waste disposal from any camping activity; b. Effects on natural and cultural values in the location; c. Traffic safety; d. Dust and sediment control; e. Ground stability; and f. Visual amenity from neighbouring properties and public places. Advice Note: <ul style="list-style-type: none"> 1. It is the organiser's obligation to contact the relevant road controlling authority (Waka Kotahi - New Zealand Transport Authority) if the activity is accessed from a State Highway, and the relevant District Council (if accessed from any other roads) to arrange an appropriate traffic management plan to avoid traffic safety hazards being generated from the activity. </td> </tr> <tr> <td colspan="2">Activity status where compliance not achieved: N/A</td> </tr> </table>	TEMP - R9	Other Temporary Activities and Buildings not meeting Permitted Activity Standards	Activity Status Restricted Discretionary Discretion is restricted to: <ul style="list-style-type: none"> a. Waste disposal from any camping activity; b. Effects on natural and cultural values in the location; c. Traffic safety; d. Dust and sediment control; e. Ground stability; and f. Visual amenity from neighbouring properties and public places. Advice Note: <ul style="list-style-type: none"> 1. It is the organiser's obligation to contact the relevant road controlling authority (Waka Kotahi - New Zealand Transport Authority) if the activity is accessed from a State Highway, and the relevant District Council (if accessed from any other roads) to arrange an appropriate traffic management plan to avoid traffic safety hazards being generated from the activity. 		Activity status where compliance not achieved: N/A		As sought in original submission.
TEMP - R9	Other Temporary Activities and Buildings not meeting Permitted Activity Standards										
Activity Status Restricted Discretionary Discretion is restricted to: <ul style="list-style-type: none"> a. Waste disposal from any camping activity; b. Effects on natural and cultural values in the location; c. Traffic safety; d. Dust and sediment control; e. Ground stability; and f. Visual amenity from neighbouring properties and public places. Advice Note: <ul style="list-style-type: none"> 1. It is the organiser's obligation to contact the relevant road controlling authority (Waka Kotahi - New Zealand Transport Authority) if the activity is accessed from a State Highway, and the relevant District Council (if accessed from any other roads) to arrange an appropriate traffic management plan to avoid traffic safety hazards being generated from the activity. 											
Activity status where compliance not achieved: N/A											
S547.500	TEMP - R9	Amend	Add item h., <u>“Benefits from the work being undertaken and energy activities and infrastructure developed.”</u>		As sought in original submission.						

Provisions Appealed – Outstanding Matters

Submission Point	Related Provision	Position	Summary of Decision Requested	TTPP Committee Decision	Relief Sought
FS222.084	Overview	Oppose	<p>Amend: ...The West Coast/Te Tai o Poutini contains a significant amount of intact natural diversity by comparison with other parts of New Zealand/Aotearoa me Te Waipounamu. Continuous tracts of lowland and coastal forests and freshwater as well as coastal wetlands cover large areas. In many places indigenous ecosystems and habitats extend unbroken from the mountains to the sea. Approximately 84% of the land area is under the management of the Department of Conservation. In total an estimated 90% of the West Coast/Te Tai o Poutini is covered in indigenous vegetation - compared with 24% nationally.</p> <p>While the West Coast/Te Tai o Poutini is fortunate to have a wide range of diverse and intact ecosystems and vegetation types, they occur primarily</p>	<p>Amended “ECO” Overview,</p> <p>Overview Biological diversity, or biodiversity, describes the variety and diversity of all life forms and the ecosystems they inhabit. Indigenous biodiversity is biodiversity/living organisms that is native to New Zealand/Aotearoa occur naturally in Aotearoa me Te Waipounamu/New Zealand, and relates to individual birds, the ecological complexes of which they are part, plants including all forms of indigenous flora, insects/fauna, and other species/fungi, and their habitats and also includes the ecosystems where these species/living organisms live, such as forests and sand dunes.</p> <p>The West Coast/Te Tai o Poutini contains/the West Coast contains a significant amount of intact natural diversity by comparison with other parts of New Zealand/Aotearoa/Aotearoa me Te Waipounamu/New Zealand. Continuous tracts of lowland and coastal forests and freshwater as well as coastal wetlands cover large areas. In many places indigenous ecosystems and habitats extend unbroken from the mountains to the sea. 84 Approximately 84% of the land area is under the management of the Department of Conservation. In total an estimated 90% of the West Coast/Te Tai o Poutini/the West Coast is covered in indigenous vegetation - compared with 24% nationally.</p> <p>While the West Coast/Te Tai o Poutini/the West Coast is fortunate to have a wide range of diverse and intact ecosystems and vegetation types, they occur primarily in the uplands there are some ecosystems and vegetation types not well represented in the protected areas network. These are generally ecosystems found in the lowland areas of the West Coast/Te Tai o Poutini/the West Coast and include threatened ecosystems such as coastal turf and wetlands, and vegetation types such as coastal forest and forests on alluvial terraces. Alongside this, parts of the West Coast/Te Tai o Poutini/the West Coast include the last habitats or strongholds of some native indigenous species threatened with extinction. Without the identification and protection of areas of significant indigenous vegetation and the significant habitats of indigenous fauna, there is a risk of further degradation and the extinction of threatened and at risk indigenous biodiversity. Well-functioning ecosystems also provide resilience to climate change and can provide protection to communities from natural hazards.</p> <p>Under the RMA, the district and regional councils share responsibility responsibility for maintaining indigenous biodiversity. Te Tai o Poutini Plan is District Councils are responsible for protecting and maintaining terrestrial (land-based) ecosystems, including in the margins of the coast/coastal wetlands and waterbodies, and the The West Coast Regional Council is is responsible for protecting and maintaining the non-terrestrial ecosystems (rivers, lakes, wetlands and the coast below mean high water springs). Poutini Ngāi Tahu also also have cultural responsibilities as mana whenua and kaitiaki. Schedule 97 of the Ngāi Tahu Clams Settlement Act 1988 identifies some Taonga Species, along with Department of Conservation Documents and Iwi/Papatipu Rūnanga Management Plans.</p> <p>The RMA requires Te Tai o Poutini Plan to manage indigenous biodiversity in two particular ways. Firstly, the control of any actual or potential effects of the use, development, or protection of land for the purpose of maintaining indigenous biodiversity. Secondly, it is required district councils to recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna by managing any actual or potential effects of subdivision, use, development of land, and the identification and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>The National Policy Statement for Indigenous Biodiversity (NPSIB) came into force on 4 August 2023 and TTPP is required to give effect to this. The objective of the NPSIB is to maintain indigenous biodiversity across Aotearoa me Te Waipounamu/ New Zealand so that there is at least no overall loss in indigenous biodiversity after 4 August 2023. This is to be achieved by:</p> <ol style="list-style-type: none"> i. recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and ii. recognising people and communities, including landowners, as stewards of indigenous biodiversity; and iii. protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; <p>while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.</p> <p>The NPSIB, as amended October 2024, must be given effect to as soon as reasonably practicable. The TTPP was notified prior to the commencement of the NPSIB and therefore gives effect to it as much as possible within the scope of submissions made on the Plan, and utilising clause 4.4 of the NPSIB to ensure consistent terminology.</p> <p>The NPSIB does not apply to the development, operation, maintenance or upgrade of renewable electricity generation assets and activities, and electricity transmission network assets and activities, however, the</p>	As sought in further submission.

			<p><u>in the uplands, and</u> there are some ecosystems and vegetation types not well represented in the protected areas network. These are generally ecosystems found in the lowland areas of the West Coast/Te Tai o Poutini, <u>and include threatened ecosystems such as coastal turf and wetlands, and vegetation types such as coastal forest and forests on alluvial terraces.</u></p> <p>Alongside this, parts of the West Coast/Te Tai o Poutini include the last habitats or strongholds of some native species threatened with extinction.</p> <p><u>The benefits of ecological connectivity from the mountains to the sea on the West Coast/Te Tai o Poutini are shared by all</u></p> <p>In the Grey District, an evaluation process has been underway for a number of years, and this has enabled 37 Significant Natural Areas to be identified within the Grey District. The list of these Significant Natural Areas can be found in Schedule</p>	<p>requirements of the RMA and the RPS apply.</p> <p>The RPS is yet to be updated to give effect to the NPSIB. However, this Plan must give effect to the RPS, which contains provisions for managing ecosystems and indigenous biodiversity. The RPS includes ecological criteria for identifying significant terrestrial and freshwater indigenous biological diversity. It requires that all areas meeting one or more of these criteria, whether mapped or not, are to be known as Significant Natural Areas or SNA. The RPS criteria in Appendix 1 are equivalent to NPSIB Appendix 1, however, the NPSIB criteria provide clearer guidance.</p> <p>Because of the extremely large land extensive area covered by indigenous vegetation on the West Coast/Te Tai o Poutini/the West Coast, detailed a comprehensive assessment of each piece for identification of vegetation ecological significance using the RPS Appendix 1 criteria for its significance the purpose of mapping Significant Natural Areas has not yet been undertaken completed.</p> <p>In the Grey District, an evaluation process has been underway for was undertaken a number of years, and this has enabled ago. This identified 37 Significant Natural Areas to be identified within the Grey District, which were previously included in the Grey District Plan. The list of these Significant Natural Areas can be found These are included in Schedule Four and they are also shown on the maps. These SNA are included under the NPSIB definition of an SNA, regardless of how they are described, and will require reassessment under the NPSIB criteria in Appendix 1.</p> <p>In the Buller and Westland Districts, where Significant Natural Areas have not yet been mapped, and in the Grey District for areas outside of mapped Significant Natural Areas included in Schedule Four, Te Tai o Poutini Plan has has general vegetation clearance rules, with. Where there is uncertainty as to whether an expectation that area may meet the RPS Appendix 1 criteria, or in the absence of an ecological assessment, precaution and protection should be favoured and a resource consent process will enable ecological assessment against the regionally consistent significance criteria will to be undertaken, at the time of any resource consent.</p> <p>Te Tai o Poutini Plan also encourages integrated management of indigenous biodiversity and supports landowners, local government, Poutini Ngāi Tahu and other biodiversity partners working together on a voluntary basis to to maintain and enhance indigenous biodiversity, including methods such as legal protection and good land management.</p> <p>Te Mana o te Taiao - Aotearoa New Zealand Biodiversity Strategy 2020 provides national strategic direction to address the complex issues causing biodiversity loss and places the Treaty partnership at the centre of biodiversity work. It provides a framework for action and guiding principles.</p> <p>There is a considerable network of electricity generation, distribution and transmission activities and infrastructure, on Te Tai o Poutini/the West Coast, including within areas of indigenous vegetation and biodiversity. Given the topography and extent of natural ecosystems and indigenous biodiversity on Te Tai o Poutini/the West Coast, practical management solutions are required to ensure maintenance and enhancement the supply of renewable electricity generation to, and between, communities for the benefit of those communities and the wider environment from the use and development of renewable electricity generation.</p> <p>The Ecosystems and Indigenous Biodiversity Chapter contains objectives, policies, and rules for managing effects on indigenous biodiversity, including for the assessment and identification of significant indigenous vegetation and significant habitats of indigenous fauna. This chapter contains rules relating to vegetation clearance that apply throughout the district. There are also specific rules that apply within significant natural areas, areas of high natural character, outstanding natural features and landscapes and the coastal environment.</p> <p>Indigenous vegetation clearance in the Coastal Environment or adjacent to waterbodies</p> <p>Where</p> <p>Te Tai o Poutini Plan must also give effect to Policy 11 of the NZCPS 2010 and the RPS which include specific provisions for protection of indigenous biological diversity in the coastal environment. This chapter includes provisions for protection of significant indigenous biodiversity within the coastal environment (above mean high water springs) as shown on the Planning maps. This chapter also includes provisions for indigenous vegetation clearance is proposed, within riparian margins next to rivers, lakes and coastal wetlands refer to the Natural Character and Margins of Waterbodies chapter of the Plan for the Rules around this clearance.</p> <p>Plantation/Commercial Forestry</p> <p>Plantation forestry is principally regulated by the Resource Management (National Environmental Standard for Plantation Commercial Forestry) Regulations 2017 (NES-PF-CF). However the NES-PF-CF allows that district plans can be more stringent to protect significant natural areas a Significant Natural Area and significant indigenous biodiversity within the coastal environment as provided for in the NZCPS Policy 11. Where provision within this chapter are more stringent, they over-rule the requirements of the NES - PF-CF and an advice note to that effect is included within the relevant Rule.</p> <p>Strategic Objectives Wetlands on Te Tai o Poutini/the West Coast</p> <p>The Strategic Objectives are particularly relevant when assessing matters under the Ecosystems Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NESF) includes regulations of activities within, and indigenous Biodiversity Chapter within setbacks from, natural wetlands. The Natural</p>	
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			<p>Four and they are also shown on the maps.</p> <p><u>In the Buller and Westland Districts, where Significant Natural Areas have not yet been mapped, the mapping of Significant Natural Areas will be undertaken and completed by June 2027.;</u></p> <p>Te Tai o Poutini Plan has general vegetation clearance rules, with an expectation <u>requirement</u> that an assessment against the regionally consistent significance criteria will be undertaken at the time of any resource consent <u>or to confirm whether or not the area proposed to be cleared is not significant before permitted clearance occurs. These rules apply in addition to the rules that apply to the Schedule 4 Significant Natural Areas...</u></p> <p>...Indigenous vegetation clearance in the Coastal Environment or adjacent to waterbodies Where indigenous vegetation clearance is proposed within riparian margins next to rivers, lakes</p>	<p>Environment, Mineral Extraction and Connections and Resilience Strategic Objectives. These activities are particularly relevant.</p> <p><u>Wetlands are managed by the West Coast Regional Council under the NESF. It should be noted that the setbacks for activities within those regulations may be different to those set out in this Plan and may require resource consent to be sought from the Regional Council.</u></p> <p>The West Coast Regional Council Land and Water Plan identifies a list of Regionally Significant Wetlands, in <u>Schedule 1</u>. In accordance with the West Coast Regional Policy Statement, these areas are known as Significant Natural Areas and have specific Rules around their management in the Regional Land and Water Plan.</p> <p><u>Other: They relevant Te Tai o Poutini Plan provisions</u></p> <p><u>Strategic Directions</u> - The Strategic Objectives and Policies are also subject to regulation by the West Coast Regional Council relevant when assessing matters under the National Environmental Standard Ecosystems and Indigenous Biodiversity Chapter. The Natural Environment, Poutini Ngāi Tahu, Mineral Extraction and Climate Change and Resilience Strategic Objectives and Policies are relevant.</p> <p><u>Coastal Environment</u> - the Coastal Environment Chapter contains the objectives, policies and rules for Freshwater Management activities within the coastal environment overlay - which also has regulations around how other wetlands can be managed including buildings and structures and earthworks.</p> <p><u>Natural Features and Landscapes</u> - the Natural Features and Landscapes Chapter contains provisions in relation to the landscapes and natural features in Schedules Five and Six. Poutini Ngāi Tahu values are part of what makes these areas significant.</p> <p><u>Natural Character and Activities Adjacent to Waterbodies</u> - The Natural Character and the Margins of Waterbodies Chapter contains the objectives, policies and rules relating to activities adjacent to waterbodies, including buildings and structures and earthworks.</p> <p><u>Activities on the Surface of Water</u> - the Activities on the Surface of Water Chapter contains provisions for activities on the surface of waterbodies.</p> <p><u>Historic Heritage</u> - the Historic Heritage Chapter contains the provisions in relation to the sites and areas identified in Schedule One.</p> <p><u>Notable Trees</u> - the Notable Trees Chapter contains the provisions in relation to the trees identified in Schedule Two. Some trees are listed in this schedule due to their botanical values.</p> <p>Also where relevant refer to policies in the Energy, Infrastructure and Transport Chapters.</p>	
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			and wetlands refer to the Natural Character and Margins of Waterbodies chapter of the Plan for the additional Rules around this clearance....		
FS222.0260	Overview	Oppose	Delete this statement	Based on the s42A Report this relates to: S560.419 Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird). There is no submission point that could be found in that regard and could be related to S560.192 which did not advise which statement was to be deleted. FS222.0259 in the "ECO" table relates to the overview, which includes the removal of the following statements, The RMA requires Te Tai-o-Poutini Plan to manage indigenous biodiversity in two particular ways. Firstly, the control of any actual or potential effects of the use, development, or protection of land for the purpose of maintaining indigenous biodiversity. Secondly, it is required district councils to recognise and provide for the	As sought in further submission.