

# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
<b>Grey District Plan</b>		
<b>Rural Environmental Area</b>		
<b>Rules</b>		
<p>19.7.1</p> <p><i>Permitted Activities General</i></p>	<p><b>Permitted Activity</b></p> <p><i>Any activity is a permitted activity provided that it does not contravene any other rule in this Environmental Area.</i></p>	<p><b>Does not comply</b></p> <p>Rule breaches are set out below</p>
<p>19.7.2</p> <p><i>Minimum Residential Unit Site Area</i></p>	<p><b>Permitted Activity</b></p>	<p><b>N/A</b></p>
<p>19.7.3</p> <p><i>Setbacks</i></p>	<p><b>Permitted Activity</b></p> <p><i>(i) Buildings and forestry are permitted if:</i></p> <p><i>(a) the minimum setback from internal boundaries is:</i></p> <ul style="list-style-type: none"> <li><i>•5m for principal residential buildings</i></li> <li><i>•5m for other buildings greater than 5m<sup>2</sup> in gross floor area</i></li> <li><i>•3m for other buildings less than 5m<sup>2</sup> in gross floor area.</i></li> <li><i>•10m for forestry activities, provided that setbacks are not required where land on either side of the boundary is owned by the same person; and</i></li> </ul> <p><i>(b) the minimum setback from the road boundary is:</i></p>	<p><b>Complies – Permitted Activity</b></p> <p>The proposal complies with the setbacks outlined within the rule.</p>

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	<ul style="list-style-type: none"> <li>• 10m for buildings except that this shall not apply to buildings less than 5m<sup>2</sup> in gross floor area</li> <li>• 20m for forestry activities</li> </ul> <p>(c) The following setbacks are complied with:</p> <ul style="list-style-type: none"> <li>• No building is erected within 100 metres of MHWS.</li> <li>• No building for residential or commercial purposes is erected within 150 metres of the boundary of any oxidation pond and no oxidation ponds are located within 150 metres of a residential or commercial building.</li> <li>• No building is erected within 20m of a margin of a lake or within 25m of a wetland greater than 2 ha.</li> <li>• No building is erected within 10m of a bank of a river or stream which is more than 3m in width.</li> <li>• Forestry is not to be undertaken within:               <ul style="list-style-type: none"> <li>• 25m of a wetland greater than 0.5 hectares</li> <li>• 20m of a lake</li> <li>• 10m of rivers and streams with an average bed width greater than 3m adjacent to the activity provided that this does not apply to the retrieval or removal of unavoidable logging debris, including logs, and aerial cable suspension logging.</li> </ul> </li> </ul> <p>For the purposes of setbacks from the margin of a lake or wetland and the bank of a river or stream, a building does not include a jetty bridge, culvert or stream crossing. Rule 19.7.3 does not apply to those aspects of forestry where there is a common function as defined by the provisions of sections 30 and 31 of the Resource Management Act 1991 between the West Coast Regional Council (WCRC) and the Grey District Council (GDC) and the WCRC has granted a resource consent (not including a certificate of compliance issued under Section 139 of the RM Act) and that</p>	



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	<p><i>resource consent application raises the same issues for consideration by both authorities in relation to that aspect of the forestry activity. If any aspects of forestry within the areas described in Rule 19.7.3(i)(c) fifth bullet point are not subject to a resource consent from the WCRC or issues arise for determination beyond the proper exercise of the WCRC decision making process and a resource consent is otherwise required from the GDC, the activity will require a resource consent from the GDC, unless the activity is otherwise permitted under these rules.</i></p>	
<p>19.7.3A</p> <p>National Grid Infrastructure</p>		<p><b>N/A</b></p> <p>No national grid infrastructure in the vicinity. Setbacks will be complied with.</p>
<p>19.7.4</p> <p>Building design and appearance</p>	<p><b>Permitted Activity</b></p> <p><i>i) Relocated buildings onto sites are permitted if:</i></p> <p style="padding-left: 40px;"><i>(a) they are constructed within the last ten years and</i></p> <p style="padding-left: 40px;"><i>(b) they are constructed of new materials and</i></p> <p style="padding-left: 40px;"><i>(c) they are established on foundations complying with the building code at the time of relocation</i></p>	<p><b>Complies – Permitted activity</b></p> <p>Buildings will primarily be new. Any relocatable buildings such as portacombs will comply with permitted activity rules.</p>
<p>19.7.5</p> <p>Indigenous Vegetation Removal</p>	<p><b>Permitted Activity</b></p> <p><i>(i) Indigenous vegetation clearance is permitted if the SNA process has not been undertaken for a site or Step 3 below is not completed for that site provided the area subject to vegetation clearance:</i></p> <p style="padding-left: 40px;"><i>(a) Is less than 2000 m2 per 5 years per site or</i></p> <p style="padding-left: 40px;"><i>(b) Is more than 2000 m2 per 5 years per site provided:</i></p> <ul style="list-style-type: none"> <li><i>• The indigenous vegetation to be cleared is not contiguous with any land managed for conservation purposes, or</i></li> </ul>	<p><b>Complies – Permitted Activity</b></p> <p>A small amount of flax will be removed which was planted around a farm stand off pad. This is outside of the SNA identified near the application area.</p>



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	<ul style="list-style-type: none"> <li>• <i>The area of indigenous vegetation is less than 5 hectares in area</i></li> <li>• <i>The area is not a wetland, or</i></li> </ul> <p><i>(ii) Indigenous vegetation clearance is permitted if it is for the following:</i></p> <ul style="list-style-type: none"> <li><i>(a) clearance of indigenous vegetation understorey beneath exotic forest areas</i></li> <li><i>(b) clearance of vegetation for farm tracks and of regrowth vegetation to maintain existing tracks and stock crossings</i></li> <li><i>(c) the incidental clearance of vegetation to control gorse, broom, or other exotic plant pests</i></li> <li><i>(d) the management of vegetation necessary for the safe and efficient operation of any formed road and the ongoing operation, maintenance and upgrading of existing lines for conveying electricity, or</i></li> </ul> <p><i>(iii) Indigenous vegetation clearance on any site is permitted if it is outside an SNA included in Schedule 1 after the SNA process is completed for that site, or an SNA has not been included in Schedule 1 after the completion of the Plan Change process, or</i></p> <p><i>(iv) Indigenous vegetation clearance is a permitted activity if it is exempt under Rule 19.7.5(xi) (v) Indigenous vegetation clearance is permitted if it is not undertaken within:</i></p> <ul style="list-style-type: none"> <li><i>(a) 25m of a wetland greater than 0.5 hectare</i></li> <li><i>(b) 20m from a lake</i></li> <li><i>(c) 10m of rivers and streams with an average bed width greater than 3m adjacent to the activity.</i></li> </ul> <p><i>Rule 19.7.5(v) does not apply to the following which are permitted activities:</i></p>	



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	<ul style="list-style-type: none"> <li>• <i>The incidental clearance of vegetation to control gorse, broom, or other exotic plant pests.</i></li> <li>• <i>Fencing.</i></li> <li>• <i>In respect of rivers and streams, construction of access points to water on the basis of either one per site or one every 400m of linear measure for stock and vehicles and structures such as whitebait stands.</i></li> <li>• <i>The management necessary for the ongoing operation, maintenance and upgrading of existing lines for electricity.</i></li> <li>• <i>Indigenous vegetation clearance or an activity that will have the effect of clearing vegetation where there is a common function as defined by the provisions of Sections 30 and 31 of the Resource Management Act 1991 between the West Coast Regional Council (WCRC) and the Grey District Council (GDC) and the WCRC has granted a resource consent (not including a certificate of compliance issued under Section 139 of the RM Act) and that resource consent application raises the same issues for consideration by both authorities in relation to the indigenous vegetation clearance.</i></li> </ul> <p><i>If any aspects of indigenous vegetation clearance within the areas described in Rule 19.7.5(v)(a), (b) or (c) are not subject to a resource consent from the WCRC or issues arise for determination beyond the proper exercise of the WCRC decision-making process and a resource consent is otherwise required from the GDC, the activity will require a resource consent from the GDC, unless the activity is otherwise permitted under these rules.</i></p>	
<p>19.7.6</p> <p>Landscape Areas</p>	<p><b>Permitted Activity</b></p> <p><i>(i) Activities are permitted in areas identified on the planning maps as “Area of Outstanding Landscape” if:</i></p> <ul style="list-style-type: none"> <li><i>(a) they are buildings which do not exceed 2m in height or 5m<sup>2</sup> in area, and</i></li> <li><i>(b) Any indigenous vegetation that is removed does not exceed 100m<sup>2</sup> in area in any one hectare, and</i></li> <li><i>(c) The activity is not forestry.</i></li> </ul>	<p><b>Complies – Permitted Activity</b></p> <p>Application area is not within an ONL</p>



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<p>19.7.7</p> <p>Building Coverage</p>	<p><b>Permitted Activity</b></p> <p>(i) Buildings are permitted if:</p> <p>(a) The site coverage does not exceed 10% of the site area or 1500m<sup>2</sup> whichever is the greater.</p>	<p><b>Complies – Permitted Activity</b></p> <p>Build footprint is less than 10% of the site coverage (10% is 93949.7m<sup>2</sup>)</p>
<p>19.7.8</p> <p>Maximum Height of Buildings and Structures</p>	<p><b>Permitted Activity</b></p> <p>(i) Buildings and structures are permitted if:</p> <p>(a) The maximum height of any building is 10m and</p> <p>(b) All buildings and structures comply with the Aerodrome Flight Path Protection Area rules contained in Appendix 9</p>	<p><b>Consent Required – Discretionary Activity</b></p> <p>All buildings except for the processing plant building will comply with the 10m height limit. The Processing Plant building will be 15m in height.</p>
<p>19.7.9</p> <p>Lighting</p>	<p><b>Permitted Activity</b></p> <p>No activity shall result in a greater than 2.5 lux spill (horizontal and vertical) of light onto any adjoining property, measured at any point more than 2m inside the boundary of the adjoining property or the closest window on the adjoining property whichever is the closest</p>	<p><b>Complies – Permitted Activity.</b></p> <p>Lighting will comply with the lux spill requirements and is volunteered as a condition of consent.</p>
<p>19.7.10</p> <p>Utilities</p>	<p><b>Refer Appendix 1</b></p>	<p><b>N/A</b></p> <p>Application does not relate to installation of Utility structures.</p>
<p>19.7.11</p> <p>Signs</p>	<p><b>Refer appendix 2</b></p>	<p><b>N/A</b></p> <p>No signs proposed</p>
<p>19.7.12</p> <p>Hazardous Substances</p>	<p><b>Refer Appendix 3</b></p>	<p><b>Consent Required – Discretionary Activity</b></p>



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		The proposed diesel storage of 40,000L will exceed the permitted quantity of 5,000L of diesel.
<p>19.7.13</p> <p><i>Parking, Loading and Access</i></p>	<p><b>Refer Appendix 4</b></p>	<p><b>Consent Required – Discretionary Activity</b></p> <p>Non-compliances relate to the parking layout not being formalized in accordance with the required standards, a superior access design being proposed, and exceeding the maximum number of vehicle movements on a Strategic Route. Further details are included in the Integrated Transport Assessment.</p>
<p>19.7.14</p> <p><i>Subdivision</i></p>	<p><b>Refer Appendix 5</b></p>	<p><b>N/A</b></p> <p>No subdivision proposed</p>
<p>19.7.15</p> <p><i>Heritage items and Historic trees</i></p>	<p><b>Refer Appendix 6</b></p>	<p><b>N/A</b></p> <p>No historic sites or trees within the application area.</p>
<p>19.7.16</p> <p><i>Non-Rural Activities</i></p>	<p><b>Permitted Activity</b></p> <p><i>(i) Non rural activities are permitted if:</i></p> <p style="padding-left: 40px;"><i>(a) The maximum floor area for any non-rural activity is a maximum of 100m<sup>2</sup> provided that this shall not apply to fire stations.</i></p> <p style="padding-left: 40px;"><i>(b) The maximum number of permitted vehicle trips generated by an activity on a site is:</i></p>	<p><b>Consent Required – Discretionary Activity</b></p> <p>The proposal will exceed the maximum floor area for non-rural activities, the heavy and other vehicle limits, and the Sunday daytime noise limits.</p>



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	<p><i>Heavy Vehicles 20 per day</i></p> <p><i>Other Vehicles 100 per day</i></p> <p><i>(c) Any activity shall be conducted such that the following noise limits are not exceeded at any point within the notional Boundary of any dwelling in the Rural or Rural Residential Environmental Area and at the boundary of a site in the Residential and Township environment areas, other than the site from which the noise is created.</i></p> <p><i>(i) Rural Environmental to Rural Environmental and Township Environmental</i></p> <p><b>Monday to Saturday</b></p> <p><i>0700 hrs to 2200 hrs 55dBA L10</i></p> <p><i>2200 hrs to 0700 hrs 45dBA L10</i></p> <p><b>Sunday</b></p> <p><i>45dBA L10</i></p> <p><i>• 75 dBA Lmax all days between 2200 hrs and 0700 hrs and</i></p> <p><i>(ii) Rural Environmental to Residential Environmental and Rural Residential Environment</i></p> <p><b>Monday – Friday</b></p> <p><i>2200 hrs to 0700 hrs 45dBA L10</i></p> <p><i>0700 hrs to 2200 hrs 55dBA L10</i></p>	





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	<p style="text-align: center;"><b>Saturday</b></p> <p style="text-align: center;"><i>1700 hrs to 0800 hrs 45dBA L10</i></p> <p style="text-align: center;"><i>0800 hrs to 1700 hrs 55dBA L10</i></p> <p style="text-align: center;"><b>Sundays</b></p> <p style="text-align: center;"><i>45dBA L10 • 75dBA Lmax all days between 2200 hrs and 0700 hrs</i></p> <p><i>Except where expressly provided elsewhere in this rule, sound shall be measured in accordance with the provisions of NZS 6801:1999 Acoustics Measurement of Environmental Sound and assessed in accordance with the provision of NZS 6802:1991 Assessment of Environmental Sound.</i></p>	
<p>23.1</p> <p><i>Use and storage of Hazardous Substances</i></p>	<p><b>Permitted Activity</b></p> <p><i>(i) The use or storage of hazardous substances are permitted activities if they ;</i></p> <p style="padding-left: 40px;"><i>(a) are not listed in Schedule 1 or</i></p> <p style="padding-left: 40px;"><i>(b) are listed in Schedule 1 but their quantities are below those specified in Column A of Schedule 2 for Permitted Activities in the relevant Environmental Area; and</i></p> <p style="padding-left: 40px;"><i>(c) comply with all legislation and regulation requirements Provided that: The use or storage of hazardous substances is permitted if it is a consequence of temporary military training (no longer than twenty eight days at any one time) and complies with relevant NZ Defence Force “Codes of Practice”.</i></p>	<p><b>Consent Required – Discretionary Activity</b></p> <p>The proposed fuel storage of 40,000L of diesel will exceed permitted quantities.</p>



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<b>West Coast Regional Land and Water Plan</b>		
<b>18.1.1 Permitted Activities on Land</b>		
<b>Rules</b>		
<p>2. <i>Earthworks in riparian margins</i></p>	<p><i>Earthworks within riparian margins, and any associated discharge of sediment are a permitted activity if all of the following conditions are met:</i></p> <p><i>(a) The volume of earthworks in the riparian margin must not exceed 25m<sup>3</sup> and must not involve the cumulative disturbance of more than 20 linear metres in any 200 metre length of riparian margin; and</i></p> <p><i>(b) Sufficient sediment control is constructed so that the activity does not either:</i></p> <ul style="list-style-type: none"> <li><i>i) Decrease the visual clarity of any receiving water by more than 40% as measured by black disc; or</i></li> <li><i>ii) Alter the natural turbidity in the receiving water by more than 1 Nephelometric Turbidity Unit (NTU) where the natural turbidity upstream from the discharge is less than or equal to 10 NTU; or</i></li> <li><i>iii) Alter the natural turbidity in the receiving water by more than 10 NTU where the natural turbidity upstream from the discharge is greater than 10 NTU; as measured beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser; and</i></li> </ul> <p><i>(c) No soil or debris is placed directly in any river or lake bed; and</i></p> <p><i>(d) There is no conspicuous deposition of sediment on the bed of any water body; and</i></p> <p><i>(e) The activity does not affect any surface water take; and</i></p> <p><i>(f) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and</i></p> <p><i>(g) Earthworks are carried out such that:</i></p> <ul style="list-style-type: none"> <li><i>i) Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes, to avoid causing erosion; and</i></li> <li><i>ii) Any culverts or cut and fill batters are designed and constructed or installed to prevent their failure and avoid causing erosion; and</i></li> <li><i>iii) Trenches for the purpose of installing pipes, lines, or cables are backfilled and compacted as soon as practicable; and</i></li> </ul>	<p><b>Consent Required – Discretionary Activity</b></p> <p>All mining earthworks are setback from riparian margins.</p> <p>Earthworks in riparian margins will be confined to any installation of a water take pipeline from Canoe Creek, levelling and reinforcing the existing basin to be used for infiltration, and any required armouring of the existing swale that the infiltration basin will discharge to.</p> <p>Parts of the infiltration basin may be within 10m of the bank of Canoe Creek, so a breach of this rule is identified as a precaution.</p>



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	<p>(h) No refuelling of equipment takes place on any area of a riverbed; and</p> <p>(i) The activity does not cause or contribute to any slope or land instability, including subsidence or other erosion; and</p> <p>(j) All areas of bare ground created by the activity are protected from soil erosion as soon as practicable; and</p> <p>(k) No earthworks occur within any wetland identified in Schedule 1; and</p> <p>(l) No earthworks occur within any wetland identified in Schedule 2 unless it meets the requirements of Rule 7.</p>	
<p>3 Earthworks in the Non Erosion Prone Area, outside riparian margins</p>	<p>Earthworks in the Non Erosion Prone Area (less than 120 slope), and outside any riparian margin, and any associated discharge of sediment is a permitted activity if all of the following conditions are met:</p> <p>(a) Earthworks either:</p> <p>i) Are for the formation, construction, or reconstruction of roads, tracks, railway lines, landings, firebreaks, and network utility lines, pipes, or cables; or</p> <p>ii) Do not exceed an annual volume of 5000m<sup>3</sup> per landholding or hectare, whichever is the smaller; and</p> <p>(b) Sufficient sediment control is constructed so that the activity does not cause the visual clarity of any receiving water to decrease by more than 40%, as measured by black disc beyond 12 times the river's width or 200 metres from the activity, whichever is the lesser; and</p> <p>(c) No soil or debris is placed directly in any river or lake bed; and</p> <p>(d) There is no conspicuous deposition of sediment on the bed of any water body, or on land beyond the boundary of the subject property; and</p> <p>(e) The activity does not affect any surface water take; and</p> <p>(f) The activity is not within:</p> <p>i) 50 metres of the Coastal Marine Area on the open coast line; or</p> <p>ii) 20 metres of the Coastal Marine Area elsewhere; or</p> <p>iii) Any wetland identified in Schedule 1; or</p> <p>iv) Any wetland identified in Schedule 2 unless it meets the requirements of Rule 7; and</p> <p>(g) Where earthworks are for the formation, construction, or reconstruction of any road, track, firebreak, landing, line, pipe, or cable:</p> <p>i) Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes to avoid</p>	<p><b>Consent Required – Discretionary activity</b></p> <p>Earthworks will exceed 5,000m<sup>3</sup> per hectare. The minor earthworks required to re-level the infiltration basin adjacent to Canoe Creek will be within 20m of the Coastal Marine Area (where the CMA goes inland at Canoe Creek).</p>

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	<p><i>causing erosion; and</i></p> <p><i>ii) Any culverts, or cut and fill batters are designed and constructed or installed so as to prevent their failure and avoid causing erosion; and</i></p> <p><i>iii) Trenches for the purpose of installing lines, pipes, or cables are backfilled and compacted as soon as practicable; and</i></p> <p><i>(h) The activity does not cause or contribute toward any slope or land surface instability, including subsidence or other erosion; and</i></p> <p><i>(i) All areas of bare ground created by the activity and any stockpiles of material are protected from soil erosion as soon as practicable; and</i></p> <p><i>(j) Where earthworks are for the purpose of forming a drain:</i></p> <p><i>i) There is no erosion of the bed or banks of the receiving water body; and</i></p> <p><i>ii) The drainage does not increase the flow in the receiving water body to the extent that it exceeds the carrying capacity of existing infrastructure; and</i></p> <p><i>iii) The activity does not occur within 25 metres of any wetland identified in Schedule 1 or 2;</i></p> <p><i>(k) Where the earthworks are for the purpose of constructing a water supply bore the Council must be notified within five working days of the location depth and purpose of the bore.</i></p>	
<p>8. Vegetation disturbance in riparian margins</p>	<p><i>Vegetation Disturbance within riparian margins is a permitted activity if all of the following conditions are met:</i></p> <p><i>(a) Native Vegetation is only removed where:</i></p> <p><i>i) It is causing bank erosion; or</i></p> <p><i>ii) It is toxic to livestock; or</i></p> <p><i>iii) The activity is undertaken in conjunction with permitted activity Rule 2 or 7; and</i></p> <p><i>(b) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and</i></p> <p><i>(c) The activity does not cause or contribute to land instability or erosion; and</i></p> <p><i>(d) All areas of bare ground created by the activity are protected from soil erosion as soon as practicable; and</i></p> <p><i>(e) No debris is placed directly in any river or lake bed, or in any wetland identified in Schedule 1 or 2.</i></p>	<p><b>Consent Required– Discretionary Activity</b></p> <p>Vegetation disturbance within riparian margins will be limited to cleaning gorse, blackberry and other weeds out of any part of the infiltration basin and existing swale that is within the riparian margin of Canoe Creek. There may be minor regenerating natives among this gorse and blackberry.</p>
<p><b>18.1.4 Discretionary Activities on Land</b></p>		
<p><b>Rules</b></p>		



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16. Discretionary activities outside of a wetland identified in Schedule 1 or 2	<p>Outside of a wetland identified in Schedule 1 or 2, any:</p> <ul style="list-style-type: none"> <li>(i) Vegetation disturbance that contravenes Rules 8 or 9;</li> <li>(ii) Earthworks that contravenes Rules 2, 3, 4, 5, 6 or 12; or</li> <li>(iii) Grazing within, and livestock access to, riparian margins that contravenes Rule 11; is a discretionary activity.</li> </ul>	<p><b>Consent required – Discretionary Activity</b></p> <p>Earthworks will over 5,000m<sup>3</sup> per annum, and as described above minor earthworks will occur within the riparian margin of Canoe Creek, which is also within 20m of the CMA boundary, for the purposes of releveling the infiltration basin.</p>
<b>18.2.1 Permitted Activities in Riverbeds and Lakes</b>		
<b>Rules</b>		
23. Culverts Fords and Bridges	<p><b>Permitted Activities</b></p> <p>The erection or placement, of a culvert, ford or bridge, in, on, under, or over the bed of a river is a permitted activity provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) For a culvert, the riverbed at the point of crossing does not exceed 5 metres in width and the base of the culvert is installed and maintained flush with the bed level; and</li> <li>(b) Any culvert is designed to pass the river’s fullest flow, and is constructed with sufficient bank armouring to prevent scour or erosion of abutting river banks; and</li> <li>(c) Any ford does not raise the bed of a river by more than 300mm (compared with average bed level of the 50 metre reach centred on the crossing); and</li> <li>(d) The underside of any bridge is at least 600mm above the level of the river’s natural bank level; and</li> <li>(e) For bridges, there are no piers in the riverbed; and</li> <li>(f) Any bridge does not interfere with navigation; and</li> <li>(g) Activities do not result in or contribute to: <ul style="list-style-type: none"> <li>i) The impedance of fish passage; or</li> <li>ii) Erosion or scouring of any riverbed; or</li> <li>iii) Reduction of channel capacity to carry flood flows; and</li> </ul> </li> <li>(h) No refuelling of equipment takes place on any area of a riverbed; and</li> <li>(i) The structure is maintained in good repair; and</li> <li>(j) The site is left tidy following the erection or placement; and</li> <li>(k) Where the activity is undertaken in any wetland identified in Schedule 1 or 2:</li> </ul>	<p><b>Complies – Permitted Activity</b></p> <p>While the exact design of the culvert for Canoe Creek has not yet been finalised, the culvert installed will comply with this permitted activity rule.</p>

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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>i) For any culvert where the bed is no more than 2.5 metres wide at the point of crossing, native vegetation disturbance does not exceed 25m<sup>2</sup>; for any culvert where the bed is between 2.5 to 5 metres wide at the point of crossing, native vegetation disturbance does not exceed 50m<sup>2</sup>; or</p> <p>ii) For any ford, native vegetation disturbance does not exceed 25m<sup>2</sup>; or</p> <p>iii) For any bridge, native vegetation disturbance does not exceed 50m<sup>2</sup>; and</p> <p>iv) There is no change to the natural flow, path or fluctuation in water level; and</p> <p>v) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and</p> <p>vi) No bird nests are disturbed.</p>	
25. Other structures	<p>The erection or placement of any flow or level recording device, outfall or intake structure or navigational aid structure that is fixed in, on or under the bed of any lake or river is a permitted activity, provided the following conditions are met:</p> <p>(a) The base of the structure does not exceed 2m<sup>2</sup> in area; and</p> <p>(b) The structure does not cause any flooding or erosion; and</p> <p>(c) The Council is notified in writing of the location and nature of the structure, at least seven working days prior to commencing the erection or placement; and</p> <p>(d) Except in the case of a navigational aid or the sight board of any gauge, any visible part of the structure is of a colour to blend in with the surroundings; and</p> <p>(e) The structure is maintained in good repair; and</p> <p>(f) The site is left tidy following the erection or placement; and</p> <p>(g) Where the activity is undertaken in any wetland identified in Schedule 1 or 2:</p> <p>i) There is no vegetation disturbance in excess of 10m<sup>2</sup>; and</p> <p>ii) There is no change to the natural flow, path or fluctuation in water level; and</p> <p>iii) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and</p> <p>iv) No bird nests are disturbed.</p>	<p><b>Complies – Permitted Activity</b></p> <p>Any intake structure for the surface water take from Canoe Creek will comply with the provisions of this rule.</p>
26. Alteration of the bed associated with structures, or the clearance of debris or gravel	<p>The disturbance of the bed or the reclamation or deposition of material on the bed of any lake or river associated with:</p> <p>(i) The erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal of any structure carried out under Rules 20 to 25; or</p> <p>(ii) The clearance of debris or gravel from within, or immediately surrounding, any structure in order to safeguard the function or structural integrity of the structure is a permitted activity, provided the following conditions are met:</p>	<p><b>Complies – Permitted Activity</b></p> <p>The bed disturbance associated with the surface water intake and culvert installation will comply with the provisions of this rule.</p>

## Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>(a) The bed disturbance is limited to the extent necessary to undertake the work; and</p> <p>(b) The bed disturbance does not damage any riverbank or cause any flooding or erosion; and</p> <p>(c) All reasonable steps are taken to minimise the release of sediment to the lake or river during the disturbance; and</p> <p>(d) In the case of any reclamation or deposition, only cleanfill is used and no pest plant is introduced; and</p> <p>(e) No refuelling of equipment takes place on any area of a river or lake bed; and</p> <p>(f) The site is left tidy following completion of the activity; and</p> <p>(g) Where the activity is undertaken in any wetland identified in Schedule 1 or 2:</p> <p>i) Any disturbance, including deposition or reclamation, does not exceed:</p> <ol style="list-style-type: none"> <li>1) 0.6m in width per 1m in length for placement of any pipe, line or cable authorised under Rule 20, 21, or 22; or</li> <li>2) For any culvert, authorised under Rule 23, where the bed is no more than 2.5 metres wide at the point of crossing, any disturbance does not exceed 25m<sup>2</sup>; for any culvert where the bed is between 2.5 to 5 metres wide at the point of crossing, any disturbance does not exceed 50m<sup>2</sup>; or</li> <li>3) For any ford authorised under Rule 23, any disturbance does not exceed 25m<sup>2</sup>; or</li> <li>4) 50m<sup>2</sup> for bridges authorised under Rule 23; or; or</li> <li>5) 10m<sup>2</sup> for any device or structure authorised under Rule 25; or</li> <li>6) 25m<sup>2</sup> in all other cases; and</li> </ol> <p>ii) Vehicles and equipment are cleaned prior to entering the Schedule 1 or 2 wetland to avoid the introduction of pest plants; and</p> <p>iii) Any native vegetated surfaces disturbed are revegetated following completion of the activity with similar native species where they do not disrupt or interfere with the function of the structure; and</p> <p>iv) The site is left tidy following completion of the activity including the removal of any weeds; and</p> <p>v) There is no change to the natural flow, path or fluctuation in water level; and</p> <p>vi) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive except after a sudden event that requires immediate remedial measures to prevent an adverse effect on the environment, or that is likely to cause loss of life, injury or serious damage to property; and</p> <p>vii) No bird nests are disturbed; and</p> <p>viii) Council is to be notified seven days prior to commencing any bed disturbance, including deposition or reclamation associated with any placement erection or reconstruction referred to in Rule 26(g)(i).</p>	
<p><b>Takes, Uses, Diversions, and Damming of Water</b></p>		

# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
<b>18.3.1 Permitted activities</b>		
<b>Rules</b>		
40. Take and use of water where not permitted by Rule 39	<p>Where not permitted by Rule 39, the taking and use of surface water is a permitted activity if all of the following conditions are met:</p> <p>(a) The total take per landholding does not exceed 2 litres per second, up to a maximum volume of 25,000 litres per day; and</p> <p>(b) No other lawful take of water is adversely affected as a result of the take; and</p> <p>(c) The intake is protected by a fish screen which ensures as far as is practicable, that eels, fish and fry are prevented from passing through the intake and from being trapped against the fish screen; and</p> <p>(d) The Council is informed in writing of the location, expected rate and frequency of the take prior to the take occurring and contact details of the person taking.</p>	<p><b>Does not comply – Restricted Discretionary activity</b></p> <p>The proposed surface water take from Canoe Creek would exceed 2 litres per second.</p>
44 Take and Use of Groundwater	<p>The taking and use of groundwater is a permitted activity if all of the following conditions are met:</p> <p>(a) The total take does not exceed two litres per second, up to a maximum volume of 50,000 litres per day; and</p> <p>(b) Any well shall be located not less than 20 metres from any adjacent well or the Coastal Marine Area and from any septic tank disposal field or effluent treatment ponds or silage storage areas; and</p> <p>(c) Any well or bore not primarily used for potable water supply shall be located not less than 20 metres from any sewage effluent disposal field, agricultural effluent treatment ponds, silage storage areas, or feed lots or wintering pads; and</p> <p>(d) Any well or bore used primarily for potable water supply shall be located not less than:</p> <p>i) 100 metres from a sewage effluent discharge, where the discharge is from a soak pit; or</p> <p>ii) 50 metres from a sewage effluent discharge where the discharge is from other treatment systems; or</p> <p>iii) 50 metres from a pit toilet; or</p> <p>iv) 50 metres from any effluent treatment ponds, silage storage areas, feed lots or wintering pads, or offal pits; and</p> <p>(e) Any bore shall be located not less than 200 metres from any adjacent bore; and</p> <p>(f) No existing lawful take of water is adversely affected as a result of the taking; and</p> <p>(g) The council is informed in writing of the location, expected rate and frequency of the take prior to the take occurring and contact details of the person taking; and</p> <p>(h) The bore or well casing and headworks prevent:</p>	<p><b>Does not comply – Restricted Discretionary Activity</b></p> <p>Groundwater will be intercepted and abstracted/dewatered from the mine pit. Abstraction will exceed permitted rates.</p> <p>A groundwater take is proposed as a potential alternative to the Canoe Creek water take, which will be 63 l/s.</p>





# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
<p>51. Diversion of natural runoff - contaminated and uncontaminated</p>	<p>(i) The infiltration of contaminants; and (ii) The uncontrolled discharge or leakage of water to the surface and between aquifers.</p> <p>The diversion (whether in pipes, constructed channels or otherwise) of stormwater runoff that is not contaminated, or of runoff that is contaminated to a water treatment system, is a permitted activity provided:</p> <p>(a) For the non-contaminated water:</p> <p>i) The diversion does not cause or exacerbate: flooding or ponding of water on another person’s property, erosion, land instability, sedimentation or property damage; and ii) The diversion does not affect any natural wetland; and iii) The diversion is incidental to permitted or consented earthworks; and iv) The diversion does not relate to the diversion of runoff from an area greater than 20 hectares; and</p> <p>(b) For contaminated water:</p> <p>i) The water is diverted to a water treatment system or plant; and ii) The diversion is incidental to permitted or consented earthworks.</p>	<p><b>Complies – Permitted Activity</b></p> <p>Stormwater from within the mining area will be directed to the settling pond system. The ponds will be sufficiently sized to allow treatment of the water to avoid sedimentation, flooding, ponding, erosion or property damage.</p>
<p><b>18.3.3 Restricted Discretionary activities</b></p>		
<p><b>Rules</b></p>		
<p>55. Take and use of surface water</p>	<p>Unless permitted by Rules 39, 40, or 42, or controlled by Rules 52 or 53, the taking and use of surface water where:</p> <p>(i) The total volume of water allocated from the river is less than 20% of the mean annual low flow (MALF) of the river; or (ii) The applicant accepts a minimum flow based on 75% of the mean annual low flow (MALF) of the river; is a restricted discretionary activity.</p> <p>In considering any resource consent under this rule the council will restrict the exercise of its discretion to the following:</p> <p>(a) The amount of water to be taken; (b) The flow available in the source water body; (c) The current allocation from the source water body; (d) The minimum flow to be applied to the take, if required; (e) Any adverse effect on any existing lawful take of water, if consent is granted; (f) The instream values supported by the source water body and related waterbodies, and any potential adverse effect of the taking on those values, if consent is granted; (g) Any need to prevent fish and eel entering the intake; (h) The means and timing of the take, and the rate of take;</p>	<p><b>Consent Required - Restricted Discretionary Activity</b></p> <p>The proposed surface water take from Canoe Creek is a maximum of 66 l/s. MALF of Canoe Creek is 630 l/s. The water take is less than 20% of MALF and there are no other water takes on Canoe Creek, so condition (i) is complied with.</p>



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>(i) The quantity of water required for the intended use;                      (j) The duration of the resource consent;                      (k) The information and monitoring requirements; and                      (l) The review of conditions of the resource consent.                      An application for resource consent under this Rule does not need to be notified.</p>	
<p>56. Other takes and uses of groundwater</p>	<p>Unless permitted by Rules 44, 45, or 46, or controlled by Rule 52, the taking and use of groundwater is a restricted discretionary activity.                      In considering any resource consent under this rule the council will restrict the exercise of its discretion to the following:                      (a) The amount of water to be taken;                      (b) The current allocation from the aquifer and the estimated annual yield;                      (c) Any adverse effect on any existing lawful take of water;                      (d) Whether a minimum water level needs to be applied to the take;                      (e) Any adverse effect on any connected surface water body;                      (f) Any adverse effect on the existing quality of groundwater in the aquifer;                      (g) The means and timing of the take, and the rate of take;                      (h) The quantity of water required for the intended use;                      (i) The duration of the resource consent;                      (j) The information and monitoring requirements; and                      (k) The review of conditions of the resource consent.</p>	<p><b>Consent Required -Restricted Discretionary Activity</b></p> <p>The abstraction of water from the mine pit, and potential abstraction of water adjacent to Canoe Creek falls under this rule.</p>
<p><b>Discharges to Water</b></p>		
<p><b>18.4.2 Permitted activities</b></p>		
<p><b>Rules</b></p>		
<p>64. Discharge from any drain</p>	<p>The discharge from any drain to a water body, or another drain beyond the property boundary, is a permitted activity if all of the following conditions are met:                      (a) The discharge does not cause or exacerbate flooding of another person’s property, erosion, land instability, sedimentation or property damage; and</p>	<p><b>Complies – Permitted Activity</b></p> <p>Where discharges occur from the settling system to a drain, and this drain subsequently enters surface water, this is a permitted activity. The discharge is controlled as a discharge to land under other rules in this plan. This applies to the</p>



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p><i>(b) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not give rise to the following effects:</i></p> <p><i>i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or</i></p> <p><i>ii) Any conspicuous change in the colour or visual clarity; or</i></p> <p><i>iii) Any emission of objectionable odour; or</i></p> <p><i>iv) The rendering of fresh water unsuitable for consumption by farm animals; or</i></p> <p><i>v) Any significant adverse effects on aquatic life; or</i></p> <p><i>vi) Adverse effects on any take of water for human consumption; and</i></p> <p><i>(c) Any discharge to the Rahu River, Station Creek, Wooley River or Buller River upstream of Te Kuha must meet the requirements of Clause 11 of the Buller River Conservation Order (see Schedule 5).</i></p> <p><i>(d) The discharge does not increase the flow in the receiving water body to the extent that it exceeds the carrying capacity of existing infrastructure</i></p>	<p>discharge from Pond 4 where the drain enters Canoe Creek lagoon, and the infiltration basin drain where it enters Canoe Creek.</p> <p>From the Regional Land and Water Plan Glossary: Drain refers to an artificial channel or subsurface conduit (e.g. mole drain, tile drain or drainage tunnel, or roadside swale) constructed for the purpose of:</p> <ul style="list-style-type: none"> <li>- Collecting and diverting surface runoff, but also includes water collected from sealed surfaces with no associated reticulated stormwater system such as roadside swales and concrete dish swales, or</li> <li>- Intercepting groundwater in order to lower the water table or divert water (excluding a water race), and directing it to a receiving water body.</li> <li>- The channel must not incorporate the bed of an existing river or creek, or the water from the bed of an existing river or creek. The hollows of humped and</li> </ul>



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
		hollowed land are considered drains.
<p>67. Discharge of water to water excluding activities permitted by Rules 63, 64, 65, or 66</p>	<p>Excluding the activities permitted by Rules 63, 64, 65, or 66 any discharge of water to water is a permitted activity if all of the following conditions are met:</p> <p>(a) The discharge contains no contaminants beyond trace concentrations, or hazardous substances; and</p> <p>(b) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not:</p> <p>i) Change the pH of the receiving water by more than 0.5 pH units where the pH is above 8 or below 6.5; or</p> <p>ii) Raise the temperature in the receiving water by more than 3 degrees Celsius, or cause the temperature to rise above 25 degrees Celsius; and</p> <p>(c) The discharge does not cause flooding of another person’s property, erosion, land instability, sedimentation or property damage</p>	<p><b>Does not comply – discretionary activity</b></p> <p>Water is proposed to be discharged to Collins Creek and the northern boundary drain to augment surface water flows if depletion occurs. The Canoe Creek water, if used, would comply with this rule.</p> <p>If clean water from Pond 4 is used for this augmentation, the discharge of this water will meet appropriate water quality standards, but may have contaminants above trace concentrations. A breach of this rule is identified as a precaution.</p>
<p>71. Discharge of any contaminant, or water to water, not complying with Rules 63 to 70</p>	<p>Unless permitted by Rules 63, 64, 65, 66, 67, 68, 69 or 70 the discharge of any contaminant or water to water is a discretionary activity</p>	<p><b>Consent Required - Discretionary Activity</b></p> <p>The discharges directly to water associated with the activity are surface water augmentation related. All other discharges are to drains, which are classified as a discharge to land under the Regional Land and Water Plan.</p>
<b>Discharges to Land</b>		
<b>18.5.1 Permitted activities</b>		
<b>Rules</b>		



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
81. Discharge of stormwater runoff	<p>The discharge of collected stormwater runoff into or onto land is a permitted activity provided that all of the following conditions are met:</p> <p>(a) The discharge does not cause or exacerbate erosion, scouring, land instability, sedimentation or ponding beyond the boundary of the subject property; and</p> <p>(b) The discharge does not contain any human or animal or wastes; and</p> <p>(c) Where the discharge into or onto land enters water, it does not increase the flow to the extent that it exceeds the carrying capacity of existing drainage infrastructure; and</p> <p>(d) If the discharge originates from an area where hazardous substances are stored or used:</p> <p>i) Hazardous substances cannot enter the stormwater system; or</p> <p>ii) There is an interceptor in place to collect all stormwater that contains hazardous substances and beyond trace concentrations these hazardous substances are contained on-site until removed to an approved disposal facility for the type of hazardous substance concerned.</p>	<p><b>Complies – Permitted Activity</b></p> <p>Stormwater runoff from around the mine site will be diverted away from disturbed areas. Stormwater from within disturbed areas will be directed to the settling pond system, and managed to comply with this rule.</p>
83. Stockpiling	<p>Unless covered by Rule 84 the stockpiling of gravel, sand, rock, soil or coal is a permitted activity, provided that all of the following conditions are met:</p> <p>(a) There is no discharge of contaminated runoff beyond the boundary of the subject property; and</p> <p>(b) The discharge is located and contained to ensure that neither the discharge nor any contaminant arising from the discharge is able to enter any water body or the coastal marine area.</p>	<p><b>Complies - Permitted Activity</b></p> <p>Overburden and topsoil stockpiles will be managed during construction so that any runoff is diverted to the water treatment system, or sediment control devices will be installed to avoid contaminated runoff. Stockpiles will be stabilised by planting or hydroseeding as soon as practicable, which will avoid any contaminated discharge arising from the stockpiles.</p>
<p><b>18.5.3 Discretionary Discharges to Land</b></p>		
91. Discharge to land discretionary activity Rule	<p>Unless permitted by Rules 72 to 86, or controlled by Rules 87 to 90, any discharge of contaminants into or onto land is a discretionary activity.</p>	<p><b>Consent required – Discretionary Activity</b></p> <p>Discharges from the settling ponds (where not discharging to water as described</p>



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
		above), will discharge to infiltration trenches, recharge barrier wells or drains inland of Canoe Creek or the Canoe Creek Lagoon, and are therefore classified as a discharge to land under the Regional Land and Water Plan.
<b>West Coast Regional Air Quality Plan</b>		
<b>10.4 Permitted Activities</b>		
<b>Rules</b>		
<i>Rule 3</i>	<i>Unless covered by another rule in this Plan, the discharge of any contaminant into air arising from the stockpiling, conveying and handling of gravel, sand, soil, rock, coal, sawdust or wood chips, is a permitted activity provided that the following conditions are met: a) there is no discharge of dust beyond the boundary of the subject property, and b) any discharge of odour is not noxious, dangerous, offensive or objectionable beyond the boundary of the subject property.</i>	<b>Consent Required – Discretionary Activity</b>  While every effort will be made to ensure there is no dust beyond the property boundary, the applicant is seeking consent for an air discharge as a precautionary measure.
<i>Rule 5</i>	<i>Unless covered by another Rule in this Plan, the discharge of any contaminant into air arising from earthworks, quarrying operations, mining, or cleanfill operations is a permitted activity provided that the following conditions are met: a) any discharge of smoke, dust, gas or odour is not noxious, dangerous, offensive or objectionable beyond the boundary of the subject property; or</i>	<b>Permitted</b>  Any discharges of dust associated with the activity will not be noxious, offensive or objectionable beyond the boundary of the subject property.



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<i>b) in the case of public amenity areas, any discharge of smoke, dust, gas or odour is not offensive or objectionable beyond the boundary or beyond 50 metres of the discharge, whichever is the lesser.</i>	
Rule 16.	<p><i>Any discharge of contaminants into air from:</i></p> <ol style="list-style-type: none"> <li><i>1. any industrial or trade premises that is not specifically provided for by any rule within this Plan; or</i></li> <li><i>2. any source (whether moveable or not), which does not comply with any condition of a permitted activity rule or any of the standards and terms of a controlled activity rule within this Plan, but which is not prohibited;</i></li> </ol> <p><i>is a discretionary activity.</i></p>	<p><b>Discretionary</b></p> <p>Because it would be difficult to distinguish between mining activities (not offensive and objectionable dust) and stockpiling activities (no dust permitted), consent is sought as a discretionary activity for an air discharge as a precaution.</p>

## Proposed Te Tai o Poutini Plan

### Transport - Te Tūnuku

#### Permitted Activities

TRN-R1	<b>Activity Status Permitted</b>	<b>Complies – Permitted Activity</b>
<p><i>Establishment of accessways, vehicle crossings, parking spaces, loading spaces, queuing and standing spaces</i></p>	<p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>1. Vehicle crossings and access way standards - <a href="#">TRN Tables 1 - 3</a>, <a href="#">Standards TRN S1 - S3</a>, and <a href="#">TRN Figure 1</a> are complied with;</i></li> <li><i>2. Parking, loading, queuing and standing standards - <a href="#">TRN Tables 4 - 5</a>, <a href="#">Standards TRN S4 - S6</a> and <a href="#">TRN Figures 2 and 3</a> are complied with;</i></li> <li><i>3. Manoeuvring standards <a href="#">TRN S7 - S11</a> are complied with;</i></li> <li><i>4. Where an impermeable carparking area greater than 1000m<sup>2</sup> in area is provided, stormwater treatment is provided; and</i></li> </ol>	



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>5. Formation standards <a href="#">TRN S12</a> and <a href="#">TRN S13</a> are complied with.</p> <p><b>Advice Note:</b> The Auckland Design Manual Guideline Document GD 2017/01 Stormwater Management Devices in the Auckland Region provides information on best practice stormwater design options for stormwater treatment.</p>	
<i>Restricted Discretionary Activities</i>		
<p>TRN-R12 High Trip generating transport activities</p>	<p><b>Activity Status Restricted Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. This is the establishment of a new activity or the expansion of an existing activity listed in <a href="#">Table TRN 6</a> that complies with <a href="#">Standard TRN S14</a>.</li> </ol> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Effects on the transport network; and</li> <li>b. Effects and recommendations to minimise effects from the transport assessment.</li> </ol>	<p><b>Does Not Comply – Restricted Discretionary Activity</b></p> <p><b>Note: this rule does not have immediate legal effect.</b></p>
<b>Sites and Areas of Significance to Māori - Ngā Wāhi Tāpua ki te Māori</b>		
<b>Sites and Areas of Significance to Māori Rules</b>		
<b>Permitted Activities</b>		
<p>SASM-R7 Farm Quarries and Mineral Extraction Activities within the Pounamu and Aotea Overlay Areas</p>	<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. In relation to extraction of <a href="#">Aotea</a>:             <ol style="list-style-type: none"> <li>i. Any extraction of <a href="#">Aotea</a> is only undertaken by Te <a href="#">Rūnanga</a> o Makaawhio or their authorised representatives or contractors;</li> <li>ii. Where an <a href="#">Aotea</a> Management Plan prepared by Te <a href="#">Rūnanga</a> o Makaawhio exists, any extraction of <a href="#">Aotea</a> is in accordance with that plan;</li> <li>iii. Where this is <a href="#">Aotea</a> extraction in the <a href="#">Aotea</a> overlay, notice of the <a href="#">activity</a> is provided to the Westland District Council by Te <a href="#">Rūnanga</a> o Makaawhio, at least 10 working days prior to the <a href="#">activity</a> occurring.</li> </ol> </li> <li>2. In relation to extraction of Pounamu:             <ol style="list-style-type: none"> <li>i. Any extraction of Pounamu is only undertaken by Te <a href="#">Rūnanga</a> o Ngāti Waewae, Te <a href="#">Rūnanga</a> o Makaawhio or their authorised representatives or contractors;</li> </ol> </li> </ol>	<p><b>Does not comply</b></p> <p>The site is within the Pounamu Management Area. Written approval has not been provided by Poutini Ngāi Tahu, however consultation with Te Rūnanga o Ngāti Waewae is ongoing.</p> <p><b>Note: this rule does not have immediate legal effect.</b></p>





## Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>ii. Where a Pounamu Management Plan prepared by <a href="#">Poutini Ngāi Tahu</a> exists, any extraction of Pounamu is in accordance with that plan;</p> <p>iii. Where this Pounamu extraction is within the Pounamu overlay, notice of the <a href="#">activity</a> is provided to the relevant district council by the relevant <a href="#">Poutini Ngāi Tahu rūnanga</a>, at least 10 working days prior to the <a href="#">activity</a> commencing;</p> <p>3. In relation to other <a href="#">mineral extraction</a> and quarrying <a href="#">activity</a>:</p> <p>i. Written approval is provided by the relevant <a href="#">Poutini Ngāi Tahu rūnanga</a> - Te <a href="#">Rūnanga o Ngāti Waewae</a> or Te <a href="#">Rūnanga o Makaawhio</a>, that the <a href="#">activity</a> can occur within the Pounamu and/or <a href="#">Aotea</a> overlay(s) and the written confirmation shall be provided to the relevant district council at least 10 working days prior to the <a href="#">activity</a> commencing.</p> <p><b>Advice Note:</b> Under the Pounamu Vesting Act, all pounamu is owned by Te <a href="#">Rūnanga o Ngāi Tahu</a>. Any pounamu or <a href="#">Aotea</a> disturbed shall be returned to the relevant <a href="#">Poutini Ngāi Tahu</a> papatipu <a href="#">rūnanga</a> - Te <a href="#">Rūnanga o Ngāti Waewae</a> or Te <a href="#">Rūnanga o Makaawhio</a>.</p>	
<b>Discretionary Activities</b>		
<p>SASM-R11</p> <p>Farm Quarries and Mineral Extraction Activities within the Pounamu and Aotea Overlay Areas not meeting Permitted Activity Standards</p>	<p><b>Activity Status Discretionary</b></p> <p><b>Advice Note:</b> Under the Pounamu Vesting Act all pounamu is owned by Te <a href="#">Rūnanga o Ngāi Tahu</a>.</p>	<p><b>Discretionary Activity</b></p> <p><b>Note: this rule does not have immediate legal effect.</b></p>
<b>Non-complying Activities</b>		
<p>SASM-R15</p> <p>Mineral Extraction by other than by Poutini Ngāi Tahu in Sites and Areas of Significance to Māori</p>	<p><b>Activity Status Non-complying</b></p> <p><b>Where:</b></p> <p>1. This occurs in any RURZ - Rural Zone, OSRZ - Open Space and Recreation Zone, SPZ - Special Zone or INZ - Industrial Zone.</p> <p><b>Notification:</b> Applications for activities on sites and areas of significance to Māori will always be limited notified to the relevant <a href="#">Poutini Ngāi Tahu rūnanga</a>.</p>	

# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p><b>Advice Note:</b> <a href="#">Mineral Extraction</a> in the RESZ - Residential Zones and COMZ - Commercial and Mixed Use Zones are not regulated by this rule. Refer relevant zone rules for the status of industrial activities in these areas.</p>	
<p><b>Ecosystems and Indigenous Biodiversity - Ngā Pūnaha Rauropi me te Kanorau Koiora</b></p>		
<p><b>Ecosystems and Indigenous Biodiversity Rules</b></p>		
<p><b>Permitted Activities</b></p>		
<p>ECO-R2 Indigenous Vegetation Clearance in the Coastal Environment</p>	<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. This is for:               <ol style="list-style-type: none"> <li>i. Walking/cycling tracks, roads, farm tracks or fences;</li> <li>ii. Operation, <a href="#">maintenance</a>, repair, <a href="#">upgrading</a> and installation of new network utility <a href="#">infrastructure</a> and <a href="#">renewable electricity generation activities</a>; or</li> <li>iii. Establishment of a <a href="#">building platform</a> and access to a <a href="#">building site</a> in an approved <a href="#">subdivision</a> or where there is no existing <a href="#">residential building</a> on the <a href="#">site</a>;</li> </ol> </li> <li>2. The extent of indigenous vegetation disturbed and/or cleared per <a href="#">site</a> does not exceed an area of 500m<sup>2</sup> in area per <a href="#">site</a> in any three year period;</li> <li>3. The <a href="#">indigenous vegetation clearance</a> does not disturb, damage or destroy nesting areas or habitat of protected species; and</li> <li>4. The <a href="#">indigenous vegetation clearance</a> does not occur in any area identified as a <a href="#">Significant Natural Area</a> in <a href="#">Schedule Four</a>.</li> </ol> <p><b>Advice Notes:</b></p> <ol style="list-style-type: none"> <li>1. Where <a href="#">indigenous vegetation clearance</a> is proposed within the <a href="#">riparian margins of a waterbody</a> refer to these sections of the Plan for the Rules around this clearance.</li> <li>2. Where <a href="#">indigenous vegetation clearance</a> is proposed in or on a <a href="#">site</a> or area of significance to Māori then <a href="#">Rule SASM - R4</a> will also apply.</li> <li>3. Where <a href="#">indigenous vegetation clearance</a> is proposed within a <a href="#">wetland</a> this is also subject to rules within the NES - Freshwater which is administered by the West Coast Regional Council.</li> <li>4. This rule also applies to plantation forestry activities, where this provision is more stringent than the <a href="#">NES</a> - PF.</li> </ol>	<p><b>Does not comply</b></p> <p>The proposal is not for one of the activities listed in Condition 1, therefore there is no permitted indigenous vegetation clearance on this site. A small amount of planted native flax is proposed to be removed as part of the mining process.</p> <p><b>Note: this rule has immediate legal effect.</b></p>
<p><b>Controlled Activities</b></p>		
<p><b>Restricted Discretionary Activities</b></p>		



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
<p>ECO-R5 Indigenous vegetation clearance not meeting Permitted or Controlled Activity Standards</p>	<p><b>Activity Status Restricted Discretionary</b> Where:</p> <ol style="list-style-type: none"> <li>1. This is not within:               <ol style="list-style-type: none"> <li>i. A <a href="#">Significant Natural Area</a> identified in <a href="#">Schedule Four</a>;</li> <li>ii. An area of <a href="#">land environment</a> of category one or two of the Threatened <a href="#">Environment</a> Classification;</li> <li>iii. An Outstanding Natural Landscape identified in <a href="#">Schedule Five</a>;</li> <li>iv. An Outstanding Natural Feature identified in <a href="#">Schedule Six</a>;</li> <li>v. An area of High Coastal Natural Character identified in <a href="#">Schedule Seven</a>; or</li> <li>vi. An area of Outstanding Coastal Natural Character identified in <a href="#">Schedule Eight</a>.</li> </ol> </li> </ol> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Whether there are other regulations impacting the <a href="#">site</a> that have meant the <a href="#">land</a> is unable to be used for economic rural uses;</li> <li>b. Constraints imposed by functional or <a href="#">operational need</a> of network utilities and <a href="#">critical infrastructure</a>;</li> <li>c. Effects on habitats of any threatened or protected species;</li> <li>d. Effects on the threat status of <a href="#">land</a> environments in category one or two of the Threatened Environments Classification;</li> <li>e. Effects on ecological functioning and the life supporting capacity of air, <a href="#">water</a>, soil and ecosystems;</li> <li>f. Effects on the intrinsic values of ecosystems;</li> <li>g. Effects on recreational values of public <a href="#">land</a>; and</li> <li>h. The matters outlined in Policies <a href="#">ECO - P6</a> and <a href="#">ECO - P7</a>.</li> </ol> <p><b>Advice Note:</b></p> <ol style="list-style-type: none"> <li>1. Where <a href="#">indigenous vegetation clearance</a> is proposed within the <a href="#">riparian margin of a waterbody</a> refer to this section of the Plan for the Rules around this clearance.</li> <li>2. Where <a href="#">indigenous vegetation clearance</a> is proposed in or on a <a href="#">site</a> or area of significance to Māori then <a href="#">Rule SASM - R4</a> will also apply.</li> <li>3. Where <a href="#">indigenous vegetation clearance</a> is proposed within a <a href="#">wetland</a> this is also be subject to rules within the NES - Freshwater and Regional Land and Water Plan which are administered by the West Coast Regional Council.</li> </ol>	<p><b>Restricted Discretionary Activity</b></p> <p><b>Note: this rule has immediate legal effect</b></p>



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>4. This rule also applies to plantation forestry activities, where this provision is more stringent than the <a href="#">NES - PF</a> and the <a href="#">indigenous vegetation clearance</a> is within the coastal environment.</p>	
<p><b>Natural Character and Margins of Waterbodies Ngā Āhua me ngā Mahi ka Noho Hāngai ki ngā Hopua Wai</b></p>		
<p><b>Natural Character and the Margins of Waterbodies Rules</b></p>		
<p><b>Permitted Activities</b></p>		
<p>NC-R1 Indigenous Vegetation Clearance and Earthworks within the Riparian Margin of a River, Lake or Wetland</p>	<p><b>Activity Status Permitted</b></p> <ol style="list-style-type: none"> <li>1. Where this is outside of any <a href="#">Significant Natural Area</a> identified in <a href="#">Schedule Four</a>, and for:               <ol style="list-style-type: none"> <li>a. Fence lines; or</li> <li>b. <a href="#">Maintenance</a>, operation, minor upgrade and repair of network utilities, <a href="#">critical infrastructure</a> or <a href="#">renewable electricity generation activities</a>;</li> <li>c. Connections to <a href="#">wastewater</a>, <a href="#">stormwater</a> and reticulated network utility systems; or</li> <li>d. Installation of an environmental monitoring and extreme weather event monitoring facility; or</li> <li>e. <a href="#">Maintenance</a> and repair of <a href="#">lawfully established</a> structures; or</li> <li>f. The construction of <a href="#">parks facilities</a>, <a href="#">parks furniture</a> or public access points within an Open Space and Recreation Zone; or</li> <li>g. The establishment of a <a href="#">river</a> crossing point up to 3m wide; or</li> <li>h. <a href="#">Poutini Ngāi Tahu activities</a>;</li> <li>i. Activities on Māori Purpose Zoned <a href="#">land</a> and undertaken in accordance with an <a href="#">Iwi/Papatipu Rūnanga Management Plan</a>; or</li> <li>j. <a href="#">Natural hazard mitigation activities</a> undertaken by a statutory agency or their nominated contractor;</li> </ol> </li> <li>2. The amount of <a href="#">indigenous vegetation clearance</a> is not greater than 20m<sup>2</sup> per 200m length of <a href="#">Riparian Margin</a>;</li> <li>3. The amount of <a href="#">earthworks</a> is not greater than 20m<sup>3</sup> per 200m length of <a href="#">Riparian Margin</a>;</li> <li>4. All <a href="#">earthworks</a> stockpiles are located outside of the <a href="#">Riparian Margin</a> of the <a href="#">waterbody</a>; and</li> <li>5. Unless carried out by a statutory agency or their nominated contractor responsible for natural hazard mitigation, the clearance and <a href="#">earthworks</a> are not located within areas used and identified for <a href="#">natural hazard mitigation structures</a>.</li> </ol> <p><b>Advice Note:</b></p>	<p><b>Does not comply – Discretionary Activity</b></p> <p>The existing basin adjacent to Canoe Creek which is proposed to be used as an infiltration basin will require re-levelling and contouring and part of this basin is within the riparian margin of Canoe Creek. Earthworks may exceed permitted volumes within the riparian margin.</p> <p><b>Note: this rule has immediate legal effect</b></p>



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<ol style="list-style-type: none"> <li>1. Rules in other Overlay Chapters particularly <a href="#">Historic Heritage</a>, <a href="#">Sites and Areas of Significance to Māori</a>, <a href="#">Natural Hazards</a> and <a href="#">Natural Features and Landscapes</a> may also apply in these locations.</li> <li>2. Activities within the margins of waterbodies and wetlands are also the subject of regulation under the <a href="#">NES Freshwater</a>, <a href="#">NPS Freshwater</a> and the West Coast Regional Land and Water Plan.</li> <li>3. This rule also applies to plantation forestry activities, where this provision is more stringent than the <a href="#">NES - PF</a>.</li> </ol>	
<p>NC-R2</p> <p><i>Buildings and Structures within the Riparian Margin of a River, Lake or Wetland</i></p>	<p><b>Activity Status Permitted</b></p> <ol style="list-style-type: none"> <li>1. Where the buildings and structures are:               <ol style="list-style-type: none"> <li>a. Network utilities;</li> <li>b. Temporary whitebait stands;</li> <li>c. Environmental monitoring facilities;</li> <li>d. <a href="#">Parks facilities</a> and <a href="#">parks furniture</a> within an Open Space and Recreation Zone;</li> <li>e. <a href="#">Natural hazard mitigation structures</a> constructed by a statutory agency or their nominated contractor; or</li> <li>f. <a href="#">Renewable electricity generation</a> facilities where these have a <a href="#">functional need</a> to locate within the <a href="#">riparian margin</a>; or</li> <li>g. <a href="#">Stormwater discharge</a> structures and <a href="#">water</a> supply intake structures constructed in accordance with <a href="#">NZS 4404 Code of Practice for Land Development</a> and <a href="#">Subdivision Infrastructure</a>.</li> </ol> </li> </ol> <p><b>Advice Note:</b> Rules in other Overlay Chapters particularly <a href="#">Historic Heritage</a>, <a href="#">Sites and Areas of Significance to Māori</a>, <a href="#">Natural Hazards</a> and <a href="#">Natural Features and Landscapes</a> may also apply in these locations.</p>	<p><b>Does not comply – Discretionary</b></p> <p>The basin structure, while existing, will be modified, and is not listed in NC-R2.</p> <p><b>Note: this rule has immediate legal effect</b></p>
<b>Discretionary Activities</b>		
<p>NC-R3</p> <p><i>Indigenous Vegetation Clearance and Earthworks not meeting the Permitted Activity Rules</i></p>	<p><b>Activity Status Discretionary</b></p> <p><b>Advice Note:</b></p> <ol style="list-style-type: none"> <li>1. This rule also applies to plantation forestry activities, where this provision is more stringent than the <a href="#">NES - PF</a></li> <li>2. The NES - Freshwater has extensive regulation around works that can be undertaken in or near any natural <a href="#">wetland</a>. These rules are administered by the West Coast Regional Council and are not repeated in this Plan.</li> </ol>	<p><b>Discretionary activity</b></p> <p><b>Note: this rule has immediate legal effect</b></p>



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
<p>NC-R4 Buildings and Structures within the Riparian Margin of a River, Lake or Wetland not meeting the Permitted Activity Rules</p>	<p><b>Activity Status Discretionary</b></p>	<p><b>Discretionary activity</b></p> <p><b>Note: this rule has immediate legal effect</b></p>
<p><b>Coastal Environment - Te Taiao o te Takutai</b></p>		
<p><b>Coastal Environment Rules</b></p>		
<p><b>Permitted Activities</b></p>		
<p>CE-R4 Buildings and Structures in the Coastal Environment</p>	<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. These are not located within:               <ol style="list-style-type: none"> <li>a. An Outstanding Natural Landscape identified in <a href="#">Schedule Five</a>;</li> <li>b. An Outstanding Natural Feature identified in <a href="#">Schedule Six</a>;</li> <li>c. An area of High Coastal Natural Character identified in <a href="#">Schedule Seven</a> and subject to <a href="#">Rule CE - R5</a>;</li> <li>d. An area of Outstanding Coastal Natural Character identified in <a href="#">Schedule Eight</a>; and</li> </ol> </li> <li>2. These:               <ol style="list-style-type: none"> <li>a. Comply with the rules for buildings and structures within the relevant zone, except that within the GRUZ - General Rural Zone, RLZ - Rural Lifestyle and SETZ - Settlement Zone:                   <ol style="list-style-type: none"> <li>i. Maximum <a href="#">height</a> is 7m for new buildings;</li> <li>ii. No <a href="#">height</a> limits apply where this is replacement of a <a href="#">lawfully established building</a> with another <a href="#">building</a> of the same <a href="#">height</a>, in the same location; and</li> <li>iii. The gross ground floor area is:                       <ol style="list-style-type: none"> <li>I. A maximum of 200m<sup>2</sup> per <a href="#">building</a> for new buildings;</li> <li>II. No maximum area where this is the replacement of a <a href="#">lawfully established building</a> with another <a href="#">building</a> of the same ground floor area, in the same location; or</li> </ol> </li> </ol> </li> </ol> </li> </ol>	<p><b>Complies</b></p> <p>The site is within the Mineral Extraction Zone. There are no rules which restrict the size of buildings.</p>



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>b. Are Energy Activities or Network Utilities, including ancillary <a href="#">earthworks</a>, subject to provisions in the Energy, <a href="#">Infrastructure</a> and Transport Chapters of the Plan; or</p> <p>c. Are <a href="#">natural hazard mitigation structures</a> constructed by a Statutory Agency or their authorised contractor.</p> <p><b>Advice Note:</b> Refer to the <a href="#">Natural Hazards, Sites and Areas of Significance to Māori, Historic Heritage, Natural Character and Margins of Waterbodies</a> Overlay Chapters for rules in relation to buildings and structures in these areas.</p>	
<b>Earthworks - Te Huke Whenua Overview</b>		
<b>Earthworks Rules</b>		
<b>Permitted Activities</b>		
<p>EW-R1 Earthworks General Standards</p>	<p><b>All Permitted activities must comply with the following relevant standards.</b></p> <ol style="list-style-type: none"> <li>1. <a href="#">Earthworks</a> must not exceed a maximum depth or <a href="#">height</a> above <a href="#">ground level</a> of 1.5m measured vertically within 1.5m of a boundary except where these are undertaken by a <a href="#">network utility operator</a> for the purpose of:               <ol style="list-style-type: none"> <li>a. Pole foundations;</li> <li>b. Backfilled trenches; or</li> <li>c. Installation of services by trenchless methods such as directional drilling;</li> </ol> </li> <li>2. All fill must consist of <a href="#">cleanfill material</a>;</li> <li>3. Erosion and sediment control measures must be put in place to avoid sediment run-off from <a href="#">earthworks</a> activities entering a Council reticulated network or into waterbodies;</li> <li>4. No diversion of <a href="#">stormwater</a> and overland flow shall occur beyond the <a href="#">site</a> boundary and <a href="#">water</a> must not be diverted to <a href="#">adjacent</a> properties or the <a href="#">road</a>;</li> <li>5. Any <a href="#">earthworks</a> within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (<a href="#">NZECP 34:2001</a>);</li> <li>6. No <a href="#">earthworks</a> are to be undertaken on or within 10m of any public <a href="#">natural hazard mitigation structure</a> unless under the written approval has been obtained from the relevant local government agency; and</li> <li>7. In the event of discovery of any sensitive or archaeological material that the Accidental Discovery Protocol outlined in <a href="#">Appendix Four</a> must be followed.</li> </ol> <p><b>Advice Notes:</b></p>	<p><b>Complies – Permitted Activity</b></p>



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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<ol style="list-style-type: none"> <li><a href="#">Earthworks</a> are also regulated by the West Coast Regional Land and Water Plan and the NES - Freshwater 2020 administered by the West Coast Regional Council.</li> <li><a href="#">Earthworks</a> undertaken in areas of <a href="#">contaminated land</a> are subject to the Rules in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.</li> </ol>	
<p>EW-R6 Earthworks in the BCZ - Buller Coalfield Zone and MINZ - Mineral Extraction Zone</p>	<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>All standards in <a href="#">Rule EW - R1</a> are complied with; and</li> <li>Where the <a href="#">earthworks</a> are undertaken within a <a href="#">Overlay Chapter</a> area these need to meet the Permitted Activity standards for the relevant overlay area.</li> </ol> <p><b>Advice Note:</b></p> <ol style="list-style-type: none"> <li>Rules in relation to <a href="#">mineral extraction</a> and ancillary activities can be found in the relevant zone rules.</li> <li>Rules in relation to <a href="#">earthworks</a> in overlay areas can be found in the Overlay Chapters.</li> </ol>	<p><b>Does not comply</b></p> <p>The site is within a Pounamu Management Overlay area, and mining is a discretionary activity within this overlay.</p>
<b>Restricted Discretionary Activities</b>		
<p>EW-R8 Earthworks in any Zone not meeting Permitted Activity standards</p>	<p><b>Activity Status Restricted Discretionary</b></p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>The impact on visual amenity, landscape character, outlook and privacy;</li> <li>Potential <a href="#">dust</a> nuisance, sedimentation, <a href="#">land</a> instability, contamination and erosion effects;</li> <li>Effects that result from the stockpiling in terms of visual amenity, landscape context and character, views, outlook, overlooking and privacy;</li> <li>The effectiveness of proposed management or mitigation measures to minimise any potential adverse effects beyond the property boundary of the <a href="#">activity</a>;</li> <li>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 the <a href="#">water</a> table;</li> <li>The impact of <a href="#">earthworks</a> on <a href="#">critical infrastructure</a>;</li> <li>The impact on the <a href="#">road</a> network, of <a href="#">heavy vehicle</a> and other vehicular traffic generated as a result of <a href="#">earthworks</a>;</li> </ol>	<p><b>Restricted Discretionary Activity</b></p> <p>The proposal is within a Pounamu Management Overlay, therefore it is not possible to comply with permitted activity standards.</p>





# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>h. Any adverse effects on landscape, amenity, natural features, <a href="#">water</a> quality, cultural and heritage sites, biodiversity and habitat of indigenous flora and fauna, and the quality of the <a href="#">environment</a>;</p> <p>i. The impact on <a href="#">stormwater infrastructure</a> and any overland flow paths; and</p> <p>j. The impact on any natural hazards <a href="#">infrastructure</a> and the effectiveness of its operation.</p> <p><b>Advice Note:</b> Rules in relation to <a href="#">earthworks</a> in overlay areas can be found in the Overlay Chapters.</p>	
<b>Light - Ngā Rama</b>		
<b>Light Rules</b>		
<b>Permitted Activities</b>		
<p><i>LIGHT-R1</i> All Zones: General Permitted Activity Standards</p>	<p><b>Where Activity Status is Permitted</b> All artificial outdoor lighting must:</p> <ol style="list-style-type: none"> <li>1. Be directed so that light is emitted away from any <a href="#">adjoining</a> and <a href="#">adjacent</a> properties;</li> <li>2. Be directed so that light is emitted away from any state highway or arterial or principal roads, or any oncoming traffic; and</li> <li>3. Where an <a href="#">activity</a> is located on a <a href="#">site</a> which adjoins or is separated by a <a href="#">road</a> from a different zone, the <a href="#">activity</a> on the <a href="#">site</a> must meet the relevant zone standards for light for the <a href="#">adjoining</a> zone at the zone boundary.</li> </ol> <p><b>Advice Notes:</b></p> <ol style="list-style-type: none"> <li>1. Lighting limits must be measured and assessed in accordance with AS/<a href="#">NZS</a> 4282 Control of the Obtrusive Effects of Outdoor Lighting.</li> <li>2. Where conformance with the limits set out in the Rules in this chapter is to be determined by calculation, the calculation must be undertaken by a person who is professionally qualified and competent in the discipline of illuminating engineering.</li> <li>3. Any calculation for the purposes of these Rules must be based on a <a href="#">maintenance</a> factor of 1.0 (i.e. no depreciation shall be taken into account for reduction in light levels over time).</li> </ol>	<p><b>Complies</b> All lighting will be designed to comply with these standards.</p>
<p><i>LIGHT-R2</i> Artificial Outdoor Lighting in the TCZ - Town Centre, MUZ - Mixed Use, COMZ - Commercial, PORTZ - Port,</p>	<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. Outdoor artificial lighting must not exceed the following vertical or horizontal light levels:             <ol style="list-style-type: none"> <li>a. 7.00am – 10.00pm: 25 Lux;</li> <li>b. 10.00pm – 7.00am: 10 Lux in the PORTZ - Port Zone; and</li> </ol> </li> </ol>	<p><b>N/A</b></p>



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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
<p>HOSZ - Hospital, STADZ - Stadium, AIRPZ- Airport and all INZ - Industrial Zones</p>	<p>c. 10.00pm - 7am: 5 Lux in the TCZ - Town Centre, MUZ - Mixed Use, COMZ - Commercial, HOSZ - Hospital, STADZ - Stadium, AIRPZ - Airport and all INZ - Industrial Zones;</p> <p>d. The above standards a-c shall be measured 2m inside the boundary of any <a href="#">adjoining site</a> or the closest window in the <a href="#">adjoining</a> property, whichever is the closest to the light source.</p>	
<p>LIGHT-R3 Artificial Outdoor Lighting in the NOSZ - Natural Open Space Zone, SETZ - PREC 2 - Settlement Zone - Coastal Settlement Precinct, and in All Zones where the site falls within the Outstanding Coastal Natural Character Overlay</p>	<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. Artificial outdoor lighting must not exceed the following vertical or horizontal light levels:               <ol style="list-style-type: none"> <li>a. 7.00am – 10.00pm: 2 Lux; and</li> <li>b. 10.00pm – 7.00am: 1 Lux; where</li> <li>c. This is measured at the boundary of the <a href="#">site</a>.</li> </ol> </li> <li>2. Where the artificial outdoor lighting is located within the Outstanding Coastal Natural Character Overlay it must:               <ol style="list-style-type: none"> <li>a. Be fully shielded or use a controlled optic;</li> <li>b. Have a colour corrected temperature of no greater than 3000K (warm white); and</li> <li>c. Be installed in a manner that precludes operation between 10pm and 7am the following day.</li> </ol> </li> </ol>	<p><b>N/A</b></p>
<p>LIGHT - R4 Artificial Outdoor Lighting in locations not provided for in Rule LIGHT - R2 or LIGHT - R3</p>	<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. Outdoor artificial lighting must not exceed the following vertical or horizontal light levels:               <ol style="list-style-type: none"> <li>a. 7.00am – 10.00pm: 10 Lux; and</li> <li>b. 10.00pm – 7.00am: 2 Lux;</li> <li>c. The above standards a-b shall be measured 2m inside the boundary of any <a href="#">adjoining site</a> or the closest window in the <a href="#">adjoining</a> property, whichever is the closest to the light source.</li> </ol> </li> </ol>	<p><b>Complies</b> Lighting will comply with these limits.</p>
<p><b>Noise - Ngā Oro</b></p>		
<p><b>Noise Rules</b></p>		
<p><b>Permitted Activities</b></p>		
<p>NOISE-R1 General Standards</p>	<p><b>All activities must comply with the following relevant standards.</b></p>	<p><b>Complies</b></p>



# Plan Compliance Assessment Table – TiGa Application

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<ol style="list-style-type: none"> <li>1. <a href="#">Noise</a> levels arising from activities must be measured and assessed in accordance with the New Zealand Standard <a href="#">NZS 6801:2008 Acoustics - Measurement of environmental sound</a> and the New Zealand Standard <a href="#">NZS 6802:2008 Acoustics - Environmental noise</a> except where more specific requirements apply.</li> <li>2. The <a href="#">noise</a> from any construction work <a href="#">activity</a> must be measured and assessed in accordance with the requirements of New Zealand Standard <a href="#">NZS6803:1999 Acoustics – Construction noise</a>. Construction work is defined in New Zealand Standard <a href="#">NZS 6803:1999 Acoustics – Construction noise</a>.</li> <li>3. <a href="#">Noise</a> from mobile <a href="#">noise</a> sources shall comply with the <a href="#">noise</a> limits set out in Tables 2 and 3 of <a href="#">NZS 6803:1999 Acoustics - Construction Noise</a>, with reference to "construction <a href="#">noise</a>" taken to refer to "mobile <a href="#">noise</a> sources";</li> <li>4. <a href="#">Noise</a> from wind turbines shall be measured in accordance with section 7.7 of <a href="#">NZS 6808: 2010 Acoustics Wind Farm Noise</a>;</li> <li>5. <a href="#">Noise</a> from Helicopter Landing areas shall be managed in accordance with and comply with the <a href="#">noise</a> standards and limits of <a href="#">NZS 6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Area</a>.</li> </ol>	<p>The proposal has assessed in accordance with the appropriate standards.</p>
<p>NOISE-R2 Emissions of Noise in All Zones</p>	<p><b>Activity Status Permitted</b></p> <p>Where the following activities are exempted from meeting Zone <a href="#">noise</a> standards:</p> <ol style="list-style-type: none"> <li>1. Intermittent residential activities, use of lawn mowers, vehicles, machinery or equipment operated and maintained in accordance with the manufacture’s specifications and used on an intermittent basis (e.g. spraying, harvesting, etc);</li> <li>2. Any warning device or siren used by emergency services for emergency purposes (and routine testing and <a href="#">maintenance</a> of these);</li> <li>3. Activities at emergency service facilities associated with emergency response and emergency response training;</li> <li>4. Helicopters used for an emergency and as an air ambulance;</li> <li>5. The use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and <a href="#">maintenance</a> not exceeding 2 weeks in duration, where they are operated by emergency services or lifeline utilities;</li> </ol>	<p>N/A</p>



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	<ol style="list-style-type: none"> <li>6. People <a href="#">noise</a> at recreational activities, such as sporting events or the <a href="#">noise</a> from children at school or daycare facilities or in residential dwellings. This does not include any amplified <a href="#">noise</a>;</li> <li>7. Vehicles being driven on a <a href="#">road</a> (within the meaning of Section 2(1) of the Transport Act 1998), or within a <a href="#">site</a> as part of or compatible with a normal <a href="#">residential activity</a>;</li> <li>8. Trains on rail lines (public or private) and crossing bells within <a href="#">road</a> reserve, including at railway yards, railway sidings or stations. However, this exemption does not apply to the testing (when stationary), <a href="#">maintenance</a>, loading or unloading of trains;</li> <li>9. <a href="#">Road</a> construction work where management controls are in place to mitigate the emission of <a href="#">noise</a>;</li> <li>10. Any <a href="#">residential activity</a> on the same <a href="#">site</a> as a <a href="#">noise</a> source being assessed;</li> <li>11. Agriculture, horticulture and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery, aircraft or equipment used on a seasonal or intermittent basis in the General Rural and Rural Lifestyle zones;</li> <li>12. Infrequent aircraft landing for rural production purposes on an intermittent basis, including aerial topdressing and helicopter movements;</li> <li>13. Non-commercial motorised watercraft operating on the surface of waterbodies;</li> <li>14. Rifle ranges located within the Rifle Range Protection Area;</li> <li>15. Impulsive sounds (such as hammering and bangs) and dog barking <a href="#">noise</a> which are poorly assessed by reference to NZS 6802:2008 Acoustics Environmental Noise;</li> <li>16. The <a href="#">noise</a> is emitted from an audible bird scaring device between the hours of half an hour before sunrise and until half an hour after sunset, not used at a frequency of more than 12 events per hour; and</li> <li>17. The <a href="#">noise</a> is from a <a href="#">Temporary Activity</a> where the <a href="#">temporary activity</a> occurs between 7:00am and 10:00pm only, and if operating outside of these hours complies with the underlying <a href="#">noise</a> standards of the zone.</li> </ol>	
<p>NOISE-R11 Emission of Noise within the BCZ - Buller Coalfield Zone and MEZ - Mineral Extraction Zone</p>	<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. The maximum <a href="#">noise</a> generated from activities does not exceed the following limits at any point within the <a href="#">notional boundary</a> of any <a href="#">sensitive activity</a> within any <a href="#">site</a> receiving <a href="#">noise</a>:             <ol style="list-style-type: none"> <li>1. 7:00am to 10:00pm Monday to Friday and 7:00am to 10:00pm weekends and public holidays: 55 dB <math>L_{Aeq}(15\text{ min})</math></li> </ol> </li> </ol>	<p><b>Complies</b> The proposal has been assessed, and will comply with these noise limits. A condition of consent has been volunteered to this effect.</p>



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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<ol style="list-style-type: none"> <li>2. 10:00pm to 7:00am Monday to Friday and 10:00pm to 7:00am weekends and public holidays: 45 dB <math>L_{Aeq}</math> (15 min)</li> <li>3. 10:00pm to 7:00am all days - 75 dB <math>L_{AFmax}</math></li> </ol>	
<b>Mineral Extraction Zone - Te Takiwā Kohuke</b>		
<b>Rules</b>		
<b>Permitted Activities</b>		
MINZ-R1 Mineral Prospecting and Exploration	<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. Notice is provided to the relevant district council 5 working days ahead of work being undertaken;</li> <li>2. Where areas are to be disturbed, topsoil shall be stripped and stockpiled and then replaced over the area of land disturbed as soon as possible and no later than 3 months after the disturbance has occurred;</li> <li>3. All stripped material (including vegetation, soil and debris) is deposited or contained in such a manner that it does not enter any waterbody or cause the destruction of habitat; and</li> <li>4. The site shall be rehabilitated as far as practicable to its original condition.</li> </ol> <p><b>Advice Note:</b></p> <ol style="list-style-type: none"> <li>1. Where an activity subject to this rule is located within an Overlay Chapter area then compliance with the relevant Overlay Chapter rules is required.</li> <li>2. Mineral Prospecting and Mineral Exploration within the Pounamu and <a href="#">Aotea</a> Overlays is subject to Rule <a href="#">SASM - R7</a>.</li> <li>3. The activity may require a resource consent from the West Coast Regional Council. In particular there are restrictions in relation to earthworks within 100m of a wetland and work which may affect waterbodies.</li> </ol>	N/A
MINZ-R2 Mineral Extraction and Processing	<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. The mineral extraction and processing are lawfully established at the date the Plan becomes operative;</li> <li>2. Where the site is active, or intended to be active within the next 12 months:               <ol style="list-style-type: none"> <li>a. To the extent not already required by any coal mining licence or resource consent, a Mineral Extraction Management Plan shall be prepared in accordance with the outline</li> </ol> </li> </ol>	N/A



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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p><i>provided in <a href="#">Appendix Seven</a> and be submitted to the relevant district council within 12 months for certification. This plan will:</i></p> <ol style="list-style-type: none"> <li><i>i. Provide an outline of the issues and values that need to be managed at the site;</i></li> <li><i>ii. Provide the detail of how these issues and values will be managed;</i></li> <li><i>iii. Set out a schedule of annual monitoring to be undertaken; and</i></li> <li><i>iv. Outline the rehabilitation and mine closure process for the site;</i></li> </ol> <p><i>b. To the extent not already required by any coal mining licence or resource consent, an annual Environmental Monitoring Report and Annual Work Plan shall be prepared and submitted to the Consent Authority by 30 March of each calendar year. These Plans will be required until the relevant district council certifies that rehabilitation is complete;</i></p> <ol style="list-style-type: none"> <li><i>3. During mineral extraction activity, progressive rehabilitation of all disturbed areas is undertaken in accordance with the rehabilitation programme in the Mineral Extraction Management Plan;</i></li> <li><i>4. Upon ceasing of mineral extraction and processing activity, a programme of mine closure shall be undertaken in accordance with the mine closure programme in the Mineral Extraction Management Plan;</i></li> <li><i>5. No blasting or vibration shall occur outside the hours of 0700 to 2200 hours weekdays and 0800 to 1800 hours on weekends and public holidays;</i></li> <li><i>6. A bond is in place with the relevant district council;</i></li> <li><i>7. Noise meets the Permitted Activity Standards in Rule <a href="#">NOISE - R7</a>; and</i></li> <li><i>8. Light and glare meet the Permitted Activity standards in Rule <a href="#">LIGHT - R4</a>.</i></li> </ol> <p><b>Advice Note:</b></p> <ol style="list-style-type: none"> <li><i>1. Only active mineral extraction sites, or those expected to be active within 12 months are required to prepare a Mineral Extraction Management Plan, Annual Work Plan or Environmental Monitoring Report.</i></li> <li><i>2. Mineral Extraction within the Pounamu and <a href="#">Aoteg</a> Overlays is subject to Rule <a href="#">SASM - R7</a>.</i></li> <li><i>3. Where an activity subject to this rule is located within an Overlay Chapter area then compliance with the relevant Overlay Chapter rules is required.</i></li> <li><i>4. The activity may require a resource consent from the West Coast Regional Council. In particular there are restrictions in relation to earthworks within 100m of a wetland and work which may affect waterbodies.</i></li> </ol>	



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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
<p>MINZ-R3 Activities ancillary to lawfully established mineral extraction and processing</p>	<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. This includes maintenance and operation of all roads, parking, buildings, water treatment facilities, storage facilities, railway loadout and structures existing at the date of notification of the Plan;</li> <li>2. Maximum building height above ground level is 10m;</li> <li>3. Buildings are setback a minimum of 10m from the road boundary and 10m from internal boundaries;</li> <li>4. There is a maximum of 30 heavy vehicle movements per day (excluding internal movements within the mineral extraction site);</li> <li>5. There shall be no offensive or objectionable dust nuisance at or beyond the property boundary of the mineral extraction site as a result of the activity;</li> <li>6. A bond is in place with the relevant district council;</li> <li>7. Noise meets the Permitted Activity Standards in Rule <a href="#">NOISE - R7</a>; and</li> <li>8. Light and glare meet the Permitted Activity standards in Rule <a href="#">LIGHT - R4</a>.</li> </ol> <p><b>Advice Note:</b></p> <ol style="list-style-type: none"> <li>1. Where an activity subject to this rule is located within an Overlay Chapter area then compliance with the relevant Overlay Chapter rules is required.</li> </ol>	<p>N/A</p>
<p><b>Controlled Activities</b></p>		
<p>MINZ-R6 Mineral Prospecting and Exploration, Mineral Extraction and Processing Activities and Ancillary Activities not meeting Permitted Activity Standards</p>	<p><b>Activity Status Controlled</b> Where:</p> <ol style="list-style-type: none"> <li>1. This does not occur within:                             <ol style="list-style-type: none"> <li>i. An area of indigenous vegetation greater than 5000m<sup>2</sup> in size that has not been assessed for its significance;</li> </ol> </li> <li>2. This includes all earthworks associated with the mineral extraction activity; and</li> <li>3. This includes ancillary activities, buildings, structures and infrastructure required to enable the mineral extraction activity.</li> </ol> <p><b>Matters of control are:</b></p> <ol style="list-style-type: none"> <li>a. Management of access, parking, traffic generation and transport of minerals from the site;</li> <li>b. Noise, glare, light, dust, blasting and vibration management;</li> <li>c. Hours of operation;</li> </ol>	<p><b>Controlled activity</b></p> <p><b>Note: this rule does not have immediate legal effect.</b></p>



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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>d. Hazardous substances and waste management;</p> <p>e. Historic heritage and cultural heritage requirements;</p> <p>f. Extent and design of earthworks and indigenous vegetation clearance;</p> <p>g. Effects on ecological values including any threatened fauna or their habitats;</p> <p>h. Design and location of ancillary buildings, structures and infrastructure;</p> <p>i. Overburden management;</p> <p>j. Monitoring, reporting and community liaison requirements;</p> <p>k. Financial contributions and any requirement for bonds; and</p> <p>l. Site rehabilitation and mine closure requirements.</p> <p><b>Advice Note:</b></p> <ol style="list-style-type: none"> <li>Where an activity subject to this rule is located within an Overlay Chapter area then compliance with the relevant Overlay Chapter rules is required.</li> <li>Mineral Extraction within the Pounamu and <a href="#">Aotea</a> Overlays is subject to Rule <a href="#">SASM - RZ</a>.</li> </ol>	

## National Environmental Standards for Freshwater Management

### Part 2 – Standards for Farming Activities

#### Permitted Activities

Regulation 22 – Use of land as dairy support land	<b>Activity Status Permitted</b>	<b>Complies – Permitted Activity</b>
	<p>(1) The use of land on a farm as dairy support land is a permitted activity if it complies with the conditions.</p> <p>(2) The following discharge of a contaminant is a permitted activity if it complies with the conditions:</p> <p>(a) the discharge is associated with the use of land on a farm as dairy support land; and</p> <p>(b) the discharge is into or onto land, including in circumstances that may result in the contaminant (or any other contaminant emanating as a result of natural processes from the contaminant) entering water.</p> <p>Conditions</p> <p>(3) The conditions are that—</p> <p>(a) land on the farm must have been used as dairy support land in the reference period; and</p> <p>(b) at all times, the area of the farm that is used as dairy support land must be no greater than the maximum area of the farm that was used as dairy support land in the reference period.</p>	<p>For the avoidance of doubt, the entire application area is being used for dairy support, and has been during the reference period. Following mining, with areas retired for riparian, coastal and wetland planting, the effective area of the dairy support operations will be less than that which currently exists.</p>

### Part 3 – Standards for Activities that relation to freshwater





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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
<b>Discretionary Activities</b>		
<p><i>Regulation 45D Extraction of minerals and ancillary activities</i></p>	<p><b>Discretionary Activities</b></p> <p>(1) Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of the extraction of minerals and ancillary activities.</p> <p>(2) Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of the extraction of minerals and ancillary activities.</p> <p>(3) Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a discretionary activity if it—</p> <p>(a) is for the purpose of the extraction of minerals and ancillary activities; and</p> <p>(b) results, or is likely to result, in the complete or partial drainage of all or part of the wetland.</p> <p>(4) The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if—</p> <p>(a) the activity is for the purpose of the extraction of minerals and ancillary activities; and</p> <p>(b) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and</p> <p>(c) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.</p> <p>(5) The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if—</p> <p>(a) the discharge is for the purpose of the extraction of minerals and ancillary activities; and</p> <p>(b) there is a hydrological connection between the discharge and the wetland; and</p> <p>(c) the discharge will enter the wetland; and</p> <p>(d) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.</p> <p>(6) A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first—</p> <p>(a) satisfied itself that the extraction of the minerals will provide significant national or regional benefits; and</p> <p>(b) satisfied itself that there is a functional need for the extraction of minerals and ancillary activities in that location; and</p> <p>(c) applied the effects management hierarchy.</p> <p>(7) – N/A relates to coal</p>	<p><b>Complies – Discretionary Activity</b></p> <p>For the avoidance of doubt, there are no wetlands within the application area.</p> <p>This regulation applies, because the proposal involves earthworks for the purpose of mineral extraction and ancillary activities within 100m of identified natural wetlands on adjacent properties (regulation 45D.3); and the taking of water within 100m of identified natural wetlands associated with dewatering the mine pit (regulation 45D.4.</p> <p>While the water management infrastructure for the mine is designed to avoid hydrological effects on these wetlands, it is possible that short term changes in water levels may occur prior to mitigation measures being implemented. Consent is therefore sought as a precaution.</p> <p>Regulation 45 D applies because the applicant has demonstrated significant regional benefits, that there is a functional need for the extraction in</p>



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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
		that location, and has applied the effects management hierarchy. This is discussed in further detail in the AEE.
<b>Non-Complying Activities</b>		
Regulation 52 Drainage of natural inland wetlands	<p><b>Non-complying activities</b></p> <p>(1) Earthworks outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p> <p>(2) The taking, use, damming, or diversion of water outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p><b>N/A</b></p> <p>Earthworks and water take are controlled under Regulation 45D so Regulation 52 does not apply.</p>
Regulation 53 Prohibited Activities	<p><b>Prohibited Activities</b></p> <p>(1) Earthworks within a natural inland wetland is a prohibited activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p> <p>(2) The taking, use, damming, or diversion of water within a natural inland wetland is a prohibited activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p><b>N/A</b></p> <p>There are no earthworks or water takes within a wetland.</p>
Regulation 54 Non-complying activities	<p><b>Non-complying activities</b></p> <p>The following activities are non-complying activities if they do not have another status under this subpart:</p> <p>(a) vegetation clearance within, or within a 10 m setback from, a natural inland wetland:</p> <p>(b) earthworks within, or within a 10 m setback from, a natural inland wetland:</p>	<p><b>N/A</b></p> <p>The proposal is managed under Regulation 45D so Regulation 54 does not apply to this activity.</p>



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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>(c) the taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland if—</p> <p>(i) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and</p> <p>(ii) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland:</p> <p>(d) the discharge of water into water within, or within a 100 m setback from, a natural inland wetland if—</p> <p>(i) there is a hydrological connection between the discharge and the wetland; and</p> <p>(ii) the discharge will enter the wetland; and</p> <p>(iii) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.</p>	
<b>Part 4 – Passage of fish affected by structures</b>		
<b>Permitted activities</b>		
<p>Regulation 70 Culverts</p>	<p>Permitted Activities</p> <p>The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of any river or connected area is a permitted activity if it complies with the conditions.</p> <p>Conditions</p> <p>(2) The conditions are that—</p> <p>(a) the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert, except as required to carry out the works to place, alter, extend, or reconstruct the culvert; and</p> <p>(b) the culvert must be laid parallel to the slope of the bed of the river or connected area; and</p> <p>(c) the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and</p> <p>(d) the culvert’s width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, must compare as follows:</p> <p>(i) where <math>w \leq 3</math>, <math>s \geq 1.3 \times w</math>;</p> <p>(ii) where <math>w &gt; 3</math>, <math>s \geq (1.2 \times w) + 0.6</math>; and</p> <p>(e) the culvert must be open-bottomed or its invert must be placed so that at least 25% of the culvert’s diameter is below the level of the bed; and</p> <p>(f) the bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time; and</p>	<p><b>Complies – Permitted Activity</b></p> <p>The final design of the proposed culvert across Collins Creek has not been determined, but the design will comply with this rule. Culvert information will be supplied in accordance with Regulations 62 and 63</p>



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Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<i>(g) the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris).</i>	
Regulation 72 Weirs	<p><i>Permitted Activities</i></p> <p><i>(1) The placement, use, alteration, extension, or reconstruction of a weir in, on, over, or under the bed of any river or connected area is a permitted activity if it complies with the conditions.</i></p> <p><i>Conditions</i></p> <p><i>(2) The conditions are that—</i></p> <p><i>(a) the weir must provide for the same passage of fish upstream and downstream as would exist without the weir, except as required to carry out the works to place, alter, extend, or reconstruct the weir; and</i></p> <p><i>(b) the fall height of the weir must be no more than 0.5 m; and</i></p> <p><i>(c) the slope of the weir must be no steeper than 1:30; and</i></p> <p><i>(d) the face of the weir must have roughness elements that are mixed grade rocks of 150 to 200 mm diameter and irregularly spaced no more than 90 mm apart to create a hydraulically diverse flow structure across the weir (including any wetted margins); and</i></p> <p><i>(e) the weir’s lateral profile must be V-shaped, sloping up at the banks, and with a low-flow channel in the centre, with the lateral cross-section slope between 5° to 10°.</i></p>	<p><b>N/A</b></p> <p>For the avoidance of doubt, the weirs proposed to be installed within the central drain are not controlled by this regulation because the central drain is not a river.</p>