

WAITAHA PROJECT: REGIONAL & DISTRICT OBJECTIVE & POLICY PROVISIONS

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WEST COAST REGIONAL POLICY STATEMENT (“RPS”) – OPERATIVE 24 JULY 2020

Relevant Objectives and Policies for the proposed Scheme are.

Glossary

Regionally significant infrastructure means:

- a) The National Grid (as defined by the Electricity Industry Act 2010);
- b) Other electricity distribution and transmission networks defined as the system of transmission lines, sub transmission and distribution feeders and all associated substations and other works to convey electricity;
- c) Facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity distribution and transmission networks.

Assessment: The Waitaha Hydro Scheme is classified as regionally significant infrastructure under the RPS.

3. RESOURCE MANAGEMENT ISSUES OF SIGNIFICANCE TO POUTINI NGĀI TAHU

Assessment Commentary		
Objectives		
1.	To take into account the principles of the Treaty of Waitangi in the exercise of functions and powers under the RMA.	Highly Consistent Poutini Ngāi Tahu have been involved as a key stakeholder to the proposal for many years and are now a partner with Westpower in it. The project provides for their cultural well-being and their involvement as a partner inherently aligns with the principles of the Treaty of Waitangi
2.	Recognise and provide for the relationship of Poutini Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga within the West Coast Region.	
Policies		
1.	Acting cooperatively and in good faith, the Regional and District Councils will continue to provide opportunities for active involvement of tangata whenua in resource management processes under the RMA.	Highly Consistent Poutini Ngāi Tahu have been involved as a key stakeholder to the proposal for many years and are now a partner with Westpower in it. The project

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|-------|--|---|
| 2. | In consultation with Poutini Ngāi Tahu, provide for the protection of ancestral land, wāhi tapu, water, sites, and other taonga from the adverse effects of activities, in a manner which is consistent with the purpose of the RMA. | provides for their cultural well-being and provides tangible ways for them to exercise their kaitiaki duties and achieve tino rangatiratanga. |
| <hr/> | | |
| 3. | The special relationship that Poutini Ngāi Tahu have with te taiao (the environment), and their economic, cultural, and spiritual values, including their role as kaitiaki, will be given particular consideration in resource management decisions and practices. | |

4. RESILIENT AND SUSTAINABLE COMMUNITIES

Assessment Commentary		
Objectives		
1.	To enable sustainable and resilient communities on the West Coast.	Highly consistent
2.	This region's planning framework enables existing and new economic use, development and employment opportunities while ensuring sustainable environmental outcomes are achieved.	On a number of different, but interconnected levels, the proposed Waitaha Hydro Scheme represents a strategically important development for the Westland District and West Coast Region, as well as the wider New Zealand community. It will deliver much needed energy resilience to the West Coast along with a range of economic benefits while also contributing to the nation's efforts to decarbonise and, in turn, deliver a range of other consequential environmental, social and cultural benefits.
3.	To ensure that the West Coast has physical environments that effectively integrate subdivision, use and development with the natural environment, and which have a sense of place, identity and a range of lifestyle and employment options.	
Policies		
1.	To sustainably manage the West Coast's natural and physical resources in a way that enables a range of existing and new economic activities to occur, including activities likely to provide substantial employment that benefits the long term sustainability of the region's communities.	<p>Highly consistent</p> <p>The construction phase of the Project will result in the following positive economic benefits:</p> <ul style="list-style-type: none"> > Of the total estimated construction cost of between \$160-200 million, about 50% or \$80-100 million could be spent in Westland and 69% or \$110-138 million could be spent on the West Coast;

- > Increased employment directly created by the Project is estimated to average 71 full time equivalent jobs over a three-year construction period with wages and salaries paid estimated at \$8.7 million per annum; and
- > Indirect impacts on suppliers of goods and services to the firms directly contracted by the Project's construction and additional jobs and incomes for employees of local and regional supermarkets, restaurants and bars as a consequence of the additional expenditure by employees directly involved at the site.
- > It will increase the supply of electricity generation to help decarbonise other sectors of the regional and national economy (e.g. Westland Dairy);
- > It will provide additional income for Westpower and for their development partners Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio;
- > It provides an additional fulltime equivalent staff member;
- > It results in additional expenditure within the Westland District and West Coast regional economies on goods and services purchased locally to operate and maintain the site;
- > It reduces transmission line losses by being an additional supply of electricity that is generated much closer to points of use;

2.	Regional and district plans must:	Highly consistent
	a)...	
	e)...	
	f) Enable subdivision, use and development that gives effect to relevant national and regional policy direction; and	The Waitaha Scheme will offer a clean, reliable, and flexible energy solution that, not only provides direct support to the nation's emissions reduction and electrification goals, but also strengthens energy security, economic development, and overall climate change resilience. Accordingly it is aligned with the Climate Change Response Act 2002 and New Zealand's Emissions Reduction Plan.
	g).	
		The development and operation of the Waitaha

Hydro Scheme is demonstrably consistent with the matters of national significance the NPS-REG provides for and the objective of the NPS-REG.

To the extent that this proposal provides electricity to support the ongoing construction, maintenance and upgrade of urban environment infrastructure, that enables people and communities to provide for their social, economic, and cultural wellbeing, and to improve their health, safety and overall well-being, it is considered that Westpower's proposal aligns very closely with the objectives and policies of the NPS-UD¹. It follows, the act of granting the proposal would be considered consistent with the duties of the WDC and WCRC to be discharged under this NPS

4.	To promote:	Consistent
	a)...; and	
	b) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers where it contributes to the economic, social and cultural wellbeing of people and communities.	<p>The construction and operation of the Waitaha Hydro Scheme will not change the nature of public access to water resources (section 6(d)) and, through the agreement reached with Whitewater NZ, is likely to provide additional opportunities for kayaking (Recreation Report)</p> <p>Public access will also remain largely as it exists today during the operational phase.</p>

5. USE AND DEVELOPMENT OF RESOURCES

Assessment Commentary		
Objectives		
1.	To recognise the role of resource use and development on the West Coast and its contribution to enabling people and communities to provide for their social, economic and cultural	<p>Highly consistent</p> <p>The operation of the Waitaha Hydro Scheme enables people and communities (locally, regionally and</p>

¹ Objective 1, Objective 6(c), Objective 8, Policy 1(e) and (f), Policy 6.

wellbeing.

nationally) to provide for their social, economic and cultural wellbeing and for their health and safety;

The water diverted will be used efficiently by the Waitaha Hydro Scheme, and will generate renewable electricity;

The Waitaha Hydro Scheme represents a substantial renewable electricity generation supply for the West Coast Region;

Electricity is a vital resource for New Zealand. There can be no sustainable management of natural and physical resources without energy, of which electricity is a major component;

Ngai Poutini's direct involvement in the project provides for their cultural well-being.

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2. Incompatible use and development of natural and physical resources are managed to avoid or minimise conflict.

Consistent

The Scheme will be constructed and operated with minimal conflict with other users/ visitors and as concluded in the Landscape Report there are no significant landscape, natural character or amenity effects.

Agreement has been reached with WWNZ

When adverse effects are considered in the context of the areas low visitation (approx. 400 people per year) and since other West Coast valley systems offer similar whitewater kayaking and remote backcountry experiences, these effects are considered acceptable to the extent where conflict is minimised.

Policies

1. Enabling sustainable resource use and development on the West Coast to contribute to the economic, social and cultural wellbeing of the region's people and communities.

Highly consistent

See comments on Objective 2

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2. To recognise that natural and physical resources important for the West Coast's economy need to

Consistent

be protected from significant negative impacts of new subdivision, use and development by:

a) Avoiding, remedying or mitigating reverse sensitivity effects arising from new activities located near existing:

- i) Primary production activities;
- ii) Industrial and commercial activities;
- iii) Minerals extraction*;
- iv) Significant tourism infrastructure;
- v) Regionally significant infrastructure; and

b) Managing new activities to retain the potential future use of:

- i) Land with significant mineral resources; or
- ii) Land which is likely to be needed for regionally significant infrastructure.

*Minerals extraction includes aggregates and other mining activities.

See comments on Objective 2

The only significant adverse effects identified were in the Recreation Report, however, the assessment of these effects within the Landscape Report are preferred. Importantly, the Landscape Report concludes there are no significant adverse effects.

The Scheme will not interfere or compromise any potential future land needed for regionally significant infrastructure, rather, it will be used directly for such infrastructure. To this extent there are no reverse sensitivity effects.

The proposed gravel extraction activities will be temporary and set well back from dwellings and for riverbed gravel, compliments existing consent for stone removal in the same part of the Waitaha River. Again, no reverse sensitivity effects will occur.

6. REGIONALLY SIGNIFICANT INFRASTRUCTURE (“RSI”)

Assessment Commentary		
Objectives		
1.	Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure.	<p>Highly consistent</p> <p>This proposal is for a regionally significant hydro Scheme.</p>
Policies		
1.	Provide for a secure supply of energy to meet the needs of people and communities on the West Coast, and to meet the foreseeable future needs of economic growth in the region.	<p>Highly consistent</p> <p>The Scheme responds directly to this policy in that it will provide much needed security of supply to the region which is currently susceptible to and vulnerable to power outages that adversely impact the needs of people and communities. This Project achieve this</p>

policy in a wholesale manner.

2.	Provide for the development, operation, maintenance and upgrading of new and existing RSI including renewable electricity generation activities and National Grid infrastructure.	<p>Highly consistent</p> <p>This proposal is for a regionally significant hydro Scheme that will generate renewable electricity from a plentiful natural resource.</p>
3.	When considering regional and district plan development and resource consent applications for regionally and nationally significant electricity transmission, distribution and renewable electricity generation infrastructure, have particular regard to the constraints imposed by the locational, technical and operational requirements of the infrastructure, including within areas of natural character (including outstanding natural character), outstanding natural features or landscapes, or areas of significant indigenous vegetation and significant habitats of indigenous fauna.	<p>Consistent</p> <p>Following extensive optionality studies, the site proposed for the Waitaha Scheme was considered the best for a range of reasons. Of critical importance to the site's location is that, by virtue of it being a renewable hydro generation development, it needs to be positioned on the Waitaha River – which is also in an ONL area and in an area containing significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>Despite the Scheme adversely affecting some localised landscape values, the Landscape Report considered that this will not cause the loss of any identified values, rather it is a reduction to some values. Importantly, this will not affect the ONL status of this landscape.</p> <p>Adverse effects on indigenous vegetation and habitats of indigenous fauna are also able to be managed to acceptable levels.</p>
5.	When considering any adverse environmental effects of RSI that cannot be avoided, remedied or mitigated, other than effects on indigenous biological diversity, decision-makers must have regard to any offsets and compensation proposed which benefit the natural environment or the community affected.	<p>Highly consistent</p> <p>This RSI proposal is not able to avoid, remedy or mitigate adverse effects on who such that the residual effect is more than minor. Residual adverse effects on bats may also not reach Wildlife Act requirements. Accordingly, Westpower has offered a comprehensive compensation package including financial payments towards ecosystem improvement programmes for the life of the consent.</p> <p>Westpower is also offering compensation payments to WWNZ to address residual adverse effects on this community.</p>

6.	Provide for the operation, maintenance and upgrading of existing renewable electricity generation activities and electricity distribution and transmission networks in areas of natural character of wetlands, and lakes and rivers and their margins (including outstanding natural character), outstanding natural features or natural landscapes, or areas of significant indigenous vegetation and significant habitats of indigenous fauna including within the coastal environment.	<p>Consistent</p> <p>Following extensive optionality studies, the site proposed for the Waitaha Scheme was considered the best for a range of reasons. Of critical importance to the site's location is that, by virtue of it being a renewable hydro generation development, it needs to be positioned on the Waitaha River – which is also in an ONL area and in an area containing significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>In accordance with this policy, the proposal's operation and maintenance should be allowed.</p>
8.	<p>Land use and infrastructure should be integrated to avoid as much as practicably possible:</p> <p>a) Constraints through the lack of supporting infrastructure;</p> <p>b) Unsustainable demands being placed on infrastructure to meet new growth;</p> <p>c) Significant adverse effects on existing land uses.</p>	<p>Highly consistent</p> <p>This proposal makes use of the existing local electricity and roading network during its construction. It also utilises an existing substation for the Project's connection to the local network. All new and existing infrastructure relied on for the Project will / is appropriately designed / rated to accommodate additional traffic and electricity – all without compromising existing or future land use. To this extent, the Project will be highly integrated into existing infrastructure.</p>

7. ECOSYSTEMS AND INDIGENOUS BIOLOGICAL DIVERSITY

Assessment Commentary		
Objectives		
1.	Identify in regional and district plans, and through the resource consent process, areas of significant indigenous vegetation and significant habitats of indigenous fauna in a regionally consistent manner.	<p>Consistent</p> <p>This consent application appropriately identifies indigenous vegetation and fauna within the site and determines the levels of significance of each.</p>
2.	Protect significant indigenous vegetation and significant habitats of indigenous fauna.	<p>Partially consistent</p> <p>This project will result in removal of some significant</p>

indigenous vegetation and habitat of significant fauna, however, substantial effort has been made to minimise the footprint of removal to the extent that an appropriate balance is achieved between this protective policy and other conflicting RSI policies that recognise that these types of developments will not always be able to provide total protection for these natural resources.

3. Provide for sustainable subdivision, use and development to enable people and communities to maintain or enhance their economic, social, and cultural wellbeing in areas of significant indigenous vegetation and significant habitats of indigenous fauna.	<p>Highly consistent</p> <p>This proposal is for a regionally significant hydro Scheme that will generate renewable electricity from a plentiful natural resource and deliver significant economic and social benefits to the regions and nation's communities (see Policy 1 – Resilience and Sustainable Communities)</p>
4. Maintain the region's terrestrial and freshwater indigenous biological diversity.	<p>Highly consistent</p> <p>Although this RSI proposal is not able to avoid, remedy or mitigate all adverse effects on terrestrial and freshwater indigenous species, this policy is nevertheless achieved by the following:</p> <ul style="list-style-type: none"> > Ensuring the diversion weir is designed to maintain koaro passage into kiwi Flat and continue to exclude all other fish species for their protection; and > Westpower's compensation package will likely result in a net improvement to population levels of indigenous whio, bats, lizards and bird species.

Policies

<p>1. a) Areas of significant indigenous vegetation and significant habitats of indigenous fauna will be identified using the criteria in Appendix 1; they will be known as Significant Natural Areas (SNAs), and will be mapped in the relevant regional plan and District plans.</p> <p>b) Significant wetlands will be identified using the criteria in Appendix 2; they will be known as Significant Natural Areas (SNAs), and will be</p>	<p>Not inconsistent</p> <p>There are no SNA's identified.</p> <p>Westpower has identified and mapped nearby wetlands – none of which are considered significant wetlands.</p>
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mapped in the relevant regional plan.

<p>2. Activities shall be designed and undertaken in a way that does not cause:</p> <p>a) The prevention of an indigenous species' or a community's ability to persist in their habitats within their natural range in the Ecological District, or</p> <p>b) A change of the Threatened Environment Classification to category two or below at the Ecological District Level; or</p> <p>c) Further measurable reduction in the proportion of indigenous cover on those land environments in category one or two of the Threatened Environment Classification at the Ecological District Level; or</p> <p><i>Note: For Policies 7(b) and 7(c) - The Threatened Environment Classification system is managed by Landcare Research. (Walker S. et al 2007. Guide for users of the Threatened Environment Classification. [Lincoln, Canterbury], Landcare Research New Zealand. 1 – 35 p.)</i></p> <p>d) A reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Classification Categories 1 – nationally critical, 2 – nationally endangered, and 3a – nationally vulnerable.</p> <p><i>Note: For Policy 2(d) - Department of Conservation threat classification: Townsend, A, de Lange, P; Clinton, A; Duffy, A; Miskelly, C; Molly, J; Norton, D. 2008. New Zealand Threat Classification System Manual</i></p>	<p>Consistent</p> <p>This proposal achieves this policy due to the following:</p> <ul style="list-style-type: none"> > No indigenous species located at or near the site will be unable to persist, and the compensation package offered by Westpower is likely to result in some net gains for indigenous species. > There will be no changes or reductions to the Threatened Environment Classification and the reduction in indigenous cover is considered de minimis in the context of the area of indigenous cover across the Ecological District. > Although the construction phase may result in the relocation of a breeding pair of whio, there will be no measurable reduction in the local population of threatened taxa set out in subpart (d) of this policy.
<p>3. Provided that Policy 2 is met, when managing the adverse effects of activities on indigenous biological diversity within SNAs:</p> <p>a) Adverse effects shall be avoided where</p>	<p>Consistent</p> <p>Although there are no SNA's identified, Westpower's proposal has followed (and fully achieves) the effects</p>

possible; and

management hierarchy set out in this policy.

b) Adverse effects that cannot be avoided shall be remedied where possible; and

c) Adverse effects that cannot be remedied shall be mitigated.

d) In relation to adverse effects that cannot be avoided, remedied or mitigated, biodiversity offsetting in accordance with Policy 4 is considered; and

e) If biodiversity offsetting in accordance with Policy 4 is not achievable for any indigenous biological diversity attribute on which there are residual adverse effects, biodiversity compensation in accordance with Policy 5 is considered.

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4. Provided that Policy 2 is met, and the adverse effects on a SNA cannot be avoided, remedied or mitigated, in accordance with Policy 3, then consider biodiversity offsetting if the following criteria are met:
- a) Irreplaceable or significant indigenous biological diversity is maintained; and
 - b) There must be a high degree of certainty that the offset can be successfully delivered; and
 - c) The offset must be shown to be in accordance with the six key principles of:
 - i. Additionality: the offset will achieve indigenous biological diversity outcomes beyond results that would have occurred if the offset was not proposed;
 - ii. Permanence: the positive ecological outcomes of the offset last at least as long as the impact of the activity, preferably in perpetuity;
 - iii. No-net-loss: the offset achieves no net loss and preferably a net gain in indigenous biological diversity;
 - iv. Equivalence: the offset is applied so that the ecological values being achieved are the same

Not inconsistent

All adverse effects are able to be avoided, remedied or mitigated apart from adverse effects on whio. There are also residual effects on bats that, when considered with an abundance of caution, potentially exceed the maximum effects threshold required under the Wildlife Act.

In this instance, offsetting options (e.g. predator controls undertaken on site) were not considered practicable and unlikely to achieve the desired outcomes. Accordingly, a compensation package offering was favoured, comprising financial support to, initially, contribute towards an ecosystem programme that supports regional populations of whio and bats, and in addition, contribute towards an ecosystem programme that supports regional biodiversity more generally (in line with Policy 5).

or similar to those being lost;

v. Landscape context: the offset is close to the location of the development; and

Note: For Policy 4(c)(v) - Maseyk, F., Ussher, G., Kessels, G., Christensen, M., Brown, M., for the Biodiversity Working Group on behalf of the BioManagers Group, September 2018. Biodiversity Offsetting under the Resource Management Act: A guidance document. Pages 4, 5, 25.

vi. The delay between the loss of indigenous biological diversity through the proposal and the gain or maturation of the offset's indigenous biological diversity outcomes is minimised.

d) The offset maintains the values of the SNA.

5.	Provided that Policy 2 is met, in the absence of being able to satisfy Policies 3 and 4, consider the use of biodiversity compensation provided that it meets the following:	Highly consistent
	a) Irreplaceable or significant indigenous biological diversity is maintained; and	The proposed compensation package achieves this policy for the following key reasons:
	b) The compensation is at least proportionate to the adverse effect; and	> All measures proposed, including compensation measures, will ensure, at worst, significant indigenous biological diversity is maintained, while some components may be enhanced;
	c) The compensation is undertaken where it will result in the best practicable ecological outcome, and is preferably:	> The compensation is focussed on supporting existing or future wider ecosystem improvement programmes or initiatives. Requirements to consult with DOC in respect of confirming which of these programmes will be supported, ensures the contributions support programmes undertaken where it will result in the best practicable ecological outcome;
	i. Close to the location of development; or	
	ii. Within the same Ecological District; and	> Ecosystem programmes receiving the compensation funding are more likely to achieve positive outcomes as compared to not having the funding;
	d) The compensation will achieve positive indigenous biological diversity outcomes that would not have occurred without that compensation; and	> Compensation will be maintained for the life of the consent; and
	e) The positive ecological outcomes of the compensation last for at least as long as the adverse effects of the activity; and	> Compensation will begin immediately following the commencement of the Scheme's construction.
	f) The delay between the loss of indigenous biological diversity through the proposal and the	

gain or maturation of the compensation's indigenous biological diversity outcomes is minimised.

<p>6. Allow for subdivision, use or development within SNAs, including by:</p> <p>a) Allowing existing lawfully established activities to continue provided the adverse effects are the same or similar in scale, character or intensity;</p> <p>b) Allowing activities with no more than minor adverse effects provided that the values of the SNA are maintained.</p>	<p>Consistent</p> <p>Taking account of the entire suite of avoidance, remedial and mitigation measures in conjunction with the compensation package, adverse effects on ecosystems and indigenous biodiversity will be no more than minor. Therefore, the proposal should be allowed.</p>
<p>7. Provide for subdivision, use or development within land areas or water bodies containing indigenous biological diversity that does not meet any of the significance criteria in Appendix 1 or 2, by:</p> <p>a) Allowing activities with no more than minor adverse effects;</p> <p>b) Avoiding, remedying or mitigating more than minor adverse effects;</p> <p>c) Where there are significant residual adverse effects, considering any proposal for indigenous biological diversity offsetting or compensation.</p>	<p>Highly consistent</p> <p>Although the site includes land areas and water bodies that contain indigenous biological diversity that <u>does not</u> meet any of the significance criteria in Appendix 1 or 2, from an effects management perspective, higher thresholds associated with "significant" indigenous species have been applied to the Project. Accordingly, the proposal achieves policy 7's lesser performance thresholds concurrent with those achieved for higher valued biodiversity (see Policies 1 through 6).</p>
<p>8. Maintain indigenous biological diversity, ecosystems and habitats in the region by:</p> <p>a) Recognising that it is more efficient to maintain rather than to restore indigenous biological diversity;</p> <p>b) Encouraging restoration or enhancement of indigenous biological diversity and/or habitats, where practicable; and</p> <p>c) Advocating for a co-ordinated and integrated approach to reducing the threat status of indigenous biological diversity.</p>	<p>Consistent</p> <p>Overall, this policy is achieved because:</p> <ul style="list-style-type: none"> > Although the proposal results in some removal of vegetation, this is considered necessary / unavoidable given there is a functional need for the Scheme to be located in and alongside the Waitaha River; > Restoration is proposed for a significant proportion of the construction footprint to the extent there is only 4.46 ha of permanent vegetation loss. Restoring anything further is not practicable; > The Project does not result in an increase to risk

status and the compensation package integrates with existing and potential future ecosystem enhancement and protection programmes in the region.

9.	Give effect to Objective 2 of Chapter 3 by:	Highly Consistent
	a) Providing for the kaitiakitanga role of Poutini Ngāi Tahu in the management of indigenous biological diversity;	Poutini Ngāi Tahu have been involved as a key stakeholder to the proposal for many years and are now a partner with Westpower in it. The project provides for their cultural well-being and provides tangible ways for them to exercise their kaitiaki duties and achieve tino rangatiratanga. This may include direct involvement in management of biodiversity restoration and/or compensation initiatives proposed as part of the application.
	b) Provided that Policy 2 is met, recognising and providing for subdivision, use and development in a SNA where it is for the purpose of papakainga, cultural harvest or mahinga kai gathering by papatipu rūnanga in a manner that accords with tikanga and kaitiakitanga;	
	c) Where practicable, provide for Poutini Ngāi Tahu customary use of indigenous species in a manner that accords with tikanga and kaitiakitanga, within the framework of the regional and district council's RMA functions.	Poutini Ngāi Tahu involvement in restoration and enhancement of mahinga kai areas, or customary use of natural resources is enabled by their involvement in the Project if this is something they choose to undertake.

7A. NATURAL CHARACTER

Assessment Commentary		
Objectives		
1.	Protect the natural character of the region's wetlands, and lakes and rivers and their margins, from inappropriate subdivision, use and development.	<p>Consistent</p> <p>The proposed development of a new renewable electricity generation site, classified as regionally significant infrastructure, that generates significant economic benefits for the regional during construction and operational phases, increases security of supply to the region, helps meet local and regional forecasted increases in electricity demand all while assisting the country to achieve its renewable energy targets and meet its climate change obligations is not considered "inappropriate development".</p> <p>There is a functional need for the Scheme to be located on and alongside the Waitaha River and in an area of</p>

high natural character. The renewable hydro-electricity generation project is simply not practicable in areas of lower topographical relief beyond these areas.

The Landscape Report considers that the Scheme is appropriate with respect to natural character, despite the fact that, at more local levels, the natural character, effects are assessed as being more than minor. At a broader scale, the effects are, at worst, minor.

Importantly, with the recommended mitigation implemented as proposed, including the implementation of the Landscape Management Plan, there will be no significant adverse effects.

Overall, an appropriate balance is achieved between this protective policy and other conflicting RSI policies that recognise these types of developments will not always be able to avoid adverse effects (See Policy 3 RSI).

2. Provide for appropriate subdivision, use and development to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.

Highly consistent

On a number of different, but interconnected levels, the proposed Waitaha Hydro Scheme represents a strategically important development for the Westland District and West Coast Region, as well as the wider New Zealand community. It will deliver much needed energy resilience to the West Coast along with a range of economic benefits while also contributing to the nation's efforts to decarbonise and, in turn, deliver a range of other consequential environmental, social and cultural benefits.

Policies

1. Use regionally consistent criteria to identify the elements, patterns, processes and qualities of the natural character of wetlands, and lakes and rivers and their margins.

Consistent

The Landscape Report's assessment is aligned with relevant plan criteria.

2. Protect the elements, patterns, processes and qualities that together contribute to the natural character of wetlands, and lakes and rivers and

Consistent

The Landscape Report considers that the Scheme is

their margins from inappropriate subdivision, use and development.

appropriate with respect to natural character, despite the fact that, at more local levels, the natural character, effects are assessed as being more than minor. At a broader scale, the effects are, at worst, minor.

Overall, an appropriate balance is achieved between this protective policy and other conflicting RSI policies that recognise these types of developments will not always be able to avoid adverse effects (See Policy 3 RSI).

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3. When determining if an activity is appropriate, the following matters must be considered:
- a) The degree and significance of actual or potential adverse effects on the elements, patterns, processes and qualities that contribute to natural character;
 - b) The value, importance or significance of the natural character at the local, or regional level;
 - c) The degree of naturalness;
 - d) The potential for cumulative effects to diminish natural character, and the efficacy of measures proposed to avoid, remedy or mitigate such effects; and
 - e) The vulnerability of the natural character to change, and its capacity to accommodate change, without compromising its values.

Consistent

Following an assessment set out in this policy, the Landscape Report concludes that the proposed development is not inappropriate.

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4. Allow activities which have no more than minor adverse effects on natural character.

Consistent

The Landscape Report considers that the Scheme is appropriate with respect to natural character, despite at more local levels, the natural character is assessed as being more than minor. Importantly, at a broader scale, the effects are, at worst, minor.

7B. NATURAL FEATURES AND LANDSCAPES

Assessment Commentary	
Objectives	
1. Protect the region's outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development.	<p>Not Inconsistent</p> <p>As outlined within the Landscape Report, the Scheme will create adverse landscape effects. However, the long-term adverse effects at the intake are at mostly moderate-high, and those at the Power Station are moderate.</p> <p>Despite the Scheme being in an ONL, it is considered the values will be broadly retained. The proposed buildings and structures will be designed carefully, to respond to the highly natural landscape. Careful consideration has also been applied to the scale, appearance and footprint of the project, which have collectively reduced potentially greater effects from occurring.</p> <p>Despite the proposed Scheme adversely affecting some localised landscape values, it is considered that the proposal will not cause the loss of any identified values, rather it is a reduction to some values. This will not remove the ONL status from this landscape.</p> <p>The extent of the effects is localised, and the project carefully designed to avoid potentially higher effects.</p> <p>Overall, an appropriate balance is achieved between this protective policy and other conflicting RSI policies that recognise these types of developments will not always be able to avoid these types of adverse effects (See Policy 3 RSI).</p>
2. Provide for appropriate subdivision, use and development on, in or adjacent to outstanding natural features and outstanding natural landscapes to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.	<p>Highly consistent</p> <p>Although the Scheme is in an ONL and there will be adverse landscape effects (considered minor at a broad scale), the Scheme represents a strategically important development for the Westland District and West Coast Region, as well as the wider New Zealand community, that will deliver much needed energy resilience to the West Coast along with a range of economic benefits</p>

while also contributing to the nation's efforts to decarbonise and, in turn, deliver a range of other consequential environmental, social and cultural benefits.

Accordingly it should be provided for.

Policies		
1.	Use regionally consistent criteria to identify outstanding natural features and outstanding natural landscapes.	<p>Consistent</p> <p>The Landscape Report's assessment is aligned with relevant plan criteria.</p>
2.	Protect the values which together contribute to a natural feature or landscape being outstanding, from inappropriate subdivision, use and development.	<p>Consistent</p> <p>The Landscape Report considers that the Scheme is appropriate with respect to landscape, despite the fact that, at more local levels, the natural character, effects are assessed as being more than minor. At a broader scale, the effects are, at worst, minor.</p> <p>Overall, an appropriate balance is achieved between this protective policy and other conflicting RSI policies that recognise these types of developments will not always be able to avoid adverse effects (See Policy 3 RSI).</p>
3.	<p>When determining if an activity is appropriate, the following matters must be considered:</p> <p>a) Whether the activity will cause the loss of those values that contribute to making the natural feature or landscape outstanding;</p> <p>b) The extent to which the outstanding natural feature or landscape will be modified or damaged including the duration, frequency, magnitude or scale of any effect;</p> <p>c) The irreversibility of any adverse effects on the values that contribute to making the natural feature or landscape outstanding;</p> <p>d) The resilience of the outstanding natural feature or landscape to change;</p>	<p>Consistent</p> <p>Following an assessment set out in this policy, the Landscape Report concludes that the proposed development is not inappropriate.</p>

e) Whether the activity will lead to cumulative adverse effects on the outstanding natural feature or landscape;

4. Allow activities in outstanding natural features and outstanding natural landscapes which have no more than minor adverse effects.	<p>Consistent</p> <p>The Landscape Report considers that the Scheme is appropriate with respect to landscape effects. Despite it adversely affecting some localised landscape values, it is considered the proposal will not cause the loss of any identified values, rather it is a reduction to some values and, importantly, this will not remove the ONL status from this landscape.</p> <p>The extent of the effects is localised, and the project carefully designed to avoid potentially higher effects. On a broad scale, the effects are, at worst, minor. Accordingly, it should be allowed.</p>
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8. LAND AND WATER

	Assessment Commentary
Objectives	
1. The life-supporting capacity of freshwater is maintained or improved.	<p>Consistent</p> <p>The proposal achieves this policy for the following key reasons:</p> <ul style="list-style-type: none"> > Robust construction, protection and treatment methods will be adopted during construction to minimise adverse effects on surface water quality; > The minimum residual flow has been carefully determined using best practice techniques (IFIM) that ensure sustainable river management while limiting effects in the abstraction reach to the extent that overall aquatic ecological health is (at least) maintained; > Site stormwater will be managed to avoid loss of contaminants (e.g. transformer oil) to the environment; and

- > Site wastewater will be contained and trucked off site for treatment / disposal.

<p>2. Provide for a range of land and water uses to enable the economic, social and cultural wellbeing of West Coast communities while maintaining or improving water quality and aquatic ecosystems.</p> <p><i>Note: For Objective 2 - Including the habitat of trout and salmon.</i></p>	<p>Highly consistent</p> <p>This proposal directly responds to this policy in that the proposed use of water in this instance is to generate much needed renewable electricity to the region while concurrently increasing, in a significant way, the region's resilience to future electricity supply interruptions.</p> <p>the Scheme represents a strategically important development for the Westland District and West Coast Region, as well as the wider New Zealand community, that will deliver much needed energy resilience to the West Coast along with a range of economic benefits while also contributing to the nation's efforts to decarbonise and, in turn, deliver a range of other consequential environmental, social and cultural benefits.</p> <p>The use of water for hydro generation is also a very low risk use in terms of potential adverse effects on water quality. In this case, being a run-of -river Scheme, there will also be no potential adverse effects associated with impounding or storing water (e.g. eutrophication, heat).</p>
<p>4. Identify and protect the significant values of wetlands and outstanding freshwater bodies.</p>	<p>Consistent</p> <p>Although identified wetlands are not considered significant, they will be avoided.</p> <p>There are no outstanding freshwater bodies associated with the Project.</p>
<p>5. Achieve the integrated management of water and the subdivision, use and development of land within catchments, recognising the interconnections between land, fresh water, and coastal water, including by managing adverse effects of land and water use on coastal water quality.</p>	<p>Consistent</p> <p>Westpower has adopted an integrated approach to the assessment of potential effects of the Scheme and has worked, as appropriate, with various experts to ensure it can be managed safely and independently from other river uses while minimising environmental effects. In this respect, the various effect assessments not only consider the changes to the River's flow regime, but they also identify and address related consequential</p>

environmental impacts these changes may induce (e.g. potential sediment and filamentous algae buildup in the abstraction reach and potential downstream safety effects). Furthermore, certain technical assessments also focus on how the operation of the Scheme could affect the full extent of the Waitaha River – not just its residual reach. The agreement reached with Whitewater NZ demonstrates this integrated approach taken to mitigating the effects of the Scheme.

Policies		
1.	<p>Adverse effects on fresh and coastal water quality and aquatic ecosystems arising from:</p> <p>a) Subdivision, use or development of land;</p> <p>b) Discharges of contaminants to water and to land in circumstances which may result in contaminants entering water;</p> <p>c) Water use and take; and</p> <p>d) Activities in, or on, water including damming and diversion, will be avoided, remedied or mitigated, to ensure that water quality and aquatic ecosystems are maintained or improved.</p>	<p>Highly consistent</p> <p>The application has identified all actual and potential adverse effects on freshwater and aquatic ecosystems. More particularly, these are set out in the Aquatic Ecology and Sediment reports. These reports also recommend measures to avoid or mitigate these identified effects to the extent they are no more than minor. Westpower has adopted these recommendations and where relevant, codified them in the Approvals conditions and/or through effects management plans.</p> <p>Notwithstanding there is likely to be some reduced suspended sediment in the Waitaha River below the weir, overall, the proposal will maintain current water quality levels.</p>
2.	<p>To give effect to Objective 2 of Chapter 3, the adverse effects of subdivision, use and development on Poutini Ngāi Tahu cultural values will be avoided, remedied or mitigated taking into account the following matters:</p> <p>a) A preference by Poutini Ngāi Tahu for discharges to land over water where practicable;</p> <p>b) The value of riparian margin vegetation for water quality and aquatic ecosystems; and</p> <p>c) Effects on the sustainability of mahinga kai, and protection of taonga areas.</p>	<p>Highly Consistent</p> <p>Poutini Ngāi Tahu have been involved as a key stakeholder to the proposal for many years and are now a partner with Westpower in it.</p> <p>Poutini Ngāi Tahu also support the Project, therefore, the achievement of this policy is considered implicit in their support.</p>
3.	<p>To give effect to Objective 2 of Chapter 3, manage land and water use in a way that avoids</p>	<p>Highly consistent</p>

significant adverse effects (other than those arising from the development, operation, maintenance, or upgrading of RSI and local roads) and avoids, remedies or mitigates other adverse water quality effects on sites that are significant to Poutini Ngāi Tahu, including the following:

a) Estuaries, hāpua lagoons, and other coastal wetlands; and

b) Shellfish beds and fishing areas.

The Project is an RSI and will not result in any residual significant adverse water related effects. Moreover, these effects are assessed in the application as being no more than minor. It also avoids adverse effects on estuaries, hāpua lagoons, other coastal wetlands, shellfish beds and fishing areas.

<p>4. Until priority frameworks for water take and use are developed through the FMU processes and added to a regional plan, consent applications will be processed on a “first-come, first served” basis, and in making decisions, the following matters must be considered:</p> <p>a) The reasonably foreseeable future requirements for domestic and community water supply needs, stock drinking, and firefighting;</p> <p>b) The degree of community, regional or national benefit from the take, use, damming or diversion of water;</p> <p>c) Any adverse environmental effects from the take, use, damming or diversion of water will be avoided, remedied or mitigated including where applicable by applying provisions of the regional plan;</p> <p>d) Applying rates of take, volume limits and residual flows at the point of take to ensure that there is enough water for the purpose of the take, and to maintain or improve water quality and aquatic ecosystems;</p> <p>e) The extent to which the proposal maximises the efficient allocation and efficient use of water; and</p> <p>f) The reasonable needs of other water users.</p>	<p>Consistent</p> <p>The proposal is a non-consumptive use of water. To this extent, current downstream water users are not affected from an allocation perspective.</p> <p>The Scheme’s design and proposed operation appropriately ensures effects from the take, diversion and use of water will be avoided, remedied or mitigated.</p> <p>The use of water for the generation of renewable electricity is considered a highly efficient use. Westpower will also be installing modern and highly efficient generation technology.</p>
<p>5. Maintain or improve water quality within</p>	<p>Consistent</p>

freshwater management units.

See objective 1

6.	Identify the significant values of wetlands and outstanding freshwater bodies in regional plans and protect those values.	Consistent Identified wetlands will be avoided / protected
7.	co-ordination of urban growth and infrastructure to achieve integrated management	Consistent This proposal will be a vital component of the Region's integrated infrastructure necessary to support the region's growth and resilience.
8.	Provide for the social, economic and cultural wellbeing derived from the use and development of land and water resources, while maintaining or improving water quality and aquatic ecosystems.	Highly consistent On a number of different, but interconnected levels, the proposed Waitaha Hydro Scheme represents a strategically important development for the Westland District and West Coast Region, as well as the wider New Zealand community. It will use water, a plentiful resource on the West Coast, to deliver much needed additional renewable electricity and energy resilience to the region's communities along with a range of economic benefits. It will also contribute to the nation's efforts to decarbonise and, in turn, deliver a range of other consequential environmental, social and cultural benefits while maintaining local water quality and aquatic ecosystems.
9.	Implement the National Policy Statement for Freshwater Management including the National Objectives Framework.	Highly consistent Overall, and with Westpower's proposed conditions, the construction, operation and maintenance of the Waitaha Hydro Scheme is consistent with the objective and policies of the NPS-FM. It provides an example of how the NPS-FM can be implemented in practice to provide for a particularly important water use activity for the West Coast Region while ensuring that the health and wellbeing of the region's freshwater ecosystems are prioritised and protected, the health needs of people are provided for and people and communities are able to provide for their social, economic, and cultural wellbeing.

10. AIR QUALITY

Assessment Commentary	
Objectives	
<p>2. To allow discharges to air which are part of activities contributing to the social, economic, and cultural wellbeing of people and communities on the West Coast, while managing adverse effects of those discharges.</p> <p><i>Note: Objective 2 does not apply to domestic fire emissions.</i></p>	<p>Consistent</p> <p>Discharges to air associated with the proposal are limited to temporary discharges from a concrete batching plant during construction and operational discharges to air from the Power Station Site's emergency diesel generator. Both these activities are minor components of a much larger project that will provide significant benefits to the region and New Zealand. To this extent, any adverse air quality effects are considered inconsequential when compared to the positive outcomes derived from the Project.</p>
Policies	
<p>2. Management of adverse effects of the discharge of contaminants to air must include consideration of the following:</p> <p>a) Reverse sensitivity, including the siting of new, incompatible development in proximity to activities that discharge contaminants to air;</p> <p>b) Use of technology, codes of practice, and industry standards; and,</p> <p>c) The best practicable option to minimise the adverse effects of the discharge.</p>	<p>Consistent</p> <p>Given the concrete batching plant discharges are temporary in nature, and any emergency diesel generator discharges will only be emitted during rare emergency events and only for short periods. Therefore, the proposed discharges will not result in any reverse sensitivity effects.</p> <p>Given the minor nature and scale of the discharges to air, and noting that the diesel generator will be equipped with a discharge stack, in the circumstances, it is considered that the proposed discharges and discharge methods represent the best practicable option.</p>

11. NATURAL HAZARDS

Assessment Commentary	
Objectives	
1. The risks and impacts of natural hazard events on people, communities, property, infrastructure and our regional economy are avoided or minimised.	<p>Highly consistent</p> <p>This proposal will provide a new and reliable supply of electricity that is located close to the West Coast region's communities. As such, it will significantly improve the community's resilience during and after any natural hazard event resulting in the interruption of electricity supply. In turn, this Project will minimise adverse impacts on the regional economy associated with loss of electricity during such events and assists with people and communities getting back to business quicker following these events.</p> <p>In addition, the Project itself, will be designed to appropriately minimise and manage the seismic risks associated with the area and the site and will be designed and operated to appropriately address risks associated with any anticipated flood event.</p>
Policies	
2. New subdivision, use or development should be located and designed so that the need for hazard protection works is avoided or minimised. Where necessary and practicable, further development in hazard-prone areas will be restricted.	<p>Not inconsistent</p> <p>Although the Scheme will be constructed in relatively close proximity to the main Alpine Fault, Westpower have ensured that all of the Scheme's main civil components, including the Headworks, tunnels and Power Station, are located off the main fault. Additionally, all civil structures will be designed to withstand high seismic loading and will achieve a performance standard of Importance Level 4 (IL4) meaning the Ultimate Limit State (ULS) will not be exceeded a 1 in 2500-year event. To further reduce the risk of damage from a waterway rupture, seismic sensors will be installed to detect ground acceleration due to seismic events and immediately shut the head gates, and excess velocity devices, using ultrasonic flow sensors, will detect any abnormal increase in the tunnel flow and will also automatically shut the head gates to isolating</p>

supply.

Westpower will also incorporate the Waitaha Hydro Station site within its company-wide emergency preparedness and response procedures.

3.	Avoid or mitigate adverse effects on the environment arising from climate change by recognising and providing for the development and protection of the built environment and infrastructure in a manner that takes into account the potential effects of rising sea levels and the potential for more variable and extreme weather patterns in coming decades.	<p>Consistent</p> <p>The proposal responds directly to and supports the government's climate change aspirations and renewable electricity generation targets and it will be designed with conservative factors of safety from a geotechnical and natural hazards resilience perspective. These design parameters will also ensure any climate derived increases to future flood sizes or frequencies will be adequately accommodated for to the extent that the effects of climate change do not represent any concern to the integrity, operation and commercial viability of the Scheme.</p>
4.	<p>The appropriateness of works and activities designed to modify natural hazard processes and events will be assessed by reference to:</p> <p>a) The levels of risk and the likely increase in disaster or risk potential;</p> <p>b) The costs and benefits to people and the community;</p> <p>c) The potential effects of the works on the environment; and</p> <p>d) The effectiveness of the works or activities and the practicality of alternative means, including the relocation of existing development or infrastructure away from areas of natural hazard risk.</p>	<p>Consistent</p> <p>As noted above, Westpower's Scheme design adopts highly conservative risk factors.</p>

REGIONAL LAND AND WATER PLAN (“RLWP”) – OPERATIVE 2014 (WITH AMENDMENTS 2020 AND 2021)

Section 3 Natural and Human Use Values

Assessment Commentary		
3.2 Objectives		
3.2.1	To provide for the sustainable use and development of land and water resources.	<p>Highly consistent</p> <p>This proposal represents a non-consumptive use of a highly plentiful natural water resource to generate renewable electricity. This is considered a highly sustainable use of water.</p>
3.2.2	To protect water bodies from inappropriate use and development by maintaining and where appropriate enhancing their natural and amenity values including natural character and the life supporting capacity of aquatic ecosystems.	<p>Consistent</p> <p>The proposed development of a new renewable electricity generation site, classified as regionally significant infrastructure, that generates significant economic benefits for the regional during construction and operational phases, increases security of supply to the region, helps meet local and regional forecasted increases in electricity demand all while assisting the country to achieve its renewable energy targets and meet its climate change obligations is not considered “inappropriate use or development”.</p> <p>There is also a functional need for the Scheme to be located on and alongside the Waitaha River.</p> <p>The Landscape Report considers that the Scheme is appropriate with respect to natural character and amenity, despite the fact that, at more local levels, these effects are assessed as being more than minor. At a broader scale, the effects are, at worst, minor.</p> <p>As noted at RPS Objective 1 (Land and Water) the life-supporting capacity of freshwater is maintained.</p> <p>Overall, an appropriate balance is achieved between this protective policy and other conflicting RSI policies that recognise these types of developments will not always be</p>

able to avoid adverse effects (See Policy 3 RSI).

3.2.3	To maintain or where appropriate enhance the spiritual and cultural values and uses of significance to Poutini Ngāi Tahu.	<p>Highly Consistent</p> <p>Poutini Ngāi Tahu have been involved as a key stakeholder to the proposal for many years and are now a partner with Westpower in it.</p> <p>Poutini Ngāi Tahu also support the Project, therefore, the achievement of this policy is considered implicit in their support.</p>
3.2.4	To avoid or mitigate the exacerbation of any natural hazard or the creation of a hazard.	<p>Consistent</p> <p>See RPS assessment of Natural Hazard objectives and policies.</p>
3.2.5	<p>To provide for new and existing renewable electricity generation activities in the region, including small and community-scale generation by:</p> <p>(a) Recognising the national significance of these activities;</p> <p>(b) Recognising the national, regional and local benefits associated with these activities;</p> <p>(c) Ensuring that the individual and collective generation output of existing and consented renewable electricity generation activities is not reduced;</p> <p>(d) Recognising the practical constraints associated with the development, operation, maintenance and upgrading of these activities;</p> <p>(e) Recognising the contribution these activities make towards achieving the national renewable electricity generation target.</p>	<p>Highly consistent</p> <p>The Project fully achieves this policy because:</p> <ul style="list-style-type: none"> > It responds directly to the national policy directives in the NPS-REG regarding the need to increase renewable electricity generation; > As noted previously, it will provide significant economic and resilience benefits for the Region and assist New Zealand's drive to decarbonise and meet its climate change commitment > It represents an increase in renewable electricity generation; and > Specific locational and operational constraints have been overcome through smart design – which should be recognised.
3.3 Policies		
3.3.1	In the management of any activity involving water to give priority to avoiding,	<p>Consistent</p> <ul style="list-style-type: none"> > The proposal protects koaro and other high valued

	in preference to remedying or mitigating:	species identified in the Stable Trib
	(1) Adverse effects on:	> With Poutini Ngai Tahu directly involved in the Project as a development partner, the proposal will enhance cultural values;
	(a) The habitats of threatened species identified in Schedule 7A;	> In the broad scale, natural character and landscape effects are, at most, minor;
	(c) Spiritual and cultural values and uses of significance to Poutini Ngāi Tahu identified in Schedule 7C;	> Policy 9.2 of the West Coast Regional Policy Statement is achieved (see above Ecosystems and Indigenous Biological Diversity);
	(d) The significant natural character of wetlands, and lakes and rivers and their margins;	> Existing access to the Waitaha Valley and the Waitaha River will be unaffected
	(e) Outstanding natural features and landscapes;	> The design of the Scheme will be designed to withstand extreme floods and ensure adverse erosion and sedimentation are less than minor.
	(f) Significant indigenous vegetation and significant habitat of indigenous fauna assessed in accordance with Policy 9.2 of the West Coast Regional Policy Statement;	> Geotechnically, the Scheme adopts conservative engineering factors of safety and is unlikely to result in any land instability effects.
	(g) Existing public access to and along lakes and rivers;	
	(2) Adverse effects which cause or exacerbate flooding, erosion, land instability, sedimentation or property damage.	
	(3) Adverse effects on existing lawful uses including regionally significant infrastructure.	
3.3.2	To take into account the benefits from the use and development of renewable energy and associated regionally significant infrastructure (eg. Transmission lines), including the social and economic benefits.	Highly consistent This renewable energy Project will provide significant economic benefits for the Region and the nation. It also provides significant resilience benefits for the Region – which is currently susceptible to large adverse economic impacts during power outages given the vulnerability and lack of alternative transmission routes to the area. In turn, this project will also benefit the community socially and overall will enhance well-being.
3.3.3	Recognise the location, operational and technical constraints of renewable electricity generation activities when	Consistent There is a functional need for the Scheme to be located on

	considering resource consent applications for their development, operation, maintenance, and upgrading.	and alongside the Waitaha River. This constraint should be recognised when deciding on the application and any conditions.
3.3.4	Where the adverse effects of renewable electricity generation activities cannot be practically avoided, remedied or mitigated, consideration shall be given, in determining a resource consent application and imposing any resource consent conditions, to any offset measures and/or environmental compensation offered by an applicant.	<p>Consistent</p> <p>All adverse effects are able to be avoided, remedied or mitigated apart from adverse effects on whio. There are also residual effects on bats that, when considered with an abundance of caution, potentially exceed the maximum effects threshold required under the Wildlife Act.</p> <p>In this instance, offsetting options (e.g. predator controls undertaken on site) were not considered practicable and unlikely to achieve the desired outcomes. Accordingly, a compensation package offering was favoured, comprising financial support to, initially, contribute towards an ecosystem programme that supports regional populations of whio and bats, and in addition, contribute towards an ecosystem programme that supports regional biodiversity more generally.</p>
3.3.5	Where particular adverse effects of renewable electricity generation activities are either not fully known or uncertain, consideration shall be given, in determining a resource consent application and imposing any resource consent conditions, to the use of adaptive management measures to avoid, remedy or mitigate any adverse effects.	<p>Highly consistent</p> <p>The proposal does involve some effect that are not fully understood and are best managed through post operational trials, monitoring and adaptation (if required). These effects relate to:</p> <ul style="list-style-type: none"> > potential downstream fish stranding, > potential sediment build-up in the abstraction reach, > potential effects on public safety by downstream river users. <p>In each case, relevant conditions are proposed that require further investigation, analysis, and if required, adaptive options to be considered, recommended, reported and implemented following the commissioning of the Scheme.</p>
3.3.7	<p>In the management of any activity involving water, to avoid, remedy, or mitigate adverse effects on:</p> <p>(a) water quality;</p> <p>(b) amenity values;</p>	<p>Consistent</p> <p>As demonstrated in the AEE, all of these effects have been appropriately assessed and will be managed to the extent where residual adverse effects for water quality, indigenous biological diversity and broad scale effects on amenity and natural character values of the Waitaha River will be no</p>

	<p>(c) indigenous biological diversity;</p> <p>(d) intrinsic values of ecosystems;</p> <p>(e) the natural character of wetlands, and lakes and rivers and their margins, not described in 6.3.1(1)(d);</p>	more than minor.
3.3.8	To recognise Poutini Ngāi Tahu's interests by promoting opportunities for their involvement in resource consent processing.	<p>Consistent</p> <p>Poutini Ngāi Tahu is directly involved in the Project as development partner with Westpower and will be involved in the fast-track consent process to the extent provided by the FTAA.</p>
3.3.10	<p>To recognise and provide for the following features of water bodies when considering adverse effects on their natural character:</p> <p>(a) The topography, including the setting and bed form;</p> <p>(b) The natural flow characteristics;</p> <p>(c) The natural water level and its fluctuation;</p> <p>(d) The natural water colour and clarity;</p> <p>(e) The ecology; and</p> <p>(f) The extent of use or development within the catchment, including the extent to which that use and development has influenced (a) to (e).</p>	<p>Consistent</p> <p>This application includes robust assessment of the existing environment, including; topography, geology, river hydrology and morphology, water quality and aquatic ecology. These elements have also been appropriately considered in the Landscape Report in terms of existing natural character values and the effects the Scheme will have on these values.</p> <p>In summary, the Landscape Report concludes that, on a broad scale, effects on these values are no more than minor and the development is not inappropriate.</p>
3.3.11	<p>To have particular regard to the following qualities or characteristics of water bodies when considering adverse effects on amenity values:</p> <p>(a) Aesthetic values associated with the water body;</p> <p>(b) Recreational opportunities provided by the water body;</p> <p>(c) Sports fish habitats, as outlined in Schedule 8; and</p> <p>(d) The extent of use or development within the catchment, including the extent</p>	<p>Consistent</p> <p>Amenity and recreation effects are also well considered in the Landscape Report.</p> <p>In summary, the Landscape Report concludes that, on a broad scale, effects on these values are no more than minor and the development is not inappropriate.</p>

to which that use and development has influenced (a) to (c).

1.1 SECTION 4 LAND MANAGEMENT

Assessment Commentary		
4.2 Objectives		
4.2.1	To avoid remedy or mitigate adverse effects from land disturbance so that the region's water and soil resources are sustainably managed.	<p>Consistent</p> <p>The design of the Scheme has minimised the area of ground disturbance during construction and includes comprehensive erosion and sediment control plans to minimize stormwater flows generated from construction areas, treat construction phase stormwater and minimize loss of sediment to surface water.</p>
4.3 Policies		
4.3.1	<p>To manage the disturbance of land and vegetation in order to avoid remedy or mitigate any adverse effects on:</p> <p>(a) The stability of land (eg. slumping, subsidence, or erosion), river banks, and riverbeds and coastal margins;</p> <p>(b) Water quality, including clarity, turbidity, and temperature changes, and instream values;</p> <p>(c) Changes in water level including water table;</p> <p>(d) Public access to rivers, lakes, and their margins and the coast;</p> <p>(e) Natural character, and aquatic ecosystems;</p> <p>(h) Cultural and recreational values; and</p> <p>(i) Significant indigenous vegetation and significant habitats of indigenous fauna.</p>	<p>Consistent</p> <p>This policy is achieved through the following Project initiatives;</p> <ul style="list-style-type: none"> > The proposal to undertake additional geotechnical and geophysical testing will confirm the Scheme's civil design and will ensure any instability risks can be addressed; > Preparation and implementation of erosion and sediment control plans including methods to treat suspended sediment and pH in all construction phase water discharges and methods to minimise sediment entrainment and loss, and turn, minimise effects on aquatic ecosystems during earthworks and Streamworks: > Public access to the Waitaha Valley is unaffected and will continue as is currently the case and the weir design allows for ongoing passage of kayakers (as agreed with WWNZ); > Implementation of a Landscape Management Plan and appropriate restoration plans to minimise the effect of construction related ground and vegetation

		<p>disturbances on natural character;</p> <ul style="list-style-type: none"> > Cultural values associated with construction are upheld by virtue of Poutini Ngai Tahu's involvement in the Project and their overall support for it; > Notwithstanding the Recreation Report's finding that some local scale construction related adverse effects on recreation values will be significant, the Landscape Report found that these, largely perceptual and experiential effects, will be temporary and, overall, are acceptable; and > Various avoidance, mitigation (restoration) and compensation measures proposed by Westpower address adverse effects on indigenous vegetation, fauna and their habitats and ensure residual impacts associated with vegetation removal and earthworks are no more than minor.
4.3.2	<p>To manage earthworks (for example, mining) to avoid effects on the environment where the activity may produce any of the following geochemical processes, above background levels:</p> <ul style="list-style-type: none"> (a) Release of acid rock drainage (b) Precipitation of iron oxides (c) Release of heavy metals 	<p>Consistent</p> <p>It is not expected that the tunnelling will produce any acid drainage water and high pH water associated with temporary shotcreting of tunnels will be appropriately treated prior to any discharge (as detailed in the Draft ESCP).</p>
4.3.3	<p>To manage the disturbance of riparian margins to:</p> <ul style="list-style-type: none"> (a) Maintain or enhance water quality (including clarity, turbidity, and temperature), and in-stream values, (including aquatic ecosystems). (b) Promote soil conservation. (c) Ensure that existing public access to water bodies is maintained or enhanced. (d) Protect the natural character of the coastal environment, wetlands, and lakes and rivers and their margins, from inappropriate use and development. 	<p>Consistent</p> <ul style="list-style-type: none"> (a) Disturbance of riparian margins is generally limited to small areas at the Headworks and the Power Station Site. Again, the ESCP sets out the measures to be adopted to minimise adverse water quality impacts associated with these works. (c) Public access will be maintained during construction. (d) As noted elsewhere in this assessment, it is clear that the proposed activities do not constitute inappropriate use or development and there is a functional need for hydro development Projects to have at least some components within river margins. To these extents, it is considered that, although total protection of the natural character of the Waitaha River is not achieved, an appropriate balance is

	(e) Enable the maintenance and safe operation of regionally significant infrastructure.	<p>achieved between this protective policy and other conflicting RSI policies that recognise these types of developments will not always be able to avoid these types of adverse effects (See RPS Policy 3 RSI).</p> <p>(e) This proposal is classified as RSI. Its operation and maintenance should therefore be enabled.</p>
4.3.9	To promote land management being undertaken in accordance with industry best practice, so that leaching of faecal material and nutrients, and loss of sediment to water is avoided, remedied or mitigated.	<p>Consistent</p> <p>Robust sediment and erosion control plans will be implemented and all domestic wastewater (sewage) produced during construction and operation will be contained and removed from site for treatment / disposal.</p>
4.3.10	To encourage the retention, maintenance, or planting of appropriate riparian vegetation.	<p>Consistent</p> <p>Restoration activities set out in the Vegetation Management and Landscape Management Plans achieves this policy.</p>

SECTION 5 LAKE AND RIVERBED MANAGEMENT

Assessment Commentary		
5.2 Objectives		
5.2.1	<p>To avoid, remedy, or mitigate the adverse effects of lake and riverbed activities on:</p> <p>(a) The stability of beds, banks, and structures;</p> <p>(b) The flood carrying capacity of rivers;</p> <p>(c) The natural character of wetlands, lakes and rivers and their margins;</p> <p>(d) Indigenous biodiversity and ecological values, including fish passage;</p> <p>(e) Amenity, heritage, and cultural values;</p> <p>(f) Sports fish habitat values;</p>	<p>Consistent</p> <p>The proposal achieves this policy through the following measures:</p> <ul style="list-style-type: none"> > Limiting works and structures within the riverbed and undertaking appropriate maintenance works to remove any built-up sediment during Scheme operation; > Designing the Scheme while taking account of the river's high frequency of floods and high frequency of large flood events so that it has no effect on large floods (<250m³/s) and very little effect on the frequency of even smaller floods flowing through the residual flow reach (Hydrology Report). > All instream structures will provide for fish passage and the weir design will maintain existing fish passage and fish exclusion.

	(g) Water quality;....	<ul style="list-style-type: none"> > Riverbed gravel extraction activities will be limited to dry river bed areas and requires pre-extraction nesting bird surveys.
		<ul style="list-style-type: none"> > Sport fishing use is low and limited to downstream sections of the river. The run-of-river proposal has no downstream impacts during normal operation.
		<ul style="list-style-type: none"> > There are no surface water discharges of contaminants from the Scheme during normal operations. During intermittent and short-term instream maintenance activities, contaminants released are limited to sediment – which is naturally high in this river.
5.2.2	The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.	<p>Highly consistent</p> <p>The proposal responds directly to this objective in that the weir design will, as a priority, ensure ongoing passage of kōaro and ongoing exclusion of other fish species. Other instream structures (culverts) will, where relevant, provide for fish passage.</p>
5.3 Policies		
5.3.1	To provide for appropriate use and development in lakes and rivers and recognise the social and economic benefit of maintaining existing structures and infrastructure.	<p>Highly consistent</p> <p>This proposal is for a regionally significant hydro Scheme that will generate renewable electricity from a plentiful natural resource and deliver significant economic and social benefits to the regions and nation's communities (see Policy 1 – Resilience and Sustainable Communities). Given this context, the proposal is considered an appropriate use of Waitaha River flows and should be provided for under this policy.</p>
5.3.2	To manage bed disturbance, reclamation, deposition and the use, erection, extension, reconstruction, maintenance, alteration, demolition, or removal of structures in, on, under, or over the bed of any lake or river, so that the activity does not cause or contribute to significant adverse effects on:	<p>Consistent</p> <p>As confirmed in the AEE, the instream structures associated with the Scheme will be designed, managed, and where required, compensated, to ensure there are no residual significant adverse effects on:</p> <ul style="list-style-type: none"> > The stability of beds and banks (Sediment Report); > The capacity of rivers to carry flood flow (Hydrology Report);

	<p>(a) The stability of beds and banks;</p> <p>(b) The capacity of rivers to carry flood flow;</p> <p>(c) Heritage, amenity or cultural values;</p> <p>(d) Water quality;</p> <p>(e) Existing structures or existing uses;</p> <p>(f) Navigational safety;</p> <p>(g) Aquatic ecosystem values (including habitat values and fish passage);</p> <p>(h) The natural character of the coastal environment, wetlands, rivers and lakes and their margins;</p> <p>(i) Significant indigenous vegetation and significant habitats of indigenous fauna.</p>	<p>> Cultural values;</p> <p>> Water quality;</p> <p>> Aquatic ecosystem values (including habitat values and fish passage) (Freshwater Ecology Report); and</p> <p>> Indigenous vegetation and habitats of indigenous fauna (Vegetation, Terrestrial Fauna, Whio Reports);</p> <p>> Existing kayaking uses (Recreation Report)</p> <p>In respect of Scheme structures and their impacts on the natural character of the Waitaha River, despite the fact that, at more local levels, the natural character, effects are assessed as being more than minor, at a broader scale, the effects are, at worst, minor.</p>
5.3.4A	<p>In addition to the requirements of Policy 5.3.2, when considering an application to excavate gravel from a river or lake bed, to consider:</p> <p>(a) The sustainable yield of the lake or river system;</p> <p>(b) Adverse effects on bed levels and channel location;</p> <p>(c) Potential spread of pest plants.</p>	<p>Consistent</p> <p>The Sediment Report confirms that given the temporary nature of gravel extraction and the relatively small volumes proposed to be removed, the gravel extracted will be rapidly replenished naturally and the theoretical change in bed level will be minimal.</p> <p>Westpower proposes special conditions to address the risk of didymo.</p>

SECTION 6 WETLANDS

Assessment Commentary		
6.2 Objectives		
6.2.1	<p><i>To recognise and provide for the protection of the natural character, indigenous biodiversity and other values of wetlands in the region.</i></p>	<p>Consistent</p> <p>Westpower has identified and mapped wetlands in the vicinity of the site and redesigned the power station access road and transmission line corridor to avoid these features.</p>

6.3 Policies (*policies 6.3.1-6.3.3 relate to wetlands in Schedules 1 & 2 of the Plan*) – Not relevant

<p>6.3.4 To provide protection for any wetlands not in Schedule 1 or 2 that are shown to meet any one of the ecological criteria in Schedule 3, and to identify and protect the values of those wetlands and their margins to ensure their natural character and ecosystems (including ecosystem functions and habitats) are sustained.</p>	<p>Consistent</p> <p>Westpower has identified and mapped wetlands in the vicinity of the site and redesigned the power station access road and transmission line corridor to avoid these features. Accordingly, there are no anticipated adverse effects on wetlands and these policies are fully achieved.</p>
<p>6.3.5 To recognise and provide for the protection of wetlands by promoting the maintenance and enhancement of the natural values of all wetlands in the region and by managing adverse effects of activities on the values present, including natural character, ecosystems (including ecosystem functions and habitats), aesthetic values or amenity values.</p>	
<p>6.3.6 The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:</p> <p>(a) the loss of extent or values arises from any of the following:</p> <p>(i) the customary harvest of food or resources undertaken in accordance with tikanga Māori</p> <p>(ii) restoration activities</p> <p>(iii) scientific research (iv) the sustainable harvest of sphagnum moss</p> <p>(v) the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)</p> <p>(vi) the maintenance or operation of</p>	

specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020

(vii) natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or

(b) The West Coast Regional Council is satisfied that:

(i) the activity is necessary for the construction or upgrade of specified infrastructure; and

(ii) the specified infrastructure will provide significant national or regional benefits; and

(iii) there is a functional need for the specified infrastructure in that location; and

(iv) the effects of the activity are managed through applying the effects management hierarchy.

SECTION 7 SURFACE WATER QUANTITY

Assessment Commentary		
7.2 Objectives		
7.2.1	To retain flows and water levels in water bodies sufficient to maintain their instream values, natural character, and life supporting capacity.	<p>Partially consistent</p> <p>> The proposal includes a diversion that results in a reduction in river flows within approximately 2.5 km long of the Waitaha River (the abstraction reach). Westpower proposes that the minimum flow through this reach is no lower than 3.5 m³/s. This minimum residual flow has been carefully determined using best practice techniques (IFIM) that ensure sustainable river management while limiting effects in the abstraction</p>

reach to the extent that overall aquatic ecological health is (at least) maintained. To this extent, the proposal achieves this policy's directive to ensure the life supporting capacity of the river, and by extension, its instream values, are maintained.

- > The reduced flows in the abstraction reach do, however, result in an unavoidable reduction in the natural character of the river. That is, natural character values are not able to be fully maintained. Despite this, it is noted that the wording of this policy does not properly give effect to higher level and more recent RPS objectives and policies that recognise these types of developments will not always be able to avoid these types of adverse effects (See RPS Policy 3 RSI). This policy also conflicts with similarly recent and higher order RPS provisions that direct lower order plans to provide for RSI in such circumstances.

Overall, it is considered that, although maintenance of the natural character of the Waitaha River is not achieved, an appropriate balance is accomplished between this protective policy and other conflicting RSI policies.

7.2.2	To provide for the water needs of the West Coast's industries, network utility operators, and community water supplies.	Consistent Due largely to its non-consumptive nature, this proposal does not impact or compromise any downstream industries, network utility operators or community water supplies.
7.2.3	To promote the efficient use of water.	Consistent The proposed non-consumptive use of water, to generate renewable electricity using modern and efficient turbines and generators ensures this policy is achieved.
7.2.4	To avoid, remedy or mitigate adverse effects on the quality of source and receiving water, including its ecology and mauri, where such water is subject to any interstream or inter-catchment transfer.	Consistent The proposed diversion will result in an inevitable level of adverse impact on the mauri of the waterbody, however, Poutine Ngai Tahu are supportive of the project on the basis this adverse effect is outweighed by the positive cultural and economic effects derived by the development. As set out in the AEE, adverse effects on water quality and

aquatic ecology will be no more than minor.

7.2.5	To avoid, remedy or mitigate any adverse effects of managed flows in rivers, or from fluctuating levels of controlled lakes.	Consistent
		The proposal has assessed actual and potential adverse effects, including all consequential effects, associated with the Scheme's managed flow regime. This has included effects associated with abnormal Scheme operation (Start-up, shutdown and trip events). In all cases, these effects can be appropriately managed to the extent that residual adverse effects are no more than minor. Additionally, where there is uncertainty regarding the level of adverse effect (e.g. effects of proposed ramping rates on fish stranding and downstream public safety), Westpower is proposing appropriate trials, monitoring and if required, adaptive response mechanisms be set out as part of any Approvals granted.
<p>7.3 Policies <i>Note: General Policies for the management of flows are outlined in Policies 7.3.1 – 7.3.7, while specific Policies for the management of flows associated with run of the river dams are outlined in Policies 7.3.8 – 7.3.14. For other dam Schemes, Policies 7.3.1 – 7.3.7 may apply as well.</i></p> <p>Policies Applying to the Taking of Water</p>		
7.3.1	Takes from rivers where the total volume of water allocated is less than 20% of the river's mean annual low flow will require no minimum flow.	Not relevant
		The Waitaha Scheme's maximum take (non-consumptive diversion) will exceed 20% of the river's mean annual low flow will require no minimum flow.
7.3.2	Where Policy 7.3.1 does not apply, a minimum flow based on 75% of the mean annual low flow will be applied as a consent condition.	Not relevant
		The Waitaha Scheme's residual flow is less than 75% of the river's mean annual low flow will require no minimum flow. Therefore, the relevant policy is 7.3.3 (below)
7.3.3	To consider granting an application for a resource consent to take water from a river, subject to a minimum flow lower than that specified in Policy 7.3.2, on a case-by-case basis, provided: (a) Any adverse effects on instream values or natural character of the source water body or any other connected	Consistent
		> The proposal includes a diversion that results in a reduction in river flows within approximately 2.5 km long of the Waitaha River (the abstraction reach). Westpower proposes that the minimum flow through this reach is no lower than 3.5 m ³ /s. This minimum residual flow has been carefully determined using best practice techniques (IFIM) that ensure sustainable river

	<p>water body are avoided, remedied or mitigated; and</p> <p>(b) Any adverse effects on lawfully existing takes of water are no more than minor;</p> <p>(c) The application if granted, together with the cumulative effect of other existing lawful takes, avoids, remedies or mitigates adverse effects on the life supporting capacity of any waterbody.</p>	<p>management while limiting effects in the abstraction reach to the extent that overall aquatic ecological health is (at least) maintained. To this extent, the proposal achieves this policy's directive to avoid, remedy or mitigate adverse effects on instream values or natural character and the life supporting capacity of any waterbody.</p> <p>> The non-consumptive nature of the proposal's water take and use, and the absence of other users within the abstraction reach, also avoids adverse effects on lawfully established existing takes.</p>
7.3.5	To suspend the taking of water when minimum flows have been reached.	<p>Consistent</p> <p>Westpower's proposal includes no take or use when Waitaha River flows measured at the weir are 3.5 m³/s or less.</p>
7.3.6	To promote the efficient use of water and to consider the need to cap the overall allocation from any water body.	<p>Consistent</p> <p>The proposed non-consumptive use of water, to generate renewable electricity using modern and efficient turbines and generators ensures this policy is achieved.</p> <p>There is no apparent resource management reason in this instance to apply a cap to the water proposed to be used, however, it is noted that Westpower will not take more than 23 m³/s.</p>
7.3.7	To monitor the taking and use of water, requiring the volume and rate of take to be measured as or where appropriate.	<p>Consistent</p> <p>Westpower's proposal includes monitoring of water taken (i.e. diverted) and residual flows.</p>
<p><i>National Direction – National Policy Statement for Freshwater Management 2020 (NPSFM)</i></p> <p>Under Section 55(2A) of the RMA, Implementation Requirement 3.24(1) (Rivers) is accordingly included in this Plan as Policy 7.3.8A below.</p>		
7.3.8A	<p>The loss of river extent and values is avoided, unless the Council is satisfied:</p> <p>(a) That there is a functional need for the activity in that location; and</p> <p>(b) The effects of the activity are managed by applying the effects</p>	<p>Highly consistent</p> <p>Although there will be some loss to the values of the Waitaha River, this is considered acceptable on the basis that:</p> <p>> There is a functional need for hydro generation developments to be located in and/or adjacent to rivers;</p>

management hierarchy.

- > There is also a functional need for hydro generation developments to take water to generate electricity; and
- > Management of all environmental effects associated with the Scheme have adhered to the effects management hierarchy.

Policies for Lake Levels, Damming, Diversion, and Augmentation

7.3.11	<p>In regulating the management of controlled flows, other than in association with a small dam or any dam designed to contain contaminants, to have regard to:</p> <p>(a) The matters identified in Policy 3.3.1, 3.3.2 and 3.3.7;</p> <p>(b) The periodic release of water at appropriate flow rates, where necessary to remove excess algal growth or accumulated sediment; and</p> <p>(c) The existing needs of consumptive users of water;</p> <p>(d) The extent to which the water body has been modified by resource use and development.</p>	<p>Highly consistent</p> <ul style="list-style-type: none"> > As noted above, Policies 3.3.1 and 3.3.2 are not relevant and the proposal is consistent with Policy 3.3.7; > The proposal includes specific management methods to address potential sediment and periphyton build-up in the abstraction reach (including monitoring and adaptive management); > No downstream consumptive users are affected by virtue of the Scheme being run-of-river; and > The upper Waitaha River has had little to no modification, however, the Scheme has been designed to minimise its level of river modification to the most practicable extent.
7.3.12	<p>To require, where necessary, desirable and practicable, provision for fish migration.</p>	<p>Consistent</p> <p>All instream structures will provide for fish passage and the weir design will maintain existing fish passage and fish exclusion.</p>
7.3.14	<p>When considering diversions associated with disturbance of riverbeds, priority will be given to avoiding, in preference to remedying or mitigating, adverse effects on surface flows.</p>	<p>Consistent</p> <p>The only diversions associated with bed disturbances proposed are those that are required in order to construct the weir and, if tributaries are flowing at the time of their construction, other road crossing culvert structures. These are temporary, one-off activities associated with the construction phase. Avoidance is not practicable with respect to the weir, however, where practicable, other culvert structures could avoid diversions if their construction occurs in a dry period. Overall, the management of these diversion related effects is consistent with this policy.</p>

7.3.15	Financial contributions, works or services may be required to offset, remedy or mitigate any unavoidable adverse effect of the taking, damming or diversion of water.	Consistent Westpower is committed to compensating WWNZ to address residual adverse recreation impacts associated with the installation of the Scheme's weir and the diversion of flows to the Scheme.
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7.3A Transitional Policies – National Policy Statement on Freshwater Management

7.3A.1	<p>When considering any application the consent authority must have regard to the following matters:</p> <p>(a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of freshwater and of any associated ecosystem; and</p> <p>(b) the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.</p>	<p>Consistent</p> <p>As determined in the AEE, aquatic ecology effects are no more than minor. It follows that the life supporting capacity of the River and of the aquatic ecosystems it supports, will be safeguarded.</p> <p>On the basis that hydro development has a functional need to alter a river's flow regime, consequential effects are not feasibly avoided.</p>
7.3A.2	<p>Policy 7.3A.1 applies to:</p> <p>(a) any new activity; and</p> <p>(b) any change in character, intensity or scale of any established activity –</p> <p>that involves any taking, using, damming or diverting of fresh water which is likely to result in any more than minor adverse change in the natural variability of flows or level of any freshwater, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).</p>	<p>Consistent</p> <p>See 7.3A.1 above</p>

SECTION 8 SURFACE WATER QUALITY

Assessment Commentary		
8.2 Objectives		
8.2.1	To maintain or enhance the quality of the West Coast's water.	<p>Consistent</p> <p>This proposal involves robust management plans, including Vegetation Management, Freshwater Ecology Management and Erosion and Sediment Control Plan that ensure the risks of construction related contaminants entering surface water bodies are minimised.</p> <p>Although there maybe some sediment disturbed and then entrained in river flows associated with Streamworks, these are temporary works and are not considered likely to exceed the sediment levels that occur naturally during freshes.</p> <p>Being a run-of-river Scheme, there is no impoundment of water, therefore, there is no mechanism that would allow potential water quality effects such as eutrophication or heating.</p> <p>When operating, potential spills at the Power Station Site will be intercepted to avoid entering the river. The site will also have separation units to remove stormwater sediment and any trace amounts of oil.</p> <p>Once operational, the Scheme will involve no contaminant discharges to surface water,</p> <p>Overall, although the weir has been identified as enabling some sediment removal from river flows, thereby improving water quality downstream f this part of the Scheme, overall, and on balance, water quality will be maintained.</p>
8.3 Policies		
8.3.5	<p>When considering applications for resource consents to discharge contaminants to water to have regard to:</p> <p>(a) The nature of the discharge and the sensitivity of the receiving environment to</p>	<p>Consistent</p> <p>The only discharge consent to water required by the proposal is for the incidental discharge of contaminants (sediment) to water resulting from the maintenance of in-stream structures including any associated adjacent,</p>

	<p>adverse effects;</p> <p>(b) The financial implications, and the effects on the environment of the proposed method of discharge when compared with other options;</p> <p>(c) The current environmental mitigation technology and the likelihood that the proposed method can be successfully applied; and</p> <p>(d) The cumulative effects of discharges of contaminants and the assimilative capacity of the water body and actual or potential effects in the coastal marine area.</p> <p>(e) Any relevant industry codes of practice or guidelines relating to the management of potential discharges.</p>	<p>upstream or downstream Streamworks.</p> <p>In respect of this activity:</p> <ul style="list-style-type: none"> > The existing river environment is one where large amounts of sediment are transported naturally, and to this extent, it is not sensitive to incidental discharges of sediment on an intermittent and short-term basis as proposed; > There are no other practicable discharge options or mitigation technologies available; > Given the river's high natural sediment transport characteristics, additional incidental maintenance related increases will have a de minimis cumulative impact; and > Maintenance will be undertaken during low flows, wherever practicable to minimise works in the river flow.
8.3.6	<p>Mixing zones will be required for the discharge of contaminants to water. These will be limited to the extent necessary to take account of:</p> <p>(a) Water quality classes;</p> <p>(b) The size and sensitivity of the receiving environment;</p> <p>(c) The matters identified in Policy 6.3.1;</p> <p>(d) The physical processes acting on the area of discharge; and</p> <p>(e) The particular discharge, including contaminant type, concentration, and volume.</p>	<p>Mixing zones are not considered practicable in this case given access to the river channel is not safe (particularly downstream of instream maintenance activities at the Headworks).</p>
<p>8.3A Transitional Policies – National Policy Statement on Freshwater Management</p> <p><i>Policy A4 of the NPS is included in this Plan as Policies 8.3A.1 to 8.3A.3 below.</i></p>		
8.3A.1	<p>When considering any application for a discharge the consent authority must have regard to the following matters:</p> <p>(a) the extent to which the discharge would avoid contamination that will have</p>	<p>Consistent</p> <p>The only discharge consent to water required by the proposal is for the incidental discharge of contaminants (sediment) to water resulting from the maintenance of in-stream structures including any associated adjacent,</p>

an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water; and

(b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.

upstream or downstream Streamworks.

In respect of this activity:

- > The existing river environment is one where large amounts of sediment are transported naturally, and to this extent, it is not sensitive to incidental discharges of sediment on an intermittent and short-term basis as proposed;
- > As the AEE confirms, water quality effects will be no more than minor and only occur intermittently and for short durations while maintenance Streamworks is undertaken.

The only discharge to land consents required are for construction related discharges from investigative drilling, concrete batching and vegetation and spoil disposal.

In respect of these activities, the potential for adverse consequential adverse effects on water are considered remote due to the following mitigating factors:

- > All these activities are temporary in nature;
- > Discharge volumes to land associated with investigative drilling will be very minor;
- > Spoil disposal and concrete batching will be set well back from surface water;
- > Spoil from tunnel construction will be inert materials (cleanfill);
- > Levels of contaminants that might enter groundwater and travel to surface water will be significantly diluted by the vast volume of the local groundwater resource and large Waitaha River flows to the extent these contaminants are unlikely to be detectable in surface water.

8.3A.2	Policy 8.3A.1 applies to the following discharges (including a diffuse discharge by any person or animal):	Consistent
	(a) a new discharge; or	See Policy 8.3A.1
	(b) a change or increase in any discharge –	
	of any contaminant into fresh water, or onto or into land in circumstances that	

may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.

SECTION 10 GROUNDWATER

Assessment Commentary		
10.2 Objectives		
10.2.1	To sustain existing uses of the West Coast's groundwater, by protecting water quantity and quality and avoiding depleting surface water flows.	<p>Consistent</p> <p>The proposal will involve diversion of some groundwater through the Scheme's tunnels, however, there are no existing uses affected by this.</p> <p>The proposal does not result in any consumption of surface water.</p>
10.2.2	To minimise conflict between competing uses of groundwater.	<p>Consistent</p> <p>The proposal will involve diversion of some groundwater through the Scheme's tunnels, however, there are no existing uses affected by this.</p>
10.2.3	To avoid, remedy or mitigate adverse effects on surface water bodies associated with groundwater takes.	<p>Consistent</p> <p>As set out in the AEE, effects on water quality are no more than minor, and adjacent to the abstraction reach (i.e. where flow regimes are most impacted), there are no existing groundwater takes.</p>
10.3 Policies		
10.3.1	In managing any activity involving the taking of groundwater to ensure that adverse effects are avoided, remedied, or mitigated.	<p>Consistent</p> <p>The proposal will involve diversion of some groundwater through the Scheme's tunnels, however, there are no existing uses affected by this.</p>
10.3.3	In managing the taking of groundwater: (a) To have regard to avoiding adverse	Consistent

	effects on existing groundwater takes, unless the approval of affected persons has been obtained; and (b) To give priority to avoiding adverse effects on community water takes listed in 7B.	The proposal will involve diversion of some groundwater through the Scheme's tunnels, however, there are no existing uses affected by this.
10.3.4	To ensure that the quantity of water granted, under a resource consent for the taking of water, is no more than that required for the intended use of that water having regard to the local conditions.	<p>Consistent</p> <p>The proposal will involve diversion of some groundwater through the Scheme's tunnels. It is not known at this stage what quantities / rates will be diverted, however, whatever these flows end up being, they will not be unacceptably high given the nature of the diversion and the local conditions.</p>

SECTION 14 SOLID CONTAMINANTS

Whilst there is proposed deposition of material in terms of fill these objectives and policies are generally aimed at solid waste landfills.

Assessment Commentary		
14.2 Objectives		
14.2.1	To ensure that the adverse effects from the discharge of solid contaminants into or onto land, on water and soil quality, social, cultural and amenity values, and human health are avoided, remedied or mitigated.	<p>Consistent</p> <p>The only solids discharge to land are related to construction related discharges from investigative drilling, concrete batching and vegetation and spoil disposal.</p> <p>In respect of these activities, the potential for adverse consequential adverse effects are considered remote due to the following mitigating factors:</p> <ul style="list-style-type: none"> > All these activities are temporary in nature; > Discharge volumes to land associated with investigative drilling will be very minor; > Spoil disposal and concrete batching will be set well back from surface water and people; > Spoil from tunnel construction will be inert materials (cleanfill); > Mana whenua's support the Project; and > significant dilution factors inherent in the vast volume of

the local groundwater resource and large Waitaha River flows to the extent these contaminants are unlikely to be detectable in surface water.

14.3 Policies

14.3.1	To ensure that solid waste disposal facilities are sited, designed, constructed and managed to avoid, remedy, or mitigate any adverse effects on the environment.	Consistent Westpower have proposed limits on volumes and ground surface heights associated with spoil disposal and the disposal areas will ultimately be rehabilitated to higher productive land than is currently the case.
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SECTION 15 HAZARDOUS SUBSTANCES

Assessment Commentary

15.2 Objectives

15.2.1	To ensure that the adverse effects from the discharge of hazardous substances into or onto land, on water and soil quality, social, cultural, and amenity values, indigenous flora and fauna, and human health are avoided, remedied, or mitigated.	Consistent All hazardous substances will be stored, handled and used in accordance with relevant HSNO requirements The Power Station Site will be equipped with modern oil detection systems that avoid oil spills entering surface water. The Power Station Site's stormwater system will also include separators to minimize sediment and trace oils from entering the river. Westpower will also prepare and implement a Stormwater Management Plan to ensure risks of hazardous substance spills are appropriately minimised.
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15.3 Policies

15.3.1	To avoid inappropriate disposal or discharge of hazardous substances to land.	Consistent The proposal does not involve any hazardous substances disposal activities
15.3.2	To recognise, where appropriate, relevant industry codes of practice or	Consistent

guidelines relating to the management of hazardous substances and potential associated discharges.

All hazardous substances will be stored, handled and used in accordance with relevant HSNO requirements including any related and relevant industry codes of practice.

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CHAPTER 7 DUST

Assessment Commentary		
7.3 Objectives		
7.3.1	The protection of human health, property, structures and ecosystems from the adverse effects of discharges of dust to air.	<p>Consistent</p> <p>Westpower propose to prepare and implement a Dust Management Plan for the construction phase of the Project. This will adequately address potential nuisance and amenity effects related to dust on visitors to the valley during construction.</p> <p>Westpower will also operate the concrete batching plant in accordance with a Construction and Environmental Management Plan and have proffered a special condition to ensure that there is no discharge of particulate matter that causes an objectional effect at or beyond the boundary of the property.</p>
7.4 Policies		
7.4.1	Adverse effects of the deposition of dust will be avoided, remedied, or mitigated by ensuring that any discharge of dust does not occur at a volume, rate or in a manner that could cause an offensive or objectionable effect, including the significant restriction of visibility or the soiling of property.	<p>Consistent</p> <p>See Objective 7.3.1</p> <p>In addition, the site is located over 2km away from the nearest dwelling.</p>
7.4.2	Adverse effects of suspended dust will be avoided, remedied, or mitigated by ensuring that any discharge of dust does not occur at a volume, rate or in a	<p>Consistent</p> <p>See Objective 7.3.1</p>

	manner that could cause an offensive or objectionable effect, including the impairment of human health.	In addition, the site is located over 2km away from the nearest dwelling and dust emissions are temporary.
7.4.3	<p>In assessing offensive or objectionable effects from discharges of dust, the Regional Council will take into account the following factors:</p> <p>Frequency of dust discharges;</p> <p>Intensity of dust discharges;</p> <p>Duration of dust discharges;</p> <p>Offensiveness of the odour;</p> <p>Extent of dust discharges (suspended and deposited);</p> <p>Location of dust discharges.</p>	Refer policy 7.4.2
7.4.4	To avoid, remedy or mitigate the adverse effects of the discharge of dust and materials on air and water quality and the seabed of the coastal environment, including during the transfer of materials from ship to shore or vice versa.	<p>Consistent</p> <p>Westpower propose to prepare and implement a Dust Management Plan for the construction phase of the Project. This will adequately address potential nuisance and amenity effects related to dust on visitors to the valley during construction.</p> <p>Westpower will also operate the concrete batching plant in accordance with a Construction and Environmental Management Plan and have proffered a special condition to ensure that there is no discharge of particulate matter that causes an objectional effect at or beyond the boundary of the property.</p>

CHAPTER 9 GLOBAL ISSUES

Assessment Commentary		
9.3 Objectives		
9.3.1	The reduction and minimisation of adverse effects from discharges of contaminants to air of global significance,	<p>Consistent</p> <p>This proposal does not result in any ongoing discharges to air,</p>

such as ozone depleting substances or greenhouse gases.

but more notably, as a renewable electricity generation development, it results in additional market pressure on existing thermal generation plants, and ultimately displaces high greenhouse emitting generators.

9.4 Policies

9.4.2 To promote the reduction of emissions of greenhouse gases.

Consistent

See Objective 9.3.1

WESTLAND DISTRICT PLAN (“WDP”)

It should be noted, when considering the objectives and policies in the WDP, that the Regional Policy Statement (RPS) is a more recent operative document and therefore contains updated objectives and policies for the region that have not been given effect to in the WDP. Accordingly, a higher weighting should be given to the RPS when considering provisions for the same matters.

WDP objectives and policies relevant to the proposed Scheme are assessed below.

Assessment Commentary		
Part 3.2 Sustainable Communities		
Objective		
3.2.1	To establish levels of environmental quality for Westland which enable people and communities to provide for their social, economic and cultural well-being, while meeting the principles of sustainable management of natural and physical resources.	<p>Consistent</p> <p>The outcome of the proposed Scheme is a new source of renewable electricity generation on, and for the communities of, the West Coast. This provides further impetus for greater use of renewable energy and a lesser reliance on use of non-renewal energy sources. The Scheme has been designed recognising the values of both the region, and the local environment, within which it is located. This is to ensure potential effects on these values, including social, economic and cultural and environmental well being are appropriately provided for and managed. The outcomes sought from the development of the Scheme are sustainable from a community and environmental perspective and reinforce resilience of the community with respect to generation, supply and use of renewable electricity.</p>
PART 3.3 IMAGE OF THE DISTRICT		
Policy		
3.3.1	To recognise and promote Westland's image as a clean, green District.	<p>Consistent</p> <p>The Scheme has been designed taking into account the both the wider environment and the environment within which it is to be located. Design has recognised the values of the area and measure have been put in place to ensure potential effects are appropriately managed. The outcome of the Scheme, ie increased security and resilience for the community in respect</p>

of the generation, supply and use of renewable electricity
assists with promoting a clean, green image for the District.

PARTS 3.4 AND 4.6 INFRASTRUCTURE AND SERVICES

As background to these issues the Plan advises, amongst other things, that:

..... The level of isolation experienced in many parts of the District emphasises the need for Westland to become less energy dependent on the rest of New Zealand and more energy efficient. In this regard, hydro electric power generation could represent a viable option in the future provision of the District's energy needs. In addition, independent and small-scale generators of energy are likely to be required.

Objectives

3.4.1	To ensure that all servicing activities are carried out in a manner, and in locations, which avoid, remedy or mitigate adverse environmental effects.	<p>Consistent</p> <p>The design and location of the proposed Scheme has been the subject to an iterative process over a considerable number of years to ensure potential adverse effects have been appropriately recognised and managed. These matters (ie process for site consideration, identification of values, assessment and management of effects) have been discussed in other sections of the application so will not be repeated here. The proposed Scheme also assists with reducing wider impacts of activities making use of non-renewable energy by increasing the local generation and supply of renewable electricity.</p> <p>It is considered that the Scheme is consistent with this objective.</p>
3.4.3	To ensure that new development provides for a share of the requirements for recreation facilities generated in the District.	<p>Consistent</p> <p>The proposed Scheme does not increase the need for new recreation facilities in the District. Consideration of recreational activities in the area within which the Scheme has been located has been an important consideration, particularly in regard to impacts on kayaking opportunities. Agreement has been reached with WWNZ in regard to these matters</p>

And at part 4.6 provides the following policies;

A.	The efficient provision and development of all future services and infrastructure within the District shall be encouraged.	<p>Consistent</p> <p>The proposed Scheme seeks to enable increased local generation of renewable electricity lessening, to a degree, reliance on transmission from other regions. The Scheme also</p>
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		links to the existing network to utilise existing assets to distribute electricity to the communities served by Westpower. It is considered that increased local electricity generation, and enhanced use of the existing electricity network is an efficient use of infrastructure and services within the District and regionally given the coverage of the Westpower network.
C.	The formation, construction and maintenance of any transport, communications or other service facilities should be carried out in a manner which maintains environmental quality.	<p>Consistent</p> <p>The environmental values of the area have been a significant component in the design and layout of the Scheme. Assessment of the values of the area and management of potential effects has formed an integral component of the Scheme to ensure environmental quality is maintained as far as is practical taking into account the locational and operational needs of a renewable electricity generation Scheme such as that proposed.</p>
E.	Reduction in the quantities of waste produced in Westland and energy efficiency shall be encouraged in conjunction with the Regional Council, individual communities and landowners.	<p>Consistent</p> <p>Local electricity generation and use/upgrade of components of the existing electricity network are efficient uses of a renewable energy resource. From a wider perspective the supply and use of local generation assists in reducing potential losses from the existing transmission of electricity across long distances from other regions. An increased supply of locally generated renewable electricity also enables the community to access and use a renewable option thereby lessening use of non-renewable energy sources.</p>

PART 3.7 NATURAL ENVIRONMENTS AND PART 4.9 NATURAL HABITATS AND ECOSYSTEMS

Assessment Commentary		
Objectives		
3.7.1	To recognise and provide for the unique values and importance of natural environments and ecosystems in Westland.	<p>Consistent</p> <p>Assessment of the values of the environment within which the Scheme is constructed and operated has been a significant component of its design and layout. The applicant has undertaken a range of specialist reports to identify environmental values, consider potential impacts. The outcome of this process has been both an iterative design process for the Scheme and its components, or the development of appropriate conditions and management</p>

		plans to ensure potential effects are appropriately managed.
3.7.2	To recognise that the people of the district can provide for their needs within the context of sustainable management.	<p>Consistent</p> <p>The proposed development and use of the Scheme is intended to provide for the needs of the District, and communities in the wider region, in terms of the generation, supply and use of renewable electricity. As discussed above this has been within a framework of assessment and management of potential effects to ensure that the Scheme is appropriately sited and operated in the environment within which it is located. It is considered that the addition of a renewable electricity generation resource will assist the resilience of the community through increasing security of generation and supply, whilst reducing the need for, or reliance on, non-renewable energy sources.</p> <p>It is considered that the Scheme is consistent with this objective.</p>
3.7.3	To protect the integrity, functioning, and health of indigenous ecosystems and maintain the current diversity of indigenous flora and fauna.	<p>Consistent</p> <p>As discussed elsewhere in the application, and the assessment of effects, the project has been subject to comprehensive assessment of the environmental values of the area within which it is to be located. Based on the assessment of effects it is clear that, whilst there will be some effects, the matters sought to be protected in this objective will be retained or maintained with the Scheme in place. Further to management of effects, the applicant is providing longer term funding for ecosystem management purposes that will likely provide a net environmental benefit.</p>

At Part 4.9, Natural Habitats and Ecosystems, of the Plan a number of relevant policies are included to assist in achieving these objectives;

Policies		
A.	Adverse effects on the integrity, functioning and health of natural habitats and ecosystems and indigenous species shall be avoided, or where avoidance is not practical, remedied or mitigated.	<p>Consistent</p> <p>As discussed above, and in the AEE, the design and layout of the Scheme, has sought to ensure that effects are avoided remedied or mitigated. The design and layout of the Scheme has been an iterative process to ensure that it is located within the environment in a manner that</p>

recognises and provides for the natural values present and appropriately manages potential effects. This management includes proposed conditions and management plans.

<p>B. The protection and enhancement of areas of significant indigenous vegetation and habitats of indigenous fauna, and outstanding natural features in the district will be encouraged.</p>	<p>Identification and assessment of natural values has been a considerable component of the activity. It is clear through the reports that there are values of significance within the project area that require sensitive management to ensure they are not lost. Given the functional and operational needs of the proposed renewable electricity generation Scheme there will not be total protection of the area (ie no effects) as there are levels of effect described in the AEE. However, effects are limited and generally related to construction activities, although there are areas of permanent occupation, and overall are to be managed through a range of conditions and management plans. Importantly the values which make the area significant are not lost. Further to management of effects, the applicant is providing longer term funding for ecosystem management purposes that will likely achieve net environmental benefits.</p> <p>Whilst there are effects arising from the Scheme, as discussed in the AEE, it is considered that the Scheme is consistent with this policy as the areas will remain significant or outstanding with the Scheme in place.</p>
<p>C. To control the modification of natural wetlands to protect their natural character, landscape values and their significance as areas of indigenous vegetation and habitat for indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.</p>	<p>Consistent</p> <p>Whilst there are some smaller wetland areas identified along the access road alignment between Macgregor Creek and the Power Station Site these are not of a size/area which triggers specific rules (Rule 5.6.3(i)) and consent requirements in the Plan. Having said that works have been located such that they do not occur within the margins of these wetlands and will not adversely affect the hydrology of these areas.</p>
<p>D. Council will protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and outstanding natural features in the District. Council will, in particular, target those indigenous vegetation types occurring in</p>	<p>The WDP proposed to undertake an exercise to identify significant natural areas (SNA's) in the plan. Once identification had been completed a plan change would be implemented to schedule those areas and a review of rules would also be undertaken. This process has not been undertaken to date. Accordingly, any application for</p>

alluvial and coastal areas. All areas of significant indigenous vegetation and habitats shall meet one or more of the following criteria:

(i) Intactness

The area is unmodified by human activity, comprises a predominantly intact indigenous system and is not affected in a major way by weed or pest species; AND

Size

The area of indigenous vegetation has a predominant cover of 5 hectares or more.

(ii) Representativeness

The area is one of the best examples of an association of species which is typical of its ecological district;

(iii) Distinctiveness

The area has indigenous species or an association of indigenous species which is unusual or rare in the ecological district, or endemic or reaches a distribution limit in the ecological district. The area may be distinctive because of the influences of factors such as altitude, water table, soil type or geothermal activity.

(iv) Protected Status

The area has been set aside by New Zealand Statue or Covenant for protection and preservation or is a recognised wilderness area.

(v) Connectivity

The area is connected to one or more other significant areas in a way, (including through ecological processes) which makes a major contribution to the overall value or natural functioning of those areas.

(vi) Threat

The area supports an indigenous species or community of species which is threatened within the ecological district or threatened

consent must take into account potential significance when assessing potential effects. To some degree these matters have been superseded by the more recent West Coast Regional Policy Statement, operative on 24 July 2020, which contains a different set of criteria for identification of areas of significance, and processes for considering consent applications.

The WDP does however remain operative and recognition has been given to the criteria in this policy when assessing potential effects of the Scheme on the environment within which it is situated. To this end a range of ecological reports have been developed, each considering the values of the area and the potential effects of the proposed activity on those values. Based on the reports it is apparent that there are values present which would be categorised as significant based on these criteria. In the absence of the scheduled approach proposed in the plan, effects on these values are then to be assessed and considered based on the provisions of the plan. These matters have also been discussed in Policy 4.9B above. As per that previous assessment the functional and operational needs of the proposed renewable electricity generation Scheme there will not be total protection of the area (i.e. no effects) as there are levels of effect described in the AEE. However, effects are limited and generally related to construction activities, although there are areas of permanent occupation, and overall are to be managed through a range of conditions and management plans. Importantly the values which make the area significant are not lost. Further to management of effects, the applicant is providing longer term funding for ecosystem management purposes to ensure that will likely achieve net environmental benefits.

Whilst there are effects arising from the Scheme, as discussed in the AEE, it is considered that the Scheme is consistent with this policy as the areas will remain significant with the Scheme in place.

nationally.

(vii) Migratory Species:

An inter-tidal area or area of forest, wetland, lake, estuary or other natural habitat that is important for migratory species or for breeding, feeding or other vulnerable stages of indigenous species.

(viii) Scientific or other Cultural Value:

The area is a type, locality or other scientific reference area, is listed as a geopreservation site, or has a distinctive amenity value (e.g. it contributes to a distinctive and outstanding landscape of the district, has other significant cultural value or is of international importance).

PART 3.8 THE LAND RESOURCE AND PART 4.7 LAND AND SOIL QUALITY

Assessment Commentary		
Objectives		
3.8.1	To avoid, remedy or mitigate adverse effects of land use activities on land and water resources.	<p>Consistent</p> <p>A major focus of the design and layout of the Scheme has been to identify, assess and manage potential effects on the land and water resources of the area. To this end an iterative approach has been taken to the design and layout with additional conditions and management plans proposed to ensure that effects are appropriately managed.</p>
3.8.2	To protect and maintain the productive potential of the higher quality soils in Westland District.	<p>Consistent</p> <p>The Scheme does not impact the productive potential of higher quality soils and, to a degree will enhance the productive potential of the farmland on the true right of Macgregor Creek as a result of the spoil disposal activities and through subsequent proposed pasture improvement.</p>
And at Part 4.7, Land and Soil Quality, provides relevant policies;		
Policies		
A.	Land management practices which maintain or enhance the quality of land and	<p>Consistent</p> <p>Potential impacts of the Scheme have been a major focus</p>

its productive potential and the quality of water resources shall be encouraged and promoted where they do not give rise to other significant adverse effects.

of the expert assessments undertaken. As discussed under 3.8.2 there will be some improvements to pasture on the farmland through the rehabilitation of the land following construction. During works on that area, i.e. staging area activities, spoil deposition and gravel take management plans will be in place to ensure potential sediment and erosion effects are appropriately managed. Potential effects on water quality have been a significant focus of the Scheme and assessments have been undertaken on all aspects of the proposed activity which may potentially impact water resources. Potential adverse effects have been appropriately managed either through the design and layout of the Scheme, or through a suite of suggested conditions and management plans.

B.	Landuse activities in the rural area should avoid, mitigate and remedy their adverse effects on adjoining landuses, the community and ecosystems.	<p>Consistent</p> <p>As with assessments above the identification and management of potential effects has been a significant component of the design and layout of the Scheme. This includes development of a suite of conditions and management plans.</p>
C.	The establishment of activities which degrade, erode or contaminate high quality soils should be avoided to safeguard their productive capabilities and to protect human and animal health and safety.	<p>Consistent</p> <p>Works on the farmland on the true right of Macgregor Creek are to be undertaken in a manner agreed with the landowner. The landowner seeks an outcome of improved pasture for the benefit of the productive potential of the farm and livestock. Activities are to be undertaken and managed to ensure that the productive capacity is maintained and that there are no impacts on human or animal health and safety.</p>

PART 3.10 AND PART 4.8 LANDSCAPE

	Assessment Commentary
Objectives	
3.10.1 To ensure development does not impinge on the integrity of landscapes in Westland.	<p>Consistent</p> <p>Identification and assessment of landscape values and the potential effects on those values has been a considerable focus of the project. The landscape is assessed as being</p>

outstanding, with Morgan Gorge assessed as an outstanding natural feature, through the Landscape Report. The Scheme design and layout has been through an iterative process to reduce potential visual effects to the greatest degree possible and ensure that the development appropriately sits with the environment within which it is located. Whilst it is acknowledged that there will be high effects on the landscape at the local level, reducing with distance from the Scheme, the report ultimately concludes that it is appropriately located within the landscape. Further the report advises that the landscape remains an outstanding landscape, and Morgan Gorge an outstanding natural feature with the Scheme in place.

3.10.2	To maintain and protect the existing scenic and open and diverse character of Westland District, dominated by natural dynamic processes.	<p>Consistent</p> <p>The same discussion set out in 3.10.1 applies to this objective. Visual effects of the intake are high at the local level on the basis that the Scheme is new to the area. Again the assessment of the report is that it is not an inappropriate development in the landscape and on a wider scale the landscape and gorge the values which together contribute to their being outstanding are not lost as a result of the Scheme.</p>
3.10.3	To ensure that land uses, buildings and development have regard to the natural landscapes in which they are located or seek to be located.	<p>Consistent</p> <p>As discussed in the AEE and the landscape report ensuring that the Scheme design and layout sits appropriately in, and has regard to the landscape within which it is located has been a major emphasis. Along with amendments to design and layout to reduce potential effects suggested conditions and a landscape management plan are proposed to further assist with integrating the proposal into the environment within which it is located.</p>

And at part 4.8, Landscape, provides the relevant policies;

Policies		
A.	The continuity of the mountains to sea landscape in Westland particularly in the south of the District and significant landscape elements shall be protected by ensuring development takes into account	<p>Consistent</p> <p>Again, the landscape setting has been a considerable focus of assessment and refinement of design and layout of the Scheme. Whilst it is acknowledged that there will be higher effects in proximity to the intake the report determines that</p>

	the landscape setting.	the activity is not an inappropriate activity within the landscape. As above, suggested conditions and management plans will also further assist with integrating the proposed Scheme in to the environment.
B.	<p>The contribution of indigenous vegetation to the landscape character of the district shall be recognised and its clearance controlled.</p>	<p>Consistent</p> <p>Assessment of the landscape values has taken into account the vegetation cover in reaching its conclusions. Areas of clearance not required following construction will be rehabilitated to ensure the footprint required by the Scheme is reduced to that needed for operational purposes. Again, the suite of suggest conditions and management plans will assist with ensuring that outcome is achieved.</p>
C.	<p>Council will protect significant landscape areas, including natural features, in the District. All significant landscape areas shall meet the following criteria:</p> <p>1. <u>Intactness</u> (naturalness) The landscape is natural, open and spacious and is largely unmodified by human activity or development (relative to other landscapes).</p> <p>AND</p> <p>2. Scientific or other Cultural value The area is a type, locality or other scientific reference area, is listed as a geopreservation site or has distinctive amenity value (e.g. it contributes to a distinctive and outstanding landscape of the district or has other significant historic or cultural value or is of an international importance).</p> <p>AND</p> <p>3. Distinctiveness The area has one or more of the following:</p> <ul style="list-style-type: none"> > Outstanding size, shape, diversity or pattern of natural features or landforms. > Outstanding area of predominantly 	<p>Consistent</p> <p>There is no schedule of outstanding landscapes in the Plan. Having said that the plan does indicate that land over 300m above sea level would be considered outstanding. There are two proposed drill sites above that level, although these required minimal removal of vegetation and are of a temporary nature. Given the topography of the area these sites will not be readily apparent from a landscape perspective. Whilst there is not schedule of significant landscapes or features the applicant in responding to the environment within which the Scheme is to be located has commissioned a landscape assessment to understand the values of the area and amended the design and layout of the Scheme to ensure it appropriately sits within the environment it is located in, whilst providing for the locational and operational needs of the hydro electricity generation Scheme. The report acknowledges that there will be higher local effects on the landscape from the introduction of structures, particularly at the intake site. Whilst the Scheme does not result in total protection (i.e. no effects) of the landscape it is important to note that the landscape and Morgan Gorge, as a feature, will remain outstanding with the Scheme in place.</p> <p>Whilst there are effects arising from the Scheme, as discussed in the AEE, it is considered that the Scheme is consistent with this policy as the areas will remain outstanding with the Scheme in place.</p>

indigenous vegetation.

- > Outstanding or popular accessible viewpoints/key views.

OR

Representativeness

Area has one of the best examples of distinctiveness outlined above.

In addition, the following criteria will also be used to assess the overall significance of all areas:-

Protected Status

The area has been set aside by NZ statute or covenant for protection and preservation or is a recognised wilderness area.

Buffering

The area is well protected from other human based modifying influences.

Visual Sensitivity

The area is high in visual sensitivity to change.

Visual Coherence

The area is high in visual coherence (pleasantness).

D.	To maintain and enhance significant indigenous vegetation on water margins.	<p>Consistent</p> <p>Management of margins has been a focus of the design and layout of the Scheme. Having said that the locational and operational needs of the Scheme necessitate some removal of riparian vegetation however this has been the subject of considerable refinement of design and layout to ensure potential effects are minimised. Whilst this will not be total maintenance it is considered that the Scheme is not an inappropriate activity to occur within margins as access to water is an integral component of the activity. Along with design and layout a suite of conditions and management plans are suggested to ensure potential effects are appropriately managed throughout the Scheme footprint. This includes rehabilitation of areas not required for operational purposes.</p>
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Whilst there are effects arising from the Scheme, as discussed in the AEE, it is considered that the Scheme is consistent with this policy. This includes Policy E below that seeks to control vegetation in margins. This would indicate that there are instances where it is appropriate to undertake works in a controlled manner. Given the needs of a renewable electricity generation Scheme such as that proposed it is considered that the activity is appropriate in this regard.

E.	To control the destruction and removal of significant indigenous vegetation on water margins.	<p>Consistent</p> <p>The majority of relevant matters are discussed under Policy D above. An emphasis has been placed on limiting the need for removal of riparian vegetation whilst recognising the locational and operational needs of the proposed Scheme. Further the design and layout of the Scheme, along with the suite of suggested conditions and management plans seeks to ensure the development sits appropriately within the environment. This includes rehabilitation of areas not required for operational purposes following construction of the Scheme.</p>
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PART 4.4 AMENITY

Assessment Commentary		
Policies		
A.	The effects of activities which can have significant adverse effects on amenities and the well being of residents shall generally be avoided, remedied or mitigated.	<p>Consistent</p> <p>There are two areas where the expert reports have assessed potential effects of the Scheme as being more than minor, but not significant. These are effects on landscape and kayaking opportunities in the vicinity of the headworks. There will be more than minor effects from a perception perspective for some users of the wider area. All effects are from the introduction of the Scheme to the area. Having said that, potential effects on landscape are discussed above and an iterative approach to the design and layout of the Scheme has been undertaken to reduce potential effects. Further a suite of suggested conditions and management plans has been suggested to ensure that potential effects are appropriately managed. Ultimately the</p>

landscape assessment is that the proposal is not inappropriate in the proposed location. From a kayaking perspective the recreation report notes that an agreement has been reached with WWNZ in regard to the proposal and there is agreement that potential effects on paddle sports/whitewater recreation have been appropriately mitigated.

C.	The development and use of energy efficient design and technology should be encouraged within working, living and leisure environments.	Consistent The proposed Scheme is for the development of a new source of renewable electricity generation for supply to communities on the West Coast. This will assist with enabling increased security of supply and resilience within the communities and provide opportunities for less reliance on the use of non-renewable energy.
D.	The safe handling, management and disposal of hazardous substances in a manner which protects community well-being, road safety, and soil and water resources shall be encouraged.	Consistent All hazardous substances utilised on site will be handled and used in accordance with the relevant HASNO regulations.
E.	The effects of activities which can be seen as adversely affecting the overall environmental amenity of the District shall be avoided.	Consistent Whilst there will be some more than minor effects arising from the proposed activity these generally at the local scale. There is the potential for perceptual effects at a broader scale but this will depend on the individual. Having said that the Scheme is not considered inappropriate from a landscape perspective at this location and the landscape and feature (Morgan Gorge) will remain outstanding. Agreed mitigations have been put in place in regard to kayaking of the gorge to ensure opportunities are retained. It is not considered that the proposed activity will have an overall effect on environmental amenity of the District. Indeed the development of a renewable electricity resource assists to improve amenity through an increase in security of supply and an opportunity for less reliance on non-renewable energy sources.

And provides the following reasoning;

Reasons

The Plan takes a permissive approach to providing opportunities for a range of activities to locate within settlements, thus allowing flexibility and choice to residents, potential investors and business. A wide range of activities is also permitted within rural areas, compatible with traditional rural amenities. However, it is important that in taking this approach the amenities of residents and workers are protected. It is acknowledged however, that in some cases this may not be practicable, for example new electricity transmission lines may adversely affect amenities but overall may be desirable to enable the community to provide for their social and economic well-being.

Part 3.11 Water Resource and Part 4.11 Water Quality

As background to these issues the Plan advises, amongst other things, that:

..... The West Coast Regional Council has the primary water quality and quantity management role in Westland. The Regional Council is responsible for the maintenance and enhancement of water quality and quantity and can control discharges of contaminants into water. The District Council, as part of its function to control the effects of land use activities has a specific concern with the impact of land-based activities on water quality. The integration of Regional and District Council policies and rules is essential to achieving the effective and efficient management of water resources in Westland.

..... *Water quality can be compromised or impacted on by a variety of activities including those both land and water based. Examples include mining, forestry, industry, solid/liquid waste disposal, and agricultural discharges. While the effects of these activities may be localised and temporary, inadequate controls, maintenance and management of facilities and associated activities can result in adverse environmental impacts or cumulative effects going undetected. Appropriate separation distances are thus required (possibly in the form of esplanade reserves or strips) and management practices which avoid adverse effects on water quality should be encouraged.*

Assessment Commentary		
Objectives		
3.11.1	To control landuse and subdivision activities that may have adverse effects on the quality, instream values and availability of water resources and recognise the importance of water to the environment.	Consistent Consideration of the potential effects on the quality, instream values and availability of water resources has been a considerable component of expert review and assessment. The Scheme has been designed and laid out to provide for these matters and various agreements (kayaking), conditions and management plans are agreed or suggested to ensure potential effects are appropriately recognised and managed.
3.11.2	To avoid, remedy and/or mitigate the	Consistent

adverse effects of activities which utilise surface waters

As discussed in 3.11.1 above, the Scheme has been designed and laid out and a suite of conditions and management plans suggested ensuring that potential adverse effects are appropriately managed.

And at part 4.11, Water Quality, provides the relevant policies;

Policies

A.	Land based activities shall avoid, remedy or mitigate adverse effect on the water quality of rivers, lakes and streams.	<p>Consistent</p> <p>The Scheme has been through a process of iterative design and layout recognising the environment within which it is to be located. This has included assessment of the water quality values of the area and the potential effects arising from construction and operation of the Scheme. Appropriate matters have been factored into the project design and layout, and through the suite of suggested conditions and management plans to ensure potential effects on water quality are appropriately managed.</p>
B.	Developers and landowners shall be encouraged to establish buffer zones or riparian strips along the margins of water bodies adjacent to land use activities with potential to adversely affect water quality.	<p>Consistent</p> <p>By its nature the Scheme requires a location adjacent to or through riparian margins. Having said that the potential impacts of the Scheme have been the subject of considerable expert review to ensure that potential effects are appropriately managed. An example of this would be the “Stable Trib” where the values of the waterbody were recognised and provided for in the design of the access road a transmission line. This was to ensure that margins were retained and instream values were not compromised. Following construction areas not required for operational purposes, including within riparian margins will be rehabilitated.</p>
D.	To maintain and enhance significant indigenous vegetation on water margins.	<p>Consistent</p> <p>These matters have been discussed above under Part 3.10 and Part 4.8 Landscape – Policy D. The same matters arise in terms of water quality, including the preceding discussion with respect to Policies A and B.</p> <p>Whilst there are effects arising from the Scheme, as discussed in the AEE, it is considered that the Scheme is consistent with this policy. This includes Policy E below that seeks to control vegetation in margins. This would</p>

indicate that there are instances where it is appropriate to undertake works in a controlled manner. Given the needs of a renewable electricity generation Scheme such as that proposed it is considered that the activity is appropriate in this regard.

E.	To control the destruction and removal of significant indigenous vegetation on water margins.	Consistent
		These matters have been discussed above under Part 3.10 and Part 4.8 Landscape – Policy E. The same matters arise in terms of water quality, including the preceding discussion with respect to Policies A and B.

PARTS 3.13 AND PART 4.14 NATURAL HAZARDS

Assessment Commentary

Objectives

3.13.1	Rules for the avoidance and mitigation of natural hazards have been incorporated in the District Plan given that severe hazards pose a significant threat to the built resource and infrastructure of the District and people and communities.	Consistent
		Whilst not covered by a specific rule the dynamic nature of the environment has been a factor in the design and layout of the Scheme.

And at part 4.14, Natural Hazards, provides the relevant policy;

Policies

A.	Development and subdivision for the purposes of accommodating and/or servicing people and communities should avoid areas of known natural hazard risk unless the risk of damage to property and infrastructure, community disruption and injury and potential loss of life can be adequately mitigated.	Consistent
		Potential hazards have been recognised as part of the design and layout of the Scheme. The locational and operational requirements of the Scheme means that hazards need to be factored into the proposed development, i.e. flooding, stability, seismic. In terms of examples of recognition and provisions for these matters; the site, particularly at the Morgan Gorge is a very dynamic site in terms of flood flows and the Scheme is designed to cater for these events. The Power Station Site has been designed to cater for flooding from the river. A short-term drilling and geotechnical investigation programme is proposed to inform and strengthen design of the Scheme to

further manage the potential impacts from potential natural hazards. The location of the alpine fault in the vicinity has been recognised and provided for in design of the Scheme.

Part 3.5 Māori Perspective

Assessment Commentary		
Objectives		
3.5.2	To recognise and provide for the relationship, culture and traditions of tangata whenua with their ancestral lands, water, sites, waahi tapu and other taonga.	<p>Consistent</p> <p>Whilst there are no values identified in the WDP relating to these matters, the applicant has worked closely with Iwi, who are partners in the Scheme, to ensure outcomes are appropriate and that cultural values are recognised and provided for.</p>

Part 4.5 Heritage

Assessment Commentary		
Policies		
A.	Buildings, places and items of significant historic, cultural or scientific interest and their relationship with places in Westland District should be preserved and maintained.	<p>Consistent</p> <p>There are no known historic or archaeological sites impacted by the proposed Scheme.</p>
D.	The protection of waahi tapu, taonga and urupa within Westland District shall be encouraged.	<p>Consistent</p> <p>Whilst there are no values identified in the WDP relating to these matters, the applicant has worked closely with Iwi, who are partners to the Scheme, to ensure outcomes are appropriate and that cultural values are recognised and provided for.</p>

Part 4.12 Activities on the Surface of Lakes and Rivers

Assessment Commentary		
Policy		

<p>A. To ensure that activities being undertaken on the District's lakes and rivers occur in a manner which avoids, remedies or mitigates their effects on wildlife habitats, other natural conservation values and tangata whenua values.</p>	<p>Consistent</p> <p>The proposed activity includes components which are located on the surface of water (noting that Westpower has taken a conservative approach to the definition of "Activities on the surface of a River" and has included structures located on a riverbed within this definition).</p> <p>A range of expert assessments have been undertaken to identify values and potential effects associated with these activities and to ensure those effects are appropriately managed. These matters are discussed in more detail in the AEE.</p>
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PROPOSED TE TAI O POUTINI PLAN (“PTTPP”)

The pTTPP has completed the hearing stage with many provisions being the subject of submissions (i.e. support, opposition or amendment). In some instances new provisions are also sought through submissions which could impact the interpretation of these currently proposed provisions.

There have been no recommendations issued by the hearing panel and accordingly no decisions on submissions made at this stage. Given the range of submissions on many of these matters, less weight has been given to consideration of these provisions within this pTTPP assessment.

In considering the provisions of the pTTPP it is noted that the operative West Coast Regional Policy Statement contains the most recent RMA objectives and policies for the West Coast. Given the pTTPP is some way off being made operative, it is considered that significantly more weight should be given to RPS provisions than any pTTPP provisions regarding the same resource management matters.

Having said that there are certain PTTPP rules in effect from the date of notification, these being;

- > Historic Heritage;
- > Sites and Areas of Significance to Māori;
- > Ecosystems and Indigenous Biodiversity;
- > Natural Character and Margins of Waterways; and
- > Activities on the Surface of Water.

In relation to objectives and policies for Historic Heritage, there are no heritage items or areas, notable trees, archaeological areas or sites of significance to Māori shown on the plan maps. To this extent, these matters are not considered further.

In relation to objectives and policies for Sites and Areas of Significance to Māori, the only relevant matter is the Pounamu Management Area which extends over the site, however there are no proposals to extract pounamu as part of the proposed activity and accidental pounamu discovery protocols will be adhered to for any riverbed gravel extraction activities. To this extent, these matters are not considered further.

For the remainder of matters listed above, this assessment places the provisions related to these first, while only providing a brief consideration of other provisions (i.e. where rules are not currently in effect or are not relevant to “Energy Activities”).

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

Assessment Commentary

Ecosystems and Indigenous Biodiversity Objectives

General Comment: With respect to the stage of the plan development process, i.e. post-hearing and pre-recommendations and decisions, it should be noted that;

- > Objectives ECO-O1 - ECO-O4 are all subject to a range of submissions (support, oppose, amend); and
- > Policies ECO-P1 – ECO-P10 are also all subject to a range of submissions ((support, oppose, amend).

ECO-O1	To identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna on the West Coast/Te Tai o Poutini.	<p>Partially consistent</p> <p>This objective is, in the main, an outcome sought through the plan process as administered by the Councils. Having said that, the RPS includes provision for identification through the consent process. A discussion of these matters is provided above in terms of the provisions of the RPS above; see RPS Chapter 7, Objectives 1 and 2.</p> <p>Accordingly, it is considered that the proposal is;</p> <ul style="list-style-type: none"> > Consistent in terms of identifying significant indigenous vegetation and significant habitats of indigenous fauna, and > Partially consistent in terms of protection with this objective.
ECO-O2	To provide for appropriate subdivision, use and development within areas of significant indigenous vegetation and significant habitats of indigenous fauna where the values of the area can be maintained or enhanced.	<p>Consistent</p> <p>This objective differs in wording to the RPS. While appropriateness is not defined it is considered that the proposed scheme, as RSI, is an appropriate activity with respect to the RPS which seeks to enable the development of RSI which recognising the location, technical and operational requirements of RSI, including within these areas (see RPS Chapter 6, Objective 1 and Policies 1-3 and 5-6).</p> <p>While there will be some loss of vegetation and associated habitat potential adverse effects are being managed to ensure effects are no more than minor. The areas will not lose their significance status and proposed</p>

		<p>ecosystem programme compensation will assist to enhance values in some areas.</p> <p>The proposal is generally consistent with this objective.</p>
ECO-03	<p>To provide for tino rangatiratanga in relation to management of areas of significant indigenous vegetation and significant habitats of indigenous fauna where these are located on Poutini Ngāi Tahu and Te Rūnanga o Ngāi Tahu land.</p>	<p>Consistent</p> <p>As discussed elsewhere the applicant is working in partnership with Iwi in developing the proposed scheme. This has included sharing information regarding the values of, and potential impacts on, the area. See also discussion above regarding RPS Chapter 3 Objectives 1-2 and Policies 1-3.</p>
ECO-04	<p>To maintain the range and diversity of ecosystems and indigenous species found on the West Coast/Te Tai o Poutini.</p>	<p>Consistent</p> <p>The proposal is for a discrete site on the Waitaha River and has been the subject of considerable investigation of environmental values to ensure that potential effects are appropriately managed. The proposal will not reduce the range or diversity of ecosystems and indigenous species found across the region. In fact the proposed ecosystem programme compensation may assist in supporting some of these matters.</p>
<i>Ecosystems and Indigenous Biodiversity Policies</i>		
ECO-P1	<p>Identify areas of significant indigenous vegetation and fauna habitat:</p> <ol style="list-style-type: none"> 1. In the Grey District these areas are identified in Schedule Four; 2. In the Buller and Westland Districts: <ol style="list-style-type: none"> i. The criteria set out in Appendix 1 of the West Coast Regional Policy Statement will be used to assess significance; ii. Areas of significant indigenous vegetation and fauna habitat will be identified through the resource consent process until such time as district wide 	<p>Consistent</p> <p>Clauses 2(i) and (ii) are relevant to this application.</p> <p>Identification of areas of significance has been undertaken utilising the criteria set out in Appendix 1 of the RPS and it is apparent that there are significance values present as set out in the expert reports accompanying the application. This has formed that basis for assessment and management of potential effects, including proposed ecosystem programme compensation.</p>

identification and mapping of significant natural areas is undertaken;

- iii. Buller and Westland district wide assessment, identification and mapping of significant natural areas will be undertaken and completed by June 2027; and
- iv. Identified areas of significant indigenous vegetation and fauna habitat will be added to Schedule Four through a Plan Change.

ECO-P2	<p>Allow activities within areas of significant indigenous vegetation or significant habitats of indigenous fauna where:</p> <ul style="list-style-type: none"> a. This is for a lawfully established activity; or b. It is for a Poutini Ngāi Tahu cultural purpose; or c. This is undertaken on Poutini Ngāi Tahu or Te Rūnanga o Ngāi Tahu land in accordance with an Iwi/Papatipu Rūnanga Management Plan; or d. The activity has a functional need to be located in the area; e. The activity has no more than minor adverse effects on the significant indigenous vegetation or fauna habitat. 	<p>Clauses d. and e. are relevant to this application.</p> <p>The proposed scheme has a functional need to locate in the area. These matters are further discussed above with respect to the RPS - Chapter 6 RSI, Policies 3 and 5-6. To ensure outcomes are appropriate in terms of the environmental values proposed ecosystem programme compensation is intended.</p> <p>The proposal is not a permitted activity, rather requiring consent to establish and operate. A suite of proposed conditions and management plans and compensation is proposed to ensure the activity is consistent with this policy.</p>
ECO-P3	<p>Encourage the protection, enhancement and restoration of significant indigenous biodiversity by:</p> <ul style="list-style-type: none"> a. Allowing additional subdivision rights if an area of significant indigenous vegetation or 	<p>Consistent</p> <p>The application contains a suite of suggested conditions and management plans to ensure that effects of significant indigenous biodiversity are appropriately managed. This includes rehabilitation of areas disturbed</p>

	<p>significant habitat of indigenous fauna within the same property is legally protected as part of the subdivision;</p> <p>b. Promoting the creation of connections and ecological corridors between areas of significant indigenous biodiversity;</p> <p>c. Promoting the use of eco-sourced species from the relevant ecological district;</p> <p>d. Supporting opportunities for Poutini Ngāi Tahu to exercise their cultural rights and responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity; and</p> <p>e. Supporting initiatives by landowners, community groups and others to protect, restore and maintain areas of significant indigenous biodiversity.</p>	<p>during construction and not required for operation. Rehabilitation is included within the proposed management plans to ensure appropriate species are sourced and used for these purposes.</p> <p>Further, as discussed above, ecosystem programme compensation is proposed that will assist with maintenance of indigenous biodiversity at a broader scale.</p>
ECO-P4	<i>Provide for eco-tourism activities that ...</i>	
ECO-P5	<i>Enable the use of Māori Purpose Zoned land ...</i>	
ECO-P6	<p>When assessing consents for subdivision, use and development, avoid activities which will:</p> <p>a. Prevent an indigenous species or community being able to persist in their habitats within their natural range in the Ecological District;</p> <p>b. Result in a degradation of the threat status, further measurable loss of indigenous cover or disruption to ecological processes, functions or connections in land environments</p>	<p>Consistent</p> <p>These matters are discussed above under RPS – Chapter 7, Policy 2. Those matters are relevant to this policy where the outcomes are assessed as being consistent with the RPS.</p>

in category one or two of the Threatened Environment Classification at the Ecological District level; and

- c. Result in a reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Categories 1 – 3a -nationally critical, nationally endangered and nationally vulnerable.

ECO-P7	<p>When assessing resource consents in areas of significant indigenous vegetation and significant habitats of indigenous fauna, consider the following matters:</p> <ul style="list-style-type: none"> a. The necessity for the activity to provide for critical infrastructure or renewable electricity generation; b. Whether formal protection and active management of all or part of any area of significant indigenous vegetation or habitat will occur as part of the subdivision, use or development; c. The extent to which the proposed activity recognises and provides for Poutini Ngāi Tahu cultural and spiritual values, rights and interests; d. The cumulative effects of activities within or adjacent to any area of significant indigenous vegetation or habitat; e. The effects the activity may have on the introduction or spread of exotic weed species and pest animals both terrestrial and aquatic; f. The impacts on mahinga kai; g. The impact of the activity on the 	<p>Consistent</p> <p>The proposed activity is both critical infrastructure and renewable electricity generation in terms of the provisions of the pTTPP.</p> <p>A full suite of expert assessments has been undertaken to identify values and consider potential effects on those values. The design and layout of the scheme has developed to recognise these matters and a suite of suggest conditions and management plans (including weed and pest management) are proposed to ensure effects are appropriately managed.</p> <p>Further ecosystem programme compensation is proposed that will assist with maintenance of indigenous biodiversity at a broader scale.</p> <p>As discussed elsewhere the scheme is being developed in partnership with Iwi, who have been informed through the development of the application as to research into the values of the area, potential effects and proposed management mechanisms.</p>
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values of any area of significant indigenous vegetation or habitat, or threatened species and how any potential impact could be avoided, remedied or mitigated; and

- h. The appropriateness of any biodiversity offsetting or compensation in accordance with Policy 9 to offset any residual adverse effects that remain after avoiding, remedying and mitigating measures have been applied.

ECO-P8	<p>Maintain indigenous habitats and ecosystems across the West Coast/Te Tai o Poutini by:</p> <ul style="list-style-type: none"> a. Maintaining, and where appropriate enhancing or restoring the functioning of ecological corridors, linkages, dunes and indigenous coastal vegetation and wetlands; b. Minimising adverse effects on, and providing access to, areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu; c. Restricting the modification or disturbance of coastal indigenous vegetation, dunes, estuaries and wetlands; d. Preserving protected wildlife; and e. Recognising the benefits of active management of indigenous biodiversity, including voluntary animal and plant pest and stock control and/or formal legal protection. 	<p>Consistent</p> <p>The matters arising in this policy have been a consideration in designing the scheme, including proposed effects management. These matters are discussed above in terms of the RPS - Chapter 7, Policies 2-3 and 6-8 which are relevant to this policy.</p>
ECO-P9	<p>Provide for biodiversity offsets and compensation to manage residual adverse effects of an activity where:</p> <ul style="list-style-type: none"> a. The goal of the biodiversity offsets 	<p>Consistent</p> <p>The matters arising in this policy have been a consideration in designing the scheme, including proposed effects management. These matters are</p>

is no net loss and, preferably, a net gain of biodiversity; discussed above in terms of the RPS - Chapter 7, Policies 4-5 which are relevant to this policy.

- b. The conservation outcomes are measurable and positive; and
- c. The biodiversity offsets or compensation are in accordance with best practice, including but not limited to NZ Government guidance on biodiversity offsetting.

ECO-P10 *Protect indigenous biodiversity in the coastal environment ...*

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

Assessment Commentary

Natural Character and the Margins of Waterbodies Objectives

General Comment: With respect to the stage of the plan development process, i.e. post hearing and pre-recommendations and decisions, it should be noted that;

- > Objectives NC-O1 and NC-O3 are subject to a range of submissions (support, oppose, amend);
- > Objective NC-O2 is generally supported; and
- > Policies NC-P1 - NC-P5 are all subject to a range of submissions (support, oppose, amend).

NC-O1	To preserve the natural character of lakes, rivers and wetlands and their margins while providing for appropriate subdivision, use and development where adverse effects can be avoided or mitigated.	<p>Partially consistent</p> <p>The plan seeks to manage the margins of the river and wetlands to ensure that only appropriate use and development is provided for subject to adverse effects are avoided or mitigated. Small wetlands have been identified in the vicinity of the access road and transmission line however the identification of these has ensure all proposed works occur outside the margins of those areas. Effects on the natural character of the river have been the subject of expert landscape assessment. Considerable amendments have been made over time to reduce landscape and visual</p>
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		<p>impacts from the scheme but the structures will be present in the landscape, and for functional and operational reasons activities must occur within the margin of the river for the purpose of renewable hydro electricity generation. On the basis of the introduction of scheme elements the assessment concludes that there will be more than minor effects, particularly at the intake site. Ultimately the landscape assessment concludes that the proposal is not an inappropriate activity in the setting.</p> <p>Whilst there will not be total preservation of the margin of the river and not all effects can be avoided or mitigated it is considered that the introduction of a renewable hydro electricity generation scheme is an appropriate activity and is partially consistent with this objective.</p>
NC-O2	To recognise and provide for the relationship of Poutini Ngāi Tahu and their traditions, values and interests associated with the natural character of lakes, rivers and wetlands and their margins.	<p>Consistent</p> <p>As discussed above, Iwi are a partner to the proposed scheme and have been kept informed of the proposed design and layout, assessment of values in the area, and proposed management of effects.</p>
NC-O3	To provide for activities which have a functional need to locate in the margins of lakes, rivers and wetlands in such a way that the impacts on natural character are minimised.	<p>Consistent</p> <p>These matters are generally canvassed in the discussion regarding O1 above.</p> <p>The scheme has a functional and operational need to locate in the margins of the river.</p> <p>The location, design and layout of the scheme has been an iterative process resulting in a range of amendments to reduce effects on the landscape and character of the area. This is carried through to a range of conditions and management plans, including rehabilitation of areas not required for operational reasons.</p> <p>Ultimately the landscape assessment concludes that there will be more than minor effects from the introduction of structures, however the proposal is not inappropriate to the setting within which it is located.</p>
<i>Natural Character and the Margins of Waterbodies Policies</i>		

NC-P1	Minimise the adverse effects of activities on the natural character of the riparian margins of lakes, rivers and wetlands by ensuring that subdivision and land use maintains the elements, patterns and processes that contribute to their natural character.	<p>Consistent</p> <p>The landscape assessment concludes that the area is an outstanding landscape and the Morgan Gorge an outstanding natural feature. Whilst there will be more than minor effects from the introduction of the scheme elements, particularly at the intake, the area remains an outstanding landscape and the gorge an outstanding natural feature. In conclusion the report concludes that the scheme is appropriate with respect to natural character.</p>
NC-P2	<p>Provide for indigenous vegetation removal and earthworks within riparian margins of lakes, rivers and wetlands where significant adverse effects on natural character are minimised as far as practicable and:</p> <ol style="list-style-type: none"> It is for the purpose of natural hazard mitigation; or It is for the maintenance, repair, upgrade and extension of network utilities and infrastructure including the national grid; or It is for the establishment, operation, maintenance or upgrading of renewable electricity generation structures or infrastructure where this has a functional or operational need to be located in a riparian margin; or It is for Poutini Ngāi Tahu cultural purposes; or It is for the repair and maintenance of legally established structures; or The activity has a functional or operational need to be located adjoining a waterbody. 	<p>Consistent</p> <p>The scheme includes works to mitigate potential hazards from waterways, and is ultimately intended for the establishment and operation of a renewable hydro electricity generation structures and infrastructure which have both a functional and operation need to locate within the margins and adjoining the Waitaha River. As discussed elsewhere adverse effects have been minimised as far as is practicable through the design and layout of the scheme, suggested conditions and a range of management plans (including rehabilitation of areas not required for operation).</p> <p>The landscape reports concludes, following all proposed design and layout amendments and proposed mitigations, that ultimately there will be more than minor effects from the introduction of the structures but the scheme remains appropriate with respect to natural character.</p>
NC-P3	Provide for buildings and structures within riparian margins of lakes, rivers and wetlands where these:	<p>Partially consistent</p> <p>As discussed above the scheme does have, given its nature, a functional and operation need to located</p>

	<ul style="list-style-type: none"> a. Have a functional need for their location; and b. They are of a form and scale that will not adversely effect the natural character of the riparian area. 	<p>activities within the margin of rivers. There will be effects that are more than minor following management of effects. However, ultimately, the scheme is appropriate with respect to natural character and the area does not lose its status as an outstanding landscape and the gorge retains its outstanding natural feature values.</p>
NC-P4	Encourage the restoration and enhancement of the natural character of the riparian margins of lakes, rivers and wetlands.	<p>Consistent</p> <p>Rehabilitation is proposed for areas disturbed through construction activities and not required for operation of the scheme. Conditions and management plans will ensure this is achieved.</p>
NC-P5	<p>Reduction in public access to waterbodies can be considered when natural hazard mitigation works are required to protect communities from a significant natural hazard threat. When assessing proposals for natural hazard structures, effects on public access should be considered and ways to minimise them found, including:</p> <ul style="list-style-type: none"> a. Provision of alternate certain and enduring access; and b. Provision of public amenity or opportunity for environmental benefit along the structure, provided that the physical integrity of the structure is maintained. 	<p>Consistent</p> <p>Whilst there will be certain restrictions related to scheme infrastructure to ensure public safety the construction and operation of the scheme will not prevent public access to waterbodies. Alternative walking track access is proposed on the true right of the river to enable users to by-pass the power station site and the applicant has reached agreement with Whitewater NZ to maintain an opportunity to kayak the Morgan Gorge.</p>

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

The overview to this Chapter of the pTTPP notes that a range of activities occur on the surface of water, including those with a functional need to locate on the surface, however there are no provisions relating to these activities other than in relation to commercial activities. This gap has already been recognised through the process with a variation to the pTTPP to recognise and provide for ports activities. The proposed scheme is not a “commercial activity” in terms of the definitions in the pTTPP. It is defined in a number of ways, including as an “Energy Activity”, “Critical Infrastructure” and “Infrastructure” amongst others.

Assessment Commentary

Activities on the Surface of Water Objective

General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;

- > Objectives ASW-O1 is subject to a range of submissions (support or amend);
- > Policies ASW-P1 - ASW-P2 are generally supported through submissions; and
- > Policy ASW-P3 is subject to a range of submissions (support or amend).

ASW-O1	The ecological, recreational, natural character, amenity and Poutini Ngāi Tahu values of the District's rivers, lakes and lagoons are protected from the adverse effects of activities and structures on the surface of water.	<p>Partially consistent</p> <p>The pTTPP does not set outcomes with respect to "Energy Activities", "Critical Infrastructure" or "Infrastructure" which have functional or operational needs to locate on the surface of water</p> <p>Based on the expert reports and assessment of effects the potential effects on ecological, natural character and cultural values it is considered that potential effects of the scheme are appropriately managed. This is through the design and layout of the scheme, and a suite of suggested conditions and management plans. It is also noted that Iwi are a partner to the proposed scheme and Westpower have worked closely with them to ensure relevant matters are recognised and provided for</p> <p>Having said that it is noted that local effects on recreational values are assessed as significant. These matters relate to both perceptual effects of the scheme being located on the river and an actual effect on kayaking opportunities at the Morgan Gorge.</p> <p>With regard to perceptual effects there is considerable overlap with the assessment of landscape values and effects which has concluded that whilst effects are more than minor on natural character at the local level the scheme is not an inappropriate use in the setting.</p> <p>With respect to kayaking the Morgan Gorge an agreement has been reached with Whitewater NZ which ensures an opportunity remains. The recreation report concludes that</p>
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these effects have been mitigated.

The proposal is partially consistent with this objective.

Activities on the Surface of Water Policies

ASW-P3	Provide for commercial activities and structures on the surface of West Coast/Te Tai o Poutini rivers, lakes and lagoons provided that the activity does not create:	Partially consistent
	a. Adverse effects on	The proposed activity is not a “commercial activity” in terms of the definitions in the pTTPP. It is defined in a number of ways, including as an “Energy Activity”, “Critical Infrastructure” and “Infrastructure” amongst others.
	i. Significant natural heritage values including identified scheduled sites;	This policy therefore provides little consideration of activities such as the scheme which has a functional and operational need to locate certain components on the surface.
	ii. Cultural and spiritual values including sites and areas of significance to Māori;	Where these matters to be considered the issues are discussed above under O1. Based on that discussion.
	iii. Poutini Ngāi Tahu values and in particular as relate to culturally significant rivers and lakes;	The only outstanding matter relates to P3.c. relating to cumulative effects of structures and activities on the surface of water. With regard to this issues there are no other structures or activities on the surface of water other than potential kayaking of the Morgan Gorge which has been discussed and considered above.
	b. Significant adverse effects on	The proposal is consistent with P3.a.
	i. Amenity values;	The proposal is partially consistent with P3.b.
	ii. Ecological values;	The proposal is consistent with P3.c.
	iii. Natural character;	
	iv. Other recreational uses; and	
	c. Cumulative adverse effects with any other structures or activities on the surface of waterbodies.	

Provisions Related to Rules Not In Effect or Not Relevant to “Energy Activities”

Strategic Directions

For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.

[**Note:** This paragraph is also subject to a range of submissions which can potentially impact how these matters are interpreted throughout the pTTPP]

Connections and Resilience - Ngā Hononga me te Manawa Titi

Assessment Commentary

General Comment: With respect to the stage of the plan development process, i.e. post hearing and pre-recommendations and decisions, it should be noted that;

- > Objectives CR-O1 - CR-O4 are subject to a range of submissions (support or amend);
- > Objectives NENV-O1 - NENV-O4 are subject to a range of submissions (support, oppose, amend);
- > Objectives POU-O1 - POU-O2 and Policies POU-P3 - POU-P6 and POU-P9 - POU-P10 are subject to a range of submissions (support or amend); and
- > Objectives POU-O3 - POU-O4 and Policies POU-P1 - POU-P2 and POU-P7 - POU-P8 are generally supported.

CR-O1	To build greater resilience in West Coast communities and infrastructure, recognising the effects of climate change and the need to adapt to the changes associated with those effects.	Consistent For reasons outlined in the application the proposed scheme achieves this objective.
CR-O2	To enable and protect the continued function and resilience of critical infrastructure and connections and facilitate their quick recovery from adverse events.	Consistent The scheme seeks to increase resilience and assist with recovery.
CR-O3	To ensure that new locations for critical infrastructure and connections take account of the hazardscape and where practicable are built away from natural hazards.	Consistent Given the functional and operation requirements of the scheme it is impractical to avoid all natural hazards. A key component of the design and layout of the scheme has been recognition of the dynamic environment, including natural hazards, within which it is to be located. This includes the proximity to seismic hazards, including the alpine fault.
CR-O4	To enable the development of greater infrastructure self-sufficiency and backup of critical infrastructure on the	Consistent For reasons outlined in the application the proposed

Natural Environment - Te Taiao

Assessment Commentary		
NENV-01	To recognise and protect the natural character, landscapes and features, ecosystems and indigenous biodiversity that contribute to the West Coast's character and identify and Poutini Ngāi Tahu's cultural and spiritual values.	<p>Consistent</p> <p>There will be localised effects on these matters. More than minor localised effects arise in terms of outstanding landscapes/features and character, however the area, and Morgan Gorge will remain outstanding with the scheme in place and the proposal is not inappropriate in the setting.</p> <p>The applicant has been working in close partnership with Iwi to ensure values are appropriately identified and provided for.</p> <p>Importantly the character and identity of the West coast and cultural and spiritual values important to Iwi will remain.</p>
NENV-02	To ensure that the rights, interests and values of Poutini Ngai Tahu to natural environment areas and features are protected and provided for and that the ability to exercise kaitiakitanga and tino rangatiratanga is maintained and enhanced.	<p>Consistent</p> <p>As discussed throughout the application and assessment of provisions the applicant has been working in close partnership with Iwi to ensure values are appropriately identified and provided for.</p>
NENV-03	<p>To recognise:</p> <ol style="list-style-type: none"> The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land in protecting significant areas, habitats and features; The need for infrastructure to sometimes be located in significant areas; and The need to support the ethic of stewardship and to consider the positive effects of the conservation 	<p>Consistent</p> <p>The natural values of the area within which the scheme is proposed has been a significant component in the design and layout of the scheme, including its location. Assessment of these values has also been an integral component in the development of a suite of suggested conditions and management plans to ensure significant and outstanding areas area appropriately managed.</p> <p>The functional and operational needs of the scheme require the location within a significant area. Noting that the location is the result of considering a range of options in terms of location within the region and along the Waitaha</p>

estate in achieving the requirements of the RMA.

River.

NENV-04	To clearly identify:	Consistent
	a. Unique and important natural environment areas and features on the West Coast/Te Tai o Poutini which must be protected; and	No identification of areas or landscapes has been undertaken to date in the Westland District, despite the WDP indicating such processes would occur. Processes are indicated in the pTTPP and maps of outstanding landscapes and natural features have been proposed. All of these matters are subject to submissions (support, opposition, amend).
	b. Areas where subdivision, use and development to enable community economic, cultural and social wellbeing can be sustainably managed.	The applicant has undertaken its own expert assessments of values, and potential effects on these values. This has informed the design and layout of the scheme and the suite of suggested conditions and management plans to ensure that the activity site appropriately within the environment in which it is situated.

Poutini Ngāi Tahu

Assessment Commentary		
<i>Poutini Ngāi Tahu Strategic Objectives</i>		
POU-01	To enable the occupation, development and use of Poutini Ngāi Tahu land in accordance with tikanga and for the benefit of Poutini Ngāi Tahu.	Consistent As discussed throughout the application and assessment of provisions the applicant has been working in close partnership with Iwi to ensure values are appropriately identified and provided for. As partners to the scheme the proposal assists the outcome sought.
POU-02	To include Te Tai Poutini wide provisions to support Poutini Ngāi Tahu exercise of cultural rights and interests including: <ul style="list-style-type: none"> a. Establishment of papakāinga; b. Access to mahinga kai and cultural materials; c. Management of Pounamu and 	Consistent This is a matter for plan development and is provided for in various proposed plan provisions. The proposed scheme does not impact these outcomes and, as discussed above, assists with some of these matters.

Aotea stone; and

- d. Management of taonga and wāhi tapu.

POU-P3	To support Poutini Ngāi Tahu to identify cultural landscapes and sites and areas of significance and provide for their management in ways that preserve the cultural relationships Poutini Ngāi Tahu have with these landscapes, sites and areas.	Consistent Proposed sites have been identified through the plan process and have been the subject to a range of submissions. There are no sites located within the area subject to the proposed scheme.
POU-P4	To support Poutini Ngāi Tahu in their exercise of kaitiakitanga and recognise their special relationship with te taiao, Poutini Ngāi Tahu taonga and wāhi tapu through resource management process and decisions.	Consistent As discussed throughout the application and assessment of provisions the applicant has been working in close partnership with Iwi to ensure values are appropriately identified and provided for. As partners to the scheme the proposal assists the outcome sought.
<i>Poutini Ngāi Tahu Strategic Policies</i>		
POU-P3	Support the identification of Poutini Ngāi Tahu Cultural Landscapes and provide for their protection through the use of overlays and Plan provisions.	Consistent Proposed sites have been identified through the plan process and have been the subject to a range of submissions. There are no sites located within the area subject to the proposed scheme.
POU-P5	Poutini Ngāi Tahu should be able to freely access mahinga kai sites and cultural materials in accordance with tikanga and to support community wellbeing.	Consistent As discussed throughout the application and assessment of provisions the applicant has been working in close partnership with Iwi to ensure values are appropriately identified and provided for. As partners to the scheme the proposal assists the implementation of this policy.
POU-P7	Provide for active participation by Poutini Ngāi Tahu in the sustainable management of West Coast/Te Tai o Poutini resources.	Consistent This is a matter for plan development and council processes. As discussed throughout the application and assessment of provisions the applicant has been working in close partnership with Iwi to ensure values are appropriately identified and provided for. As partners to the

scheme the proposal assists the implementation of this policy.

POU-P8	Recognise the role of Poutini Ngāi Tahu as kaitiaki and provide for them to exercise kaitiakitanga through the resource management process.	<p>Consistent</p> <p>This is a matter for plan development and council processes. As discussed throughout the application and assessment of provisions the applicant has been working in close partnership with Iwi to ensure values are appropriately identified and provided for. As partners to the scheme the proposal assists the implementation of this policy.</p>
POU-P9	Recognise Poutini Ngāi Tahu as specialists in tikanga and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga.	<p>Consistent</p> <p>This is a matter for plan development and council processes. As discussed throughout the application and assessment of provisions the applicant has been working in close partnership with Iwi to ensure values are appropriately identified and provided for. As partners to the scheme the proposal assists the implementation of this policy.</p>
POU-P10	Protect Poutini Ngāi Tahu taonga and cultural sites, including sites and areas of significance to Māori identified in Schedule Three while ensuring Poutini Ngāi Tahu's key role in decision making around their management.	<p>Consistent</p> <p>Proposed sites have been identified through the plan process and have been the subject to a range of submissions. There are no sites located within the area subject to the proposed scheme.</p>

Energy - Te Pūngao

The activities related to the Waitaha Project are defined under a range of terms in the plan, i.e. “critical infrastructure”, “energy activities”, “infrastructure” et al. “Regionally Significant Infrastructure” is not a defined term used in the plan although is now being considered through the hearing process as a replacement term for “critical infrastructure”.

There are two chapters in the plan, i.e. “Energy” and “Infrastructure”. The activities of Westpower are defined as both but are intended to be dealt with through the “Energy Chapter”.

To ensure this, the plan advises that “The Energy Chapter contains the objectives, policies, rules for managing energy activities - the Infrastructure Chapter rules and the Area Specific Provisions (Zone

chapters) do not apply to energy activities, however the Overlay chapters and other District Wide rules also apply where relevant.”

There may be some ambiguity arising from the wording referring to rules in the infrastructure chapter. To address this, the Infrastructure chapter objectives and policies are not included here. In this respect, it should be noted that, because they do differ from the Energy provisions, if applied, they may have different outcomes.

Assessment Commentary	
<i>Energy Objectives</i>	
<p>General Comment: With respect to the stage of the plan development process, i.e. post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objectives ENG-O1 and ENG-O4 are subject to a range of submissions (support or amend); > Objectives ENG-O2 and ENG-O3 are subject to a range of submissions (support, oppose, amend); > Policies ENG-P1 - ENG-P2 and ENG -P5 - ENG -P9 are subject to a range of submissions (support or amend); and > Policies ENG-P3 - ENG-P4 are subject to a range of submissions (support, oppose, amend). 	

ENG-01	To recognise the local and regional benefits of electricity transmission, distribution and renewable electricity generation activities, for their development, operation, maintenance and upgrading to meet the needs of Te Tai o Poutini/the West Coast.	<p>Consistent</p> <p>The benefits of the proposed scheme in regard to these matters are provided within the application. They are also discussed above in terms of the RPS,</p> <ul style="list-style-type: none"> > Chapter 4, Objectives 1-3, Policies 1-2 > Chapter 5, Objective 1, Policy 1 > Chapter 6, Objective1 and Policies 1-2
ENG-02	To recognise the functional and operational needs associated with the location and design of energy activities, and to minimise adverse effects of these activities on communities and the environment.	<p>Consistent</p> <p>The proposed scheme has a functional and operational need to locate adjacent to, and within the Waitaha River. The location, design and layout has been carefully considered and developed through an iterative process. The values of, and potential effects on, the area have been subject to</p>

		specific assessment to ensure effects a managed and the scheme appropriately sits in the environment within which proposed.
ENG-03	To provide for the development, operation, maintenance and upgrade of energy activities and to protect them from the adverse effects of incompatible subdivision and development.	<p>Consistent</p> <p>The plan seeks to provide for renewable electricity activities such as the scheme proposed.</p>
Energy Policies		
ENG-P1	Provide for the development, operation, maintenance and upgrading of existing and new electricity transmission, distribution and renewable generation infrastructure and assets.	<p>Consistent</p> <p>The proposal is an activity sought to be provided for under this policy.</p>
ENG-P2	<p>When considering proposals to develop and operate new and existing energy activities have particular regard to the benefits to be obtained from the proposal, including;</p> <p>a. Maintaining or increasing security of renewable electricity supply by diversifying the type and/or location of electricity generation;</p> <p>b. Maintaining or increasing renewable electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;</p> <p>c. Economic, social, environmental or cultural wellbeing;</p> <p>d. The contribution the proposal will have towards New Zealand meeting its renewable electricity generation targets;</p> <p>e. Effective transmission and distribution of electricity supply;</p>	<p>Highly consistent</p> <p>There are a range of benefits arising from the proposed scheme, including;</p> <ul style="list-style-type: none"> > The scheme will increase security of supply. > The scheme is a new hydro generation asset for the West Coast > The scheme is in renewable generation asset in a different location, ie assisting with diversity of location. > The scheme will increase generation of renewable electricity on the West Coast and enable opportunities for a reduction in use of non-renewable energy sources. > The scheme will contribute to economic, social, environmental and cultural well-being, and assist with resilience of the community. > The scheme contributes toward the national renewable electricity generation targets. > New lines will be required to carry the renewable electricity generated to the distribution network,

	<p>f. Facilitation and use of renewable energy;</p> <p>g. Security of electricity supply; and</p> <p>h. Meeting New Zealand/Aotearoa me Te Waipounamu's climate change obligations.</p>	<p>thereby assisting the efficient and effective operation of the Westpower network on the West Coast.</p> <p>> The scheme will facilitate the use of renewable electricity through development of a new source of such energy.</p> <p>> The scheme assists with meeting the nation's climate change obligations.</p>
ENG-P4	<p>Minimise adverse effects on communities and the environment from energy activities by:</p> <p>a. Having regard to the values associated with areas identified as having significant environmental values, urban amenity, areas of high recreational value, outstanding and high natural character areas, outstanding landscapes and features, Poutini Ngāi Tahu and heritage sites, and significant natural areas;</p> <p>b. Implementing industry best management practices around electrical safe distances;</p> <p>c. Maintaining ongoing access to grid and distribution elements and structures for maintenance and upgrading works; and</p> <p>d. Avoiding exposure to health and safety risks.</p>	<p>Partially consistent</p> <p>As discussed above the assessment of environmental values and potential effects has been an integral component in the design and layout of the scheme, including the suite of suggested conditions and management plans.</p> <p>More than minor effects have been identified in terms of landscape matters, as discussed above. However, the area will retain its outstanding status with the Scheme in place. Ultimately the landscape report concludes that the proposed scheme is appropriate in this location.</p> <p>While there are Natural Open Space Zones and Open Space Zones in the pTTPP that apply to parts of the proposed Scheme, upstream of Macgregor Creek, there are no identified areas of high recreational value in the pTTPP. Significant effects on recreational kayaking opportunities have been identified in the recreation report, however, with agreement being reached between Whitewater NZ and Westpower, these effects are fully addressed. No other effects on recreational opportunities identified are of any particular concern.</p> <p>Residual recreation effects are limited to local scale impacts on the backcountry remote experience. These experiential and/or perceptual effects are also considered as part of the landscape report's assessment which is considered most appropriate. Local adverse landscape, natural character and visual amenity effects were considered more than minor, but on a broad scale, were considered minor at most. Overall, notwithstanding some more than minor effects, the Landscape Report considers the Scheme is appropriate and, importantly, the landscape</p>

retains its outstanding natural values and the Morgan Gorge will still be a significant natural feature when the Scheme is in operation.

Potential effects on health and safety of other recreational users of the area have also been a key consideration that is provided for through the design of the scheme and suggested conditions and management measures. Despite these measures, which minimise any health and safety risk, there will always be some level of residual risk to people associated with unavoidable changes to river flows caused by the Scheme. It is not possible to avoid all risks.

At worst, the proposal is considered partially consistent with this Policy.

ENG-P5	<p>When considering proposals to develop, operate, maintain and upgrade new and existing energy activities:</p> <ul style="list-style-type: none"> a. Recognise their functional constraints and operational requirements; and b. Where new transmission infrastructure and major upgrades to transmission infrastructure are proposed have regard to the extent to which any adverse effects have been minimised in the route, site and method selection. 	<p>Consistent</p> <p>The functional and operational needs of the scheme have been an integral component in its design and layout. The scheme requires a location close to, and elements within, the river to generate renewable electricity.</p> <p>Consideration of the effects of development of new scheme infrastructure has included connection from the scheme to the existing Westpower distribution network. The route chosen has been to avoid crossing the Waitaha River, and minimise the need for vegetation clearance by co-locating scheme access and transmission corridors above Macgregor Creek to the greatest degree practicable. This includes traversing from the power station to developed farmland and then to the developed road corridor for connection with, and upgrade of, the network.</p>
ENG-P6	<p>Provide for the development, upgrading, maintenance and operation of:</p> <ul style="list-style-type: none"> a. A range of small, community and large scale renewable electricity generation activities; and b. Activities that seek to investigate, identify and/or assess potential sites and energy sources for renewable electricity generation. 	<p>Consistent</p> <p>The proposed scheme adds to the range of renewable generation schemes on the West Coast, and provides for further investigation activities to continually improve scheme design.</p>

Hazardous Substances - Ngā Matū Mōrearea

Assessment Commentary		
Hazardous Substances Objectives		
<p>General Comment: With respect to the stage of the plan development process, i.e. post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objective HS-O1 and Policy HS-P1 are subject to a range of submissions (support or amend). 		
HS-O1	The benefits associated with the use of hazardous substances are recognised while ensuring that risks to the environment and human health arising from subdivision use and development activities involving hazardous substances are minimised.	<p>Consistent</p> <p>Hazardous substances will be required to be used in developing and maintaining the scheme. The substances will be managed in accordance with relevant New Zealand Standards.</p> <p>Suggested conditions are also proposed to ensure substances are appropriately used and stored.</p>
Hazardous Substances Policies		
HS-P1	Activities and facilities involving the use and storage of hazardous substances shall be designed, located, constructed and operated so as to minimise residual risk to people and the environment.	<p>Consistent</p> <p>These matters have been factored into the proposed scheme design, including construction activities.</p> <p>Suggested conditions are also proposed to ensure substances are appropriately used and stored.</p>

Natural Hazards - Ngā Mōreareatanga Aotūroa

This Chapter is potentially subject to considerable change through the hearing process.

Assessment Commentary		
Natural Hazards Objectives		
<p>General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objectives NH-O1, NH-O4 - NH-O6, and Policies NH-P1, NH-P6, NH-P8 are subject to a 		

		<p>range of submissions (support or amend).</p> <ul style="list-style-type: none"> > Objective NH-O3 and Policies NH-P2 - NH-P4, NH-P10 - NH-P13 are subject to a range of submissions (support, oppose, amend). > Policies NH-P5, NH-P9 and NH-P14 are subject to a range of submissions (support, oppose). > Objective NH-O2 and Policy NH-P7 are subject submissions of support.
NH-O1	To use a regionally consistent, risk-based approach to natural hazard management.	N/A – this is a matter for plan and policy developers.
NH-O2	To reduce the risk to life, property and the environment from natural hazards, thereby promoting the well-being of the community and environment.	<p>Consistent</p> <p>The dynamic nature of the environment has been a considerable component in the design and layout of the scheme with respect to potential natural hazards. This includes recognition of the alpine fault in proximity to the scheme and proposals for further investigative drilling and geophysical investigations to better inform structural design and works.</p>
NH-O3	To only locate critical infrastructure within areas of significant natural hazard risk where there is no reasonable alternative, and to design infrastructure so as not to exacerbate natural hazard risk to people and property.	<p>Consistent</p> <p>As discussed above the Scheme is “critical” infrastructure in terms of the current wording of the pTTPP. The location of the scheme is informed by the functional and operational needs of a renewable hydro-electricity generation scheme. The West Coast is a dynamic environment with respect to natural hazards and the design, layout and location of the scheme has taken these matters into account.</p>
NH-O4	To ensure the role of hazard mitigation played by natural features that minimise impacts of hazards including wetlands and dunes is recognised and protected.	<p>Consistent</p> <p>The development of the scheme does not alter natural features in a manner that exacerbates potential hazards.</p>
NH-O5	To recognise and provide for the effects of climate change, and its influence on the frequency and severity of natural hazards.	<p>Consistent</p> <p>Potential hazard effects, including climate change, have been an integral component in the design and layout of the scheme. The proposed scheme also assists the governments climate change outcomes and renewable</p>

		electricity targets.
NH-O6	Measures taken to mitigate natural hazards do not create or exacerbate adverse effects on other people, property, infrastructure and the environment.	<p>Consistent</p> <p>The location of the scheme is remote from other built development and people. Consideration of the potential for hazard mitigation to exacerbate adverse effects on the environment and other property has formed part of development of the design of the scheme. The design and layout of the scheme ensures that such adverse effects are not created or exacerbated.</p>
Policies		
NH-P1	Identify in natural hazard overlays areas at significant risk from natural hazards.	N/A - this is matter for councils and has been a considerable focus, including significant changes to the pTTPP as notified, of hearings into natural hazard matters.
NH-P2	Where a natural hazard has been identified and the natural hazard risk to people and communities is unquantified but evidence suggests that the risk is potentially significant, apply a precautionary approach to allowing development or use of the area.	<p>Consistent</p> <p>Planning for hazard occurrence, particularly flooding will be a major factor in the construction process. The proposed buildings and structures are not occupied, other than for limited times when maintenance occurs. As above the scheme is design taking into account the hazard environment within which it is located.</p>
NH-3	<p>When managing natural hazards:</p> <ol style="list-style-type: none"> Promote the use of natural features and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risks; and Avoid increasing risk to people, property and the environment; while Recognising that in some circumstances hard engineering solutions may be the only practical means of protecting existing communities and critical infrastructure. 	<p>Consistent</p> <p>As above the scheme is “Critical Infrastructure” in terms of the pTTPP as currently worded. The proposed scheme will not increase natural hazard risk in the area. Some mitigation works are required, ie raising areas around the power station, waterway training works to managed flow direction and protect infrastructure.</p>

NH-P4	<p>Natural hazard assessment, managed retreat locations and resource consent applications will consider the impacts of climate change. In particular the following matters will be considered:</p> <ol style="list-style-type: none"> Change in sea level; Altering of coastal processes; Increased inundation of low lying areas; Changes in local temperatures; Changes in rainfall patterns; and Increase in cyclonic storms. 	<p>Consistent</p> <p>As part of sound risk management the potential effects of climate change, particularly on; inundation, rainfall patterns and storms has formed part of the design process and layout of the scheme.</p>
NH-P6	<p>In the Earthquake Hazard Overlay avoid:</p> <ol style="list-style-type: none"> Development of critical response facilities; Community facilities, educational facilities and health facilities within 150m of the faultline; Commercial and industrial buildings within 100m of the faultline; and Residential activities within 50m of the faultline. 	<p>Consistent</p> <p>The pTTPP definition of “Critical Response Facilities” includes “Major Dams”. The proposed weir is not a major dam and is not located within the Earthquake Hazard overlay in the pTTPP. Significant scheme buildings and structures, ie. power station, intake structures, tunnels, buildings and structures associated with the staging area on the farm are also outside the overlay. There will be some infrastructure, ie access, granite creek bridge and transmission line located within the overlay but these matters are not included within the definition. It is also, given the length and orientation to completely avoid such infrastructure from crossing through the overlay in the region. Any hazardous substances will be stored outside the overlay area.</p>
NH-P7	<p>Allow unoccupied structures and buildings within the Earthquake Hazard Overlay.</p>	<p>See the discussion regarding NH-P6. Structures and buildings associated with the scheme are generally unoccupied except for visits to maintain and/or monitor the scheme. Scheme monitoring during operation is also undertaken remotely.</p> <p>The proposal is consistent with the Policy.</p>
NH-P12	<p>When assessing the effects of activities in natural hazard overlays consider:</p> <ol style="list-style-type: none"> The effects of natural hazards on 	<p>Consistent</p> <p>The proposed scheme has a functional and operational need to locate adjacent to the River. As discussed above,</p>

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| <p>people, property and the environment;</p> <p>b. Technological and engineering mitigation measures and other non-engineered options;</p> <p>c. The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;</p> <p>d. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk;</p> <p>e. The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</p> <p>f. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.;</p> <p>g. The functional or operational need to locate in these areas; and</p> <p>h. Any significant adverse effects on the environment of any proposed mitigation measures.</p> | <p>given the need for the location, the potential impacts of natural hazards has formed part of design consideration for the scheme. This has included recognition of flood and seismic hazards. Further pre-construction drilling and geophysical investigations are proposed to assist with final design and risk management associated with the scheme. The scheme will not created significant adverse effects on the environment as a result of mitigation measures.</p> |
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Natural Features and Landscapes - Ngā Āhua me ngā Horanuku Aotūroa

With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;

- Objectives NFL-O1 is subject to a range of submissions (support, oppose, amend).
- Policies NFL-P1 and NFL-P4 are subject to a range of submissions (support, oppose, amend).
- Policies NFL-P2 - NFL-P3 and NFL-P5 - NFL-P7 are subject to a range of submissions (support, amend).

Assessment Commentary

Natural Features and Landscapes Objective

General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;

- > Objectives NFL-O1 is subject to a range of submissions (support, oppose, amend).
- > Policies NFL-P1 and NFL-P4 are subject to a range of submissions (support, oppose, amend).
- > Policies NFL-P2 - NFL-P3 and NFL-P5 - NFL-P7 are subject to a range of submissions (support, amend).

NFL-O1	To protect the values of outstanding natural landscape and outstanding natural features on the West Coast/Te Tai o Poutini, while providing for subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.	<p>Consistent</p> <p>The pTTPP differs from s6(b) of the RMA in that protection is required from inappropriate use and development. Presumably this is what is intended through the second part of the objective. Landscape values and assessment of effects have been a considerable component of the design and layout of the scheme, including suggested conditions and management plans. The assessment has found that at the local level effects are more than minor, particularly at the headworks site. Following determining the level of effects the report further concludes that whilst values which make the area outstanding are adversely effected the landscape, and Morgan Gorge, remain outstanding. Further the report advises that the proposed scheme is appropriate to the setting within which it is located.</p>
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Natural Features and Landscapes Policies

NFL-P1	<p>Provide for activities within outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six where they do not adversely affect the values that contribute to a natural feature or landscape being outstanding and are for:</p> <p>a. Existing land uses and lawfully established activities including existing network utilities, energy activities, agricultural, horticultural and pastoral activities;</p>	<p>Partially consistent</p> <p>The proposed activity is a new renewable hydro electricity generation scheme, and associated infrastructure, which functional and operational need to locate within an outstanding landscape described in proposed Schedule 5.</p> <p>It is apparent that there will be adverse effects on values which contribute to the area being considered outstanding however it is the conclusion of the landscape report that the landscape and Morgan Gorge will remain outstanding with the scheme in place.</p>
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- b. Conservation activities;
- c. Recreational activities;
- d. Natural hazard mitigation activities;
- e. Operation, maintenance and upgrade of renewable electricity generation facilities;
- f. Operation, maintenance and upgrading of network infrastructure;
- g. Upgrading and/or new infrastructure and renewable electricity generation facilities where there is a functional need for it to be located in these areas;
- h. Poutini Ngāi Tahu uses; or
- i. The alteration, maintenance or removal of existing buildings or structures.

NFL-P2	Where possible, avoid significant adverse effects on the values that contribute to outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six. Where significant adverse effects cannot be avoided, ensure that the adverse effects are remedied, mitigated or offset.	<p>Consistent</p> <p>As above potentially effects of the proposal on landscape values have been assessed as more than minor at the headworks site, and accordingly significant effects have been avoided. A major factor in the design and layout of the scheme, and through the suite of conditions and management plans, has been to ensure that effects are appropriately managed. The outcome of the landscape report is that whilst there will be effects on the values which make the area, and Morgan Gorge, outstanding these effects are not to such a degree that the categorisation of outstanding is lost.</p>
NFL-P3	Recognise that there are settlements, farms and infrastructure located within outstanding natural landscapes or outstanding natural features and provide for new activities and existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are not	<p>Partially consistent</p> <p>This policy is generally related to areas of outstanding landscape and natural features where use and development already exists. The proposal is a new activity in the area which is a reason why there are more than minor adverse effects arising from proposal. Having said that, these effects are not such that the categorisation of the</p>

adversely affected.

area, and Morgan Gorge, as outstanding is lost.

NFL-P4	<p>Require that new buildings, structures within outstanding natural features or landscapes minimise any adverse visual effects by:</p> <ul style="list-style-type: none">a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location;b. Using naturally occurring building platforms, materials and colour that blends into the landscape; andc. Limiting the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape.	<p>Consistent</p> <p>The design and layout of the scheme has been established through a series of iterations to appropriately provide for, and manage effects on, the landscape values of the environment within which it is located. These actions and the suggested suite of conditions and management plans ensure that the matters raised in a. to c. have been provided for. This is borne out through the conclusions of the landscape report that the area, and Morgan Gorge, remains outstanding with the scheme in place and the proposed scheme is appropriate to the setting within which it is located.</p>
NFL-P5	<p>Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:</p> <ul style="list-style-type: none">a. The scale of modification to the landscape;b. Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;c. Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;d. The temporary or permanent nature of any adverse effects;e. The functional, technical, operational or locational need of	<p>Consistent</p> <p>These matters have all be considered and provided for through the development of the landscape report, the AEE, and the design and layout of the scheme. As previously discussed, a suggested suite of conditions and management plans are also proposed to ensure effects on landscape values are appropriately managed. Again, the conclusion of the landscape report that the area, and Morgan Gorge, remains outstanding with the scheme in place and the proposed scheme is appropriate to the setting within which it is located.</p>

any activity to be sited in the particular location;

- f. Any historical, spiritual or cultural association held by Poutini Ngāi Tahu;
- g. Any positive effects the development has on the identified characteristics and qualities;
- h. Any positive effects at a national, regional and local level;
- i. Any relevant public safety considerations; and
- j. The measures proposed to mitigate the effects on the values and characteristics, including:
 - i. The location, design and scale of any buildings or structures, or earthworks;
 - ii. The intensity of any activity; and
 - iii. The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing.

NFL-P7	Consider the incorporation of mātauranga Māori principles into the design, development and/or operation of activities in outstanding natural features and landscapes with cultural, spiritual and/or historic values, interests or associations of importance to Poutini Ngāi Tahu and opportunities for Poutini Ngāi Tahu to exercise their customary responsibilities as mana whenua and kaitiaki in respect of the feature or landscape.	<p>Consistent</p> <p>As discussed previously Iwi are a partner to the scheme. Westpower have ensure that they have been informed through the development of the scheme and application with respect to values of the area, potential effects and proposed management of effects.</p>
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Public Access - Te Āheinga Tūmatanui

With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;

- Objective PA-O1 is subject to a range of submissions (support, amend).

Assessment Commentary		
<i>Public Access Objective</i>		
<p>General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objective PA-O1 is subject to a range of submissions (support, amend). 		
PA-O1	To maintain and enhance customary and public access to and along the coastal marine area, waterbodies and public resources.	<p>Consistent</p> <p>The construction and operation of the scheme will prevent public access to the Waitaha River, with the exception of areas where restrictions are required to maintain public health and safety. The ability to access the river and surrounding area will generally remain, although a relocation of the track in the vicinity of the power station site will provide an opportunity for recreationists to avoid that area if they wish. Potential impacts on kayaking of the Morgan Gorge have been an important factor and an agreement has been reached to retain a kayaking opportunity through the Gorge.</p>

Financial Contributions - Ngā Rourou Pūtea

Assessment Commentary		
<i>Financial Contributions Objectives</i>		
<p>General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objective FC-O2 is subject to a range of submissions (support, oppose, amend). > Policies FC-P1 - FC-P2 and FC-P6 - FC-P7 are subject to a range of submissions (support, oppose, amend). > Policies FC-P3 - NFL-P5 are subject to a range of submissions (support, amend). 		
FC-O2	To ensure that new activities and development contributes fairly and equitably towards the costs of avoiding, remedying, mitigating or offsetting adverse effects on the environment and	<p>Consistent</p> <p>Through a range of expert assessments, consultation and identification and proposed management of potential effects of the development and operation of the scheme</p>

	infrastructure resources of the West Coast/Te Tai o Poutini.	<p>the applicant is proposing, through the suite of suggested conditions contributions toward;</p> <ul style="list-style-type: none"> > Improvements to the Waitaha Road > Improvements to the State Highway intersection > Ecological programmes > Contributions to Whitewater NZ
Financial Contributions Policies		
FC-P1	To require financial contributions as a condition of subdivision, development and land use consents to remedy or mitigate adverse effects created by the need to create, extend or upgrade public infrastructure, reserves and community facilities as a result of the subdivision, use or development.	<p>Consistent</p> <p>As discussed above the applicant is proposing works to improve safety along the Waitaha Road through the establishment of passing areas. Pre and post inspections will also be undertaken to ensure that any deterioration of the road through construction activities is appropriately remedied. A set of conditions relating to the State Highway intersection has also been the subject of consultation with the NZTA.</p>
FC-P2	<p>Financial contributions shall be applied in a fair and equitable manner that:</p> <ul style="list-style-type: none"> a. Is financially transparent; b. Reflects the adverse effects and demand on services and facilities c. Is complementary to the Council's other financial management policies; and d. Takes into account any costs incurred in taking, holding and allocating the financial contributions. 	<p>Consistent</p> <p>The scope of proposed works and contributions has been the subject of review through the application development process and is set out in the suggested suite of conditions and management plans.</p>
FC-P3	Financial contributions may be taken in the form of cash, land, works or a combination of these in discussion with the applicant but at the final discretion of the Council.	<p>Consistent</p> <p>As above contributions are set out in the suite of conditions and management plans and include both cash and work. It is considered that these are the appropriate mechanisms and details are included. conditions have been the subject of consultation with the Councils.</p>

FC-P5	To use financial contributions in money to provide additional capacity, and to meet the need for community infrastructure and facilities that arise from the activity. This shall include roading, streetscape improvements, shared pathways, vehicle parking, EV charging spaces, service lanes, water supply, wastewater, stormwater, parks, reserves, recreation facilities and community facilities.	<p>Consistent</p> <p>Proposed works in relation to the Waitaha road are intended to improve safety for users of the road through the construction period. Maintenance and remediation, if required, will occur with a pre-construction and post construction survey of the road.</p>
FC-P6	To provide for the use of financial contributions for managing adverse environmental effects, including those on significant indigenous biodiversity and outstanding natural landscapes where these cannot be avoided, remedied or mitigated and the activities have specific spatial location requirements or functional and operational needs such as mineral extraction, renewable electricity generation activities and critical infrastructure.	<p>Consistent</p> <p>The proposed scheme is a renewable hydro-electricity generation scheme, and “critical infrastructure” in terms of the pTTPP. As discussed above contributions are proposed with respect to ecological programmes and to Whitewater NZ to further enhance outcomes with respect to natural and recreation values.</p>
FC-P7	When calculating financial contributions as a method of managing adverse environmental effects of activities, take into account the local, regional and national benefits of the proposed activity.	<p>Consistent</p> <p>The proposed scheme does provide local, regional and national benefits as outlined in the AEE. It is considered that the contributions outlined in the suggested suite of conditions and management plans are appropriate with respect to the benefits of the scheme.</p>

Earthworks - Te Huke Whenua

Assessment Commentary	
<i>Earthworks Objectives</i>	
General Comment:	<p>With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objective EW-O1 is subject to a range of submissions (support, oppose, amend).

		<ul style="list-style-type: none"> > Policies EW-P1 and EW-P4 are subject to a range of submissions (support, oppose, amend). > Policies EW-P2 - EW-P3 are subject to a range of submissions (support, amend).
EW-O1	To provide for earthworks to facilitate subdivision, use and development of the West Coast/Te Tai o Poutini's land resource, while ensuring that their adverse effects on the surrounding environment are avoided or mitigated.	<p>Consistent</p> <p>Earthworks are required to develop the scheme. The potential effects of earthworks have been assessed through a range of expert reports and the AEE, and a suite of suggested conditions and management plans. These management measures will ensure that potential effects arising from earthworks are appropriately avoided, remedied or mitigated taking into account the values of the environment within which the activities are situated.</p>
Earthworks Policies		
EW-P1	Enable temporary and small scale earthworks for the subdivision, use and development of land, the provision of utilities, and hazard mitigation, while managing those with the potential to create significant adverse effects..	<p>Consistent</p> <p>Whilst earthworks are temporary they are not small scale, given the extent of works required for construction of the scheme, and the scheme is not a network utility as defined in the pTTPP. Potential effects arising from earthworks have been an integral component in the design and layout of the scheme, as discussed throughout the AEE, and the suggested suite of conditions and management plans. Again, these management measures will ensure that potential effects arising from earthworks are appropriately avoided, remedied or mitigated taking into account the values of the environment within which the activities are situated.</p>
EW-P2	Manage the effects of earthworks to minimise impacts on landscape character, amenity, natural features, water quality, biodiversity, cultural and heritage sites and the quality of the environment.	<p>Consistent</p> <p>Potential effects arising from earthworks have been an integral component in the design and layout of the scheme, as discussed throughout the AEE, and the suggested suite of conditions and management plans. Again, these management measures will ensure that potential effects arising from earthworks are appropriately avoided, remedied or mitigated taking into account the values of the environment within which the activities are situated.</p>

EW-P3	Require the use of accidental discovery protocols to mitigate the potential risk to earthworks to archaeological sites and sites and areas of significance to Māori and archaeological sites that are not scheduled in the Plan.	Consistent Accidental discovery protocols are proposed through the suggested suite of conditions and management plans.
EW-P4	Protect critical infrastructure and natural hazard defences from the adverse effects of earthworks.	Consistent Earthworks associated with the scheme will not adversely affect other “Critical Infrastructure”.

Light - Ngā Rama

Assessment Commentary		
Light Objectives		
<p>General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objective Light-O1 and Policy LIGHT-P3 are subject to a range of submissions (support, amend). > Objective Light-O2 and Policies LIGHT-P1 - LIGHT-P2 are subject to a range of submissions (support, oppose, amend). 		
LIGHT-O1	Artificial outdoor lighting enables night-time work, rural productive activities, recreation activities, sport, entertainment activities, transportation and public health and safety.	Consistent Where required lighting will assist in enabling the scheme to be constructed, monitored and maintained, including providing for the health and safety of staff visiting the site.
LIGHT-O2	Artificial outdoor lighting is located, designed and operated to maintain the character and amenity values within zones, so that it does not adversely affect the health and safety of people, the safe operation of the transport network, protects views of the night sky, the habitats and ecosystems of nocturnal native fauna and the species themselves.	Consistent Any lighting required for both construction and operation of the scheme will be sited and used to ensure potential effects are appropriately managed to achieve the outcomes sought whilst also achieving the objective O1. Consideration of these matters is set out in the AEE and the suggested suite of conditions and management plans,

Light Policies

LIGHT-P1	<p>Provide for the use of artificial outdoor lighting that:</p> <ul style="list-style-type: none"> a. Allows people and communities to enjoy and use sites and facilities during night time hours and contributes to the security and safety of private and public spaces; b. Maintains the character and amenity values of the zone and surrounding area; c. Supports the social, cultural, and economic wellbeing or health and safety of people and communities, including road safety; d. Minimises sky glow and light spill; and e. Protects the health and well-being of people and ecosystems. 	<p>Consistent</p> <p>The effects of lighting have been a consideration through the development of application and assessment of effects.</p> <p>The use and location/installation of lighting is to be managed to ensure potential effects are appropriately managed. A suite suggested conditions and management plans are proposed which include matters related to lighting. The proposed management measures will ensure the matters in this policy are achieved.</p> <p>During construction lighting will be;</p> <ul style="list-style-type: none"> > managed, with light sources being minimised as far as practicable during night-time. > controlled to minimise emission of blue/UV wavelengths. > installed to minimise lateral spread into surrounding areas. <p>During operation;</p> <ul style="list-style-type: none"> > No outdoor light sources used except for unplanned shutdowns requiring night time work to be undertaken staff. > there will be no artificial lighting of access roads.
LIGHT-P2	<p>Enable artificial outdoor lighting where this is:</p> <ul style="list-style-type: none"> a. Of short duration outside of daylight hours associated with temporary activities; and b. Artificial outdoor lighting for the purpose of emergency response or public health and safety. 	<p>Consistent</p> <p>Consideration of the effects and management of lighting are discussed above, and through the AEE, and are relevant to this policy. Lighting is required for construction purposes to ensure such activities are undertaken safely and efficiently to minimise the construction period as far as practicable.</p> <p>During operation of the scheme outdoor lighting will only be used for unplanned situations to provide for the health and safety of staff undertaking work.</p>
LIGHT-P3	<p>Control the intensity, location and direction of any artificial outdoor lighting to:</p>	<p>Consistent</p> <p>As discussed above lighting is to be managed in a manner appropriate to the environment within which the scheme is</p>

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| <ul style="list-style-type: none"> a. Ensure that any artificial outdoor lighting avoids conflict with existing light sensitive areas and uses; b. Internalise light spill within the site where the outdoor lighting is located; c. Minimises adverse effects on views of the night sky and intrinsically dark landscapes including in areas of outstanding coastal natural character; d. Minimises adverse effects on the significant habitats of light sensitive native fauna and the species themselves; and e. Minimises adverse effects on the health and safety of people and communities in the surrounding area. | <p>to be located. Proposed management measures are discussed above under LIGHT-P1 and also in the AEE and the associated suite of suggested conditions and management plans.</p> |
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Noise - Ngā Oro

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Assessment Commentary

Noise Objectives

General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;

- > Objectives NOISE-O1 and NOISE-O3 are subject to a range of submissions (support amend).
- > Policies NOISE-P1 and NOISE-P4 are subject to a range of submissions (support, amend).

NOISE-O1	The benefits of noise generating activities are provided for in a way that is compatible with the role, function and character of each zone and does not compromise community health, safety and	<p>Consistent</p> <p>Consideration of potential noise effects has been a component of the development of the application, and is discussed in the AEE. This includes noise sources required to assist with health and safety.</p>
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	wellbeing.	<p>The assessment of effects has concluded that noise during;</p> <ul style="list-style-type: none"> > construction is assessed as being no more than minor, > operation is less than minor. <p>This assessment includes;</p> <ul style="list-style-type: none"> > taking into account noise source, environmental values, the scheme location and proposed management measures. > suggested conditions and management plans including noise management and control measures.
NOISE-O3	The health and wellbeing of people and communities are protected from significant levels of noise.	<p>Consistent</p> <p>Noise sources and effects on people are discussed in the AEE, including proposed management of potential noise effects. This includes noise sources required to assist with health and safety. The relatively remote location of the scheme, and its position beside a river, also assist with managing potential noise effects on people and communities.</p>
Noise Policies		
NOISE-P1	<p>Enable the generation of noise when it is of a type, character, scale and level that is appropriate to the zone, having regard to:</p> <ul style="list-style-type: none"> a. The purpose, character and qualities of the zone that the activity is located in; b. The nature, frequency and duration of the noise generating activity; c. Whether the noise generating activity is critical infrastructure; d. Methods of mitigation; and e. The sensitivity of the surrounding environment. 	<p>Consistent</p> <p>As discussed above assessment and management of the potential effects of noise has been an integral part of development of the proposed scheme. These matters are discussed in the AEE, with proposed management measures set out in the suggested conditions and management plans.</p> <p>The proposed activity is “Critical Infrastructure” as defined in the pTTPP.</p>
NOISE-P4	Ensure noise effects generated by an activity are of a type, scale and level	Consistent

that are appropriate for the predominant role, function and character of the receiving environment and protect the health and wellbeing of people and communities by having regard to:	As discussed above assessment and management of the potential effects of noise has been an integral part of development of the proposed scheme. This includes noise sources required to assist with health and safety.
a. maximum noise limits to reflect the character and amenity of each zone;	The assessment of effects has concluded that noise during; > construction is assessed as being no more than minor, > operation is less than minor.
b. type, scale and location of the activity in relation to any noise sensitive activities;	This assessment includes; > taking into account noise source, environmental values, the scheme location and proposed management measures.
c. hours of operation and duration of activity;	> suggested conditions and management plans including noise management and control measures.
d. the temporary or permanent nature of any adverse effects; and	
e. the ability to internalise and/or minimise any conflict with adjacent activities.	

Signs - Ngā Tohu

Assessment Commentary		
Signs Objective		
<p>General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objective SIGN-O1 is subject to a range of submissions (support, amend). > Policies SIGN-P2 and SIGN-P5 are subject to a range of submissions (support, amend). > Policies SIGN-P1 and SIGN-P3 - SIGN-P4 are subject to submissions of support. 		
SIGN-O1	Signs contribute to the social, cultural and economic wellbeing of the West Coast/Te Tai o Poutini while:	Consistent
	1. Supporting the needs of business, infrastructure and community activities;	Signs related to the scheme will generally be for public information or health and safety relating to the scheme. There will be a mix of temporary and permanent signage integrated in the scheme. Overall the landscape report has found that the scheme is appropriate within the setting.

2. Ensuring that the character and amenity values of the surrounding area are maintained or enhanced and protected from any adverse visual and amenity effects; and
3. Maintaining public safety.

Signs Policies

SIGN-P1	Enable a diversity of sign types that provide for effective communication of government, business and community information and whilst maintaining public safety, access needs and the overall character of the area.	<p>Consistent</p> <p>Signs related to the scheme will generally be for public information or health and safety relating to the scheme. There will be a mix of temporary and permanent signage integrated in the scheme. Overall the landscape report has found that the scheme is appropriate within the setting.</p>
SIGN-P2	Ensure the landscape, natural character and amenity values of residential areas, settlements, rural areas, open space and outstanding natural landscapes and features are protected from adverse visual and amenity effects from large areas or numbers of signs.	<p>Consistent</p> <p>Signs related to the scheme will generally be for public information or health and safety relating to the scheme. There will be a mix of temporary and permanent signage integrated in the scheme. Overall the landscape report has found that the scheme is appropriate within the setting.</p>
SIGN-P3	Ensure that signs do not adversely affect traffic safety of all road users including motorists, cyclists, pedestrians, or obstruct roads or footpaths.	<p>Consistent</p> <p>The majority of signage will be located within the construction and operational areas of the scheme to inform the public and advise of any health and safety matters. Signs may be required on the Waitaha Road and State Highway during construction and these will comply with relevant roading authority standards and requirements.</p>
SIGN-P4	Enable temporary signage subject to meeting basic activity and built form standards.	<p>Consistent</p> <p>The majority of signage will be located within the construction and operational areas of the scheme to inform the public and advise of any health and safety matters. These will be standard signs for such purposes. Signs may be required on the Waitaha Road and State Highway during construction and these will comply with relevant roading</p>

		authority standards and requirements.
SIGN-P5	Ensure signs relating to a particular activity or/use of land or buildings on the site are located at the site of that activity, land or building.	Consistent Proposed information and/or safety signage will be located on the site of the activity, land or building (including structures) to which it relates.

Temporary Activities - Ngā Mahi Taupua

For the purpose of this section the pTTPP advises that a Temporary Activity means;

activities and their ancillary buildings and structures that are intended to have a limited duration and incidence and are not part of a permanent activity that occurs on the site.

They include:

- a. fairs, festivals, sporting and special events;*
- b. commercial filming or video production activities;*
- c. emergency services training events;*
- d. public firework displays;*
- e. structures for construction and demolition projects; and*
- f. temporary farmers or crafts markets.*

Note: Temporary Activities do not include:

- i. Permitted Recreation Activities meeting Zone standards;*
- ii. Events and other types of activities meeting Zone standards in the Stadium Zone or any Open Space and Recreation Zone; or*
- iii. Temporary military training activities.*

Assessment Commentary		
Temporary Activities Objective		
<p>General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objective TEMP-O1 is subject to a range of submissions (support, oppose, amend). > Policies TEMP-P1 is subject to a range of submissions (support, oppose). 		
TEMP-O1	To provide for temporary activities where they contribute to social, economic and cultural wellbeing of the	Consistent Temporary activities associated with the construction of the scheme will contribute to the social, economic and

West Coast.		cultural well-being of the West Coast.
Temporary Activities Policies		
TEMP-P1	Enable temporary construction and demolition structures while minimising their adverse effects on amenity values of adjacent sites.	<p>Consistent</p> <p>Construction of the scheme is a temporary activity. The assessment of effects has considered the activities associated with construction to ensure effects of development of the scheme are appropriately recognised and managed with respect to the environment and location within which they occur. This includes the design and layout of the scheme, and the suite of suggested conditions and management plans.</p>

Area Specific Matters

The Energy Activities chapter advises that:

“The Energy Chapter contains the objectives, policies, rules for managing energy activities - the Infrastructure Chapter rules and the Area Specific Provisions (Zone chapters) do not apply to energy activities, however the Overlay chapters and other District Wide rules also apply where relevant.”

However, it is useful to be aware of the objectives and policies of the relevant zones when assessing potential effects given the wording of some of the above provisions. Predominantly the scheme, intake and powerhouse is located in the Open Space Zone, however, other components, ie possible staging area and potential new lines are in the rural zone and crossing the Waitaha River depending on final options.

ZONES

Open Space and Recreation Zones – Objectives and Policies

In considering and assessing the proposed scheme against these provisions it is noted that the Chapter does not recognise or provide for the range of existing and potential energy and infrastructure activities that may occur within or through these areas given the both the extent of the zone and the extent and topography of the Region. This is because zone provisions are not intended to apply to “Energy Activities” and “Infrastructure” – see discussion above and in relation to the Energy Chapter.

Ngā Mokowā Pōaha me ngā Takiwā Hākinakina - Ngā Whāinga me ngā Kaupapa Here

OSRZ - Open Space and Recreation Zones Objectives

General Comment: With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;

- > Objective OSRZ-O1 is subject to a range of submissions (support, oppose, amend).
- > Objective OSRZ-O2 is subject to a range of submissions (support, amend).
- > Policies OSRZ-P1 - OSRZ-P2, OSRZ-P6 - OSRZ-P7 are subject to a range of submissions (support, oppose, amend).
- > Policies OSRZ-P3, OSRZ-P9 and OSRZ-P11 - OSRZ-P12 are subject to a range of submissions (support, amend).
- > Policy OSRZ-P8 is subject to submissions of support.

OSRZ-O1	Development and activities should complement and not conflict with the functions and values of the particular open space and the surrounding environment. Where appropriate open space accommodates a range of functions.	Consistent This matter has been assessed in terms of the RPS, Chapter 5, Policy 2 and the same comments apply in regard to this objective.
OSRZ-O2	<p>To recognise the different functions, values and purpose of open space on the West Coast through providing for three Open Space and Recreation Zones:</p> <p>a. The NOSZ - Natural Open Space Zone with high natural values and a low level of development and built form;</p> <p>b. The SARZ - Sport and Active Recreation Zone with sport and active recreation values and associated buildings and facilities; and</p> <p>c. The OSZ - Open Space Zone with a very wide range of values including passive and active recreation, local purposes and pastoral farming.</p>	<p>Consistent</p> <p>As discussed above the zone omits to recognise that there are a range of infrastructure activities within these areas. Although read in conjunction with the “Energy” Chapter it is clear that such activities are to be provided for within the region.</p> <p>The values of the area have been recognised and provided for through a range of expert assessments to identify the values of the area and the potential effects. These issues are discussed in detail in the AEE. The scheme design and layout, including the suggested suite of conditions and management plans has been developed to respond to the issues arising. This ensures that the scheme sits appropriately within the environment within which it is located.</p>

OSRZ - Open Space and Recreation Zones Policies

OSRZ-P1	Open space should be developed and used in accordance with any relevant operative Reserves Act or Conservation Act Management Plan.	<p>Consistent</p> <p>The proposed scheme is not located within an area covered by a management plan developed under the Reserves Act or the Conservation Act.</p>
OSRZ-P3	Buildings and structures should be designed and sited to be compatible with the function and predominant purpose of the open space and fit within the character and amenity of the surrounding area.	<p>Consistent</p> <p>The proposed buildings and structures have been the subject of considerable review and assessment from a landscape perspective. These matters have been discussed previously in terms of natural values above, with respect to the RPS, WDP and the pTTPP. Whilst there will be more than minor local effects from the introduction of the scheme to the area ultimately the area retains its outstanding landscape values and the scheme is not considered inappropriate in the setting.</p>
OSRZ-P6	Recognise that many open spaces have sites and areas of significance to Poutini Ngāi Tahu, and ensure that these are managed in collaboration with iwi and hapū.	<p>Consistent</p> <p>The scheme is not within any no site and area of importance to Māori, as schedule in the pTTPP. The applicant has been conscious of values of importance to Iwi, who are also partners to the scheme. Accidental discovery protocols are included in the suggested suite of conditions and management plans to further ensure unidentified values are appropriately provided for.</p>
OSRZ-P7	Promote the protection and enhancement of existing natural environment values having regard to the relevant OSRZ - Open Space and Recreation Zone and the opportunities for enhancement of these on the site.	<p>Partially consistent</p> <p>The existing natural values of the area within which the scheme is to be located has been the subject to considerable review and assessment. These matters have informed the design and layout of the scheme, and the suggested suite of conditions and management plans. It is acknowledged, as discussed in the sections above, that there will be more than minor (landscape) to significant (recreation) effects at the local scale from the introduction of the scheme. However;</p> <ul style="list-style-type: none">> the area does not lose its outstanding landscape categorisation;

		<ul style="list-style-type: none"> > the scheme is considered to be appropriate within the setting; > higher levels of effect on recreationalists are experiential in nature, which will differ between individuals; > the actual effect on those seeking to kayak the Morgan Gorge has been fully mitigated through agreements reached with Whitewater NZ. > suggested conditions propose contributions to ecological programmes and Whitewater NZ for recreation purposes.
OSRZ-P9	<p>Provide for the range of purposes where compatible with the open space values including:</p> <ul style="list-style-type: none"> a. The ongoing operation and appropriate management of cemeteries; b. Camping opportunities at rivers, lakes and coastal areas where this is compatible with the values of the open space; c. Gravel and shingle extraction for roading networks and other local purposes; d. Quarries for rock; e. Pastoral farming including grazing as a management tool; f. Mineral extraction of resources where these are limited in their location; and g. Water supply and drainage networks where this supports local community needs. 	<p>Partially consistent</p> <p>Whilst the policy recognises a range of activities, including some infrastructure it does not recognise energy infrastructure, either existing or future. As discussed above this is because the provisions have not been intended to apply to “Energy Activities” and the objectives and policies of the Energy Chapter should be applied. These include;</p> <ul style="list-style-type: none"> > recognition of the benefits of such activities (ENG-O1) > Recognition of the functional and operation needs and to minimise adverse effects (ENG-O2) > Provide for the development, operation, maintenance and upgrade of energy activities (ENG-O3) <p>Ultimately, and taking into account;</p> <ul style="list-style-type: none"> > the design and layout of the scheme > the suggested suite of conditions and management plans for construction and operation of the scheme <p>it is considered that the scheme is appropriate to the setting within which it is to be located.</p>
Open Space Zone		
OSRZ-P11	The OSZ - Open Space Zone primarily provides for passive and active	<p>Consistent</p> <p>The proposed scheme does not affect the aim of this policy</p>

	recreation activities, community facilities, campgrounds and cemeteries and limited associated facilities and structures.	given the extent of the OSRZ within the region. The proposed scheme, whilst changing the local area around the scheme through the introduction of structures, does not reduce recreational opportunities and the direct effects on kayaking of the Morgan Gorge has been mitigated through agreements reached with Whitewater NZ.
OSRZ-P12	<p>Enable activities and facilities within the OSZ - Open Space Zone that:</p> <ul style="list-style-type: none"> a. Are consistent with the intended purpose, character and qualities of the OSZ - Open Space Zone; and; b. Contribute to the overall health and wellbeing of the community; and c. Minimise adverse effects on the character and amenity values of the surrounding area. 	<p>Partially consistent</p> <p>Consideration of landscape effects has been a significant component of the development and layout of the scheme. These matters are discussed elsewhere so will not be repeated here. Ultimately, whilst there will be more than minor effects at the local scale from the introduction of structures, it is considered that the scheme is appropriate within the setting it is to be located.</p> <p>Further the scheme contributes to the health and wellbeing of communities on the West Coast through the development of a new source of generation and supply of renewable electricity. This will assist with increased security of supply to, and resilience of, communities including opportunities to reduce reliance on non-renewable energy sources.</p>

Rural Zones - Objectives and Policies - Ngā Whāinga me ngā Kaupapa Here

In considering and assessing the proposed scheme against these provisions it is noted that the Chapter does not recognise or provide for the range of existing and potential energy and infrastructure activities that may occur within or through these areas given the both the extent of the zone and the extent and topography of the Region. This is because zone provisions are not intended to apply to “Energy Activities” and “Infrastructure” – see discussion above and in relation to the Energy Chapter.

Assessment Commentary	
Rural Zones Objectives	
General Comment:	<p>With respect to the stage of the plan development process, ie post hearing and pre-recommendations and decisions, it should be noted that;</p> <ul style="list-style-type: none"> > Objective RURZ-O1 and RURZ-O3 are subject to a range of submissions (support, oppose, amend).

	<ul style="list-style-type: none"> > Objective RURZ-O6 is subject to a range of submissions (support, amend). > Policies RURZ-P1 and RURZ-P6 are subject to a range of submissions (support, oppose, amend). > Policy RURZ-P7 is subject to a range of submissions (support, amend). 	
RURZ – O1	<p>To provide for a range of activities, uses and developments that maintain the amenity and rural character values of the rural environment, while retaining highly productive land and rural activities, and supporting a productive rural working environment.</p>	<p>Consistent</p> <p>The scheme itself is not located in the rural zone but ancillary activities are, ie staging area, gravel extraction, access and lines infrastructure to connect to the distribution network.</p> <p>With the exception of the new section of lines to the distribution network and access across the farm, all temporary activities will cease and the staging area on the farm will be rehabilitated to improved pasture cover. Lines and farms tracks are not an uncommon feature of the rural zones within the region. The supply of electricity is a valuable asset to the community, as is the ability to access all areas of a farm for productive purposes.</p> <p>The renewable electricity generated by the scheme is for the benefit of communities on the West coast, including rural communities, and offers increase security of supply and opportunities for less reliance on non-renewable energy sources.</p>
RURZ – O3	<p>To maintain and enhance the distinctive rural character and amenity of West Coast/Te Tai o Poutini settlements while :</p> <ul style="list-style-type: none"> a. Allowing settlements to grow and adapt as economic activity changes; b. Providing for commercial and industrial land uses in larger settlements where these landuses provide for local community and rural services. 	<p>Consistent</p> <p>Whilst not directly relevant to the scheme the scheme will increase security of, and local access to, a regionally generated supply of renewable electricity and will assist with added community resilience. The scheme also provides opportunities for less reliance on non-renewable energy sources.</p>
RURZ – O6	<p>To ensure appropriate levels of infrastructure servicing for communities and development</p>	<p>Consistent</p> <p>The scheme will increase security of, and local access to, a</p>

	within rural areas, recognising that outside of settlements or major developments, on site infrastructure servicing is expected.	regionally generated supply of renewable electricity and will assist with added community resilience. The scheme also provides opportunities for less reliance on non-renewable energy sources.
Rural Zones Policies		
Rural Amenity and Character		
RURZ – P1	<p>Enable a variety of activities to occur within RURZ - Rural Zones while maintaining rural amenity and character. Outside of settlements, activities should:</p> <ul style="list-style-type: none"> a. For buildings and structures have a bulk and location that is characteristic of rural environments; b. Maintain privacy and rural outlook for residential buildings; c. Be compatible with existing development and the surrounding area; d. Have appropriate setbacks from the road and significant natural and cultural features; e. Minimise adverse visual effects if sited on prominent ridges or immediately adjacent to public roads; and f. Have awareness of cultural landscapes and avoid activities being located on the ridgelines and peaks of ancestral mountains. 	<p>Consistent</p> <p>The scheme itself is not located in the rural zone but ancillary activities are, ie staging area, gravel extraction, access and lines infrastructure to connect to the distribution network.</p> <p>With the exception of the new section of lines to the distribution network and access across the farm, all temporary activities will cease and the staging area on the farm will be rehabilitated to improved pasture cover. Lines and farms tracks are not an uncommon feature of the rural zones within the region. The supply of electricity is a valuable asset to the community, as is the ability to access all areas of a farm for productive purposes.</p> <p>With regard to clause f. the scheme, and its ancillary activities, are not located within an site or area of significance to Māori schedule in the plan.</p>
Non-Rural Activities		
RURZ – P6	Recognise that the rural areas may be the most appropriate location for some utility, industrial or	<p>Consistent</p> <p>The scheme itself is not located in the rural zone but</p>

	<p>commercial uses to establish, where these have a functional relationship with rural areas, provided the character and amenity of the rural areas is maintained and adverse effects are managed.</p>	<p>ancillary activities are, ie staging area, gravel extraction, access and lines infrastructure to connect to the distribution network.</p> <p>With the exception of the new section of lines to the distribution network and access across the farm, all temporary activities will cease and the staging area on the farm will be rehabilitated to improved pasture cover. Lines and farms tracks are not an uncommon feature of the rural zones within the region. The supply of electricity is a valuable asset to the community, as is the ability to access all areas of a farm for productive purposes.</p>
RURZ – P7	<p>Recognise that where non rural activities are located in rural areas, this should not be to the detriment of the effective function of towns and settlements, or to avoid the costs of connection to community funded infrastructure.</p>	<p>Consistent</p> <p>The scheme itself is not located in the rural zone but ancillary activities are, ie staging area, gravel extraction, access and lines infrastructure to connect to the distribution network.</p> <p>The scheme will benefits both the rural area and towns/settlements through an increase in the security of, and local access to, a regionally generated supply of renewable electricity and will assist with added community resilience. The scheme also provides opportunities for less reliance on non-renewable energy sources. The scheme does not require connection to community funded infrastructure and works are proposed to increase safety for users of the Waitaha Road during the construction period. Pre-construction and post-construction surveys of the road will ensure that any deterioration of the road through construction activities is remedied.</p>