

Appendix N – Rules Assessment

Grey District Plan		
Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
Rural Environmental Area		
Rules		
19.7.1 <i>Permitted Activities General</i>	Permitted Activity <i>Any activity is a permitted activity provided that it does not contravene any other rule in this Environmental Area.</i>	Does not comply Rule breaches are set out below
19.7.2 <i>Minimum Residential Unit Site Area</i>	Permitted Activity	N/A No residential units will be built as part of this proposal.
19.7.3 <i>Setbacks</i>	<p>Permitted Activity</p> <p>(i) Buildings and forestry are permitted if:</p> <p>(a) the minimum setback from internal boundaries is:</p> <ul style="list-style-type: none"> • 5m for principal residential buildings • 5m for other buildings greater than 5m² in gross floor area • 3m for other buildings less than 5m² in gross floor area. • 10m for forestry activities, provided that setbacks are not required where land on either side of the boundary is owned by the same person; and <p>(b) the minimum setback from the road boundary is:</p> <ul style="list-style-type: none"> • 10m for buildings except that this shall not apply to buildings less than 5m² in gross floor area • 20m for forestry activities <p>(c) The following setbacks are complied with:</p> <ul style="list-style-type: none"> • No building is erected within 100 metres of MHWS. • No building for residential or commercial purposes is erected within 150 metres of the boundary of any oxidation pond and no oxidation ponds are located within 150 metres of a residential or commercial building. • No building is erected within 20m of a margin of a lake or within 25m of a wetland greater than 2 ha. • No building is erected within 10m of a bank of a river or stream which is more than 3m in width. • Forestry is not to be undertaken within: <ul style="list-style-type: none"> • 25m of a wetland greater than 0.5 hectares • 20m of a lake • 10m of rivers and streams with an average bed width greater than 3m adjacent to the activity provided that this does not apply to the retrieval or removal of unavoidable logging debris, including logs, and aerial cable suspension logging. <p><i>For the purposes of setbacks from the margin of a lake or wetland and the bank of a river or stream, a building does not include a jetty bridge, culvert or stream crossing. Rule 19.7.3 does not apply to those aspects of forestry where there is a common function as defined by the provisions of sections 30 and 31 of the Resource Management Act 1991 between the West Coast Regional Council (WCRC) and the Grey District Council (GDC) and the WCRC has granted a resource consent (not including a certificate of compliance issued under Section 139 of the RM Act) and that resource consent application raises the same issues for consideration by both authorities in relation to that aspect of the forestry activity. If any aspects of forestry within the areas described in Rule 19.7.3(i)(c) fifth bullet point are</i></p>	N/A There are no buildings to be constructed as part of this application.

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	<i>not subject to a resource consent from the WCRC or issues arise for determination beyond the proper exercise of the WCRC decision making process and a resource consent is otherwise required from the GDC, the activity will require a resource consent from the GDC, unless the activity is otherwise permitted under these rules.</i>	
19.7.3A National Grid Infrastructure		N/A There is no national grid infrastructure in the vicinity of this proposal.
19.7.4 Building design and appearance	Permitted Activity i) Relocated buildings onto sites are permitted if: (a) they are constructed within the last ten years and (b) they are constructed of new materials and (c) they are established on foundations complying with the building code at the time of relocation	N/A There are no buildings to be relocated as part of this application.
19.7.5 Indigenous Vegetation Removal	Permitted Activity (i) Indigenous vegetation clearance is permitted if the SNA process has not been undertaken for a site or Step 3 below is not completed for that site provided the area subject to vegetation clearance: (a) Is less than 2000 m ² per 5 years per site or (b) Is more than 2000 m ² per 5 years per site provided: • The indigenous vegetation to be cleared is not contiguous with any land managed for conservation purposes, or • The area of indigenous vegetation is less than 5 hectares in area • The area is not a wetland, or (ii) Indigenous vegetation clearance is permitted if it is for the following: (a) clearance of indigenous vegetation understorey beneath exotic forest areas (b) clearance of vegetation for farm tracks and of regrowth vegetation to maintain existing tracks and stock crossings (c) the incidental clearance of vegetation to control gorse, broom, or other exotic plant pests (d) the management of vegetation necessary for the safe and efficient operation of any formed road and the ongoing operation, maintenance and upgrading of existing lines for conveying electricity, or (iii) Indigenous vegetation clearance on any site is permitted if it is outside an SNA included in Schedule 1 after the SNA process is completed for that site, or an SNA has not been included in Schedule 1 after the completion of the Plan Change process, or (iv) Indigenous vegetation clearance is a permitted activity if it is exempt under Rule 19.7.5(xi) (v) Indigenous vegetation clearance is permitted if it is not undertaken within: (a) 25m of a wetland greater than 0.5 hectare (b) 20m from a lake (c) 10m of rivers and streams with an average bed width greater than 3m adjacent to the activity. Rule 19.7.5(v) does not apply to the following which are permitted activities: • The incidental clearance of vegetation to control gorse, broom, or other exotic plant pests. • Fencing. • In respect of rivers and streams, construction of access points to water on the basis of either one per site or one every 400m of linear measure for stock and vehicles and structures such as whitebait stands. • The management necessary for the ongoing operation, maintenance and upgrading of existing lines for electricity.	Consent required – Discretionary Activity The site of the activity is not within an SNA. While the site is highly modified there is vegetation within 10m of Wasabi creek which has a mean width of 3.5m which will be cleared. Where practicable this vegetation will be used for Direct Vegetation Transfer and rehabilitation of other creeks on site.

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	<p>• <i>Indigenous vegetation clearance or an activity that will have the effect of clearing vegetation where there is a common function as defined by the provisions of Sections 30 and 31 of the Resource Management Act 1991 between the West Coast Regional Council (WCRC) and the Grey District Council (GDC) and the WCRC has granted a resource consent (not including a certificate of compliance issued under Section 139 of the RM Act) and that resource consent application raises the same issues for consideration by both authorities in relation to the indigenous vegetation clearance.</i></p> <p><i>If any aspects of indigenous vegetation clearance within the areas described in Rule 19.7.5(v)(a), (b) or (c) are not subject to a resource consent from the WCRC or issues arise for determination beyond the proper exercise of the WCRC decision-making process and a resource consent is otherwise required from the GDC, the activity will require a resource consent from the GDC, unless the activity is otherwise permitted under these rules.</i></p>	
19.7.6 Landscape Areas	<p>Permitted Activity</p> <p>(i) Activities are permitted in areas identified on the planning maps as “Area of Outstanding Landscape” if:</p> <p>(a) They are buildings which do not exceed 2m in height or 5m² in area, and</p> <p>(b) Any indigenous vegetation that is removed does not exceed 100m² in area in any one hectare, and</p> <p>(c) The activity is not forestry.</p>	<p>N/A</p> <p>The application area is not within an area of outstanding landscape.</p>
19.7.7 Building Coverage	<p>Permitted Activity</p> <p>(i) Buildings are permitted if:</p> <p>(a) The site coverage does not exceed 10% of the site area or 1500m² whichever is the greater.</p>	<p>N/A</p> <p>There are no buildings to be constructed as part of this application.</p>
19.7.8 Maximum Height of Buildings and Structures	<p>Permitted Activity</p> <p>(i) Buildings and structures are permitted if:</p> <p>(a) The maximum height of any building is 10m and</p> <p>(b) All buildings and structures comply with the Aerodrome Flight Path Protection Area rules contained in Appendix 9</p>	<p>N/A</p> <p>There are no buildings to be constructed as part of this application. While the dredge may be considered a structure it is not located within an Aerodrome Flight Path Protection Area.</p>
19.7.9 Lighting	<p>Permitted Activity</p> <p>No activity shall result in a greater than 2.5 lux spill (horizontal and vertical) of light onto any adjoining property, measured at any point more than 2m inside the boundary of the adjoining property or the closest window on the adjoining property whichever is the closest</p>	<p>N/A</p> <p>Mining activities will be undertaken during the hours of daylight. Any fixed lighting on equipment will meet these requirements.</p>
19.7.10 Utilities	<p>Refer Appendix 1</p>	<p>N/A</p> <p>The application does not relate to installation of utility structures.</p>
19.7.11 Signs	<p>Refer Appendix 2</p>	<p>N/A</p> <p>There are no signs proposed as part of this application.</p>
19.7.12 Hazardous Substances	<p>Refer Appendix 3</p>	<p>N/A</p> <p>There is no fuel storage proposed as part of this application.</p>
19.7.13 Parking, Loading and Access	<p>Refer Appendix 4</p>	<p>N/A</p> <p>There are no requirements for parking, loading or access as part of this application.</p>

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<p>19.7.14 Subdivision</p>	<p>Refer Appendix 5</p>	<p>N/A No subdivision is proposed as part of this application.</p>
<p>19.7.15 Heritage items and Historic trees</p>	<p>Refer Appendix 6</p>	<p>N/A The heritage sites identified are not captured under this rule.</p>
<p>19.7.16 Non-Rural Activities</p>	<p>Permitted Activity</p> <p>(i) Non rural activities are permitted if:</p> <p>(a) The maximum floor area for any non-rural activity is a maximum of 100m² provided that this shall not apply to fire stations.</p> <p>(b) The maximum number of permitted vehicle trips generated by an activity on a site is:</p> <p>Heavy Vehicles 20 per day Other Vehicles 100 per day</p> <p>(c) Any activity shall be conducted such that the following noise limits are not exceeded at any point within the notional Boundary of any dwelling in the Rural or Rural Residential Environmental Area and at the boundary of a site in the Residential and Township environment areas, other than the site from which the noise is created.</p> <p>(i) Rural Environmental to Rural Environmental and Township Environmental</p> <p>Monday to Saturday 0700 hrs to 2200 hrs 55dBA L10 2200 hrs to 0700 hrs 45dBA L10</p> <p>Sunday 45dBA L10</p> <ul style="list-style-type: none"> • 75 dBA Lmax all days between 2200 hrs and 0700 hrs and <p>(ii) Rural Environmental to Residential Environmental and Rural Residential Environment</p> <p>Monday – Friday 2200 hrs to 0700 hrs 45dBA L10 0700 hrs to 2200 hrs 55dBA L10</p> <p>Saturday 1700 hrs to 0800 hrs 45dBA L10 0800 hrs to 1700 hrs 55dBA L10</p> <p>Sundays 45dBA L10</p> <ul style="list-style-type: none"> • 75dBA Lmax all days between 2200 hrs and 0700 hrs <p>Except where expressly provided elsewhere in this rule, sound shall be measured in accordance with the provisions of NZS 6801:1999 Acoustics Measurement of Environmental Sound and assessed in accordance with the provision of NZS 6802:1991 Assessment of Environmental Sound.</p>	<p>Complies – Permitted Activity</p> <p>There are no buildings proposed as part of this application. Vehicle trips have been authorised under a separate consent for the Wet Concentrator Plant.</p> <p>Noise levels from the mining activity will comply with predicted day and night time noise limits of 55 and 45 dB L_{Aeq}. Extraction will be avoided within 500m of the dwellings Lot 2 DP 2178, 23, 37, 41, 43 and 50 Warren Road and 64, 67, 86 and 101 Cargill Road, during 0600-0700 to ensure compliance with the 45dB L_{Aeq} night-time limit.</p>
<p>23.1 Use and storage of Hazardous Substances</p>	<p>Permitted Activity</p> <p>(i) The use or storage of hazardous substances are permitted activities if they;</p> <p>(a) are not listed in Schedule 1 or</p> <p>(b) are listed in Schedule 1 but their quantities are below those specified in Column A of Schedule 2 for Permitted Activities in the relevant Environmental Area; and</p>	<p>N/A There is no onsite storage of fuel proposed as part of this application. Fuel will be provided via mobile tanker.</p>

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	(c) comply with all legislation and regulation requirements Provided that: The use or storage of hazardous substances is permitted if it is a consequence of temporary military training (no longer than twenty eight days at any one time) and complies with relevant NZ Defence Force “Codes of Practice”.	
Decisions Version Te Tai o Poutini Plan – Rules under appeal are noted with an * e.g. ECO-R1*		
Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
Infrastructure – Te Tūāhanga		
Infrastructure Rules		
INF – R7* New Lines, Telecommunication Poles or Towers	Activity Status Permitted Where: 1. All performance standards in Rule INF-R1 are complied with; 2. This is located in a GRUZ - General Rural Zone or INZ - Industrial Zone; 3. Poles do not exceed a height of 25m; and 4. Towers do not exceed a height of 15m; or 5. The activity is located below ground.	Complies - Permitted Activity A mobile cell tower will be relocated out of the application area. Erection of the tower in a new site within proximity to this area can be undertaken as a permitted activity.
Ecosystems and Indigenous Biodiversity - Ngā Pūnaha Rauropi me te Kanorau Koiora		
Ecosystems and Indigenous Biodiversity Rules		
Permitted Activities		
ECO-R1* General Standards	Permitted activities standards outside Significant Natural Areas 1. Within the coastal environment: i. Any indigenous vegetation clearance is a maximum of 500m ² per site, or a maximum of 20m ² on any individual infrastructure work site, or 20m ² per linear 100 metre length for linear infrastructure; except that indigenous vegetation clearance is a maximum of 500m ² per site in the Hartmount Place and Ross Place subdivision, provided that at least an equivalent amount is retained on the site; ii. The indigenous vegetation clearance will not disturb, damage or destroy nesting areas of habitat or protected threatened or at risk species; and iii. The indigenous vegetation clearance will not occur in an area of land within category one or two of the Threatened Environment Classification; and 2. Within the riparian margin of a waterbody: i. It is a maximum of 25m ² per linear 200 metre length of riparian margin; and 3. In all other locations: i. A maximum of 2,000m ² on any site that has not had a Significant Natural Area assessment undertaken in accordance with Policy ECO - P1; or ii. A maximum of 5,000m ² on any site that has had a Significant Natural Area assessment in accordance with Policy ECO - P1 or within the Grey District has a Significant Natural Area included within Schedule Four that is located on the same property; or iii. Is a maximum of 20m ² on any individual infrastructure work site, or 20m ² per linear 100 metre length for linear infrastructure; and	Consent Required – Restricted Discretionary Activity (ECO-R9*) The activity will take place within the coastal environment. While the site is highly modified there are some dredge ponds, drains and creeks with indigenous vegetation that will need to be cleared which will exceed the permitted limits. The activity will not be undertaken within an area of land within category one or two of the Threatened Environment Classification.

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	<p>4. Except where carried out by a statutory agency, or authorised contractor acting on its behalf, responsible for natural hazard mitigation, the clearance is located within areas used and identified for natural hazard mitigation structures that are owned or managed by a statutory agency.</p> <p>Except that the maximum vegetation clearance provisions in these general standards do not apply where:</p> <ul style="list-style-type: none"> i. Specific to clause 3 in this rule, it is necessary to provide for the ongoing safe and efficient operation, maintenance and repair of the National Grid, electricity distribution and telecommunication lines; or ii. For all clauses in this rule, the indigenous vegetation clearance is for network utility operations within any RESZ - Residential Zone, COMZ - Commercial and Mixed Use Zone, PORTZ - Port Zone, or IND - Industrial Zone property within the towns of Greymouth, Hokitika or Westport; iii. For all clauses in this rule, the indigenous vegetation clearance is of vegetation planted and managed: <ul style="list-style-type: none"> a. As part of a domestic or public garden for amenity purposes; or b. As a shelterbelt; or c. For the purpose of harvesting plantation forestry. 	
<p>Natural Character and Margins of Waterbodies Ngā Āhua me ngā Mahi ka Noho Hāngai ki ngā Hopua Wai</p>		
<p>Natural Character and the Margins of Waterbodies Rules</p>		
<p>Permitted Activities</p>		
<p>NC-R1* Earthworks within the Riparian Margin of a River, Lake or Wetland</p>	<p>Activity Status Permitted</p> <ol style="list-style-type: none"> 1. Where this is outside of any Significant Natural Area identified in Schedule Four, and for: <ul style="list-style-type: none"> i. Fence lines; or ii. Maintenance, operation, minor upgrade and repair of network utilities, regionally significant infrastructure or renewable electricity generation activities; or iii. New network utilities and regionally significant infrastructure where these are underground and located within a formed legal road or attached to an existing bridge; or iv. Connections to wastewater, stormwater and reticulated network utility systems and underground energy and infrastructure connections; or v. Installation of an environmental monitoring and extreme weather event monitoring facility; or vi. Maintenance and repair of lawfully established structures; or vii. The construction of parks facilities, parks furniture or public access points within an Open Space and Recreation Zone; or viii. The establishment of a river crossing point up to 3m wide; or ix. Poutini Ngāi Tahu activities; x. Activities on Māori Purpose Zoned land or Site or Area of Significance to Māori in Schedule Three and is undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or xi. Maintenance and repair of lawfully established natural hazard mitigation structures; or xii. New natural hazard mitigation structures and upgrading of existing natural hazard mitigation structures undertaken by a statutory agency or their authorised contractor acting on its behalf; or 	<p>Does not comply – Discretionary Activity (NC-R4*)</p> <p>Earthworks will exceed permitted volumes within riparian margins as mining will take place throughout these areas.</p>

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	<p><i>xiii. Arable, horticultural or pastoral farming use where this is lawfully established at 14 July 2022; and</i></p> <ol style="list-style-type: none"> 2. <i>The amount of earthworks is not greater than 25m³ per 200m length of Riparian Margin;</i> 3. <i>All earthworks stockpiles are located outside of the Riparian Margin of the waterbody.</i> <p>Advice Note:</p> <ol style="list-style-type: none"> 1. <i>Rules in other Overlay Chapters particularly Historic Heritage, Sites and Areas of Significance to Māori, Natural Hazards and Natural Features and Landscapes may also apply in these locations.</i> 2. <i>Activities within the margins of waterbodies and wetlands are also the subject of regulation under the NES Freshwater, NPS Freshwater and the West Coast Regional Land and Water Plan.</i> 3. <i>This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF.</i> 	
<p><i>NC-R2*</i> <i>Buildings and Structures within the Riparian Margin of a River, Lake or Wetland</i></p>	<p>Activity Status Permitted</p> <ol style="list-style-type: none"> 1. <i>Where the buildings and structures have a functional need to locate in the riparian margin and are:</i> <ol style="list-style-type: none"> <i>i. Network utilities and regionally significant infrastructure; or</i> <i>ii. Temporary whitebait stands and temporary mai mai for game bird hunting provided these are removed within two weeks at the end of the season; or</i> <i>iii. Environmental monitoring facilities; or</i> <i>iv. Parks facilities and parks furniture within an Open Space and Recreation Zone; or</i> <i>v. Natural hazard mitigation structures constructed by a statutory agency or authorised contractor acting on its behalf; or</i> <i>vi. Renewable electricity generation activities; or</i> <i>vii. Stormwater discharge structures and water supply intake structures constructed in accordance with NZS 4404 Code of Practice for Land Development and Subdivision Infrastructure; or</i> <i>viii. Temporary bridges constructed as part of a temporary military training activity; or</i> <i>ix. Pump sheds, less than 5m².</i> <p>Advice Note:</p> <ol style="list-style-type: none"> 1. <i>Rules in other Overlay Chapters particularly Historic Heritage, Sites and Areas of Significance to Māori, Natural Hazards and Natural Features and Landscapes may also apply in these locations.</i> 2. <i>Activities within the margins of waterbodies and wetlands are also the subject of regulation under the NES Freshwater, NPS Freshwater Management and the West Coast Regional Land and Water Plan.</i> 	<p>Does not comply – Discretionary (NC-R5*)</p> <p>Following mining and rehabilitation, existing farm bridges across creeks and drains will be replaced as required. Bridges of this nature are not included under this rule.</p> <p>The dredge is also considered to be a structure and will be located within these areas during mining.</p>
<p>Coastal Environment - Te Taiao o te Takutai</p>		
<p>Coastal Environment Rules</p>		
<p>Permitted Activities</p>		
<p><i>CE-R4*</i> <i>Buildings and structures in the Coastal Environment that are outside of the</i></p>	<p>Activity Status Permitted</p> <p><i>Where:</i></p> <ol style="list-style-type: none"> 1. <i>These are:</i> 	<p>Does not comply – Restricted Discretionary (CE – R14*)</p> <p>This rule does not provide for the reconstruction of farm bridges post-mining.</p>

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<p><i>Outstanding Coastal Environment Area</i></p>	<p><i>i. Buildings and structures that comply with the rules for buildings and structures within the relevant zone, except that within the GRUZ - General Rural Zone, RLZ - Rural Lifestyle, SETZ - Settlement Zone, OSZ - Open Space Zone and the NOSZ - Natural Open Space Zone:</i></p> <p><i>a. Maximum height is 7m for new buildings;</i></p> <p><i>b. No height limits apply where this is replacement of a lawfully established building with another building of the same height, in the same location; and</i></p> <p><i>c. The gross ground floor area is:</i></p> <p><i>I. A maximum of 200m² per building for new buildings;</i></p> <p><i>II. No maximum area where this is the replacement of a lawfully established building with another building of the same ground floor area, in the same location; and</i></p> <p><i>d. New buildings are set back 25m from Mean High Water Springs except where these are:</i></p> <p><i>I. New network utility buildings, where these are located within a legal road reserve; or</i></p> <p><i>II. Parks facilities or parks furniture within any OSRZ - Open Space and Recreation Zone;</i></p> <p><i>or</i></p> <p><i>ii. Energy Activities or Network Utilities, including ancillary earthworks, that are permitted activities in the Energy, Infrastructure and Transport Chapters of the Plan.</i></p> <p>Advice Note:</p> <p>1. Refer to the Overlay Chapters and Zone Chapters for other rules in relation to buildings and structures in these areas.</p> <p>2. For the avoidance of doubt, within the General Rural, Rural Lifestyle, Settlement and Open Space and Recreation Zones, standards i. a, c and d apply to new buildings only, not structures, or any additions to existing buildings.</p>	<p>The MfE definition of structure potentially includes the dredge (<i>includes equipment, made by people and which is fixed to land and includes any raft</i>). The dredge will be fixed to land to stop excessive movement and while also allowing for movement within the pond. Due to the location of the activity GRUZ - R11(4)(iii) cannot be met as it will occur in a riparian margin.</p>
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Light - Ngā Rama

Light Rules

Permitted Activities

<p><i>LIGHT-R1*</i> <i>All Zones: General Permitted Activity Standards</i></p>	<p>All activities must comply with the following relevant standards:</p> <p>1. Lighting limits must be measured and assessed in accordance with AS/NZS 4282 Control of the Obtrusive Effects of Outdoor Lighting.</p> <p>2. For measurement of light levels in NOSZ - Natural Open Space Zone, SETZ - PREC 3 - Settlement Zone - Coastal Settlement Precinct, and in All Zones where the site falls within the Outstanding Coastal Natural Character Overlay, the calculation plane shall be taken at the property boundary.</p> <p>3. All exterior lighting shall be directed towards the area within the site that is intended to be illuminated.</p>	<p>Complies – Permitted Activity</p> <p>Mining activities will take place during daylight hours. Any lighting used for health and safety purposes will comply with the permitted activity standards.</p>
<p><i>LIGHT - R4*</i> <i>Artificial Outdoor Lighting in the GRUZ – General Rural Zone, RLZ – Rural Lifestyle Zone, MPZ – Maori Purpose Zone, FUZ – Future Urban</i></p>	<p>Activity Status Permitted</p> <p>Where:</p> <p>1. Outdoor artificial lighting must not exceed the following vertical levels measured at the boundary of the property:</p> <p>a. 7.00am – 10.00pm: 5 Lux; and</p> <p>b. 10.00pm – 7.00am: 1 Lux;</p>	<p>Complies – Permitted Activity</p> <p>Mining activities will take place during daylight hours. Any lighting used for health and safety purposes will comply with the permitted activity standards.</p>

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<p>Zone, BCZ – Buller Coalfield Zone and MINZ – Mineral Extraction Zone</p>		
<p>LIGHT - R5* Artificial Outdoor Lighting in the NOSZ - Natural Open Space Zone, SETZ - PREC 3 - Coastal Settlement Precinct and in locations within:</p> <ul style="list-style-type: none"> • Outstanding Coastal Natural Character Overlay (Schedule Eight); • Outstanding Natural Landscapes Overlay (Schedule Five); • Outstanding Natural Features Overlay (Schedule Six); or • A distance of 15 kilometres landward of the coastal marine area. 	<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Artificial outdoor lighting must not exceed the following vertical light levels: <ol style="list-style-type: none"> i. 7.00am - 10.00pm: 2 Lux; and ii. 10.00pm - 7.00am: 1 Lux; where iii. This measured at the boundary of the site. 2. Artificial outdoor light must: <ol style="list-style-type: none"> i. Be fully shielded and mounted in a horizontal position; and ii. Have colour corrected temperature of no greater than 3000K (warm white). 3. Where the artificial outdoor lighting is located with the SETZ - PREC 3 - Settlement Zone - Coastal Settlement Precinct of Ōkarito it must be installed in a manner that precludes operation of lights greater than 500 lumens for durations greater than five minutes between 10pm and 7am the following day. 4. Where the artificial outdoor lighting is located within the Outstanding Coastal Natural Character Overlay it must be installed in a manner that precludes operation between 10pm and 7am the following day. 	<p>Complies – Permitted Activity Mining activities will take place during daylight hours. Any lighting used for health and safety purposes will comply with the permitted activity standards.</p>
<p>Noise - Ngā Oro</p>		
<p>Noise Rules</p>		
<p>Permitted Activities</p>		
<p>NOISE-R1 General Standards</p>	<p>All activities must comply with the following relevant standards.</p> <ol style="list-style-type: none"> 1. Noise levels arising from activities must be measured and assessed in accordance with the New Zealand Standard NZS 6801:2008 Acoustics - Measurement of environmental sound and the New Zealand Standard NZS 6802:2008 Acoustics - Environmental noise except where more specific requirements apply. 2. The noise from any construction work activity must be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999 Acoustics – Construction noise. Construction work is defined in New Zealand Standard NZS 6803:1999 Acoustics – Construction noise. 3. Noise from aerodromes, airfields or airports not subject to NOISE - R10 must be measured and assessed in accordance with New Zealand Standard NZS 6805:1992 Airport Noise Management and Land Use Planning. 4. Noise from new or altered roads must be measured and assessed in accordance with New Zealand Standard NZS 6806:2010 Acoustics - Road-traffic noise - New and altered roads. 	<p>Complies – Permitted Activity All construction noise during normal working hours of 0730 to 1800 hours Monday to Saturday, will comply with the applicable NZS 6803 noise limit of 70 dB_{L_{Aeq}}.</p>

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	<ol style="list-style-type: none"> 5. Noise from wind turbines must be measured and assessed in accordance with NZS 6808: 2010 Acoustics Wind Farm Noise. 6. Noise from Helicopter Landing areas must be measured and assessed in accordance with and comply with the noise standards and limits of NZS 6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Area. 7. Noise from port activities must be managed in accordance with the noise standards and limits, control boundaries and methods of measurement as outlined in NZS 6809:1999 Acoustics Port Noise Management and Land Use Planning. 	
<p>NOISE-R2* Emissions of Noise in ALL Zones</p>	<p>Activity Status Permitted Where the following activities are exempted from meeting Zone noise standards:</p> <ol style="list-style-type: none"> 1. Noise associated with use of the site for residential activity, including use of lawn mowers, vehicles, machinery or equipment operated and maintained in accordance with the manufacturer’s specifications; 2. Any warning device or siren used by emergency services for emergency purposes (and routine testing and maintenance of these); 3. Activities at emergency service facilities associated with emergency response and emergency response training; 4. Helicopters used for an emergency and as an air ambulance; 5. The use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and maintenance not exceeding two weeks in duration, where they are operated by emergency services or lifeline utilities or regionally significant infrastructure; 6. People noise at recreational activities, such as sporting events or the noise from children at school or in residential dwellings. This does not include any amplified noise; 7. Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1998), or within a site as part of or compatible with an activity provided for as a permitted activity in that zone; 8. Trains operating on rail lines (public or private) and crossing bells within road reserve, including at railway yards, railway sidings or stations. However, this exemption does not apply to the testing (when stationary), maintenance, loading or unloading of trains; 9. Road construction work where management controls are in place to mitigate the emission of noise; 10. Agricultural, pastoral and horticultural activities undertaken in the General Rural Zone and Rural Lifestyle Zone; 11. Aircraft take off and landing, including helicopter movements, associated with rural production activities and conservation activities at least 250 metres from any sensitive activity or for no more than 30 days in any 12 month period per site; 12. Non-commercial motorised watercraft operating on the surface of waterbodies; 13. Rifle ranges located within the Rifle Range Protection Area during the hours of 7am to 10pm; 14. The noise is emitted from an audible bird scaring device between the hours of half an hour before sunrise and until half an hour after sunset, not used at a frequency of more than 12 events per hour, and generating less than 65dB_{LAE} for each event measured at any point at or within the boundary of any site within a Residential Zone, Settlement Zone, Māori Purpose Zone, Hospital Zone, Open Space 	<p>Complies – Permitted Activity Use of audible bird scarers will comply with the permitted activity standards of NOISE R2(14).</p>

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	<p>Zone, Natural Open Space Zone, Scenic Visitor Zone, Future Urban Zone or at the notional of any site in the General Rural Zone or Rural Lifestyle Zone; and</p> <p>15. The noise is from a Temporary Activity where the temporary activity occurs between 7:00am and 10:00pm, and no more than 12 days per calendar year, and if operating outside of these hours complies with the underlying noise standards of the zone. This does not include any amplified noise.</p> <p>Advice Note: NOISE - R2.11 does not apply to activities undertaken by the Department of Conservation or its agents on land held or managed under the Conservation Act.</p>																											
<p>NOISE - R5* Emission of noise for activities not provided for by NOISE – R2, NOISE – R4, NOISE – R6 and NOISE – R7</p>	<p>Activity Status Permitted Where:</p> <p>1. Noise from any activity shall not exceed the following noise limits at any point at or within the boundary of any site within any of the following zones:</p> <table border="1" data-bbox="526 614 1612 1034"> <thead> <tr> <th rowspan="2">Zone</th> <th colspan="3">Maximum Noise Limit</th> </tr> <tr> <th>Daytime (Monday–Friday) 7:00am-10:00pm</th> <th>Saturday, Sundays and Public Holidays 7:00 am –10:00pm</th> <th>Night-time 10:00pm- 7:00am</th> </tr> </thead> <tbody> <tr> <td>RESZ Residential Zone SETZ Settlement Zone MPZ Māori Purpose Zone HOSZ Hospital Zone OSZ Open Space Zone NOSZ Natural Open Space Zone SVZ Scenic Visitor Zone FUZ Future Urban Zone</td> <td>55 dB L_{Aeq}</td> <td>50 dB L_{Aeq}</td> <td>45 dB L_{Aeq} 70 dB L_{AFmax}</td> </tr> </tbody> </table> <p>2. Noise from any activity shall not exceed the following noise limits at any point at the notional boundary of any site within any of the following zones:</p> <table border="1" data-bbox="526 1104 1612 1364"> <thead> <tr> <th rowspan="2">Zone</th> <th colspan="3">Maximum Noise Limit</th> </tr> <tr> <th>Daytime (Monday–Friday) 7:00am -7:00pm</th> <th>Monday-Friday 7:00pm – 10:00pm Saturday, Sundays and Public Holidays 7:00 am –10:00pm</th> <th>Night-time 10:00pm- 7:00am</th> </tr> </thead> <tbody> <tr> <td>GRUZ General Rural Zone RLZ Rural Lifestyle Zone</td> <td>55 dB L_{Aeq}</td> <td>50 dB L_{Aeq}</td> <td>45 dB L_{Aeq} 70 dB L_{AFmax}</td> </tr> </tbody> </table> <p>3. The maximum noise from any activity shall not exceed the following noise limits at any point at or within the boundary of any site within any of the following zones:</p> <table border="1" data-bbox="526 1433 1612 1466"> <thead> <tr> <th>Zone</th> <th>Maximum Noise Limit</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Zone	Maximum Noise Limit			Daytime (Monday–Friday) 7:00am-10:00pm	Saturday, Sundays and Public Holidays 7:00 am –10:00pm	Night-time 10:00pm- 7:00am	RESZ Residential Zone SETZ Settlement Zone MPZ Māori Purpose Zone HOSZ Hospital Zone OSZ Open Space Zone NOSZ Natural Open Space Zone SVZ Scenic Visitor Zone FUZ Future Urban Zone	55 dB L _{Aeq}	50 dB L _{Aeq}	45 dB L _{Aeq} 70 dB L _{AFmax}	Zone	Maximum Noise Limit			Daytime (Monday–Friday) 7:00am -7:00pm	Monday-Friday 7:00pm – 10:00pm Saturday, Sundays and Public Holidays 7:00 am –10:00pm	Night-time 10:00pm- 7:00am	GRUZ General Rural Zone RLZ Rural Lifestyle Zone	55 dB L _{Aeq}	50 dB L _{Aeq}	45 dB L _{Aeq} 70 dB L _{AFmax}	Zone	Maximum Noise Limit			<p>Complies – Permitted Activity Noise levels from the mining activity will comply with predicted day and night time noise limits of 55 and 45 dB L_{Aeq}. Extraction will be avoided within 500m of the dwellings Lot 2 DP 2178, 23, 37, 41, 43 and 50 Warren Road and 64, 67, 86 and 101 Cargill Road, during 0600-0700 to ensure compliance with the 45dB L_{Aeq} night-time limit.</p>
Zone	Maximum Noise Limit																											
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GRUZ General Rural Zone RLZ Rural Lifestyle Zone	55 dB L _{Aeq}	50 dB L _{Aeq}	45 dB L _{Aeq} 70 dB L _{AFmax}																									
Zone	Maximum Noise Limit																											

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		Daytime (Monday–Friday) 7:00am-10:00pm	Saturday, Sundays and Public Holidays 7:00 am –10:00pm	Night-time 10:00pm-7:00am	
	SARZ Sport and Recreation Zone AIRPZ Airport Zone CMUZ Commercial and Mixed Use Zones STADZ Stadium Zone LIZ Light Industrial Zone	60 dB L_{Aeq}	55 dB L_{Aeq}	50 dB L_{Aeq} 75 dB L_{AFmax}	
	GIZ General Industrial Zone PORTZ Port Zone	65 dB L_{Aeq}	65 dB L_{Aeq}	65 dB L_{Aeq}	
4. Noise from any activity shall not exceed the following noise limits at any point at the notional boundary of any sensitive activity within any of the following zones:					
	Zone	Maximum Noise Limit			
		Daytime (Monday–Friday) 7:00am-10:00pm	Saturday, Sundays and Public Holidays 7:00 am –10:00pm	Night-time 10:00pm- 7:00am	
	MINZ Mineral Extraction Zone	55 dB L_{Aeq}	55 dB L_{Aeq}	45 dB L_{Aeq} 75 dB L_{AFmax}	
General Rural Zone - Te Takiwā Tuawhenu Whānui					
Rules					
GRUZ-R11* Mineral Extraction	Activity Status Permitted <i>Where:</i> <ol style="list-style-type: none"> No more than 20,000m³ of material is excavated within a calendar year; or Land disturbance is limited to no more than 3ha at any one time per site on which the activity is occurring; The site is progressively rehabilitated as far as is practicable to its condition prior to the activity occurring, with rehabilitation being completed no later than 6 months of the mineral extraction activity ceasing; and The activity does not occur within: <ol style="list-style-type: none"> An Outstanding Natural Landscape or Outstanding Natural Feature; or An area of significant indigenous vegetation or significant indigenous fauna habitat or any Significant Natural Area identified in Schedule Four; or The riparian margins of any stream, river, lake, or wetland; A Historic Heritage site identified in Schedule One; or 250m of a sensitive activity on an adjoining site; and There are no earthworks within 20m of the property boundary; The maximum stockpile height is 7m; 			Does not comply – Discretionary Activity (GRUZ-R25*) The proposed mining will excavate more than the volume of material permitted with a disturbed area of approximately 16ha. Rehabilitation will be undertaken progressively once the land has been contoured. The activity is not with a ONL or ONF area or an SNA, but will be undertaken within the riparian margins of creeks and wetland areas. Two Historic sites as identified in Schedule One are located on site. The activity will be undertaken with 250m of several residential dwellings.	

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	<p>7. <i>There shall be no offensive or objectionable dust nuisance as a result of the activity at or beyond the property boundary;</i></p> <p>8. <i>There are a maximum of 10 heavy vehicle movements and 30 light vehicle movements per day generated by the activity;</i></p> <p>9. <i>Vehicle crossings and access meet the design standards as set out in Appendix One Transport Performance Standards;</i></p> <p>10. <i>Hours of operation are limited to 7am to 7pm;</i></p> <p>11. <i>Noise levels meet the Permitted Activity Standards in Rule NOISE - R5; and</i></p> <p>12. <i>Light meets the Permitted Activity standards in Rule LIGHT - R4.</i></p> <p>Advice Notes:</p> <p>1. <i>Where an activity subject to this rule is located within an Overlay Chapter area then compliance with the relevant Overlay Chapter rules is required.</i></p> <p>2. <i>Mineral Extraction within the Pounamu and Aotea Overlays or Site or Area of Significance to Māori is subject to Rule SASM - R7.</i></p> <p>3. <i>Mineral Extraction may require a resource consent from the West Coast Regional Council. In particular there are restrictions in relation to earthworks within 100m of a wetland and work near or within waterbodies, taking and use of water and discharges to waterbodies.</i></p>	<p>There is a 20m buffer from the property boundary and any stockpiles will be less than 7m in height.</p> <p>Dust management measures will be employed across the site with monitoring in place.</p> <p>Vehicle movements and access have been consented under the Wet Concentrator Plant.</p> <p>Hours of mining operation will be restricted to daylight hours.</p> <p>Noise limits will be complied with mining not to be undertaken within 500m of the dwellings Lot 2 DP 2178, 23, 37, 41, 43 and 50 Warren Road and 64, 67, 86 and 101 Cargill Road, during 0600-0700.</p> <p>Any fixed lighting will comply with the permitted activity standards as mining activity will only be undertaken during daylight hours.</p>
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West Coast Regional Land and Water Plan		
Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
18.1.1 Permitted Activities on Land		
Rules		
2. Earthworks in riparian margins	<p>Earthworks within riparian margins, and any associated discharge of sediment are a permitted activity if all of the following conditions are met:</p> <p>(a) The volume of earthworks in the riparian margin must not exceed 25m³ and must not involve the cumulative disturbance of more than 20 linear metres in any 200 metre length of riparian margin; and</p> <p>(b) Sufficient sediment control is constructed so that the activity does not either:</p> <p>i) Decrease the visual clarity of any receiving water by more than 40% as measured by black disc; or</p> <p>ii) Alter the natural turbidity in the receiving water by more than 1 Nephelometric Turbidity Unit (NTU) where the natural turbidity upstream from the discharge is less than or equal to 10 NTU; or</p> <p>iii) Alter the natural turbidity in the receiving water by more than 10 NTU where the natural turbidity upstream from the discharge is greater than 10 NTU; as measured beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser; and</p> <p>(c) No soil or debris is placed directly in any river or lake bed; and</p> <p>(d) There is no conspicuous deposition of sediment on the bed of any water body; and</p> <p>(e) The activity does not affect any surface water take; and</p> <p>(f) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and</p> <p>(g) Earthworks are carried out such that:</p> <p>i) Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes, to avoid causing erosion; and</p> <p>ii) Any culverts or cut and fill batters are designed and constructed or installed to prevent their failure and avoid causing erosion; and</p> <p>iii) Trenches for the purpose of installing pipes, lines, or cables are backfilled and compacted as soon as practicable; and</p> <p>(h) No refuelling of equipment takes place on any area of a riverbed; and</p> <p>(i) The activity does not cause or contribute to any slope or land instability, including subsidence or other erosion; and</p> <p>(j) All areas of bare ground created by the activity are protected from soil erosion as soon as practicable; and</p> <p>(k) No earthworks occur within any wetland identified in Schedule 1; and</p> <p>(l) No earthworks occur within any wetland identified in Schedule 2 unless it meets the requirements of Rule 7.</p>	<p>Consent Required – Discretionary Activity (Rule 16)</p> <p>Mining will be undertaken across the application area which will include being undertaken within the riparian margins of the drains, creeks and dredge ponds on site. Earthworks within riparian margins will exceed the permitted volume of 25m³. Creeks and drains will be diverted and post mining will be recreated. The rehabilitated channels will not follow the existing alignments, instead more natural meandering pathways will be created resulting in some sections of the current creek beds being reclaimed. Sediment and erosion control will be established around earthworks activities. The activity will not affect any surface water take. There are no inanga or other native fish spawning sites listed in Schedule 11 at this site. Refuelling will take place outside of and at least 20m away from waterbodies. The activity will not cause or contribute to any slope or land instability. Bare ground will be grassed as soon as it has been contoured as part of the progressive rehabilitation process. The activity does not take place in, or adjacent, to a wetland identified in Schedule 1 or 2.</p>
3. Earthworks in the Non Erosion Prone Area, outside riparian margins	<p>Earthworks in the Non Erosion Prone Area (less than 120 slope), and outside any riparian margin, and any associated discharge of sediment is a permitted activity if all of the following conditions are met:</p> <p>(a) Earthworks either:</p> <p>i) Are for the formation, construction, or reconstruction of roads, tracks, railway lines, landings, firebreaks, and network utility lines, pipes, or cables; or</p> <p>ii) Do not exceed an annual volume of 5000m³ per landholding or hectare, whichever is the smaller; and</p>	<p>Consent Required – Discretionary activity (Rule 16)</p> <p>Earthworks will exceed 5,000m³ per hectare annually.</p> <p>Sediment and erosion control will be established around areas of earthworks.</p>

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	<p>(b) Sufficient sediment control is constructed so that the activity does not cause the visual clarity of any receiving water to decrease by more than 40%, as measured by black disc beyond 12 times the river's width or 200 metres from the activity, whichever is the lesser; and</p> <p>(c) No soil or debris is placed directly in any river or lake bed; and</p> <p>(d) There is no conspicuous deposition of sediment on the bed of any water body, or on land beyond the boundary of the subject property; and</p> <p>(e) The activity does not affect any surface water take; and</p> <p>(f) The activity is not within:</p> <ul style="list-style-type: none"> i) 50 metres of the Coastal Marine Area on the open coast line; or ii) 20 metres of the Coastal Marine Area elsewhere; or iii) Any wetland identified in Schedule 1; or iv) Any wetland identified in Schedule 2 unless it meets the requirements of Rule 7; and <p>(g) Where earthworks are for the formation, construction, or reconstruction of any road, track, firebreak, landing, line, pipe, or cable:</p> <ul style="list-style-type: none"> i) Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes to avoid causing erosion; and ii) Any culverts, or cut and fill batters are designed and constructed or installed so as to prevent their failure and avoid causing erosion; and iii) Trenches for the purpose of installing lines, pipes, or cables are backfilled and compacted as soon as practicable; and <p>(h) The activity does not cause or contribute toward any slope or land surface instability, including subsidence or other erosion; and</p> <p>(i) All areas of bare ground created by the activity and any stockpiles of material are protected from soil erosion as soon as practicable; and</p> <p>(j) Where earthworks are for the purpose of forming a drain:</p> <ul style="list-style-type: none"> i) There is no erosion of the bed or banks of the receiving water body; and ii) The drainage does not increase the flow in the receiving water body to the extent that it exceeds the carrying capacity of existing infrastructure; and iii) The activity does not occur within 25 metres of any wetland identified in Schedule 1 or 2; <p>(k) Where the earthworks are for the purpose of constructing a water supply bore the Council must be notified within five working days of the location depth and purpose of the bore.</p>	<p>Creeks and drains will be diverted and post mining be recreated. The rehabilitated channels will not follow the existing alignments, instead more natural meandering pathways will be created resulting in some sections of the current creek beds being reclaimed.</p> <p>A 50m buffer will be established between the proposed mining disturbance and Mean High Water Springs. The activity does not take place in, or adjacent, to a wetland identified in Schedule 1 or 2.</p> <p>The activity will not cause or contribute to any slope or land instability.</p> <p>Bare ground will be grassed as soon as it has been contoured as part of the progressive rehabilitation process.</p> <p>Any new drains established to assist with drainage across the site will be formed to avoid erosion of the bed or bank of the receiving water body.</p>
<p>8. Vegetation disturbance in riparian margins</p>	<p>Vegetation Disturbance within riparian margins is a permitted activity if all of the following conditions are met:</p> <p>(a) Native Vegetation is only removed where:</p> <ul style="list-style-type: none"> i) It is causing bank erosion; or ii) It is toxic to livestock; or iii) The activity is undertaken in conjunction with permitted activity Rule 2 or 7; and <p>(b) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and</p> <p>(c) The activity does not cause or contribute to land instability or erosion; and</p> <p>(d) All areas of bare ground created by the activity are protected from soil erosion as soon as practicable; and</p> <p>(e) No debris is placed directly in any river or lake bed, or in any wetland identified in Schedule 1 or 2.</p>	<p>Consent Required – Discretionary Activity (Rule 16)</p> <p>Mining will proceed across the application area which will include being undertaken within the riparian margins of creeks, wetlands and dredge ponds on site. Vegetation will be removed from these locations and used for Direct Vegetation Transfer and rehabilitation of other waterbodies on site, enhancement of</p>

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		<p>waterbodies within the application area but outside of the mining disturbance area or for the newly constructed wetland areas.</p> <p>There are no sites listed in Schedule 11 within the application area.</p> <p>The activity will not cause or contribute to land instability or erosion.</p> <p>Bare ground will be grassed as soon as it has been contoured as part of the progressive rehabilitation process.</p>
<p>10. Vegetation Clearance in the Non-Erosion Prone Area</p>	<p>Vegetation disturbance in the Non-Erosion Prone Area (less than 120 slope), and outside any riparian margin, is a permitted activity provided the following conditions are met:</p> <p>(a) The activity is not within a wetland identified in Schedule 1; and</p> <p>(b) The activity is not within a wetland identified in Schedule 2 unless it meets the requirements of Rule 7 and 7a.</p> <p>Note: Additional provisions on disturbance of indigenous vegetation, wetlands, significant natural areas, and cultural/historic areas may apply. It will be necessary to refer to relevant district plans.</p>	<p>Consent Required under NES- FM 2020 Regulation 45D</p> <p>Extraction of minerals and ancillary activities</p>

18.2.1 Permitted Activities in Riverbeds and Lakes

Rules

<p>20. Use, extension, alteration, maintenance, repair, reconstruction, removal or demolition of structures</p>	<p>(i) The use, maintenance, repair, removal or demolition of any structure in, on, under, or over any river or lakebed; and</p> <p>(ii) The extension, alteration or reconstruction, of any structure in, on, under, or over any river or lake bed other than a whitebait stand,</p> <p>is a permitted activity provided the following conditions are met:</p> <p>(a) Any change in the use of a structure does not result in effects that are greater in character, scale or intensity compared to effects occurring under the previous use; and</p> <p>(b) No reconstruction, extension or alteration of any structure in the bed results in a change of more than 10% to the overall dimensions, orientation, or outline of any structure in the bed from that originally authorised; and</p> <p>(c) The extension, alteration, maintenance, repair, reconstruction, removal or demolition does not result in, or contribute to:</p> <p>i) Blocking or damming of any river, or impedance of fish passage; or</p> <p>ii) Scouring of any riverbed or bank erosion; or</p> <p>iii) Reduction of channel capacity to carry flood flows; and</p> <p>(d) No explosives are used in water; and</p> <p>(e) No refuelling of equipment takes place on any area of a river or lake bed; and</p> <p>(f) The site is left tidy on completion of the work; and</p> <p>(g) Except for demolition or removal, the structure is maintained in good repair; and</p>	<p>Complies – Permitted Activity</p> <p>Culverts will be removed from existing farm races crossing water bodies as part of the mining activity. This activity can be undertaken to comply with the permitted activity standards.</p>
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	<p>(h) Where the activity is undertaken in any wetland identified in Schedule 1 or 2;</p> <ul style="list-style-type: none"> i) No reconstruction, extension or alteration to the dimensions, orientation or outline is greater than 10% of the structure as it existed as at 17 May 2012; and ii) For any pipe, line or cable, native vegetation clearance does not exceed 0.6 metres in width per 1 metre in length; or iii) For any fence, native vegetation clearance does not exceed 150m² over 100 metres of fence line and does not exceed 2 metres in width at any point; and iv) There is no change to the natural flow, path or fluctuation in water level; and v) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive, except after a sudden event that requires immediate remedial measures to prevent an adverse effect on the environment, or that is likely to cause loss of life, injury or serious damage to property; and vi) No bird nests are disturbed. <p>Note: Rules 21 to 25 do not authorise the alteration of the bed, including the disturbance, reclamation or deposition of materials in the bed of a lake, river or wetland identified in Schedule 1 or 2. When undertaking any activity under these Rules, the conditions of Rule 26 must also be met for any associated bed disturbance, or if this Rule cannot be met, the activity requires a resource consent.</p> <p>Within any wetland identified in Schedule 1 or 2, the erection or placement of any outfall or intake structure does not authorise water abstraction or discharge. These activities are managed under Sections 18.3 and 18.4. Regarding condition (b), consent holders will require resource consent if their structure increases by more than 10% from the original dimensions that were authorised.</p>	
<p>Rule 21. Fences, pipes, lines and cables over the bed of a lake or river</p>	<p>The erection or placement of any fence, pipe, line or cable over the bed of a lake or river, is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (a) No part of the fence, pipe, line or cable is fixed to the bed of the lake or river; and (b) No part of any pipe, line or cable is less than two metres above the banks, unless it is attached to a structure; and (c) Where it is attached to a structure, no part of any pipe, line or cable extends below the underside of the structure; and (d) Any fence over the bed of a lake or river does not impede the flow of flood water or debris, or is installed and maintained so it results in no flooding or erosion of the bed or banks of the lake or river; and (e) The fence, pipe, line or cable does not interfere with navigation; and (f) The fence, pipe, line or cable is maintained in good repair; and (g) Where the pipe is located within any wetland identified in Schedule 1 or 2 its maximum diameter is 150mm; and (h) Where the activity is undertaken in any wetland identified in Schedule 1 or 2: <ul style="list-style-type: none"> i) There is no change to the natural flow, path or fluctuation in water level; and ii) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and iii) No bird nests are disturbed. 	<p>Complies – Permitted Activity</p> <p>A pipeline will be required to convey water and ROM to and from the processing plant. This will cross a number of small waterways as well as Granite Creek. The majority of these crossings will not require any structures to be built, however, where structures are required these will comply with the permitted activity provisions.</p>

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<p>23. Culverts, Fords and Bridges</p>	<p>Permitted Activities The erection or placement, of a culvert, ford or bridge, in, on, under, or over the bed of a river is a permitted activity provided the following conditions are met:</p> <p>(a) For a culvert, the riverbed at the point of crossing does not exceed 5 metres in width and the base of the culvert is installed and maintained flush with the bed level; and</p> <p>(b) Any culvert is designed to pass the river’s fullest flow, and is constructed with sufficient bank armouring to prevent scour or erosion of abutting river banks; and</p> <p>(c) Any ford does not raise the bed of a river by more than 300mm (compared with average bed level of the 50 metre reach centred on the crossing); and</p> <p>(d) The underside of any bridge is at least 600mm above the level of the river’s natural bank level; and</p> <p>(e) For bridges, there are no piers in the riverbed; and</p> <p>(f) Any bridge does not interfere with navigation; and</p> <p>(g) Activities do not result in or contribute to:</p> <ul style="list-style-type: none"> i) The impedance of fish passage; or ii) Erosion or scouring of any riverbed; or iii) Reduction of channel capacity to carry flood flows; and <p>(h) No refuelling of equipment takes place on any area of a riverbed; and</p> <p>(i) The structure is maintained in good repair; and</p> <p>(j) The site is left tidy following the erection or placement; and</p> <p>(k) Where the activity is undertaken in any wetland identified in Schedule 1 or 2:</p> <ul style="list-style-type: none"> i) For any culvert where the bed is no more than 2.5 metres wide at the point of crossing, native vegetation disturbance does not exceed 25m²; for any culvert where the bed is between 2.5 to 5 metres wide at the point of crossing, native vegetation disturbance does not exceed 50m²; or ii) For any ford, native vegetation disturbance does not exceed 25m²; or iii) For any bridge, native vegetation disturbance does not exceed 50m²; and iv) There is no change to the natural flow, path or fluctuation in water level; and v) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and vi) No bird nests are disturbed. 	<p>Complies – Permitted Activity Following mining and rehabilitation, existing farm bridges and culverts across creeks and drains will be replaced as required. All replacement bridges and culverts will be constructed in accordance with the permitted activity provisions.</p>
<p>25. Other structures</p>	<p>The erection or placement of any flow or level recording device, outfall or intake structure or navigational aid structure that is fixed in, on or under the bed of any lake or river is a permitted activity, provided the following conditions are met:</p> <p>(a) The base of the structure does not exceed 2m² in area; and</p> <p>(b) The structure does not cause any flooding or erosion; and</p> <p>(c) The Council is notified in writing of the location and nature of the structure, at least seven working days prior to commencing the erection or placement; and</p> <p>(d) Except in the case of a navigational aid or the sight board of any gauge, any visible part of the structure is of a colour to blend in with the surroundings; and</p> <p>(e) The structure is maintained in good repair; and</p> <p>(f) The site is left tidy following the erection or placement; and</p> <p>(g) Where the activity is undertaken in any wetland identified in Schedule 1 or 2:</p> <ul style="list-style-type: none"> i) There is no vegetation disturbance in excess of 10m²; and 	<p>Complies – Permitted Activity Any flow or level recording device installed in creeks across the site to monitor water levels will comply with the provisions of this rule. This includes the Canoe Creek water take structure.</p>

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	<p>ii) There is no change to the natural flow, path or fluctuation in water level; and iii) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and iv) No bird nests are disturbed.</p>	
<p>26. Alteration of the bed associated with structures, or the clearance of debris or gravel</p>	<p>The disturbance of the bed or the reclamation or deposition of material on the bed of any lake or river associated with:</p> <p>(i) The erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal of any structure carried out under Rules 20 to 25; or (ii) The clearance of debris or gravel from within, or immediately surrounding, any structure in order to safeguard the function or structural integrity of the structure is a permitted activity, provided the following conditions are met:</p> <p>(a) The bed disturbance is limited to the extent necessary to undertake the work; and (b) The bed disturbance does not damage any riverbank or cause any flooding or erosion; and (c) All reasonable steps are taken to minimise the release of sediment to the lake or river during the disturbance; and (d) In the case of any reclamation or deposition, only cleanfill is used and no pest plant is introduced; and (e) No refuelling of equipment takes place on any area of a river or lake bed; and (f) The site is left tidy following completion of the activity; and (g) Where the activity is undertaken in any wetland identified in Schedule 1 or 2:</p> <p>i) Any disturbance, including deposition or reclamation, does not exceed:</p> <ol style="list-style-type: none"> 1) 0.6m in width per 1m in length for placement of any pipe, line or cable authorised under Rule 20, 21, or 22; or 2) For any culvert, authorised under Rule 23, where the bed is no more than 2.5 metres wide at the point of crossing, any disturbance does not exceed 25m²; for any culvert where the bed is between 2.5 to 5 metres wide at the point of crossing, any disturbance does not exceed 50m²; or 3) For any ford authorised under Rule 23, any disturbance does not exceed 25m²; or 4) 50m² for bridges authorised under Rule 23; or; or 5) 10m² for any device or structure authorised under Rule 25; or 6) 25m² in all other cases; and <p>ii) Vehicles and equipment are cleaned prior to entering the Schedule 1 or 2 wetland to avoid the introduction of pest plants; and iii) Any native vegetated surfaces disturbed are revegetated following completion of the activity with similar native species where they do not disrupt or interfere with the function of the structure; and iv) The site is left tidy following completion of the activity including the removal of any weeds; and v) There is no change to the natural flow, path or fluctuation in water level; and vi) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive except after a sudden event that requires immediate remedial measures to prevent an adverse effect on the environment, or that is likely to cause loss of life, injury or serious damage to property; and vii) No bird nests are disturbed; and viii) Council is to be notified seven days prior to commencing any bed disturbance, including deposition or reclamation associated with any placement erection or reconstruction referred to in Rule 26(g)(i).</p>	<p>Complies – Permitted Activity The bed disturbance associated with the replacement of farm bridges and culverts, and the installation of any flow or level recording device will comply with the provisions of this rule.</p>

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18.2.3 Discretionary Activities		
Rules		
<p>35 Activities outside of a Schedule 1 or 2 wetland</p>	<p>Unless permitted by Rules in Section 18.2.1, or managed by Rules in Sections 18.2.2 or 18.2.4, in relation to the bed of any lake or river the following activities outside of a wetland identified in Schedule 1 or 2 are a discretionary activity:</p> <ul style="list-style-type: none"> (a) To use, erect, reconstruct, place, alter, extend, remove, or demolish any structure or part of any structure in, on, under, or over the bed; or (b) To excavate, drill, tunnel, or otherwise disturb the bed; or (c) To introduce or plant any plant or part of any plant (whether exotic or indigenous) in, on or under the bed; or (d) To deposit any substance in, on, or under the bed; or (e) To reclaim or drain the bed. 	<p>Consent required – Discretionary Activity (Rule 35)</p> <p>Five creeks within the Southern Block will be mined. As part of post-mining rehabilitation, sections of these creek beds will be reclaimed, and the waterways will be reconstructed with more natural, meandering alignments. During the mining and diversion processes, water will be drained from the affected creek sections.</p>
Takes, Uses, Diversions, and Damming of Water		
18.3.1 Permitted activities		
Rules		
<p>40 Take and use of water where not permitted by Rule 39</p>	<p>Where not permitted by Rule 39, the taking and use of surface water is a permitted activity if all of the following conditions are met</p> <ul style="list-style-type: none"> (a) The total take per landholding does not exceed 2 litres per second, up to a maximum volume of 25,000 litres per day; and (b) No other lawful take of water is adversely affected as a result of the take; and (c) The intake is protected by a fish screen which ensures as far as is practicable, that eels, fish and fry are prevented from passing through the intake and from being trapped against the fish screen; and (d) The Council is informed in writing of the location, expected rate and frequency of the take prior to the take occurring and contact details of the person taking. 	<p>Consent Required – Restricted Discretionary Activity (Rule 55)</p> <p>A water take from Canoe Creek is required to operate the Wet Concentrator Plant. The take is limited to 63 L/s on a daily basis. The maximum rate of take is anticipated to be required for infrequent periods of up to 7 days. It is anticipated that the long-term abstraction rate would be less at 9.5 L/s.</p>
<p>44. Take and Use of Groundwater</p>	<p>The taking and use of groundwater is a permitted activity if all of the following conditions are met:</p> <ul style="list-style-type: none"> (a) The total take does not exceed two litres per second, up to a maximum volume of 50,000 litres per day; and (b) Any well shall be located not less than 20 metres from any adjacent well or the Coastal Marine Area and from any septic tank disposal field or effluent treatment ponds or silage storage areas; and (c) Any well or bore not primarily used for potable water supply shall be located not less than 20 metres from any sewage effluent disposal field, agricultural effluent treatment ponds, silage storage areas, or feed lots or wintering pads; and (d) Any well or bore used primarily for potable water supply shall be located not less than: <ul style="list-style-type: none"> i) 100 metres from a sewage effluent discharge, where the discharge is from a soak pit; or ii) 50 metres from a sewage effluent discharge where the discharge is from other treatment systems; or iii) 50 metres from a pit toilet; or 	<p>Consent Required – Restricted Discretionary Activity (Rule 56)</p> <p>Groundwater intercepted during mining will be used to pump run of mine material (ROM) to the Wet Concentrator Plant for processing. There are no other groundwater takes within or near to, the proposed consent area.</p>

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	<p>iv) 50 metres from any effluent treatment ponds, silage storage areas, feed lots or wintering pads, or offal pits; and</p> <p>(e) Any bore shall be located not less than 200 metres from any adjacent bore; and</p> <p>(f) No existing lawful take of water is adversely affected as a result of the taking; and</p> <p>(g) The council is informed in writing of the location, expected rate and frequency of the take prior to the take occurring and contact details of the person taking; and</p> <p>(h) The bore or well casing and headworks prevent:</p> <p>(i) The infiltration of contaminants; and</p> <p>(ii) The uncontrolled discharge or leakage of water to the surface and between aquifers.</p>	
49. Diversion and/or take of water in a drain	The diversion and/or taking of water in a drain, provided the drain is formed in accordance with Rule 3 (f)(iii) and (iv), and Rule 3 (j), is a permitted activity.	Complies – Permitted Activity Drains across the Southern Block will require diversion. Where these are recreated, they can be done so in accordance with Rule 3.
51. Diversion of natural runoff - contaminated and uncontaminated	<p>The diversion (whether in pipes, constructed channels or otherwise) of stormwater runoff that is not contaminated, or of runoff that is contaminated to a water treatment system, is a permitted activity provided:</p> <p>(a) For the non-contaminated water:</p> <p>i) The diversion does not cause or exacerbate: flooding or ponding of water on another person’s property, erosion, land instability, sedimentation or property damage; and</p> <p>ii) The diversion does not affect any natural wetland; and</p> <p>iii) The diversion is incidental to permitted or consented earthworks; and</p> <p>iv) The diversion does not relate to the diversion of runoff from an area greater than 20 hectares; and</p> <p>(b) For contaminated water:</p> <p>i) The water is diverted to a water treatment system or plant; and</p> <p>ii) The diversion is incidental to permitted or consented earthworks.</p>	Complies – Permitted Activity Stormwater runoff from around the mine site will be diverted away from disturbed areas. Stormwater from within disturbed areas will be directed to the mining void and managed to comply with this rule.
58. Other diversion activities	Unless permitted by Rules 47, 48, 49, 51, or controlled by Rule 54, the diversion of water is a discretionary activity.	Consent Required – Discretionary Activity Five creeks within the Southern Block will be mined. Diversions will be required during this process to direct water around the mine path.
Discharges to Water		
18.4.2 Permitted activities		
Rules		
64. Discharge from any drain	<p>The discharge from any drain to a water body, or another drain beyond the property boundary, is a permitted activity if all of the following conditions are met:</p> <p>(a) The discharge does not cause or exacerbate flooding of another person’s property, erosion, land instability, sedimentation or property damage; and</p> <p>(b) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not give rise to the following effects:</p> <p>i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or</p> <p>ii) Any conspicuous change in the colour or visual clarity; or</p> <p>iii) Any emission of objectionable odour; or</p> <p>iv) The rendering of fresh water unsuitable for consumption by farm animals; or</p>	Complies – Permitted Activity New drains will be established across the site as part of the progressive rehabilitation as required. Any discharge to these drains from rehabilitated pasture will meet the permitted activity requirements.

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	<p>v) Any significant adverse effects on aquatic life; or</p> <p>vi) Adverse effects on any take of water for human consumption; and</p> <p>(c) Any discharge to the Rahu River, Station Creek, Wooley River or Buller River upstream of Te Kuha must meet the requirements of Clause 11 of the Buller River Conservation Order (see Schedule 5).</p> <p>(d) The discharge does not increase the flow in the receiving water body to the extent that it exceeds the carrying capacity of existing infrastructure</p>	
<p>Rule 66. Incidental discharge of contaminants to water from temporary activities associated with maintenance of structures</p>	<p>The incidental discharge of contaminants to water resulting from temporary activities associated with maintenance of structures is a permitted activity if all of the following conditions are met:</p> <p>(a) The incidental discharge shall be for no more than 10 working days; and</p> <p>(b) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not give rise to the following effects:</p> <p>i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or</p> <p>ii) Any conspicuous change in the colour or visual clarity; or</p> <p>iii) Any emission of objectionable odour; or</p> <p>iv) The rendering of fresh water unsuitable for consumption by farm animals;</p> <p>v) Any significant adverse effects on aquatic life; or</p> <p>vi) Adverse effects on any take of water for human consumption and;</p> <p>(c) Any discharge to the Rahu River, Station Creek, Wooley River or Buller River upstream of Te Kuha must meet the requirements of Clause 11 of the Buller River Conservation Order (see Schedule 5).</p>	<p>Complies – Permitted Activity</p> <p>Any discharge will be of short duration related to removal and/or replacement of culverts. Any disturbance is minimal relating to the footprint of the culvert within the bed. This is a temporary activity and ongoing discharges are unlikely from that activity. Sediment and erosion control practices will be implemented as part of the culvert removal and installation.</p>
<p>67. Discharge of water to water excluding activities permitted by Rules 63, 64, 65, or 66</p>	<p>Excluding the activities permitted by Rules 63, 64, 65, or 66 any discharge of water to water is a permitted activity if all of the following conditions are met:</p> <p>(a) The discharge contains no contaminants beyond trace concentrations, or hazardous substances; and</p> <p>(b) Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is the lesser, the discharge does not:</p> <p>i) Change the pH of the receiving water by more than 0.5 pH units where the pH is above 8 or below 6.5; or</p> <p>ii) Raise the temperature in the receiving water by more than 3 degrees Celsius, or cause the temperature to rise above 25 degrees Celsius; and</p> <p>(c) The discharge does not cause flooding of another person’s property, erosion, land instability, sedimentation or property damage</p>	<p>Consent Required – Discretionary Activity (Rule 71)</p> <p>Water used for the processing of run-of-mine material will be discharged to the mining void. This discharge will comprise a mixture of water taken from Canoe Creek and process water used to create the run-of-mine (ROM) slurry. The processing of ROM material has the potential for metals to be mobilised and tailings and slimes will require augmentation with lime in order to raise pH and demobilise metals and metalloids. A breach of this rule is identified as a precaution and extensive monitoring is proposed as part of this application.</p>
<p>Discharges to Land</p>		
<p>18.5.1 Permitted activities</p>		
<p>Rules</p>		
<p>81. Discharge of stormwater runoff</p>	<p>The discharge of collected stormwater runoff into or onto land is a permitted activity provided that all of the following conditions are met:</p> <p>(a) The discharge does not cause or exacerbate erosion, scouring, land instability, sedimentation or ponding beyond the boundary of the subject property; and</p>	<p>Complies – Permitted Activity</p> <p>Stormwater runoff from around the mine site will be diverted away from disturbed areas. Stormwater from within disturbed areas will</p>

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	<p>(b) The discharge does not contain any human or animal or wastes; and</p> <p>(c) Where the discharge into or onto land enters water, it does not increase the flow to the extent that it exceeds the carrying capacity of existing drainage infrastructure; and</p> <p>(d) If the discharge originates from an area where hazardous substances are stored or used:</p> <p>i) Hazardous substances cannot enter the stormwater system; or</p> <p>ii) There is an interceptor in place to collect all stormwater that contains hazardous substances and beyond trace concentrations these hazardous substances are contained on-site until removed to an approved disposal facility for the type of hazardous substance concerned.</p>	be directed to the mining void and managed to comply with this rule.
83. Stockpiling	<p>Unless covered by Rule 84 the stockpiling of gravel, sand, rock, soil or coal is a permitted activity, provided that all of the following conditions are met:</p> <p>(a) There is no discharge of contaminated runoff beyond the boundary of the subject property; and</p> <p>(b) The discharge is located and contained to ensure that neither the discharge nor any contaminant arising from the discharge is able to enter any water body or the coastal marine area.</p>	<p>Complies - Permitted Activity</p> <p>Overburden and topsoil stockpiles will be managed so that any runoff is diverted to the mining void, or sediment control devices will be installed to avoid contaminated run off. Stockpiles and bunds will be stabilised by planting or hydroseeding as soon as practicable, which will avoid sediment laden runoff arising.</p>

West Coast Regional Air Quality Plan

10.4 Permitted Activities

Rules

Rule 3	<p>Unless covered by another rule in this Plan, the discharge of any contaminant into air arising from the stockpiling, conveying and handling of gravel, sand, soil, rock, coal, sawdust or wood chips, is a permitted activity provided that the following conditions are met:</p> <p>a) there is no discharge of dust beyond the boundary of the subject property, and</p> <p>b) any discharge of odour is not noxious, dangerous, offensive or objectionable beyond the boundary of the subject property.</p>	<p>Consent Required – Discretionary Activity (Rule 16)</p> <p>While every effort will be made to ensure there is no dust beyond the property boundary, the applicant is seeking consent for an air discharge as a precautionary measure. Extensive monitoring is proposed as part of this application.</p>
Rule 5	<p>Unless covered by another Rule in this Plan, the discharge of any contaminant into air arising from earthworks, quarrying operations, mining, or cleanfill operations is a permitted activity provided that the following conditions are met:</p> <p>a) any discharge of smoke, dust, gas or odour is not noxious, dangerous, offensive or objectionable beyond the boundary of the subject property; or</p> <p>b) in the case of public amenity areas, any discharge of smoke, dust, gas or odour is not offensive or objectionable beyond the boundary or beyond 50 metres of the discharge, whichever is the lesser.</p>	<p>Consent Required – Discretionary Activity (Rule 16)</p> <p>Though noted that will be captured via rule 3 every effort will be made to ensure there is no dust discharged beyond the property boundary. The applicant is seeking consent for an air discharge as a precautionary measure. Extensive monitoring is proposed as part of this application.</p>

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National Environmental Standards for Freshwater Management		
Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
Part 3 – Standards for Activities that relation to freshwater		
Discretionary Activities		
Regulation 45D Extraction of minerals and ancillary activities	<p>Discretionary Activities</p> <p>(1) Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of the extraction of minerals and ancillary activities.</p> <p>(2) Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of the extraction of minerals and ancillary activities.</p> <p>(3) Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a discretionary activity if it—</p> <p>(a) is for the purpose of the extraction of minerals and ancillary activities; and</p> <p>(b) results, or is likely to result, in the complete or partial drainage of all or part of the wetland.</p> <p>(4) The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if—</p> <p>(a) the activity is for the purpose of the extraction of minerals and ancillary activities; and</p> <p>(b) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and</p> <p>(c) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.</p> <p>(5) The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if—</p> <p>(a) the discharge is for the purpose of the extraction of minerals and ancillary activities; and</p> <p>(b) there is a hydrological connection between the discharge and the wetland; and</p> <p>(c) the discharge will enter the wetland; and</p> <p>(d) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.</p> <p>(6) A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first—</p> <p>(a) satisfied itself that the extraction of the minerals will provide significant national or regional benefits; and</p> <p>(b) satisfied itself that there is a functional need for the extraction of minerals and ancillary activities in that location; and</p> <p>(c) applied the effects management hierarchy.</p> <p>(7) – N/A relates to coal</p>	<p>Discretionary Activity</p> <p>The activity involves vegetation disturbance, earthworks, take and diversion of water within natural inland wetlands or within 100m of natural inland wetlands.</p> <p>Regulation 45D applies because the applicant has demonstrated significant regional benefit. There is a functional need for the extraction to take place in this location due to the location of the resource. The effects management hierarchy has been applied to the application.</p>
Non-Complying Activities		
Regulation 52 Drainage of natural inland wetlands	<p>Non-complying activities</p> <p>(1) Earthworks outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it—</p>	<p>N/A - Earthworks and water takes are controlled under Regulation 45D so Regulation 52 does not apply.</p>

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	<p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p> <p>(2) The taking, use, damming, or diversion of water outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	
<p>Regulation 53 Drainage of natural inland wetlands</p>	<p>Prohibited Activities</p> <p>(1) Earthworks within a natural inland wetland is a prohibited activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p> <p>(2) The taking, use, damming, or diversion of water within a natural inland wetland is a prohibited activity if it—</p> <p>(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and</p> <p>(b) does not have another status under any of regulations 38 to 51.</p>	<p>N/A - Earthworks and water takes are controlled under Regulation 45D so Regulation 53 does not apply.</p>
<p>Regulation 54 Other activities</p>	<p>Non-complying activities</p> <p>The following activities are non-complying activities if they do not have another status under this subpart:</p> <p>(a) vegetation clearance within, or within a 10 m setback from, a natural inland wetland;</p> <p>(b) earthworks within, or within a 10 m setback from, a natural inland wetland;</p> <p>(c) the taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland if—</p> <p>(i) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and</p> <p>(ii) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland;</p> <p>(d) the discharge of water into water within, or within a 100 m setback from, a natural inland wetland if—</p> <p>(i) there is a hydrological connection between the discharge and the wetland; and</p> <p>(ii) the discharge will enter the wetland; and</p> <p>(iii) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.</p>	<p>N/A</p> <p>The proposal is managed under Regulation 45D so Regulation 54 does not apply to this activity.</p>
<p>Regulation 57 Discretionary Activities</p>	<p>(2) Reclamation of the bed of any river is a discretionary activity.</p> <p>(3) A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first-</p> <p>(a) Satisfied itself that there is a functional need for the reclamation of the river bed in that location; and</p> <p>(b) Applied the effects management hierarchy.</p>	<p>Discretionary Activity</p> <p>The activity involves the mining of the site by a floating dredge and includes the mining of five creeks across the site. There is a functional need for the extraction to take place and the reclamation of the</p>

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		<p>creeks due to the location of the resource. Past mining and agricultural development has resulted in creeks being rectified. Rehabilitation will result in reconstructed creeks being developed with a more meandering channel with original creek beds being reclaimed through the process. The effects management hierarchy has been applied to the application.</p>
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Resource Management (Measurement and Reporting of Water Takes) Regulations 2010		
Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
4. <i>Regulations apply to certain water permits</i>	<p>(1) <i>These regulations apply only to a water permit that allows fresh water to be taken at a rate of 5 litres/second or more.</i></p> <p>(2) <i>However, these regulations do not apply to a water permit if the taking of water under the permit is non-consumptive in that—</i></p> <p>(a) <i>the same amount of water is returned to the same water body at or near the location from which it was taken; and</i></p> <p>(b) <i>there is no significant delay between the taking and returning of the water.</i></p>	<p>This regulation does not apply to the non-consumptive take from the mining void but will apply to the water take from Canoe Creek.</p> <p>A condition requiring the monitoring of water from Canoe Creek has been included at Condition 29.2.</p>