

**Assessment against  
Part 2 of the Resource Management Act (RMA)  
and  
Objectives and Policies of the Buller District Plan**

In reaching a decision on an application, the Council has to be satisfied that by granting the application, Part 2 of the RMA will be achieved. Resource consent applications are to include an assessment of the activity against the matters set out in Part 2 of the RMA. Please provide an assessment of your proposal in regard to the relevant Objectives and Policies of the District Plan.

**Part 2 of the Resource Management Act 1991**

**Section 5 – Purpose**

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while -*
  - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment*

**Section 6 - Matters of national importance**

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) *The protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) *The protection of protected customary rights:*
- (h) *The management of significant risks from natural hazards.*



## 4.2. INFRASTRUCTURE OBJECTIVES AND POLICIES

### 4.2.5. Objectives

4.2.5.1. *To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects.*

Relevant to your proposal      Yes      No

4.2.5.2. *To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.*

Relevant to your proposal      Yes      No

*For example: The proposal meets the above objectives of the district plan that are ticked yes as all infrastructure will be contained on the site, I do not anticipate that there will be any effects beyond the boundary of the property.*

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### 4.2.6. Policies

4.2.6.1. *Development in areas which, due to physical characteristics, are difficult to service shall be permitted where appropriate technical solutions are provided to avoid, remedy or mitigate against adverse effects.*

Relevant to your proposal      Yes      No

4.2.6.2. *To ensure that services are provided in a manner which does not have adverse effects on the environment, and which enables communities to provide for their health and safety.*

Relevant to your proposal      Yes      No



### 4.3. THE BUILT ENVIRONMENT OBJECTIVES AND POLICIES

#### Objective

4.3.6.1. *To recognise, and where possible, protect the distinctive character and heritage values of Buller settlements from the adverse effects of inappropriate development.*

Relevant to your proposal  Yes  No

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#### 4.3.7. Policies

4.3.7.1. *The main street commercial centres shall be defined in order to ensure a readily discernible community focal point and commercial heart to the main towns of the District.*

Relevant to your proposal  Yes  No

4.3.7.2. *Retention of the main street character of the Buller commercial centres shall be encouraged by rules in the District Plan*

Relevant to your proposal  Yes  No

4.3.7.3. *Historic buildings and trees as appropriate shall be listed in Council records as protected items as these come to the attention of Council.*

Relevant to your proposal  Yes  No

4.3.7.4. *The design and height of residential buildings within the Paparoa Character Area and Punakaiki and Ross Subdivision (located within the Urban Character Area) shall be controlled with criteria for assessment designed to ensure that the landscape setting rather than the building remains the dominant visual perspective, in this scenically spectacular location.*

Relevant to your proposal  Yes  No

4.3.7.5. *Commercial advertising shall be controlled in order to ensure that it harmonises with the architecture of buildings and the streetscape.*

Relevant to your proposal      Yes      No

4.3.7.6. *All land and building shall be maintained so as to preserve the amenities of the environment in which they are situated.*

Relevant to your proposal      Yes      No

*For example: 4.3.7.6   The two buildings onsite are low profile and are hidden from view of the surrounding sites and wider area. The buildings are not considered to detract from the visual amenity of the area. I therefore consider that the proposal is consistent with this policy.*

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**4.3.17. Objective**

4.3.17.1. To ensure that further settlement growth takes place in a manner and location which does not have significant adverse environmental effects.

Relevant to your proposal      Yes      No

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**4.3.18. Policies**

4.3.18.1. *Existing settlements will be defined as zoned urban and their outer edges defined accordingly.*

Relevant to your proposal      Yes      No

4.3.18.2. *Further development of existing bach settlements on unformed parts of roads will not occur.*

Relevant to your proposal      Yes      No

4.3.18.3. *To ensure that rural-residential development is either adequately serviced or capable of meeting its own requirements.*

Relevant to your proposal      Yes      No

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**4.3.27. Objective**

4.3.27.1. *To facilitate the "intermingling" of land use activities within the District's settlements and towns to the extent that this is compatible with protection of amenity values and the sustainability of existing natural and physical resources in urban areas.*

Relevant to your proposal      Yes      No

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**Policies**

4.3.28.1. *A distinct central commercial core to the District's main settlements shall be provided for the convenience of customers and to act as a town reference and focal point.*

Relevant to your proposal      Yes      No

4.3.28.2. *The adverse effects of industrial and commercial operations, including noise, traffic, glare, shading, vibration, odour, effluent and waste emissions shall be minimised.*

Relevant to your proposal      Yes      No

4.3.28.3. *Industries with the potential for significant adverse effects shall be segregated from sensitive activities, for example, residential uses, health and educational institutes.*

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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4.3.28.4. *A wide range of business activities shall be permitted to establish within residential activity areas, provided that the scale of activity is appropriate and does not cause conflict with adjoining activities or the sustainability of existing centres.*

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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4.3.28.5. *A diversity of residential living opportunities shall be provided for in residential activity areas.*

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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4.3.28.6. *Performance standards shall be set that protect the environmental quality of residential living environments.*

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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4.3.28.7. *To achieve integrated development within Sergeants Hill Industrial Area, including addressing the effects of development through compliance with specific rules in Part 5.2.6 and the Concept Plan in Part 5.2.6.7.*

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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## 4.4. RURAL LAND AND WATER RESOURCE OBJECTIVES AND POLICIES

### 4.4.4. Objective

4.4.4.1. *To ensure that the overall integrity and character of the rural environment and productivity of rural land resources is protected while enabling rural communities to provide for their social, economic and cultural wellbeing.*

Relevant to your proposal      Yes      No

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### Policies

4.4.5.1. *A wide range of compatible activities which do not individually or cumulatively adversely affect the sustainability of rural land resources shall be generally permitted to locate in the rural area.*

Relevant to your proposal      Yes      No

4.4.5.2. *Sustainable land management practices which maintain and/or enhance the productive values of soils and amenities and character of the rural area shall be encouraged and promoted*

Relevant to your proposal      Yes      No

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**4.4.13. Objective**

4.4.13.1. *Promote land use activities which maintain or improve the water quality of the District's rivers and do not adversely affect water quantity, in order to safeguard the life supporting capacity of water.*

Relevant to your proposal        Yes                          No

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**4.4.14. Policies**

4.4.14.1. *Consultation and liaison with relevant interested parties contained in a non-statutory register shall continue on matters relating to the land/water quality management interface within Buller District.*

Relevant to your proposal        Yes                          No

4.4.14.2. *Significant ecological, cultural and heritage sites related to the water resource shall be recognised and wherever possible protected through the encouragement of integrated land management practices.*

Relevant to your proposal        Yes                          No

4.4.14.3. *To control the modification of significant natural wetlands to protect their natural character, landscape values, and their significance as areas of indigenous vegetation and habitats for indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.*

Relevant to your proposal        Yes                          No

4.4.14.4. *The protection of water resources from adverse effects of land based activities shall be encouraged and promoted.*

Relevant to your proposal        Yes                          No

4.4.14.5. *The establishment of buffers for example, in the form of esplanade reserves or strips along the margins of lakes, rivers and the Coastal Marine Area shall be promoted and encouraged as a means of maintaining and enhancing water quality.*

Relevant to your proposal        Yes                          No

4.4.14.6. Council has identified the following lakes, coastal estuaries and other waterways as places where the use of motorised craft is inappropriate because of the disturbance to wildlife, conflict with other users, degradation of natural character and disruption of natural quiet

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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4.4.14.6.1. There be no provision for motorised craft use on:

- Lake Christobel
- Lake Hanlon
- Kohaihai River

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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4.4.14.6.2. In the following water bodies, the use of motorised water craft with an engine capacity of less than 5 horse power is permitted:

- Lake Daniells
- Punakaiki River: upstream of the road bridge.
- Pororari River: upstream of the road bridge.
- Otomahana Lagoon
- Orowaiti River: upstream of the rail bridge.
- Okari: upstream of the road bridge.

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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4.4.14.7. To protect and enhance riparian margins adjacent to rivers, streams, lakes, wetlands and the coast for the purposes of:

- (i) Maintenance of the natural character of waterways, natural habitats and water quality including the mitigation of adverse effects of contaminant discharges and other natural and aesthetic and amenity values associated with the adjacent waterway.
- (ii) Public recreation.
- (iii) Public access.
- (iv) Maintenance of bank stability and reduction in sedimentation.

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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## 4.5. MINERAL RESOURCES OBJECTIVES AND POLICIES

### 4.5.4 Objective

- 4.5.4.1. To enable people and communities to provide for their economic and social wellbeing through the efficient utilisation and development of mineral resources.

Relevant to your proposal  Yes  No

- 4.5.4.2. To safeguard the life supporting capacity of air, water, soil and ecosystems and avoid, remedy or mitigate adverse effects from the use and development of mineral resources.

Relevant to your proposal  Yes  No

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### 4.5.5. Policies

- 4.5.5.1. The adverse effects of activities related to the utilisation of mineral resources shall be avoided, remedied or mitigated.

Relevant to your proposal  Yes  No

- 4.5.5.2. The rehabilitation of mining sites shall be required where practicable.

Relevant to your proposal  Yes  No

- 4.5.5.3. Co-ordination and liaison with the West Coast Regional Council shall be maintained on matters relating to mining activities where water resources and soil conservation are affected.

Relevant to your proposal  Yes  No

- 4.5.5.4. To enable the investigation of the District's known mineral potential and the utilisation of mineral resources of regional significance while safeguarding the life supporting capacity of air, water, soil and ecosystems and ensuring the adverse effects of activities related to the investigation and utilisation of mineral resources are avoided, remedied or mitigated.

Relevant to your proposal  Yes  No

4.5.5.5. To require mineral resource related activities to incorporate measures to protect water quality and ecosystems, and provide for the rehabilitation of disturbed areas to generally their original condition or another suitable condition as approved by Council.

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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4.5.5.6. When rehabilitation plantings are carried out pursuant to a resource consent, preference should be given to the use of indigenous species where appropriate, with a further preference for local genetic stock where indigenous species are to be used.

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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4.5.5.7. To ensure that in locations where there are known mineral resources of regional significance that the presence of minerals is a relevant consideration in decision making by encouraging other land use or subdivision activities which would have the effect of rendering unusable known mineral resources of regional significance and which have the ability to locate elsewhere to do so.

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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## 4.6. CULTURAL/HISTORIC RESOURCES OBJECTIVES AND POLICIES

### 4.6.7. Objective

- 4.6.7.1. To protect places and sites of historical and cultural value from the adverse effects of land use activities and to ensure where appropriate, access to historic and cultural sites is maintained and enhanced.

Relevant to your proposal  Yes  No

### 4.6.8. Policies

- 4.6.8.1. A close and on-going relationship with tangata whenua and the Council shall be maintained, including the maintenance of confidential records in ways which accord with the tikanga of tangata whenua of known waahi tapu.

Relevant to your proposal  Yes  No

- 4.6.8.2. Evaluate and protect heritage resources by identifying those resources of historic, cultural or architectural value or of special significance to the District.

Relevant to your proposal  Yes  No

- 4.6.8.3. As and when cultural and/or historical sites of importance to tangata whenua are identified by respective Kaitiaki in Buller District, the Council shall facilitate the recording of such sites in ways which accord with the tikanga of local iwi.

Relevant to your proposal  Yes  No

- 4.6.8.4. Assessment of resource consent applications shall include their potential impact on known places of historic and/or cultural value.

Relevant to your proposal  Yes  No

- 4.6.8.5. Continued access to sites of special cultural significance to tangata whenua shall be supported.

Relevant to your proposal  Yes  No

4.6.8.6. Upon accidental discovery of urupa or skeletal remains, consultation with the tangata whenua shall be required.

Relevant to your proposal  Yes  No

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## 4.7. THE COASTAL ENVIRONMENT OBJECTIVES AND POLICIES

### 4.7.5. Objective

- 4.7.5.1. To maintain or enhance the natural character of the coastal environment by avoiding, remedying or mitigating the adverse effects of land use activities and subdivision requiring a coastal location.

Relevant to your proposal  Yes  No

### 4.7.6. Policies

- 4.7.6.1. The subdivision, use and development of land in the coastal environment shall be tightly controlled within the Paparoa Character Area.

Relevant to your proposal  Yes  No

- 4.7.6.2. Sensitive coastal environments including areas of importance for mahinga kai shall be protected from the adverse effects of land use activities.

Relevant to your proposal  Yes  No

- 4.7.6.3. The protection and enhancement of whitebait spawning habitats shall be encouraged in conjunction with the other regulatory agencies.

Relevant to your proposal  Yes  No

- 4.7.6.4. The maintenance and enhancement of public access to and along the coastline shall be encouraged except where restrictions are necessary to ensure public safety or to avoid the potential adverse effects of people and/or vehicles on the coastal environment.

Relevant to your proposal  Yes  No

- 4.7.6.5. Alternative methods of refuse and sewage disposal for settlements within the coastal environment shall be investigated where landfill discharges enter waterways and/or where raw sewage is discharged directly to the sea.

Relevant to your proposal  Yes  No



4.7.6.6. Co-operation and co-ordination with the West Coast Regional Council in noise management within the Coastal Marine Area.

Relevant to your proposal  Yes  No

4.7.6.7. The needs of existing and future activities requiring a coastal location shall be recognised.

Relevant to your proposal  Yes  No

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## 4.8. ECOSYSTEMS AND NATURAL HABITATS OBJECTIVES AND POLICIES

### 4.8.6. Objective

- 4.8.6.1. To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to recognise their importance to the character and quality of the natural and physical environment and to the wellbeing of the people and communities in Buller.

Relevant to your proposal  Yes  No

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### Policies

- 4.8.7.1. The adverse effects of land use activities on natural habitats and ecosystems shall be taken into account when considering development proposals which impact on these areas.

Relevant to your proposal  Yes  No

- 4.8.7.2. The protection and enhancement of the natural values of wetlands, estuarine habitats, whitebait spawning areas, significant indigenous vegetation and significant habitats of indigenous fauna shall be encouraged.

Relevant to your proposal  Yes  No

- 4.8.7.3. To control the modification of significant natural wetlands to protect their natural character, landscape values and their significance as areas of indigenous vegetation and habitats of indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.

Relevant to your proposal  Yes  No

- 4.8.7.4. For the purposes of Section 6(c) of the Resource Management Act 1991, the following criteria will be used as guidelines to identify areas of significant indigenous vegetation and significant habitats of indigenous fauna.

1. Representativeness: The area is one of the best examples of an association of species which is typical of the ecological district.

2. 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 its distribution limit.
3. Intactness: The area has a cover of predominantly indigenous vegetation, is little modified by human activity, and is not affected in a major way by weed or pest species.
4. Size: The area of indigenous vegetation or habitat is 5ha or more in size or together with adjacent indigenous habitat is larger than 5ha; or in the case of natural wetlands is larger than 1ha in size.
5. Protected Status: The area has been set aside by statute or covenant for protection or preservation.
6. Connectivity: The area is connected to one or more other significant areas in a way (through ecological processes) which make a major contribution to the overall functioning of those areas.
7. Threat: The area supports an indigenous species or community of species which is threatened within the ecological district or ecological region or threatened nationally.
8. Migratory Habitat: The area is important as habitat for significant migratory species or for feeding, breeding or other vulnerable stages of indigenous species, including indigenous freshwater fish.
9. Scientific or Cultural Value: The area is a scientific reference area, is listed as a geopreservation site, or has significant amenity value.

Relevant to your proposal        Yes                          No

4.8.7.5. Using the significance criteria identified above as a guideline for forming a schedule, Council will compile a schedule of significant natural areas.

Relevant to your proposal        Yes                          No

4.8.7.6. In the interim the Council will make decisions on resource consent applications which recognise and provide for the protection of:

1. Significant indigenous vegetation and indigenous habitat;
2. Natural values associated with riparian margins.

Relevant to your proposal        Yes                          No

4.8.7.7. To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate use, subdivision and development.

Relevant to your proposal        Yes                          No

4.8.7.8. To encourage the retention of existing indigenous vegetation on the margins of waterways, wetlands and the coast and the enhancement of these areas through the use of indigenous vegetation where rehabilitation plantings are to be carried out.

Relevant to your proposal        Yes                          No

4.8.7.9. For the purpose of Rule 7.9.8, the following criteria will be used for identifying Notable Trees:

1. Historic significance to the community
2. Scientific or botanical importance
3. Cultural or spiritual significance
4. Recreational significance
5. Landscape significance
6. Functional value
7. Size or age

A tree may be notable for a combination of these factors or because it is outstanding in one respect.

Relevant to your proposal	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
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## 4.9. LANDSCAPES AND NATURAL FEATURES OBJECTIVES AND POLICIES

### 4.9.3. Objective

4.9.3.1. To protect the distinctive character and unique values of outstanding landscapes and natural features.

Relevant to your proposal      Yes      No

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### 4.9.4. Policies

4.9.4.1. To discourage activities which would significantly alter the character of outstanding landscapes.

Relevant to your proposal      Yes      No

4.9.4.2. Character areas shall be identified in the Plan and shall reflect the distinctive landscape elements and natural values held for each region.

Relevant to your proposal      Yes      No

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## 4.10. NATURAL HAZARDS OBJECTIVES AND POLICIES

### 4.10.6. Objective

- 4.10.6.1. Taking into account community views, to reduce the risks to people and communities from natural hazards, and to avoid the establishment of activities which increase the likelihood of natural hazards occurring.

Relevant to your proposal  Yes  No

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### 4.10.7. Policies

- 4.10.7.1. Areas where natural hazards represent a significant threat to the health and safety of individuals and communities and/or to buildings or structures shall be identified as information becomes available and used in the consideration of applications for resource consent.

Relevant to your proposal  Yes  No

- 4.10.7.2. An assessment of natural hazard risk shall be provided where appropriate with all applications for resource consents.

Relevant to your proposal  Yes  No

- 4.10.7.3. Increased public awareness of causes of natural hazards and their potential impacts in specific areas of the District shall be promoted.

Relevant to your proposal  Yes  No

- 4.10.7.4. Mitigation works to minimise the risks of natural hazards to the safety of people and communities shall be assessed according to the degree of risk.

Relevant to your proposal  Yes  No

- 4.10.7.5. Subject to the relevant statutory provisions in the Resource Management Act and Building Act, further development in identified hazard prone locations will be restricted.

Relevant to your proposal  Yes  No

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## 4.11. HAZARDOUS SUBSTANCES OBJECTIVES AND POLICIES

### Objective

4.11.5.1. To encourage and promote the safe and efficient handling and disposal of hazardous substances throughout the District.

Relevant to your proposal        Yes                          No

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### 4.11.6. Policies

4.11.6.1. Compliance with approved codes of practice and national guidelines and standards shall be required for all activities involving the use, storage and transport of hazardous substances.

Relevant to your proposal        Yes                          No

4.11.6.2. Appropriate contingency planning shall be required for all operators of hazardous facilities, including disposal sites.

Relevant to your proposal        Yes                          No

4.11.6.3. Assistance with and support in the establishment of a regional hazardous waste disposal site.

Relevant to your proposal        Yes                          No

4.11.1.1. Management of the potentially adverse effects of hazardous substances on natural and physical resources.

Relevant to your proposal        Yes                          No

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