

**Appendix 5 – Evidence of Yvonne Pfluger on the Coastal Environment**

# Memorandum

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Attention: Andrew Willis

Company: on behalf of Timaru District Council

Date: 24/03/2025

From: Yvonne Pflüger, Partner, Landscape Planner

Message Ref: Response to Submissions on Coastal Environment Chapter and Energy and Infrastructure Chapter (as related to CE)

Project No: BM240365

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## Qualification and Experience

My name is Yvonne Pflüger. I am employed as a Landscape Planner for Boffa Miskell Limited (BML), an environmental consultancy specialising in planning, design and ecology. I am a Partner in the company.

I hold a Master's degree in Landscape Planning from BOKU University, Vienna (Austria, 2001) and a Master's degree in Natural Resources Management and Ecological Engineering from Lincoln University (NZ, 2005). I am a Full Member of the Resource Management Law Association and a registered member of the New Zealand Institute of Landscape Architects, as well as a Certified Environmental Practitioner under the Environment Institute of Australia and New Zealand.

I have practised as a landscape planner for over 23 years on a wide range of projects including landscape and visual effects assessments. During my time at BML I have played a key role in preparing numerous landscape studies for various territorial authorities throughout New Zealand's South Island. I was the project manager and key author of the Canterbury Regional Landscape Study Review (2010) and Banks Peninsula, Ashburton, Invercargill, Hurunui, Christchurch, Timaru, Kaikoura, Eastern Mackenzie, Waimate and Southland District landscape studies (2009-2022). The preparation of these studies, and of related evidence for hearings, involved evaluating landscape character and values for these regions and districts and advising councils on objectives and policies for the ongoing management of the landscape.

I have also prepared a large number of landscape and visual assessments for development projects of varying scales within sensitive environments, including preparation of landscape evidence for numerous council and Environment Court hearings.

Through my work on the Timaru Landscape and Coastal Study in 2017, as well as my advice provided in relation to community engagement in 2021, I am familiar with the landscapes within the district. I visited the Timaru District for the preparation of these studies. As part of my site investigations, I also had the opportunity to observe developments and their effects within the landscape over the past 10 years.

## **Code of Conduct for Expert Witnesses**

I confirm I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### **Introduction**

In 2016 Timaru District Council (TDC) has engaged Boffa Miskell Ltd (BML) assist in assessing the landscape values and identifying areas of Outstanding Natural Features and Landscapes (ONF/Ls) within the District, as well as assessing the extent and natural character of the coastal environment (CE). Subsequently, the Timaru Landscape and Coastal Study (Boffa Miskell, 2020- referred to as BML Study) was prepared to ensure that Outstanding Natural Features and Landscapes, as well as Visual Amenity Landscapes (VAL), proposed in the District Plan are consistent with each other in terms of their value and boundary identification.

The draft version of this study was used to inform land owner consultation and stakeholder engagement in 2021. Land owners had the opportunity to discuss ONF/Ls on their land with TDC. Site visits were subsequently undertaken by BML in 2021 to verify the validity of areas requested for inclusion/ exclusion in consultation with the community. It is noted that these site visits did not involve meeting land owners and accessing their private land for more detailed on-site investigations, but were limited to areas that could be viewed from public roads. Where these site visits resulted in amendments to the ONF/L boundaries, detailed maps were provided to TDC in a detailed response document (dated 20/07/2021). Maps used for notification of the district plan review reflect these amendments.

In 2024 BML were asked to assist with the response to submissions on the Natural Features and Landscapes (NFL) Chapter, the Coastal Environment (CE) Chapter and Energy and Infrastructure Chapter (as related to the CE) as part of the District Plan Review (DPR) process. The responses to the landscape relevant submissions are outlined in this memorandum. The findings in this memorandum assist as technical input for the preparation of the S42a reports for the Coastal Environment Chapter.

We understand that the Landscape Study prepared BML may require small edits in response to submissions. Where this is the case, this is outlined below and shown on the relevant figures.

## Submission Response to Coastal Environment Chapter

Topic	Submitter	Summary request
CE - Coastal Environment  General	<b>Fenlea Farms Limited (171.17)</b>	<p>Oppose any objectives, policies, rules, standards and schedules in respect of the Coastal High Natural Character Area Overlay relating to 158 Prattley Road. See detailed submissions on specific provisions later.</p> <p><i>Relief Sought:</i></p> <ol style="list-style-type: none"> <li>1. Delete the Coastal High Natural Character Area Overlay off 158 Prattley Road, as per attached map.</li> <li>2. Amend the Planning Maps to reduce the extent of the Overlay on 158 Prattley Road, as per attached map.</li> <li>3. Any alternative relief that would address the submitters concerns.</li> </ol>

### Comment

On the submitter's property the extent of the Coastal Environment (CE) and High Natural Character (HNC) area essentially align as shown in Figure 1 below. The HNC identified within the property at 158 Prattley Road is mostly limited to waterbodies and their margins. Orakipaoa Creek flows towards the coast to the south of the property and is the best remaining example of a meandering coastal stream in South Canterbury (DOC conservation area). This creek forms a lagoon that is connected to the Opihi River mouth/ lagoon (Milford Lagoon). Several small streams/ waterbodies are found between Prattley Road and the beach adjacent to it. The waterbodies on the submitter's property appear to surround some grazed land (approx. 500m x 150m) which is currently included in the HNC overlay. Since the natural character of this land may be lower than on the margins of the waterbodies, it could be considered appropriate to remove this area from the HNC overlay. The natural processes relating to the river mouth/ lagoon are likely to be more clearly legible adjacent to the waterbodies. Without undertaking a detailed site visit (potentially accompanied by an ecologist) it is difficult to determine the exact condition of the natural character. If further evidence (incl photos) was to be provided this area could be further re-assessed for its natural character values. In the absence of any evidence/ photos, currently the only change recommended to the HNC area would be the exclusion of the bridge near the boundary of the northern arm (see yellow line below) which represents a man-made modification that has likely changed the natural processes in this area. The HNC could be reduced in its extent to this amended boundary and further amendments may be appropriate.



Figure 1: Extent of CE (blue hatch) and HNC (green hatched areas) on submitter's property (white/black dashed line). Removal of the HNC on part of the grazed land between waterways may be appropriate.

<p>CE - Coastal Environment</p> <p>General</p>	<p><b>Federated Farmers (182.169)</b></p>	<p>Considers it is important that the PDP provides for everyday agricultural activities to occur in the coastal environment. Considers it is appropriate to delete areas of high natural character and reference to this area deleted from this section because Council would still meet its obligations under the NZCPS as well as the Regional Policy Statement. [refer to original submission for full details].</p> <p>1. Delete all references to <b>Coastal High Character Areas</b> in the <b>Coastal Environment</b> Chapter. AND Any consequential amendments required as a result of the relief sought.</p>
<p><b>Comment</b></p> <p>Under NZCPS Policy1 Council have the obligation to identify the extent of the Coastal Environment and to 'assess the natural character of the coastal environment by mapping or otherwise identifying at least areas of high natural character' under NZCPS 13(1)(c). Councils also have the obligation to identify Outstanding NC to satisfy Policy 13(1)(a).</p> <p>As outlined in detail under Section 7.0 Methodology for Coastal Assessment of the BML Study (2020) a methodology was applied that uses a 7-point scale for the assessment of the natural character in the CE from very low to very high. Following this a separate process was undertaken to assess if any of the identified areas with high or very high natural character would qualify as Outstanding Natural Character Areas within the district. An area with outstanding natural character may be an area within the coastal environment that is considered to have 'high' or 'very high' levels of natural character. This separation of outstanding natural character from the baseline follows best practice outlined within Environment Court decisions on natural character, where everything in the coastal environment fits on the continuum from very low to very high (or pristine). In Timaru District some areas with high (but not very high) natural character (HNC) were identified, as shown in the BML Study.</p> <p>This decision to separate out the ONC assessment from the main natural character study stems from Policy interpretation in the NZCPS 2010. Policy 13 (1)(a) requires avoidance of adverse effects of activities on natural character in the coastal environment with outstanding natural character. For all other areas in the coastal environment, Policy 13(1)(b) requires that significant adverse effects are avoided, remedied or mitigated. The high threshold is outlined within Policy 13(1)(c), where areas with at least 'high' natural character be identified.</p> <p>Within Timaru District no ONC areas were identified in the coastal environment.</p>		
<p>CE - Coastal Environment</p> <p>New</p>	<p><b>KiwiRail Holdings Limited (187.68)</b></p>	<p>Seeks an amendment to this chapter to provide a linkage to objective EI-O2 to ensure regionally significant infrastructure can be located in sensitive environments (such as the coastal environment) where there is a functional or operational need to be in that location.</p> <p>Amend the Objectives of <b>CE - Coastal Environment Chapter</b> to provide for Regionally Significant Infrastructure in Sensitive Areas.</p>
<p><b>Comment</b></p> <p>The main railway line within the Canterbury Region extends in relatively close proximity to the coast in several districts in North and South Canterbury. Within Timaru District the line connects from Temuka to Timaru Port where it is mostly located outside the CE to the north of Washdyke. From there to the southern district boundary near Pareora the location of the rail line is close proximity of coast (approx. distance between 50 and 350m). the HNC identification does not include the rail line due to the modification it represents to the natural patterns and processes in this part of the CE. However, the CE extends in many instances slightly inland of the rail alignment.</p> <p>Given that the current presence of the infrastructure has already modified the natural character of this part of the CE, it is considered appropriate to allow for the maintenance of this infrastructure in its current location. It is acknowledged that this maintenance work may involve some small upgrades in places.</p>		
<p>CE - Coastal Environment</p> <p>CE-P10 Preserving the natural character</p>	<p><b>Transpower New Zealand Limited (159.84)</b></p>	<p>Supports the explicit cross reference to the Policy EI-P2 and considers that providing the direction in respect of the regionally significant infrastructure and natural character in the coastal environment in one place avoids duplication and the potential for conflict. The submitter also seeks the inclusion of a further cross-reference.</p>

of the Coastal Environment		<p>Amend <b>CE-P10 Preserving the natural character of the Coastal Environment</b> as follows:</p> <p><i>Enable subdivision, use and development outside of areas of coastal high natural character that:</i></p> <p><u><i>x. is regionally significant infrastructure that can demonstrate that adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure and EI-Px Managing the effects of the National Grid.</i></u></p> <ol style="list-style-type: none"> <li>1. <i>avoids significant adverse effects; and</i></li> <li>2. <i>avoids, remedies or mitigates any other adverse effects on the qualities that contribute to the natural character of the Coastal Environment; while recognising that:</i> <ol style="list-style-type: none"> <li>a. <i>in rural zoned areas, buildings and structures for non-intensive primary production and residential activities may be appropriate depending on their size, scale and nature;</i></li> <li>b. <i>for existing urban areas, development will likely be appropriate where it is consistent with the anticipated character and qualities of the zone; and</i></li> </ol> </li> </ol> <p><del><i>for infrastructure, the development is in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.</i></del></p>
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**Comment**

Currently, the main transmission line traversing Timaru District in a south-northerly direction is located near the western extent of the coastal plains at the base of the foothills. However, parts of Timaru township and adjacent commercial/ industrial areas fall within the Coastal Environment. These areas have not been identified as HNC areas.

Currently no high-voltage transmission lines fall within HNC areas which are mostly confined to a narrow strip of coastal land and river mouths/ lagoons. However, other parts of the CE that are more modified, such as those within and near settled areas may require installation and maintenance of infrastructure. Given the low or moderate natural character of these parts of the CE, it is considered acceptable to locate regionally significant infrastructure there if effects on natural character, including those that may impact adjacent HNC areas, are managed adequately.

The amendment of the Policy as proposed would, in my view, ensure that only regionally significant infrastructure would be located within the coastal environment, and only in parts that do not provide high natural character values. It is likely that adverse effects can be managed in these less sensitive parts of the CE and the policy amendment is therefore supported from a landscape/ natural character perspective.

<p>CE - Coastal Environment</p> <p>CE-P10 Preserving the natural character of the Coastal Environment</p>	<p><b>Royal Forest and Bird Protection Society (156.157)</b></p>	<p>Considers this policy does not reflect the NZCPS, policy 13 in full. For instance, there is no mention of Outstanding Natural Character.</p> <p>Considers council needs to identify both ONC and High Natural Character. Perhaps Timaru District has used the language incorrectly and high = Outstanding, but this is not clear. Nevertheless, there should be at least three classifications of natural character in the coastal environment, i.e., ONC, High Natural Character and other natural character.</p> <ol style="list-style-type: none"> <li>1. Delete <b>CE-P10 Preserving the natural character of the Coastal Environment;</b></li> </ol> <p>AND</p> <p>Add a new policy in accordance with NZCPS policy 13.</p>
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**Comment** (same response as Federated Farmers - 182.169)

Under NZCPS Policy1 Council have the obligation to identify the extent of the Coastal Environment and to 'assess the natural character of the coastal environment by mapping or otherwise identifying at least areas of high natural character' under NZCPS 13(1)(c). Councils also have the obligation to identify Outstanding NC to satisfy Policy 13(1)(a).



As outlined in detail under Section 7.0 Methodology for Coastal Assessment of the BML Study (2020) a methodology was applied that uses a 7-point scale for the assessment of the natural character in the CE from very low to very high. Following this a separate process was undertaken to assess if any of the identified areas with high or very high natural character would qualify as Outstanding Natural Character Areas within the district. An area with outstanding natural character may be an area within the coastal environment that is considered to have 'high' or 'very high' levels of natural character. This separation of outstanding natural character from the baseline follows best practice outlined within Environment Court decisions on natural character, where everything in the coastal environment fits on the continuum from very low to very high (or pristine). In Timaru District some areas with high (but not very high) natural character (HNC) were identified, as shown in the BML Study.

This decision to separate out the ONC assessment from the main natural character study stems from Policy interpretation in the NZCPS 2010. Policy 13 (1)(a) requires avoidance of adverse effects of activities on natural character in the coastal environment with outstanding natural character. For all other areas in the coastal environment, Policy 13(1)(b) requires that significant adverse effects are avoided, remedied or mitigated. The high threshold is outlined within Policy 13(1)(c), where areas with at least 'high' natural character be identified.

Within Timaru District no ONC areas were identified in the coastal environment.

<p>CE - Coastal Environment</p> <p>CE-P10 Preserving the natural character of the Coastal Environment</p>	<p><b>Fonterra Limited (165.90)</b></p>	<p>Supports the recognition that some activities have a functional need to locate in areas with coastal environment.</p> <p>Amend <b>CE-P10 Preserving the natural character</b> as follows:</p> <p><i>Enable subdivision, use and development outside of areas of coastal high natural character that: [...]</i></p> <ol style="list-style-type: none"> <li>1. <i>Avoids, remedies or mitigates any other adverse effects on the qualities that contribute to the natural character of the Coastal Environment; while recognising that:</i> <ol style="list-style-type: none"> <li>(a) <i>in rural zoned areas, buildings and structures for non-intensive primary production, <b>rural industry</b> and residential activities may be appropriate depending on their size, scale and nature;</i></li> </ol> </li> </ol> <p>[...]</p>
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**Comment**

As outlined above, there are areas within Timaru township and industrial area that fall within the coastal environment, but their natural character is low or very low. Other parts of the district contain smaller settlement within the CE, such as Rangitata Huts, or a portion of the Meatworks at Pareora. However, the majority of the CE outside the HNC areas is generally farmland (some of it irrigated) with a few residential dwellings within the rural zone. Given the nature of the Timaru coastline, where the flat hinterland has been modified through farming, the natural patterns and processes are largely confined to the coastal interface, including the river mouths and lagoons.

Rural industry<sup>1</sup> would encompass activities such as horticultural / agricultural / aquaculture packing sheds and processing of products for distribution (e.g meat and milk factories, sawmills). While farming is a land use that already occurs within the CE, there are few instances where rural industry occurs within the CE in the Rural Zone. Given that these activities are likely to have adverse effects on the natural character of the CE they would only be appropriate if they are of a limited scale, leading to very localised effects. Consideration should also be given to the effects on adjacent areas of HNC which are more sensitive to natural character effects. In general, these activities are likely to be inappropriate within the CE, unless they are already present and have therefore modified the natural character in the past.

<sup>1</sup> "Rural Industry" means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production. The following definition is taken from the Standard Instrument – Principal Local Environmental Plan. Rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise."

<p>CE - Coastal Environment</p> <p>CE-P10 Preserving the natural character of the Coastal Environment</p>	<p><b>Horticulture New Zealand (245.74)</b></p>	<p>Supports the recognition that in rural zoned areas, buildings and structures for non-intensive primary production and residential activities may be appropriate depending on their size, scale and nature. There is also a need to recognise that primary production land use is also appropriate in the coastal environment.</p> <p>Amend <b>CE-P10 Preserving the natural character of the Coastal Environment</b> as follows:</p> <p><i>Enable subdivision, use and development outside of areas of coastal high natural character that:</i></p> <ol style="list-style-type: none"> <li>1. <i>avoids significant adverse effects; and</i></li> <li>2. <i>avoids, remedies or mitigates any other adverse effects on the qualities that contribute to the natural character of the Coastal Environment; while recognising that:</i> <ol style="list-style-type: none"> <li>a. <i>in rural zoned areas, <u>primary production activities</u>, buildings and structures for non-intensive primary production and residential activities may be appropriate depending on their size, scale and nature;</i></li> </ol> </li> </ol> <p>[...]</p>
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**Comment**

As outlined under the previous submission, the majority of the CE outside the HNC areas is generally farmland (some of it irrigated) with a few residential dwellings within the rural zone. Given the nature of the Timaru coastline, where the flat hinterland has been modified through farming, the natural patterns and processes are largely confined to the coastal interface, including the river mouths and lagoons.

Primary Production Activities<sup>2</sup> would encompass activities such as mining and quarrying. In general farming is a land use that already occurs within the CE in the Rural Zone. Given that mining and quarrying are likely to have adverse effects on the natural character of the CE they would only be appropriate if they are of a limited scale, leading to very localised effects. Consideration should also be given to the effects on adjacent areas of HNC which are more sensitive to natural character effects. It is, therefore, unlikely that commercial mining or quarrying would be an appropriate land use if they occur at a larger scale. However, very localised, farm-scale extraction of gravel or sand may be appropriate if natural character values of the CE, including adjacent HNC areas, are not adversely affected. This could include effects on natural elements, patterns and processes, such as native vegetation, landforms (eg dunes), waterbodies and experiential attributes. In parts where the CE has already experienced a high level of modification these effects could potentially also be mitigated by enhancement of other natural character aspects. Where effects are very localised within these modified parts of the CE (ie limited scale) this could be assessed as a RD activity (eg for small farm extraction).

I would consider it beneficial if the rules associated with this policy, incentivised enhancement of natural character of the coastal environment where possible. In my view, it could be useful to also, for example, consider positive effects associated with a proposal, such as those from planting native vegetation, as a matter of discretion if a consent is triggered.

<p>CE - Coastal environment</p> <p>CE-R13 Primary Production not</p>	<p><b>Fenlea Farms Limited (171.26)</b></p>	<p>Opposes CE-R13 as rules relating to farming, nutrients and water application are for the Canterbury Regional Council and are contained in the Canterbury Land and Water Plan. Primary production, including irrigation and intensive primary production can be managed under the regional rules. The</p>
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<sup>2</sup> Definition (National Planning Standards):

- a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and
- b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);
- c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but
- d. excludes further processing of those commodities into a different product.



<p>otherwise specified in this chapter</p>		<p>policies contained in CE-P11 can be achieved by proper management of intensively farmed stock. [Refer to original submission for full reason].</p> <p><b>Amend CE-R13 Primary Production not otherwise specified in this chapter in Coastal High Natural Character Area Overlay to:</b></p> <ol style="list-style-type: none"> <li>1. Provide for Primary production including intensively farmed stock as a permitted activity within this overlay;</li> <li>2. Amend CE-R13 so it does not exclude irrigation or intensive primary production;</li> <li>3. Provide primary production (including intensively farmed stock) as a controlled activity;</li> </ol> <p>Any alternative relief that would address the submitters concerns.</p>
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**Comment**

CE-R13 applies to the Coastal High Natural Character Area Overlay. Land within the HNC overlay has been identified for its high natural character. Most of these areas are either immediately adjacent to the coastal interface or to river mouths and lagoons. These areas are considered to be more sensitive to intensive farming practices including irrigation. The notified activity status (D) is, therefore, considered appropriate.

The natural character of the relatively confined, remnant areas of HNC within the Timaru District generally relate to the native vegetation of sensitive ecosystems (in particular around waterways and lagoons) found there. Intensive farming and irrigation can be problematic in terms of effects on natural character in these environments near the coastal and freshwater interface. I consider, therefore, that the currently proposed D activity status is appropriate in HNC areas.

<p>CE - Coastal Environment</p> <p>CE-R13 Primary production not otherwise specified in this Chapter</p>	<p><b>Federated Farmers (182.172)</b></p>	<p>Existing farming activities and farmland located in these overlays within the Coastal Environment must be permitted to continue. The PDP should provide for existing, lawfully established farming activities to continue.</p> <p>It is not appropriate for the district plan not to provide for existing, lawfully established farming activities to continue in the coastal environment. It is important to ensure that existing farmland is preserved and allowed to continue for future generations with a balance needing to achieve with the maintenance of the existing values formed by the coastal area.</p> <p>[refer to original submission for full details].</p> <ol style="list-style-type: none"> <li>1. Amend <b>CE-R13 Primary production</b> to provide for existing farming activities (including farm quarries) and farmland as permitted activities within the Coastal Environment;</li> </ol> <p>AND</p> <p>Any consequential amendments required as a result of the relief sought.</p>
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**Comment**

Given that existing activities have modified the natural character in the past, it is considered appropriate to allow for existing activities to continue, even if they are within an HNC. However, expansion (eg for farm quarries) should require assessment of the natural character effects within the HNC overlay as these areas are generally close to the coastal interface and waterbodies. There may be some limited farmed paddocks included in HNC overlays close to the coastline where their proximity to the shore means that farm quarries could impact perceptually and biophysically on the coastal interface. Part of the HNC contains sand dunes with associated wetlands in the hinterland. These areas are sensitive to sand extraction and consent should, in my view, be required for farm quarries in these areas.

<p>CE - Coastal Environment</p> <p>CE-R14 Quarrying/Mining Activity (excluding for natural hazard mitigation works or reclamation within or adjacent the Port Zone)</p>	<p><b>Road Metals Company Limited (169.32)</b></p>	<p>Opposes CE-R14 as the non-complying status of this activity does not suitably recognise the importance of aggregate resources and the way they are spatially located. The term 'quarrying' is not defined but 'quarrying activity' is.</p> <p>Amend <b>CE-R14</b> as follows:</p> <p><b>CE-R14 Quarrying/Mining/Quarrying Activity (excluding for natural hazard mitigation works or reclamation within or adjacent the Port Zone)</b></p> <p>Activity status: <b>Non-complying Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p><u>1. the extent to which the proposal results in an increased risk of economic, social or environmental harm;</u></p> <p><u>2. whether the proposal includes hazard mitigation;</u></p> <p><u>3. measures to avoid, remedy or mitigate adverse effects on areas of Coastal High Natural Character</u></p> <p><u>4. the functional need for the mine/quarry to be in this location;</u></p> <p><u>5. the extent of any positive benefits that will result from the proposal; and 6. the extent to which the proposal creates natural hazard risks on adjacent properties; and the extent to which the proposal creates natural hazard risks on adjacent properties.</u></p>
<p><b>Comment</b></p> <p>Rule CE-R14 applies to both the CE and HNC overlays. As noted above there are areas in the CE that have low or moderate natural character. It is considered that these areas have a higher ability to absorb change than HNC areas which provide higher values. It is, therefore, recommended to differentiate between these two overlays. While it is considered appropriate to maintain the stricter NC activity status for any quarrying (commercial and farm quarries) in HNC areas, RD may be sufficient to protect the natural character in the CE outside the HNC overlay if it was to occur in areas that are already substantially modified and effects are localised.</p> <p>It is likely that larger commercial quarries (rather than small-scale farm quarries) would lead to higher effects. Therefore, it may be appropriate for farm quarries that are restricted in size and scale (under 500m<sup>2</sup>), to be enabled as permitted activities.</p> <p>I consider that larger farm quarries and commercial quarries are appropriately assessed as RD activities in the CE. However, the matters of discretion need to ensure, that adverse effects on Coastal Natural Character in general are avoided, remedied or mitigated (rather than just effects on adjacent HNC). The potential for enhancement of natural character should also be encouraged through the matters of discretion.</p>		
<p>CE - Coastal Environment</p> <p>CE-R14 Quarrying/Mining Activity (excluding for natural hazard mitigation works or reclamation within or adjacent the Port Zone)</p>	<p><b>Fulton Hogan Limited (170.32)</b></p>	<p>Opposes CE-R14 as the non-complying status of this activity does not suitably recognise the importance of aggregate resources and the way they are spatially located. The term 'quarrying' is not defined but 'quarrying' activity is.</p> <p>Amend <b>CE-R14</b> as follows:</p> <p><b>CE-R14 Quarrying/Mining/Quarrying Activity (excluding for natural hazard mitigation works or reclamation within or adjacent the Port Zone)</b></p> <p>Activity status: <b>Non-complying Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p><u>1. the extent to which the proposal results in an increased risk of economic, social or environmental harm;</u></p>

		<p><u>2. whether the proposal includes hazard mitigation;</u></p> <p><u>3. measures to avoid, remedy or mitigate adverse effects on areas of Coastal High Natural Character</u></p> <p><u>4. the functional need for the mine/quarry to be in this location; the extent of any positive benefits that will result from the proposal; and 6. the extent to which the proposal creates natural hazard risks on adjacent properties.</u></p>
<p><b>Comment (same response as Road Metals Company Limited - 169.32)</b></p> <p>See above.</p>		
<p>CE - Coastal Environment</p> <p>CE-R2 Plantation forestry</p>	<p><b>Royal Forest and Bird Protection Society (156.163)</b></p>	<p>Will depend on whether High Natural Character is actually ONC or not. If it's ONC then forestry should not be permitted. It is also difficult to see how afforestation should be a permitted activity in the coastal environment with significant controls.</p> <p>1. Delete <b>CE-R2.1</b> amend to require a discretionary consent for afforestation. Replanting should also require a consent and a larger setback than the NPS-PF provides is required. Keep CE-R2.2 non-complying</p>
<p><b>Comment (see also response to other submission point - 156.157 )</b></p> <p>As outlined under the submitter's previous submission point (156.157), no areas of ONC were identified within Timaru District. In the HNC overlay Plantation Forestry is a non-complying activity which I consider appropriate, in agreement with the submitter. Parts of the coastal environment that are currently quite modified, leading to only low to moderate natural character for the majority of the more intensively grazed areas. However, the CE within Timaru District is generally quite narrow and lies in most instances adjacent to areas of high natural character along the coastal interface and adjacent to waterbodies/ lagoons.</p> <p>Large-scale plantation forestry can have adverse effects on natural character, including areas that are located adjacent to the areas of afforestation. This includes potential spread of wilding trees, as well adverse effects on the natural patterns and processes during harvest. While small woodlots and farm-scale forestry would not have significant adverse effects, large-scale plantations may. I consider it preferable to limit the permitted activity status to smaller areas and to ensure through a consenting process that significant adverse effects on the natural character values within the CE, including those identified for HNC areas, are avoided. In my view, RD activity status within the CE (outside HNC areas) would provide an appropriate opportunity to assess the effects of large-scale plantation forestry on the natural character values in these generally extensively farmed areas.</p>		
<p>CE - Coastal Environment</p> <p>CE-R4 Buildings and structures and extensions (excluding Regionally Significant Infrastructure and fences)</p>	<p><b>Fenlea Farms Limited (171.23)</b></p>	<p>Oppose CE-R4.3 with any standards as to the height of buildings and structures, site coverage and building and structure external materials.</p> <p>Oppose CE-R4.4 and CE-R4.5 including any definitions that relate to the application of these rules as it relates to 158 Prattley Road.</p> <p>In particular:</p> <p>1. Opposes CE-R4.3.1 within the Coastal High Natural Character Overlay as it unnecessarily limits maximum ground floor areas and where unable to meet the permitted activity rule, the activity will be a non-complying activity. The submitter considers it is more appropriate for buildings/extensions to meet ground floor levels, obtain Flood Risk Certificates, or meet other specific built form standards, and this should be sufficient protection. The status of non-complying is unnecessary.</p> <p>[Refer to original submission for full reason]</p>

		<p>Amend <b>CE-R4.3 Buildings and structures and extensions (excluding Regionally Significant Infrastructure and fences)</b> to achieve the following:</p> <p>1. Under <b>CE-R4.3 Coastal High Natural Character Overlay</b>:</p> <ol style="list-style-type: none"> <li>1. Remove the maximum ground floor areas for new buildings or extensions within and outside urban areas on the basis there are sufficient alternative protections in place;</li> <li>2. Include built form standards for buildings within the overlay;</li> <li>3. Amend so that failure to meet the permitted activity rule results in a controlled activity;</li> </ol> <p>4. Any alternative relief that would address the submitters concerns. [Note no specific relief sought on related definitions.]</p>
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**Comment**

Given the higher sensitivity of areas with high natural character it is considered appropriate to limit buildings that are enabled in these areas to small structure with a maximum floor area. Buildings of 10m<sup>2</sup> would allow for small pump sheds or cabins, but would require consent for all larger buildings. While I consider it important to ensure that the effects on natural character are assessed in HNC areas. It is less likely that that small to medium-sized buildings would have the potential for significant adverse effects on the natural elements, patterns and processes. It could be an option to add another tier for buildings of up to 150m<sup>2</sup> in size as a RD activity with same matters of discretion as CE-R4.2.

The mitigation of natural character effects is generally achieved through a combination of controls on design and location. Avoiding sensitive locations is generally the key factor in avoiding or mitigating natural character effects as design mechanisms alone may be insufficient to mitigate the effects of development in certain locations. As it is not inconceivable that some properties will not contain any locations where development may be mitigated solely through the use of design mechanisms it is considered necessary that Council has the ability to decline applications where significant adverse effects on natural character values may occur. In my view, controlled activity status would therefore not be appropriate, as Council would need to be able to decline an application if significant adverse effects on the natural character and landscape values of the CE arise from a proposal.

<p>CE - Coastal Environment</p> <p>CE-R5 Earthworks, excluding: earthworks for natural hazard mitigation works; and any land disturbance</p>	<p><b>Fenlea Farms Limited (171.24)</b></p>	<p>Opposes CE-R5 as it limits the volume of earthworks for permitted activity and does not recognise pre-existing rural activities which may already involve a greater level of earthworks. The submitter considers the activity status when compliance is not achieved should be controlled on the basis that the Timaru District Council can effectively manage earthworks within this area with restricted discretion. [Refer to original submission for full reason].</p> <p>Amend <b>CE-R5</b> with the following changes:</p> <ol style="list-style-type: none"> <li>1. The permitted earthworks within this rule be increased from 100m<sup>3</sup> and 100m<sup>2</sup> to at least 2000m<sup>3</sup> and 2000m<sup>2</sup></li> <li>2. The activity status when compliance cannot be achieved under this rule is changed from Discretionary to Controlled. Any alternative relief that would address the submitters concerns.</li> </ol>
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**Comment**

This rule applies only to the HNC overlay. It is noted that the majority of HNC areas are located very close to waterbodies or the coastal interface which requires limiting permitted earthworks to small areas. Currently, a maximum of 100m<sup>3</sup> or 100m<sup>2</sup> applies to permitted earthworks in HNC.

Given that the effects of larger-scale earthworks on natural patterns and processes, including drainage and change to native coastal vegetation, have the potential to be significant, it is considered appropriate to set a maximum for permitted earthworks. The limit proposed by the submitter is substantial and earthworks of this scale are, in my view, not considered appropriate as a permitted activity within the HNC overlay. Given that R5 only

<p>applies to areas of HNC which are more sensitive, D activity status for any earthworks exceeding the proposed size/ volume (100m<sup>2</sup>/ m<sup>3</sup>) is suitable to provide Council the ability to decline consent in areas where adverse natural character effects cannot be mitigated.</p>		
<p>CE - Coastal Environment</p> <p>CE-R5 Earthworks, excluding: earthworks for natural hazard mitigation works; and any land disturbance</p>	<p><b>Silver Fern Farms (172.90)</b></p>	<p>Supports providing a permitted activity pathway for minor earthworks with a discretionary consenting pathway for larger earthworks proposals in the Coastal High Natural Character Area Overlay.</p> <p>Amendment sought to clarify a specific timescale. The Submitter views that the earthworks quantum specified are a per-year allowance. If not the rule would incorrectly require all earthworks to proceed via discretionary consent applications once the initial 100 m<sup>2</sup> and 100 m<sup>3</sup> allowances are expended.</p> <p>Amend <b>CE-R5</b> as follows:</p> <p><b>CE-R5 Earthworks, excluding:</b></p> <ul style="list-style-type: none"> <li>• earthworks for natural hazard mitigation works; and</li> <li>• any land disturbance</li> </ul> <p>[...] <b>PER-3</b> Any other earthworks do not exceed the following quantum <u>per calendar year</u>: [...]</p>
<p><b>Comment</b> (same response as Fenlea Farms Limited - 171.24)</p> <p>Given the sensitivity of HNC areas, it is considered that the cumulative effects of ongoing expansion of earthworks each calendar year could lead to significant adverse effects. It is acknowledged that earthworks may be appropriate in some areas, but this would require assessment of natural character effects through a consenting process.</p>		
<p>CE - Coastal Environment</p> <p>General</p>	<p><b>Royal Forest and Bird Protection Society (156.162)</b></p>	<p>Notes there are no rules or overlays that discuss Outstanding Natural Character, or ONFs. The plan does not give effect to the NZCPS without avoiding adverse effects on ONCs and ONFs. Considers it is difficult to support any of the rules given the deficiencies in the objective and policy development.</p> <p>Amend the <b>CE - Coastal Environment</b> rules:</p> <ul style="list-style-type: none"> <li>- to include a raft of new rules to avoid adverse effects on Outstanding Natural Character areas and ONFs; and</li> </ul> <p>to give effect to the NZCPS.</p>
<p><b>Comment</b> (see also response to other submission point - 156.157 )</p> <p>As outlined under the previous submission point the assessment of natural character in Timaru's coastal environment did not lead to the identification of ONC areas due to the existing modifications, including those to landforms and land cover, present.</p> <p>It is, however, acknowledged that Policy 15 - Natural features and natural landscapes of the NZCPS applies to the one ONF located within the Coastal Environment (ONF 5 Dashing Rocks). The NFL Chapter also contains objectives, policies and rules that apply to this ONF.</p>		
<p>Planning Maps</p>	<p><b>Royal Forest and Bird Protection Society (156.4)</b></p>	<p>The submitter considers the mapping of the coastal environment is inadequate. Considers reassessing to appropriately apply Policy 1 of the NZCPS. The coastal environment should extend 1km or more landward.</p> <p>Considers the Coastal Environment overlay, being a narrow strip of area, is not accurately mapped and does not give effect to the NZCPS.</p>

		Amend the <b>Coastal Environment</b> overlay to adequately map the coastal environment
		Amend the <b>Coastal Environment</b> overlay to ensure the overlay extends at least one kilometre inland from the mean-high springs.

**Comment** (see also response to other submission point - 156.157 )

The RMA does not define 'coastal environment', however its extent needs to be considered in order to respond to Policy 1 of the NZCPS 2010. This recognises that the extent and characteristics of the coastal environment will vary from location to location. There is no minimum measurement for the extent of the coastal environment and a rigorous methodology, which has been applied in a number of other coastal environment assessments throughout the country, has been applied in the 2020 Timaru Landscape and Coastal Study. Through the development of a methodology to determine the extent of the coastal environment, BML were guided by all of the identified characteristics<sup>3</sup>, although gave particular consideration to item (c) of Policy 1(2) of the NZCPS 2010 '*where coastal processes, influences or qualities are significant*'. The full methodology for the CE delineation is outlined on pages 78 ff of the Study.

In summary, the Coastal Environment identified in the District Plan includes the Coastal Significance Zone, while the Coastal Marine Area (below mean high-water spring (MHWS) mark) falls outside the district boundary. Inland of this identified coastal environment is a zone referred to as the Coastal Context Zone. In this Coastal Context Zone coastal elements, patterns and processes have an influencing presence on the coastal landscape and would include developed dunes which no longer exhibit significant coastal processes plus coastal plains, and hill-slopes.

This context zone generally extends inland from the Coastal Significance Zone, in areas where coastal influences are diminishing. In instances where the land adjacent to the coastline is flat (as present in large parts of Timaru District) and the coastal processes are not significant due to higher levels of modifications a narrow strip of CE is considered appropriate. The majority of Timaru District, apart from areas where waterways extend towards the coast, contains either pastoral farming or settlements, including transport and other infrastructure which has substantially modified the coastal hinterland and its associated elements/ patterns/processes, confining the identified coastal environment to a relatively narrow strip near the interface.

Planning Maps	<b>Paul Smith Earthmoving Limited (204.1)</b>	Supports the intention of Coastal Environment Overlay, but seeks this overlay be removed from the submitter's property as considers the restrictions within the overlay contradicts to the underlying General Industrial Zone.
		Remove <b>Coastal Environment Area overlay</b> from 86 Sheffield Street, allowing it to follow site boundaries.

**Comment**

As shown on the figure below only a very small area in the southern corner of the property falls within the CE overlay. It is considered appropriate to remove this area, as it appears to be a mapping refinement. The area that was intended to be captured under the CE overlay extends to the south-east of the property.

<sup>3</sup> The following nine characteristics set out in Policy 1(2):

- a. The coastal marine area;
- b. Islands within the coastal marine area;
- c. **Areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these; (Study Team emphasis)**
- d. Areas at risk from coastal hazards;
- e. Coastal vegetation and the habitat of indigenous coastal species including migratory birds;
- f. Elements and features that contribute to the natural character, landscape, visual qualities or amenity values;
- g. Items of cultural and historic heritage in the coastal marine area or on the coast;
- h. Inter-related coastal marine and terrestrial systems, including the intertidal zone; and
- i. Physical resources and built facilities, including infrastructure, that have modified the coastal environment





Figure 2: showing southern corner where the CE overlay extends across the submitter's property (blue hatch). This area is to be removed.

Planning Maps	<b>Federated Farmers (182.170)</b>	Considers it is important that the PDP provides for everyday agricultural activities to occur in the coastal environment. Considers it is appropriate to delete areas of high natural character and reference to this area deleted from this section because Council would still meet its obligations under the NZCPS as well as the Regional Policy Statement. [refer to original submission for full details].  Delete the <b>Coastal High Character Areas</b> overlay.
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**Comment** (same response as Federated Farmers - 182.169)

As outlined under submission Federated Farmers - 182.169 the identification of the extent of the CE, as well as of areas that provide ONC and HNC is required under the NZCPS.

CE - Coastal Environment  CE-P10 Preserving the natural character of the Coastal Environment	<b>Fenlea Farms Limited (171.21)</b>	Amend CE-P10 Preserving the natural character of the Coastal Environment as follows: <i>Enable subdivision, use and development outside of areas of coastal high natural character that:</i> <i>avoids significant adverse effects; and</i> <i>avoids, remedies or mitigates any other adverse effects on the qualities that contribute to the natural character of the Coastal Environment; while recognising that:</i> <i>in rural zoned areas, buildings and structures for <del>non-</del>intensive primary production and residential activities may be appropriate depending on their size, scale and nature;</i>
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**Comment**

In general, the Coastal Environment is a relatively narrow strip of pastoral land along the majority of Timaru's coastline. Given that buildings for intensive or non-intensive primary production would be of a similar appearance if their design and scale is comparable, the landscape and natural character effects may not substantially differ based on their use. Depending on density, location, size and design, significant adverse effects could potentially be mitigated for buildings used for intensive primary production, similarly to non-intensive production. While a proliferation of buildings is unlikely to be appropriate in the CE, effects may be acceptable in some instances for buildings with either use, if they are successfully mitigated. Therefore, I am not opposed to the proposed change from a landscape perspective if the effects are similar to non-intensive primary production, but acknowledge that intensive primary production may have other effects on HNC areas.

CE - Coastal Environment  CE-P11 Preserve the natural character qualities of areas with Coastal High Natural Character	<b>Fenlea Farms Limited (171.22)</b>	Opposes CE-P11 as it does not recognise that a number of activities may be appropriate depending on their size, scale and nature. <i>CE-P11 (2) Preserve the natural character qualities of areas with Coastal High Natural Character extended to include in "rural zoned areas, buildings and structures for primary production (including intensively farmed stock) and residential activities may be appropriate depending on their size, scale and nature.</i>
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**Comment**

As outlined in the response to the previous submission, it is considered possible that buildings and structures for primary production (including intensively farmed stock) and residential activities may be appropriate in the CE, depending on their location, size and design. Given that areas of HNC contain notable natural character values that differentiate them from other parts of the CE, it would be preferable for buildings and structures to be located outside of identified HNC. While these areas are not of outstanding natural character, they have a lower ability to absorb change and presence of larger-scale buildings has the potential to impact on the biophysical and perceptual aspects of their natural character. I, therefore do not support the request in the submission.

CE - Coastal Environment  CE-R13 Primary Production not otherwise specified in this chapter	<b>Peter Bonifacio (36.10)</b>	Although the Milford Lagoon has already been retired from farming, the effect of this rule is significant in potentially reducing the value of the land.  Consider the impact of the rule CE-R13 on the value of the land and subsequent impact on the landowner.
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**Comment**

The majority of the HNC identified on and around the submitter's property (145 Milford Lagoon Road) contains the coastal lagoon waterbody and margins of Milford Lagoon (Opihi River) and Orakipaoa Creek. It is acknowledged that the area also contains a very confined area of pastoral farm land between waterways. Currently, no evidence has been provided on the natural character values within the areas adjacent to the waterway margins. If further evidence is provided to show that the natural character values of the area are moderate or low, I consider it could be appropriate to exclude a small area of farm land between the margins of waterways from the HNC.

I note that submission Fenlea Farms Limited (171.17) relates to the areas north of Milford Lagoon where partial removal of HNC may be appropriate if further evidence on the values of the area is provided.

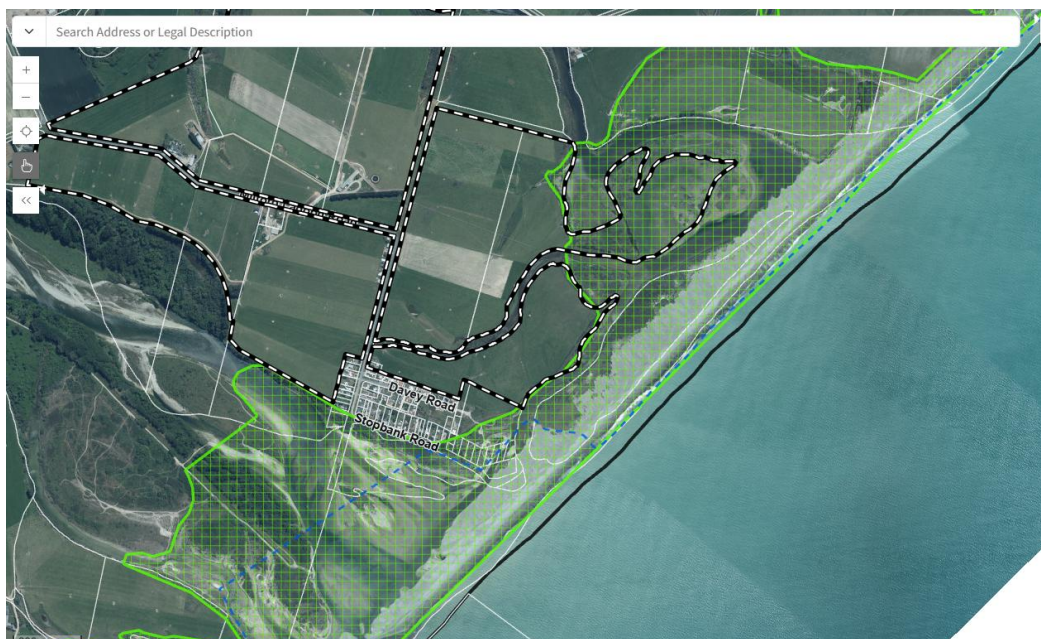


Figure 3: showing HNC overlay on the submitter's property (green hatch) and the adjacent Milford Lagoon.



<p>CE - Coastal Environment</p> <p>CE-R4 Buildings and structures and extension (excluding Regionally Significant Infrastructure and fences)</p>	<p><b>Silver Fern Farms (172.89)</b></p>	<p>Minor developments at the submitters Pareora processing site will be subject to a restricted discretionary consenting pathway under Rule CE-R4(2) for buildings &gt; 150 m2 because the site is not in a defined “urban area”. The Submitter does not support this rule given the scale of existing development and value of the investment in this site.</p> <p>Amend CE-R4 to provide:  a permitted activity status under Rule CE-R4.1 for the GIZ portion of the submitters Pareora site that are also located in the proposed Coastal Environment Overlay;  AND  a restricted discretionary consenting pathway under Rule CE-R4.4 for GIZ parts of the site also located in the proposed Sea Water Inundation Overlay.</p>
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**Comment**

The site is not within an “urban-zoned area”, therefore is not covered by CE-R4.1. However, the natural character is already highly modified in this part of the CE, since the large-scale industrial buildings are located in very close proximity to the coastline which means that natural character values are very low. In terms of potential effects arising from further development within the site, it is likely that this would not lead to notable additional effects on natural character.



Figure 4: showing CE overlay on the submitter’s property (blue hatch) as located immediately adjacent to the coastline.

<p>CE - Coastal Environment</p> <p>CE-R5 Earthworks, excluding: earthworks for natural hazard mitigation works; and any land disturbance Coastal High Natural Character Area Overlay</p>	<p><b>Royal Forest and Bird Protection Society (156.165)</b></p>	<p>Earthworks for underground utilities can be quite big depending on the method of installation. Clarity is required.</p> <p>Amend CE-R5 by:  Requiring all earthworks to be at least within 2 meters of the PER-1 activities;  AND  Deleting PER-2.</p>
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**Comment**

Given that this rule applies to HNC areas that are potentially sensitive to earthworks, I agree with the submission regarding the requirement for proximity to fence lines, roads and tracks where previous disturbance has taken place (within 2 metres). This would mean that modifications through earthworks can be contained in already modified parts of HNCs which should be incentivised.

It is conceivable that installation of underground network utilities and ancillary structures is required within the HNC, but in general it is considered preferable to locate these within parts of the CE that have lower natural character values. In my view, it would be appropriate to limit permitted earthworks to maintenance, repairs and upgrades (under CE-R5 (PER-1)), and to exclude new underground infrastructure from this rule to ensure that the natural elements patterns and processes of the coastal environment, are protected and to avoid significant adverse effects on HNCs from earthworks.

CE - Coastal Environment Rules CE-R7 and R8	<b>Royal Forest and Bird Protection Society (156.67)</b>	<p><b>Amend Rule CE-R7 Regionally Significant Infrastructure - maintenance and upgrade</b> to be just for maintenance and operation, and not to cover increases in the size of infrastructure or upgrades that increase scale and footprint of the activity. Delete upgrade from activity and create a new rule for upgrade that increase the size of the activity to a restricted discretionary activity.</p> <p><b>Delete Rule CE-R8(1) for New Regionally Significant Infrastructure</b> as it is not appropriate to construct RSI in the coastal environment as a permitted activity.</p> <p><b>Delete CE-R8(2)</b> depending on whether these areas are meant to be ONC or the lesser high natural character.</p> <p>Change to non-complying</p>
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**Comment****Coastal Environment – CE-R7 Regionally Significant Infrastructure - maintenance and upgrade**

Forest and Bird [156.167] consider this rule should be just for maintenance and operation and not cover increases in the size of infrastructure or upgrades that increase scale and footprint of the activity. They seek to delete the upgrade reference from CE-R7 and create a new rule for upgrades where increases in the size of an activity is a restricted discretionary activity.

**Coastal Environment – CE-R8 Regionally Significant Infrastructure - New**

Similar to its submission on CE-R7, Forest and Bird [156.168] considers constructing RSI in the coastal environment as a permitted activity is inappropriate and in relation to CE-R8.2, considers that the appropriateness of this depends on whether these areas are meant to be ONC or the lesser high natural character. They seek to delete CE-R8.1 and amend CR-R8.2 from discretionary to NC.

The submitter considers that the permitted activity rules for new and upgrades/ maintenance of Regionally Significant Infrastructure<sup>4</sup> (RSI) are not appropriate in the coastal environment and HNC areas. As outlined under

<sup>4</sup> Regionally Significant Infrastructure is:

- a. Strategic land transport network and arterial roads
- b. Timaru Airport
- c. Port of Timaru
- d. Telecommunication facilities
- e. National, regional and local renewable electricity generation activities of any scale
- f. The electricity transmission network
- g. Sewage collection, treatment and disposal networks
- h. Community land drainage infrastructure
- i. Community potable water systems
- j. Established community-scale irrigation and stockwater infrastructure
- k. Transport hubs
- l. Bulk fuel supply infrastructure including terminals, wharf lines and pipelines.

previous responses, I consider that the more modified parts of the CE can absorb a certain amount of change associated with infrastructure, including RSI. In my view, this relates to upgrades and maintenance of already existing RSI within the CE that displays low or moderate natural character, given that the presence of RSI already reduced the values in these locations. However, this should be limited to only small upgrades where RSI is already present in the CE and very small new RSI.

I recommend to limit the upgrades to RSI within the CE outside urban zoned areas as a permitted activity to those where any upgrading does not increase the building or structure envelope by more than 25% within a continuous 10-year period (up to a maximum area of 1000m<sup>2</sup>). For new RSI within the CE, outside urban zoned areas, this should be limited to buildings or structures with a floor area of less than 200m<sup>2</sup>.

It would in my view, be preferable to locate new RSI outside of HNC areas and therefore support DIS within HNC. Should any existing RSI already be located within HNC areas I consider that upgrading should only be permitted if it does not increase the building or structure envelope by more than 10% within a continuous 10-year period (up to a maximum area of 200m<sup>2</sup>).

I note that the HNC areas do not display outstanding NC, as outlined under other submission points.

In my view, it is appropriate that new or upgrades to RSI in the CE is permitted if within existing urban zoned area (ie already modified), irrespective of scale, noting the zone built form standards still apply.

<p>SCHED14 - Schedule of attributes - qualities of coastal high natural character areas</p>	<p><b>Royal Forest and Bird Protection Society (156.186)</b></p>	<p>Support the inclusion of all coastal high natural character areas and add more coastal high natural character areas as they become known to the schedule.</p> <p>Retain SCHED14 as notified; AND add more coastal high natural character areas as they become known.</p>
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**Comment**

The BML Landscape and Coastal Study has undertaken a comprehensive assessment of the natural character values within the Coastal Environment of Timaru District. Based on this assessment it is considered that all areas that would currently qualify as HNC (ie areas in the Coastal Environment that display high natural character) have been identified and included in SCHED14. If any specific omissions of areas that contain high natural character values have been identified by the submitter, additional evidence regarding the natural character of these additional areas would be required to assess the values under the same methodology that was applied to the remainder of the District's CE.

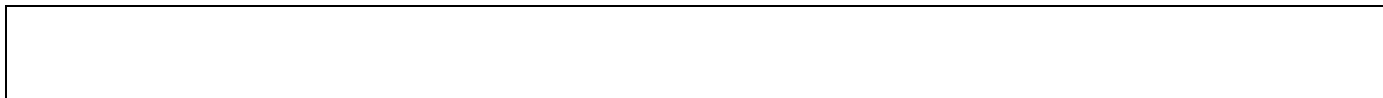
<p>SCHED14 - Schedule of attributes - qualities of coastal high natural character areas</p>	<p><b>Te Runanga o Ngai Tahu (185.41)</b></p>	<p>Support the schedule, however request minor changes to improve clarity and ensure that all cultural values are given the appropriate weight.</p> <p>Amend SCHED14 - Schedule of attributes-qualities of coastal high natural character areas so the attributes/ values of these areas cross reference the SASM references to ensure that the cultural values are fully recognised and protected as required by case law for landscape assessments.</p>
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**Comment**

Based on the assessment of the coastal natural character values for the entire coastal environment of the district, characteristics for HNC areas within each of the four Coastal Terrestrial Areas are outlined in schedules included in the Study (p94; 100; 105; 110). These formed the basis for the schedules included in the district plan (SCHED 14).

BML attempted to include the cultural values that are relevant to landscape within the ONF/Ls and VALs in the district (see NFL Chapter). It is understood from best practice guidance<sup>5</sup> that cultural values are to be considered as far as they relate to the natural elements, patterns and processes that are considered under the natural character assessment. If there are parts of the SASM Chapter that are relevant to the coastal natural character schedules, I support that the outlined cultural values/ attributes are identified and cross-referenced.

<sup>5</sup> Te Tangi a te Manu: Aotearoa, New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022





## Submission Response Energy Infrastructure Chapter (as related to the CE)

Topic	Submitter	Summary request
<p>El - Energy and Infrastructure</p> <p>Rules Section A - Rules for Energy and Infrastructure Activities</p>	<p>Royal Forest and Bird Protection Society (156.63)</p>	<p>Amend <b>EI-R1 Maintenance and repair, or removal of infrastructure not otherwise addressed by another rule in this chapter</b> as follows:</p> <p><b>Activity status: Permitted Where:</b></p> <p><b>PER-1</b></p> <p><i>EI-S1 is complied with.</i></p> <p><b><u>PER-2</u></b></p> <p><b><u>The removal is not in the coastal environment</u></b></p> <p><b>Activity status when compliance not achieved: Restricted Discretionary</b></p> <p><i>Matters of discretion are restricted to:</i></p> <p>1. <i>the matters of discretion of any infringed standard <b><u>effects on the coastal environment.</u></b></i></p>
<p><b>Comment</b></p> <p>Under NZCPS Policy1 Council have the obligation to identify the extent of the Coastal Environment and to 'assess the natural character of the coastal environment by mapping or otherwise identifying at least areas of high natural character' under NZCPS 13(1)(c). Councils also have the obligation to identify Outstanding NC to satisfy Policy 13(1)(a).</p> <p>The main railway line within the Canterbury Region extends in relatively close proximity to the coast in several districts in North and South Canterbury. Within Timaru District the line connects from Temuka to Timaru Port where it is mostly located outside the CE to the north of Washdyke. From there to the southern district boundary near Pareora the location of the rail line is close proximity of coast (approx. distance between 50 and 350m). The HNC identification does not include the rail line due to the modification it represents to the natural patterns and processes in this part of the CE. However, the CE extends in many instances slightly inland of the rail alignment. Within Timaru District no ONC areas were identified in the coastal environment.</p> <p>Given that the current presence of the infrastructure has already modified the natural character of this part of the CE, it is considered appropriate to allow for the repair and maintenance of this infrastructure in its current location. It is acknowledged that this maintenance work may involve some small upgrades in places. Removal of infrastructure is, generally, considered to lead to a reduction of existing landscape and natural character effects and is therefore appropriate as a permitted activity.</p>		
<p>El - Energy and Infrastructure</p> <p>Rules Section A - Rules for Energy and Infrastructure Activities</p>	<p>Royal Forest and Bird Protection Society (156.64)</p>	<p>Amend <b>EI-R2 Upgrading underground infrastructure</b> as follows:</p> <p><b>Activity status: Permitted Where</b></p> <p><b>PER-1</b></p> <p><i>EI-S2 is complied with.</i></p> <p><b><u>PER-2</u></b></p> <p><b><u>The upgrading is not in the coastal environment.</u></b></p> <p><b>Activity status when compliance not achieved: Restricted Discretionary</b></p> <p><i>Matters of discretion are restricted to:</i></p> <p>1. <i>the matters of discretion of any infringed standard.</i></p> <p>2. <i><b><u>effects on the coastal environment.</u></b></i></p>
<p><b>Comment</b></p> <p>I consider that where underground infrastructure is already located within the CE, replacement/ repair/ maintenance of that infrastructure, within the same footprint, would not create additional adverse effects that would compromise natural character values. However, to provide certainty for a permitted activity framework, I</p>		

consider that this should not extend beyond the existing footprint. There are likely instances where expansions are also appropriate (in particular in areas of lower natural character) but this would best be assessed as a restricted discretionary activity.

As outlined under the submitter's previous submission point, no areas of ONC were identified within Timaru District. In the HNC overlay I consider it appropriate to require assessment of upgrading of infrastructure through a consenting process, in agreement with the submitter. Parts of the coastal environment are currently quite modified, leading to only low to moderate natural character for the majority of the settled or more intensively grazed areas. However, the CE within Timaru District is generally quite narrow and lies in most instances adjacent to areas of high natural character along the coastal interface and adjacent to waterbodies/ lagoons.

New and upgrading of underground infrastructure can have adverse effects on natural character, including areas that are located adjacent to the infrastructure if earthworks lead to a change in natural patterns and processes, such as drainage of wetlands/ lagoon areas. While small upgrades and extensions in the more modified parts of the CE would not have significant adverse effects, new or upgraded underground infrastructure is more likely to lead to adverse effects on natural character in the HNC.

I consider it preferable to limit the permitted activity status to more modified areas in the CE and to ensure through a consenting process that significant adverse effects on the natural character values within the identified HNC areas are avoided. Areas of HNC are more sensitive to change than other parts of the CE and consenting of upgrading of underground infrastructure, which may involve earthworks that could impact the natural processes, would be appropriate. Currently Rule CE-R5 (PER-2) allows for earthworks for the purpose of installation of underground network utilities and ancillary structures. In my view, it would be appropriate to limit permitted earthworks to maintenance, repairs and upgrades (under CE-R5 (PER-1)), and to exclude new underground infrastructure from this rule to ensure that the natural elements patterns and processes of the coastal environment, are protected. Areas of HNC are more sensitive to change and more stringent rules would be appropriate. Consenting processes should take into account the values described in the Coastal Study for each coastal character area, and in particular for identified HNC areas (including those that lie adjacent to application site and may be affected).

<p>El - Energy and Infrastructure</p> <p>Rules Section A - Rules for Energy and Infrastructure Activities</p>	<p>Royal Forest and Bird Protection Society (156.65)</p>	<p>Amend <b>EI-R3 New underground infrastructure (including customer connections) not otherwise addressed by another rule in this chapter</b> as follows:</p> <p><i><b>EI-R3 New underground infrastructure (including customer connections) not otherwise addressed by another rule in this chapter</b></i></p> <p><b>Activity status: Permitted <u>Where</u></b></p> <p><b><u>PER-1</u></b></p> <p><b><u>The upgrading is not in the coastal environment.</u></b></p>
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**Comment**

As outlined under the previous submission point, I consider that new or larger-scale upgrades to infrastructure in the CE should be assessed as RD, while it is to be discouraged in HNC areas.

<p>El - Energy and Infrastructure</p> <p>Rules Section A - Rules for Energy and Infrastructure Activities</p>	<p>Royal Forest and Bird Protection Society (156.66)</p>	<p>Amend <b>EI-R5 Vehicle access tracks for network utilities, including ancillary access tracks</b> as follows:</p> <p><b>Activity status: Permitted Where:</b></p> <p><b><u>PER-1 [...]. PER-4</u></b></p> <p><b><u>The vehicle access track is not in the Coastal Environment or and Outstanding Natural Landscape</u></b></p> <p><b>Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the purpose, necessity and location of the vehicle access track; and</li> <li>2. the impact on the character and qualities of the surrounding</li> </ol>
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area.  
Effects on the Coastal Environment.

### Comment

As outlined earlier, parts of Timaru's CE have been substantially modified in the past. In these areas permitted activity status for access tracks is likely to be appropriate, if they comply with the earthworks rules/ standards. However, I understand that vehicle access tracks can be up to 6m wide, which could lead to cumulative effects if multiple tracks were to be located in the CE. In my view, the width should be limited to 4m to ensure that they have limited impact on landscape and natural character values.

Similar to underground infrastructure, I consider that the identified HNC areas within the CE and ONLs are more sensitive to change due to their elevated natural character and landscape values. Again, in these areas I support vehicle access tracks being considered through a consent pathway.

EI - Energy and Infrastructure

Rules Section C - Rules for network utilities - Three Waters

Royal Forest and Bird Protection Society (156.69)

Amend **EI-R22 Construction, maintenance, repair and upgrading of underground water supply, wastewater systems, and stormwater infrastructure** follows:

**Activity status: Permitted Where:**

#### **PER-1**

*Any pipe is not located on or within a waterbody, except where it is:*

- 1. attached to and/or incorporated within an existing bridge structure; or*
- 2. within an existing conduit or duct.*

#### **PER-2**

**The new water, wastewater and stormwater connections are not in the Coastal Environment**

**Activity status when compliance not achieved:**

**Restricted Discretionary Matters of discretion are restricted to:**

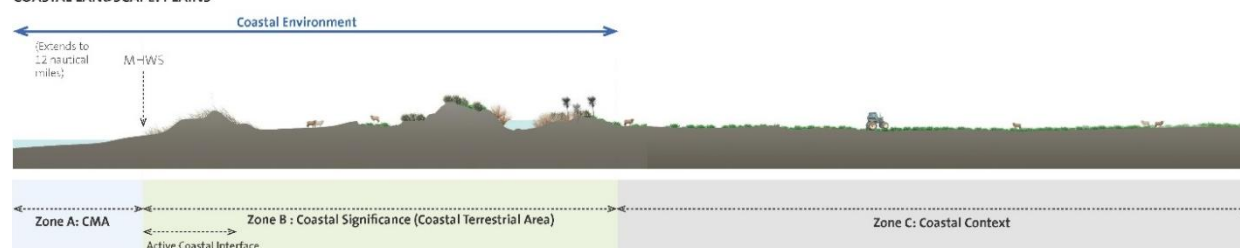
- 1. the functional needs and operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken; and*
- 2. the impact on the character and qualities of the surrounding area.*

**3. Effects on the Coastal Environment.**

### Comment

The Timaru Landscape and Coastal Study (BML, 2020) illustrates the most commonly found coastal landform within Timaru District, where the plains adjoin the coastal interface.

#### COASTAL LANDSCAPE: PLAINS



Within the district the Active Coastal Interface is generally a slender component of the Coastal Significance Zone where the sea is the dominant element and the primary or significant influence on landform, vegetation and perception. The terrestrial part of the Coastal Environment identified in the Study (Zone B in the Figure above) is

where coastal processes are significant (as required under Policy 1 of the NZCPS) and may include cliffs, settled (or modified) dune lands, farm land and settlements.

In some instances, along the Timaru coastline, there is a narrow area of dune lands, but in general the steeply eroding coastline is found in immediate vicinity of agricultural uses. The coastal lagoons and river mouths are generally accompanied by modified (generally grazed) wetlands/ pasture along the margins. In these areas the CE generally extended further inland, as coastal processes were still significant further inland than in areas where agricultural land use had modified these processes to a point where they could not be considered significant anymore.

In many instances stormwater infrastructure would likely extend to the coastal interface with outfalls to the sea, while this would be less likely for wastewater or drinking water supplies which is usually found further inland. I consider that the coastal interface is sensitive to any change and that stormwater pipes/ outfalls in this area should be subject to an assessment of natural character effects.

Construction of all new underground infrastructure in the CE could, in my view, be appropriately assessed as RDIS. Within areas of HNC, underground infrastructure has the potential to adversely affect natural elements, patterns and processes (such as drainage, vegetation, etc) and should be discouraged if possible. Maintenance and repairs of existing infrastructure within the CE would, in my opinion, be unlikely to adversely affect these values, as these activities relate to existing modifications.

<p>EI - Energy and Infrastructure</p> <p>Rules Section C - Rules for network utilities - Three Waters</p>	<p>Royal Forest and Bird Protection Society (156.70)</p>	<p>Amend EI-R23 New water, wastewater and stormwater connections to existing reticulated networks as follows:</p> <p><b>Activity status: Permitted <u>Where</u></b></p> <p><b><u>PER-1</u></b></p> <p><u>The construction and upgrading is not in the Coastal Environment</u></p> <p><b>Activity status when compliance not achieved: Not applicable</b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <p><u>Effects on the Coastal Environment.</u></p>
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<p><b>Comment</b></p> <p>See above (submission 156.69)</p>		
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<p>EI - Energy and Infrastructure</p> <p>Rules Section C - Rules for network utilities - Three Waters</p>	<p>Royal Forest and Bird Protection Society (156.71)</p>	<p>Amend EI-R25 as follows:</p> <p><b>EI-R25 Maintenance, repair and upgrading of ... water systems infrastructure, including: [...]</b></p> <p>[...]</p> <p><b>Activity status: Permitted Where:</b></p> <p><b>PER-1</b></p> <p>[...]</p> <p><b><u>PER-4</u></b></p> <p><u>The new buildings and structures are not in the coastal environment.</u></p> <p><b>Activity status when compliance not achieved with PER-1, <del>or</del> PER-2 <u>and PER-4</u>: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the functional needs and operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken.</li> <li>2. the bulk, height, location and design of the activity, including any associated buildings or structures.</li> </ol>
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		<p>3. <i>the impact on the character and qualities of the surrounding area.</i></p> <p>4. <u><i>effects on the Coastal Environment.</i></u></p>
<p><b>Comment</b></p> <p>See above (submission 156.70)</p>		
<p>EI - Energy and Infrastructure</p> <p>Rules Section C - Rules for network utilities - Three Waters</p>	<p>Royal Forest and Bird Protection Society (156.72)</p>	<p>Amend EI-R26 as follows:</p> <p><b><i>EI-R26 Construction of new underground and above ground water systems infrastructure [...]</i></b></p> <p><b><i>1. Rural Zones</i></b></p> <p><b><i>Activity status Permitted Where:</i></b></p> <p><b><i>PER-1</i></b></p> <p>[...]</p> <p><b><u><i>PER-3</i></u></b></p> <p><b><u><i>The new buildings and structures are not in the Coastal Environment.</i></u></b></p> <p><b><i>Activity status when compliance not achieved with PER-1 <u>and</u></i></b></p> <p><b><u><i>PER-3: Restricted Discretionary Matters of discretion are restricted to:</i></u></b></p> <p><i>1. the functional needs and operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken.</i></p> <p><i>2. the bulk, height, location and design of the activity, including any associated buildings or structures.</i></p> <p><i>3. the impact on the character and qualities of the surrounding area.</i></p> <p><b><u><i>4. effects on the Coastal Environment.</i></u></b></p> <p><b><i>Activity status when compliance not achieved with PER-2</i></b></p> <p>[...]</p>
<p><b>Comment</b></p> <p>See above (submission 156.70)</p>		
<p>EI - Energy and Infrastructure</p> <p>Rules Section E - Rules for Renewable Electricity Generation</p>	<p>Royal Forest and Bird Protection Society (156.73)</p>	<p>EI-R32 The installation, operation, maintenance, upgrading and removal of a solar cell or any array of solar cells for a small-scale renewable electricity generation and its use.</p> <p>Amend EI-R32 with the following changes:</p> <p>ADD a new <b><i>PER-X</i></b></p> <p><b><u><i>The installation and upgrading is not in the coastal environment</i></u></b></p> <p>ADD a new <b><i>PER-X</i></b></p> <p><b><u><i>The installation and upgrading does not include the removal of any trees</i></u></b></p> <p>AND</p> <p>ADD the following <b>matters of discretion:</b></p> <ul style="list-style-type: none"> <li>- <b><u><i>Effects on the coastal environment;</i></u></b></li> <li>- <b><u><i>Effects on bats</i></u></b></li> </ul> <p>[The submitter has not specified which Zone(s) the request relates to]</p>

## Comment

Similar to other infrastructure, I consider that maintenance and removal, as well as minor upgrades, are likely to have no adverse effects on the natural character of the CE due to the existing level of modification associated with existing solar cells/ arrays. Permitted activity status is, in my view, appropriate for these activities. In addition, I consider that installation of solar cells on and immediately adjacent to existing buildings would cluster new modifications in areas that already contain structures which would lead to minimal additional effects.

For installation of new solar arrays in the coastal environment, the landscape and natural character effects would depend on the exact location, design and scale of the proposal. This would, in my view, be appropriately assessed through a resource consenting process with RD activity status, taking these effects into account. In the more natural HNCs that are more sensitive to change electricity generation (solar and wind of any scale) should be in my view avoided, unless it is associated with existing buildings/ structures.

In my opinion, indigenous vegetation removal is to be discouraged in the coastal environment, but I understand that this is addressed under the vegetation clearance rules in the ECO Chapter. Removal of exotic trees does, in my view, not necessarily lead to adverse effects.

<p>EI - Energy and Infrastructure</p> <p>Rules Section E - Rules for Renewable Electricity Generation</p>	<p>Royal Forest and Bird Protection Society (156.74)</p>	<p>Amend EI-R33 <b>The installation, operation, maintenance, upgrading and removal of a small-scale wind turbine/s for small-scale renewable electricity generation and its use</b> as follows:</p> <p><b>Activity status: Permitted Where:</b></p> <p><b>PER-1</b> [...]</p> <p><b>PER-7</b> <u>The installation and upgrading is not in the coastal environment;</u></p> <p><b>PER-8</b> <u>The installation and upgrading does not include the removal of any trees;</u></p> <p><b>Activity status when compliance not achieved with PER-1 to PER-5, PER-7 and PER-8: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"><li>1. the functional needs and operational needs of, and benefits from, the activity; and</li><li>2. the impact on the character and qualities of the surrounding area; and</li><li>3. noise; and</li><li>4. <u>effects on the coastal environment; and</u></li><li>5. <u>effects on bats.</u></li></ol>
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## Comment

See above (submission 156.73)

HNC areas are mostly confined to a narrow strip of coastal land and river mouths/ lagoons where natural processes predominate which makes them, in my opinion unsuitable for energy generation infrastructure. However, other parts of the CE that are more modified, such as those within and near settled areas may be able to absorb this change. Given the low or moderate natural character of these parts of the CE, there may be potential to locate small-scale energy generation infrastructure if effects on natural character, including those that may impact adjacent HNC areas, are managed adequately.

The identified HNC areas are unlikely to be suitable for installation of wind turbines as this would detract from their natural character values. However, parts of Timaru township and adjacent commercial/ industrial areas also fall within the Coastal Environment. These areas have not been identified as HNC areas and these areas may provide opportunities for small-scale electricity generation.



It is, however, acknowledged that the height of wind turbines means that their landscape/ visual/ natural character effects are often perceived well beyond the site they are located in. This should be taken into account through a consenting process.

<p>EI - Energy and Infrastructure</p> <p>Rules Section A - Rules for Energy and Infrastructure Activities (not listed in other Sections of this chapter)</p>	<p>Royal Forest and Bird Protection Society (156.67)</p>	<p>Amend EI-R11 <b>New overhead lines and associated support structures that convey electricity excluding customer connections</b> as follows:</p> <p><b>Activity status: Permitted Where:</b></p> <p><b>PER-1</b></p> <p><i>EI-S1 is complied with.</i></p> <p><b><u>PER-2</u></b></p> <p><b><u>The new overhead lines and associated support structures are not in the Coastal Environment</u></b></p> <p><b>Activity status: Restricted Discretionary Matters of discretion are restricted to:</b></p> <p>[...]</p> <p>4. <i>any adverse effects on public health and/or safety; <u>and effects on the Coastal Environment.</u></i></p>
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**Comment**

The submitter considers the scale of activities and effects are uncertain and the permitted activity rules are not appropriate in the coastal environment. As outlined under previous responses, I consider that the more modified parts of the CE can absorb a certain amount of change associated with infrastructure. In my view, this includes overhead lines, if they comply with EI-S1 (requiring them to be no more than 5m, limiting them to local lines) within the CE that displays low or moderate natural character. However, it would in my view, preferable to locate these overhead lines outside of HNC areas and would therefore support RDIS within HNC.

<p>EI - Energy and Infrastructure</p> <p>Rules Section A - Rules for Energy and Infrastructure Activities</p>	<p>Royal Forest and Bird Protection Society (156.64)</p>	<p>Amend EI-R2 <b>Upgrading underground infrastructure</b> as follows:</p> <p><b>Activity status: Permitted Where</b></p> <p><b>PER-1</b></p> <p><i>EI-S2 is complied with.</i></p> <p><b><u>PER-2</u></b></p> <p><b><u>The upgrading is not in the coastal environment.</u></b></p> <p><b>Activity status when compliance not achieved: Restricted Discretionary</b></p> <p><i>Matters of discretion are restricted to:</i></p> <p>2. <i>the matters of discretion of any infringed standard.</i></p> <p><b><u>2. effects on the coastal environment.</u></b></p>
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**Comment**

I consider that where underground infrastructure is already located within the CE, replacement/ repair/ maintenance of that infrastructure, within the same footprint, would not create additional adverse effects that would compromise natural character values. However, to provide certainty for a permitted activity framework, I consider that this should not extend beyond the existing footprint. There are likely instances where expansions are also appropriate (in particular in areas of lower natural character) but this would best be assessed as a restricted discretionary activity.

As outlined under the submitter's previous submission point, no areas of ONC were identified within Timaru District. In the HNC overlay I consider it appropriate to require assessment of upgrading of infrastructure through a consenting process, in agreement with the submitter. Parts of the coastal environment are currently quite modified, leading to only low to moderate natural character for the majority of the settled or more intensively

grazed areas. However, the CE within Timaru District is generally quite narrow and lies in most instances adjacent to areas of high natural character along the coastal interface and adjacent to waterbodies/ lagoons.

New and upgrading of underground infrastructure can have adverse effects on natural character, including areas that are located adjacent to the infrastructure if earthworks lead to a change in natural patterns and processes, such as drainage of wetlands/ lagoon areas. While small upgrades and extensions in the more modified parts of the CE would not have significant adverse effects, new or upgraded underground infrastructure is more likely to lead to adverse effects on natural character in the HNC.

I consider it preferable to limit the permitted activity status to more modified areas in the CE and to ensure through a consenting process that significant adverse effects on the natural character values within the identified HNC areas are avoided. Areas of HNC are more sensitive to change than other parts of the CE and consenting of upgrading of underground infrastructure, which may involve earthworks that could impact the natural processes, would be appropriate. Currently Rule CE-R5 (PER-2) allows for earthworks for the purpose of installation of underground network utilities and ancillary structures. In my view, it would be appropriate to limit permitted earthworks to maintenance, repairs and upgrades (under CE-R5 (PER-1)), and to exclude new underground infrastructure from this rule to ensure that the natural elements patterns and processes of the coastal environment, are protected. Areas of HNC are more sensitive to change and more stringent rules would be appropriate. Consenting processes should take into account the values described in the Coastal Study for each coastal character area, and in particular for identified HNC areas (including those that lie adjacent to application site and may be affected).