

## Appendix 2: Recommended amendments

### Legend:

- Proposed amendments recommended by the s42a report are highlighted in yellow.
- Proposed amendments recommended by the right of reply report are highlighted in blue.

## Appendix 2: Recommended amendments

Definitions		
<b>Intensive Outdoor Primary Production</b>	Primary production activities involving the keeping or rearing of livestock (excluding calf-rearing for a specified time period), that principally occurs outdoors, which by the nature of the activity, precludes the maintenance of pasture or ground cover.  It excludes pig production for domestic use which involves no more than 25 weaned pigs or six sows and intensive winter grazing, where livestock are grazed on an annual forage crop at any time in the period that begins on 1 May and ends with the close of 30 September of the same year. <sup>1</sup>	
SASM-Policies		
<b>SASM-P4</b>	Taumutu and Te Ngāi Tūāhuriri Rūnanga and Council to encourage and facilitate the engagement of landowners and resource consent applicants with the relevant rūnanga prior to undertaking activities and/or applying for resource consent, within or adjacent to identified sites of Ngāi Tahu cultural significance (including the Sites and Areas of Significance to Māori). Where prior applicant engagement has not been undertaken Council will consult with the relevant rūnanga. <sup>2</sup>	
SASM-R1		
New Buildings and Structures		
<b>SASM Wāhi Tapu Overlay</b>  <b>SASM Wāhi Taonga Overlay</b>	<b>Activity Status:</b> PER  1. Any new, or addition to an existing, building or structure; or 2. Any vehicle, trailer, tent, caravan, or boat which is movable and is not used as a place of storage, permanent accommodation or business (other than the business of hiring the item for its intended use). <sup>3</sup>  <b>Where:</b> The building or structure:  a. is a non-habitable building or structure less than 10m <sup>2</sup> in area and 2m in height; and	<b>Activity status when compliance not achieved:</b>  3. When compliance with any of SASM-R1.a is not achieved: RDIS  3. When compliance with any of SASM-R1.b and SASM-R1.c is not achieved: NC <sup>5</sup>  <b>Matters for discretion:</b>

<sup>1</sup> DPR-0422.129 NCCF

<sup>2</sup> DPR-0212.026 ESAI and DPR-0254.001 Sue Dillon

<sup>3</sup> DPR-0207.031 SDC

<sup>5</sup> DPR-0422.126 NCCF

	<p>b. is not located with any maunga identified in SASM-SCHED1; and</p> <p>c. <del>is not a major hazard facility.</del><sup>4</sup></p>	<p>4. The matters of discretion in relation to SASM-R1.2 are restricted to the following matters:</p> <p>a. Those matters relevant to the site classification as set out in SASM-Matters for Control or Discretion.</p> <p><b>Notification:</b></p> <p>5. Any application arising from SASM-R1.3 shall not be subject to public notification. <u>Where advice from the Rūnanga is received in respect of an application following engagement undertaken by either the applicant or the Council, that advice shall inform whether notification of the application is to be served on the relevant Rūnanga and/or any conditions of consent recommended to be imposed on the consent.</u></p> <p>Absent their written approval, notice shall only be served on <u>the relevant Rūnanga, and</u> Heritage New Zealand Pouhere Taonga.<sup>6</sup></p>
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SASM-R2	Earthworks	
SASM	Activity Status: PER	Activity status when compliance not achieved:
Wāhi Tapu Overlay	1. Earthworks	
	Where:	
SASM	The earthworks <u>including for gardening, cultivation or for the installation of posts,</u> <sup>8</sup> are <u>within a Wāhi Tapu or Wāhi Taonga overlay and are:</u> <sup>9</sup>	2. When compliance with any of SASM-R2.1 is not achieved: RDIS

<sup>4</sup> DPR-0422.126 NCF

<sup>6</sup> DPR-358.404 RWRL, DPR-363.429 IRHL, DPR-374.475 RIHL and DPR-384.508 RIDL

<sup>8</sup> DPR-0379.062 and 063 Jill Thomson and Hearing 11: SASM Statement, 12 April 2022

<sup>9</sup> DPR-072.001 Alastair Kermode, DPR-196.001 Murray Winn, DPR-212.032 Ellesmere SAI, DPR-292.001 Paul Christian, DPR-379.041 Jill Thomson, DPR-353.121 HortNZ and DPR-422.127 NCF

<p><b>Wāhi Taonga Overlay</b></p> <p><b>SASM</b></p> <p><b>Ngā Tūranga Tūpuna Overlay<sup>7</sup></b></p>	<ul style="list-style-type: none"> <li>a. within land previously disturbed by previous earthworks, cultivation, plantings, <b>ecological restoration, riparian protection,</b><sup>10</sup> (trees, pasture or crops), or buildings; and</li> <li>b. to a depth no greater 200mm; or</li> <li>c. <b>for the purposes of excavating a well or bore within the Ngā Tūranga Tūpuna overlay; or</b><sup>11</sup></li> <li>d. associated with interments in a burial ground, cemetery or urupa on land that is classified as Māori Land within the Māori Purpose Zone.</li> </ul>	<p><b>Matters for discretion:</b></p> <p>3. The matters of discretion in relation to SASM-R2.2 are restricted to the following matters:</p> <ul style="list-style-type: none"> <li>a. Those matters relevant to the site classification as set out in SASM-Matters for Control or Discretion.</li> </ul> <p><b>Notification:</b></p> <p>4. Any application arising from SASM-R2.2 shall not be subject to public notification. <b>Where advice from the Rūnanga is received in respect of an application following engagement undertaken by either the applicant or the Council, that advice shall inform whether notification of the application is to be served on the relevant Rūnanga and/or any conditions of consent recommended to be imposed on the consent.</b></p> <p>Absent their written approval, notice shall only be served on <b>the relevant Rūnanga, and</b><sup>12</sup> Heritage New Zealand Pouhere Taonga.</p>
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<sup>7</sup> DPR-072.001 Alastair Kermode, DPR-196.001 Murray Winn, DPR-212.032 Ellesmere SAI, DPR-292.001 Paul Christian, DPR-379.041 Jill Thomson, DPR-353.121 HortNZ and DPR-422.127 NCFF

<sup>10</sup> DPR-0212.032 Ellesmere SAI

<sup>11</sup> DPR-072.001 Alastair Kermode, DPR-196.001 Murray Winn, DPR-212.032 Ellesmere SAI, DPR-292.001 Paul Christian, DPR-379.041 Jill Thomson, DPR-353.121 HortNZ and DPR-422.127 NCFF

<sup>12</sup> DPR-358.404 RWRL, DPR-363.429 IRHL, DPR-374.475 RIHL and DPR-384.508 RIDL

<p><b>SASM</b> <b>Ngā Tūranga</b> <b>Tūpuna</b> <b>Overlay</b><sup>13</sup></p>	<p><b>Activity Status:</b> PER</p> <p>6. <b>Earthworks</b></p> <p><b>Where:</b></p> <p>The earthworks, including for gardening, cultivation or for the installation of posts,<sup>14</sup> are within a Ngā Tūranga Tūpuna overlay and are:</p> <ul style="list-style-type: none"> <li>a. earthworks for planting trees, ecological restoration or riparian protection in any area (this excludes the planting of trees for plantation forestry); or</li> <li>b. installation of fences and farm tracks; or</li> <li>c. installation of septic tanks and underground customer services (fibre, electricity); or</li> <li>d. installation of farm infrastructure (pipelines and related utility buildings) not exceeding a combined volume of 350m<sup>3</sup> per project; or</li> <li>e. installation of building foundations for dwellings, residential accessory buildings and farm accessory buildings where the volume of earthworks does not exceed 350m<sup>3</sup> per building site; or</li> <li>f. installation of signs; or</li> <li>g. cultivation, stopbanks and roadworks, drain and track maintenance within land previously disturbed; or</li> <li>h. the drilling of a well or bore; or</li> <li>i. the burial of a deceased animal; or</li> <li>j. cultivation in previously undisturbed areas to a depth no greater than 200mm; or</li> <li>k. replacement of utility structures and buildings in the same location.</li> </ul>	<p><b>Activity status when compliance not achieved:</b></p> <p>7. When compliance with any of SASM-R2.6 is not achieved: RDIS</p> <p><b>Matters for discretion:</b></p> <p>8. The matters of discretion in relation to SASM-R2.7 are restricted to the following matters:</p> <ul style="list-style-type: none"> <li>a. Those matters relevant to the site classification as set out in SASM-Matters for Control or Discretion.</li> </ul> <p><b>Notification:</b></p> <p>9. Any application arising from SASM-R2.7 shall not be subject to public notification. Where advice from the Rūnanga is received in respect of an application following engagement undertaken by either the applicant or the Council, that advice shall inform whether notification of the application is to be served on the relevant Rūnanga and/or any conditions of consent recommended to be imposed on the consent.</p> <p>Absent their written approval, notice shall only be served on the relevant Rūnanga, and Heritage New Zealand Pouhere Taonga.<sup>15</sup></p>
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<sup>13</sup> DPR-072.001 Alastair Kermode, DPR-196.001 Murray Winn, DPR-212.032 Ellesmere SAI, DPR-292.001 Paul Christian, DPR-379.041 Jill Thomson, DPR-353.121 HortNZ and DPR-422.127 NCCF

<sup>14</sup> DPR-0379.065 Jill Thomson and Hearing 11: SASM Statement, 12 April 2022

<sup>15</sup> DPR-358.404 RWRL, DPR-363.429 IRHL, DPR-374.475 RIHL and DPR-384.508 RIDL

SASM-R3	Primary industry	
...	...	<p><b>Activity status when compliance not achieved:</b></p> <p>N/A</p> <p><b>Notification:</b></p> <p>3. Any application arising from SASM-R3.1 shall not be subject to public notification. <u>Where advice from the Rūnanga is received in respect of an application following engagement undertaken by either the applicant or the Council, that advice shall inform whether notification of the application is to be served on the relevant Rūnanga and/or any conditions of consent recommended to be imposed on the consent.</u></p> <p>Absent their written approval, notice shall only be served on <u>the relevant Rūnanga, and</u><sup>16</sup> Heritage New Zealand Pouhere Taonga.</p>

SASM-R4	Intensive Primary Production	
...	...	<p><b>Activity status when compliance not achieved:</b></p> <p>N/A</p> <p><b>Notification:</b></p> <p>3. Any application arising from SASM-R4.1 shall not be subject to public notification. <u>Where advice from</u></p>

<sup>16</sup> DPR-358.404 RWRL, DPR-363.429 IRHL, DPR-374.475 RIHL and DPR-384.508 RIDL

		<p>the Rūnanga is received in respect of an application following engagement undertaken by either the applicant or the Council, that advice shall inform whether notification of the application is to be served on the relevant Rūnanga and/or any conditions of consent recommended to be imposed on the consent.</p> <p>Absent their written approval, notice shall only be served on the relevant Rūnanga, and<sup>17</sup> Heritage New Zealand Pouhere Taonga.</p>
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SASM-R5	Mineral Extraction	
...	...	<p><b>Activity status when compliance not achieved:</b></p> <p>...</p> <p><b>Notification:</b></p> <p>3. Any application arising from SASM-R5.1.a shall not be subject to public notification. Where advice from the Rūnanga is received in respect of an application following engagement undertaken by either the applicant or the Council, that advice shall inform whether notification of the application is to be served on the relevant Rūnanga and/or any conditions of consent recommended to be imposed on the consent.</p> <p>Absent their written approval, notice shall only be served on the relevant Rūnanga, and<sup>18</sup> Heritage New Zealand Pouhere Taonga.</p>

<sup>17</sup> DPR-358.404 RWRL, DPR-363.429 IRHL, DPR-374.475 RIHL and DPR-384.508 RIDL

<sup>18</sup> DPR-358.404 RWRL, DPR-363.429 IRHL, DPR-374.475 RIHL and DPR-384.508 RIDL

SASM-R6	Plantation Forestry	
...	...	<p><b>Activity status when compliance not achieved:</b></p> <p>...</p> <p><b>Notification:</b></p> <p>3. Any application arising from SASM-R6.1 shall not be subject to public notification. <u>Where advice from the Rūnanga is received in respect of an application following engagement undertaken by either the applicant or the Council, that advice shall inform whether notification of the application is to be served on the relevant Rūnanga and/or any conditions of consent recommended to be imposed on the consent.</u></p> <p>Absent their written approval, notice shall only be served on <u>the relevant Rūnanga, and</u><sup>19</sup> Heritage New Zealand Pouhere Taonga.</p>

SASM-MAT3	Ngā Wai
	<p>1. The potential adverse effects of the proposed activity on Ngāi Tahu values as identified by engagement with the relevant Papatipu Rūnanga and the appropriateness of any mitigation measures including new planting and improved access for customary use;</p> <p>2. The outcome of any consultation with the relevant Papatipu Rūnanga and whether the proposal responds to, or incorporates the outcomes of that consultation;</p> <p>3. Effects on sites of archaeological value including consideration of the need to impose an Accidental Discovery Protocol or have a cultural monitor present;</p>

<sup>19</sup> DPR-358.404 RWRL, DPR-363.429 IRHL, DPR-374.475 RIHL and DPR-384.508 RIDL



	<p>4. In respect of utilities, <u>or important infrastructure</u>, the extent to which the proposed <u>utility</u> activity has <u>technical</u><sup>20</sup> <u>functional</u> or operational needs for its location.;</p> <p>5. Whether the proposal will remove indigenous vegetation and any effects on mahinga kai and other customary uses;</p> <p>6. The extent to which the proposed activity will affect the natural character of the waterbody and its margins, or Te Tai o Mahaanui / the coastal environment;</p> <p>7. The provision of information on Ngāi Tahu history and association with the area; and</p> <p>8. Whether wastewater disposal and stormwater management systems recognise the cultural significance of ngā wai, and do not create additional demand to discharge directly.</p>
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<sup>20</sup> DPR-422.093 Transpower