

NOTIFICATION ASSESSMENT



Applicant Name: West Coast Regional Council

Application number: 220053

Date application received: 14th April 2022

Date application assessed: 13th April 2023

Application site address: Legal Road reserve from Stafford Street to Richard Drive

Proposed activity: To use land described as legal road reserve from the intersection of Stafford Street to Richard Drive and adjoining areas, to construct and operate coastal protection works in the form of a seawall approximately 1,100m in length as an extension to the existing seawall within the Coastal Erosion Zone, Hokitika.

Fast-track application: No - 20 days for decision

Under section 95(1) of the RMA, the consent authority must decide whether to notify a consent application. The notification assessment is in two parts:

1. First, an assessment of whether the application should be publicly notified; and
2. Secondly, if the conclusion is that the application need not be publicly notified, an assessment of whether the application should be subject to limited notification.

Section 95(2) specifies the time limits for the notification of applications.

1. A decision on notification for a fast-track application must be completed within 10 working days from the date of lodgement.
2. A decision on notification for any other application must be completed within 20 working days from the date of lodgement.

Public Notification Assessment

Section 95A(3)(a) - Public notification if the applicant requests

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| The applicant has requested that the application be publicly notified. | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
|--|---|-----------------------------|

Section 95A(3)(b): Public notification due to refusal or failure after section 92 request.

Under section 95A(3)(b) the council must publicly notify an application if it has not already decided whether to notify the application on a public or limited notification basis and has:

- requested further information under section 92(1), or
- notified the applicant that it wishes to commission a report under section 92(2)(b), and
- the applicant either refuses the request or fails to respond within the relevant time period.

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| The application <u>will</u> be publicly notified for one or more of the following reasons: | <input type="checkbox"/> |
| The applicant has refused to provide information after a s92(1) or 92(2)(b) request | <input type="checkbox"/> |
| The applicant has not responded to the s92(1) or 92(2)(b) request within the timeframe specified | <input type="checkbox"/> |

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| The application <u>will not</u> be publicly notified for one or more of the following reasons: | <input type="checkbox"/> |
| There has been no request for further information | <input type="checkbox"/> |
| The applicant responded to the s92(1) or 92(2)(b) request within the timeframe specified | <input checked="" type="checkbox"/> |

Further information was requested with regard to:

- Provision of cited material, including West Coast Penguin Trust report on Kororā and Civil 3D Profile Survey of the Mean High Water Springs Line.
- The changes to the 2021 Mean High Water Springs line profile.
- Removal of materials post consent term.
- Status of the provisional extension.
- Disposal of materials with respect to prior emergency works which will be recycled for the proposal.
- Displacement of dune material and the associated effects.
- Status of the activity in regards to the requirements of the Regional Air Quality Plan.
- Volunteered conditioning as requested through consultation with Te Runanga o Ngāti Waewae.
- Staging of works.
- Revised Regional Policy Statement assessment.
- Cultural impact assessment.
- The provision of correspondence in response to the notice served to Te Runanga o Ngāi Tahu and Ngāti Toa Rangatira pursuant to the Marine and Coastal Area (Takutai Moana) Act 2011.
- Access ways and performance during the lifetime of the wall, including maintenance regimes.
- Response to Tonkin and Tailor peer review.
- Status of the activity pursuant to the provisions of the Westland District Plan.
- Little Blue Penguin movements and construction timeframes.
- Monitoring and the effects of storm events.
- Visual effects on adjoining properties.
- Vehicle movements during construction.
- Te Tai o Poutini Proposed District Plan provisions.

The information was provided to an adequate level on the 6th March 2023 and approved by the overseer planner.

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Section 95A(3)(c) – Application made jointly with an application to exchange recreation reserve land under the Reserves Act 1977

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| The application seeks to exchange reserve land under s.15AA of the Reserves Act 1977 | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|--|------------------------------|--|

Section 95A(5)(a) – Public notification precluded by a rule or NES

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|--|------------------------------|--|
| There is a rule or NES that precludes public notification of the application for each activity. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|--|------------------------------|--|

NB: The Council must not notify an application if a rule or NES precludes public notification unless the applicant has requested that the application be publicly notified.

Section 95A(5)(b)(i) – Application is a controlled activity.

| | | |
|---|------------------------------|--|
| The application is for a controlled activity. If yes, consideration of special circumstances is required below. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|---|------------------------------|--|

Section 95A(5)(b)(ii) – Repealed.

Section 95A(5)(b)(iii) – Application is a boundary activity with a restricted discretionary, discretionary or non-complying activity status.

| | | |
|---|------------------------------|--|
| The application is for a boundary activity classified as a restricted discretionary, discretionary or non-complying activity. If yes, consideration of special circumstances is required below. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|---|------------------------------|--|

Section 95A(5)(b)(iv) – Repealed.

Section 95A(8)(a) – Public notification required by a rule or NES

| | | |
|---|------------------------------|--|
| There is a rule or NES that requires public notification of the application for any of the activities. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|---|------------------------------|--|

Section 95A(9) – Public notification if special circumstances exist.

| | | |
|---|------------------------------|--|
| There are special circumstances in relation to the application and, as a result the Council will publicly notify the application. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|---|------------------------------|--|

Assessment of effects: sections 95A(8)(b) and 95D

95A(2)(a)

Under section 95A(8)(b) the Council must publicly notify an application if it decides that the proposal will have, or is likely to have, adverse effects on the environment that are, or are likely to be, more than minor, as determined under section 95D.

Section 95D(a)(i) requires that in assessing whether the effects of the proposed activity will be more than minor, the Council must disregard any effects on persons who own or occupy the land in, on, or over which the activity will occur. For this application, this land is identified in Figure 1 below.

Section 95D(a)(ii) requires that in assessing whether the effects of the proposed activity will be more than minor (for the purpose of public notification) the Council must disregard any effects on persons who own or occupy 'adjacent land'. The effects (if any) on those persons are to be assessed under s95E, for the purpose of limited notification. The term 'adjacent' applies to properties close to the proposed site. For this application, the adjacent land includes the properties identified in Figure 1.



Figure 1 – Existing and Proposed Hokitika Seawall Extension – BECA Dated 11 April 2022

Section 95D

When forming an opinion as to whether an activity will have or is likely to have adverse effects on the environment that are more than minor:

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Section 95D(b) states the Council may disregard an adverse effect of the activity if a rule in the operative plan or proposed plan or national environmental standard permits an activity with that effect.

The following activities are provided for as permitted activities in the Rural Zone subject to compliance with relevant standards.

Westland District Plan Section 5.2.4 Additional Control of Natural Coastal Processes

The following activities only are permitted within the Coastal Protection Zone:

- Protective planting for sand drift control
- Passive recreation
- Buildings or structures accessory to the above uses provided they are capable of relocation and subject to compliance with performance standards for permitted activities (see Table 5.1).

Te Tai o Poutini Plan (TTPP) ECO-R2 Indigenous Vegetation Clearance in the Coastal Environment

Activity Status Permitted Where:

1. This is for:

- I. Walking/cycling tracks, roads, farm tracks or fences;
- II. Operation, maintenance, repair, upgrading and installation of new network utility infrastructure and renewable electricity generation activities; or
- III. Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site.

2. The extent of indigenous vegetation disturbed and/or cleared per site does not exceed an area of 500m² in area per site in any three year period;

3. The indigenous vegetation clearance does not disturb, damage or destroy nesting areas or habitat of protected species; and

4. The indigenous vegetation clearance does not occur in any area identified as a Significant Natural Area in Schedule Four.

The proposed activity involves the construction of a seawall of approximately 1,100m in length within legal road reserve, stretching from Stafford Street to Richards Drive within the Township of Hokitika. The wall will act as an extension to the existing 1,000m rock revetment which was constructed in 2013 to protect a portion of the Township of Hokitika between the Hokitika River Mouth and Stafford Street.

The site is located within legal road reserve which is affected by the Coastal Erosion Zone. Rule 8.7 of the Operative District Plan provides for the use of unformed legal road where the activity that is established is permitted within the underlying zone and the relevant requiring authority provides permission. The permitted activities of the zone listed above within Section 5.2.4 of the Operative District Plan include low impact activities including recreation and restoration of natural coastal formations. Permanent structures and protection works are not permitted. The activity will reform the coastal environment, altering the natural processes associated with the receiving environment, including the presence of flora and fauna. As a result, the adverse effects have been assessed as significant as compared to that permitted within the Operative District Plan.

The proposal will trigger a rule of immediate legal effect within the Proposed Te Tai o Poutini Plan (TTPP), ECO-R2 which restricts vegetation clearance within the coastal environment. The vegetation clearance within the coastal environment permitted by the TTPP includes low impact activities which are associated with accessibility, limited infrastructural activities and residential subdivision where the vegetation clearance

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does not exceed 500m², the habitat of protected species is not affected, and the vegetation clearance does not occur in a Significant Natural Area. The proposed activity has the potential to disturb the nesting habitats of Little Blue Penguins as well as the general habitat of New Zealand fur seals. Due to the intensive and permanent nature of the proposed activity, including a length of 1,100m of potential indigenous coastal vegetation clearance and habitat modification described within the application, the effects of the activity have been assessed as significant as compared to that permitted pursuant to ECO-R2 of the TTPP.

Overall, the activity will notably exceed the permitted baseline provided for within both the Operative District Plan and TTPP.

Section 95D(c) states the Council must, in the case of a restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts discretion.

The activity status for this application is:

| | |
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| Controlled | <input type="checkbox"/> |
| Restricted Discretionary | <input checked="" type="checkbox"/> |
| Discretionary | <input type="checkbox"/> |
| Non-complying | <input type="checkbox"/> |

Section 95D(d) states the Council must disregard trade competition and the effects of trade competition.

| | | |
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| Trade competition is a consideration for this assessment. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|---|------------------------------|--|

Section 95D(e) states the Council must disregard any effect on a person who has given written approval to the application.

| | | |
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| Written approvals have been received | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| <ul style="list-style-type: none"> Te Runanga o Ngāti Waewae – Recommendations have been provided as a part of a preliminary support submission. This approval is conditional and therefore cannot be accepted as a formal affected party approval. The application notes that the conditions proposed by the applicant align generally with those conditions suggested as a part of the Te Runanga o Ngāti Waewae provisional support statement. | | |

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Officer Assessment

The following assessment of the proposed activity has been made by the council officer taking into account the assessment of environmental effects included in the application. **The adverse effects below do not include any that must be excluded based on the requirements above.**

| Type of effect | Comments | Less than minor | Minor | More than minor |
|-----------------------------------|---|--------------------------|--------------------------|-------------------------------------|
| Natural Environment and Character | <p>The proposed activity will result in a notable modification of the present coastal environment, including vegetation clearance and the removal of a portion of the dune formation. The application includes an estimated that the total volume of rock required for the construction of the seawall extension, including the underlayer will be around 48,000m³. It is acknowledged that the site (being approximately 2.23ha in area) has previously been subject to modification, including areas of gravel road, gardens and public accessways. Although this is the case, the present coastal character will be significantly altered by the proposed activity, as compared to the present environment. The application notes that the rock wall will induce sediment build up, which has the potential to result in a reduction in the depth of the beach environment, particularly as sediment is deposited and sea levels encroach. This has been noted adjacent to the existing wall installed during the 2013 works. Over time, the activity has the potential to notably alter the morphology of the beach and therefore will result in more than minor effects upon the existing coastal character.</p> <p>The application acknowledges that the activity will notably affect the natural environment, including the present flora and fauna (both indigenous and exotic). The activity has the potential to disrupt little blue penguin nesting sites, and the habitat of New Zealand fur seals. It is proposed that mitigation measures will be implemented to reduce the impact upon those species which will be affected by the proposal, including thorough surveillance and separation when possible. The application also includes a planting plan, which is to be implemented post works.</p> <p>Overall, the adverse effects upon the natural environment and coastal character are likely to be more than minor as experienced by both adjoining residents and the general public.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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| <p>Amenity and Visual</p> | <p>The proposal will result in considerable visual effects as compared to the existing environment and those activities permitted within the Coastal Erosion Zone within both the Operative District Plan and the TTPP. The activity will involve a permanent structure which will be aligned with the existing dune area, landward of the present dune scarp. The wall crest will be set inshore of and will generally follow the current erosion scarp alignment between Stafford Street and Richards Drive. The intention is to allow retention of sand cover to the seaward face of the seawall with the potential for the establishment of dune vegetation. This sand may be lost over time with coastal exposure and sea level rise with gradual exposure of the rock protection structure. Although the sand and vegetation cover have the potential to reduce visual effects by creating a more natural feature, the visual effects of the proposal have been assessed as more than minor.</p> <p>The proposal does have the potential to enhance amenity for some neighbouring occupants through the retention of garden and recreational space within the rear portion of the affected Revell Street properties. Although the protective structure will reduce the potential for further coastal erosion of private property, the amenity of the coastal environment itself has the potential to be reduced over time, as the profile of the beach changes due to the presence of the permanent structure and continued wave and accretion actions.</p> <p>It is also acknowledged that, due to the size of the proposed structure as measured from the toe of the wall (approximately 3.7m in height) and the amount of dune and vegetation removal required to install the structure, the coastal views and perspectives associated with the Revell Street properties have the potential to be modified considerably.</p> <p>Dust generation from earth disturbance can adversely affect amenity as experienced by neighbours. While Hokitika has relatively high, well distributed rainfall, there may be times during extended dry conditions when high winds from the west (typically >5m/s) could transport dust towards adjacent residential dwellings. The applicant has confirmed that potential effects of dust on neighbours will be mitigated by timing earthworks to avoid the windiest conditions as far as possible, suppressing dust by surface watering and covering of any stockpiles of soil if they are generating dust. While construction will occur relatively close to residential dwellings, adverse effects from dust will be relatively short term (as works move along the beach front) and can be managed such that the effects are less than minor.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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| | Overall, adverse visual effects have been assessed as more than minor. | | | |
| Coastal Access | <p>The application involves the provision of public access ramps. The activity will also involve a pedestrian walkway which will be constructed immediately inland of the wall which is intended to enhance public access to the coastal environment as compared to existing conditions.</p> <p>Although provisions will be made for public access in the form of access ramps, which will require regular maintenance, particularly after storm events, it has been assessed that the overall access to the coastal environment will be reduced when compared to the present conditions on site, which involve unencumbered access along the dune line where no rock wall presently exists as a physical barrier. The adverse effects associated with the amended physical access will be minor due to the provision of periodic access ramps within the design of the proposed wall. These access ramps will coincide with existing access points associated with the transport network, including those roads perpendicular to the coastal environment (Stafford Street, Hampden Street, Tudor Street and Spencer Street).</p> <p>Access to the Hokitika foreshore will be restricted within the site during the construction phase. The applicant has proposed to formulate and implement a Construction Environmental Management Plan (CEMP) which will include the construction methodology, safety and public access, amongst other requirements. As a result, the adverse effects associated with public access will be minor.</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Noise | <p>The construction of the proposed wall may cause intermittent, localised noise and vibration due to the use of heavy machinery. The applicant has confirmed the potential effects of noise on neighbours will be mitigated by appropriate muffling of site machinery, compliance with the relevant provisions of NZS 6803:1999 Acoustic – Construction Noise in respect of hours/days of work and acceptable noise levels and maintaining an appropriate complaints procedure. While construction will occur relatively close to residential dwellings, any adverse effects from noise will be relatively short term (as works move along the beach front) and can be managed such that the effects are less than minor as compared to that provided for in respect to construction via the relevant New Zealand standards.</p> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| | Due to the nature of the proposal, noise effects are not anticipated post the construction phase. Overall effects have been assessed as less than minor. | | | |
| Traffic | <p>The proposed activity will generate additional vehicle movements during the construction phase, particularly in respect to heavy vehicles, the transfer of materials and machinery (trucks, excavators, etc.) The location of the traffic generation and its immediate effects will be nomadic due to the length of the site and the intended method of construction. Vehicle access will be required at several access points (e.g. Stafford St, Hampden St, Tudor St, Spencer St, Richards Drive) over a period of several weeks or months at each location during construction. This has the potential to result in notable adverse effects (noise, vibration, loss of amenity) for those adjoining residents.</p> <p>The applicant is unable to advise the anticipated vehicle movement numbers and duration during construction, as this will depend on contractor availability. However, the activity will be undertaken in accordance with the aforementioned CEMP, which will consider safety requirements for vehicle movements and existing traffic and neighbouring vehicle access. As a result of the interim nature of the traffic impacts, adverse effects have been assessed as minor.</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Tikanga Māori | <p>The applicant has supplied an Assessment of Impacts on Rangatiratanga and Treaty Principles – Hokitika Seawall Extension Project, prepared by Poutini Environmental and endorsed by Te Runanga o Ngāti Waewae. This report encompasses an assessment of various legal frameworks, including the principles of the Treaty of Waitangi, the Ngāi Tahu Claims Settlement Act, the Runanga o Ngāi Tahu Act and the Runanga o Ngāi Tahu (Declaration of Membership) Order. Through this assessment, the Runanga provided their position and recommendations for the proposal.</p> <p>Te Runanga o Ngāti Waewae provided conditional approval for the proposal, with the inclusion of recommended mitigation measures. As this approval is conditional, the applicant is required to formally volunteer the recommendations as conditions prior to the approval being able to be accepted pursuant to s. 95D(e).</p> <p>Where the application does not involve the adoption of those mitigation measures recommended within the Assessment of Impacts on Rangatiratanga and Treaty Principles, adverse effects upon Tikanga Māori have been assessed as more than minor due to disruption of taonga species and the general</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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| | impacts associated with the relationship of Runanga with the coastal environment. | | | |
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Decision on Public Notification

Based on the officer's assessment, it **is** considered that the proposed activity will have, or is likely to have, adverse effects on the environment that are more than minor.

The application will be publicly notified pursuant to 95A(3)(a) based on the applicant's request.

Limited Notification Assessment

Under section 95E, a consent authority must decide that a person is an affected person if the activity's effects on that person are minor or more than minor (but are not less than minor). Sub-sections (2) and (3) provide that in making this decision, the Council:

- (2)(a) **May** disregard an adverse effect of the activity on the person if a rule or national environmental standard permits an activity with that effect;
- (2)(b) In the case of a controlled activity or restricted discretionary activity, **must** disregard an adverse effect of the activity on the person that does not relate to a matter of which a rule or national environmental standard reserves control or restricts discretion;
- (2)(c) **Must** have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11;
- (3)(a) **Must** decide that a person is not an affected person if the person has given their written approval to the activity and has not withdrawn the approval in a written notice received by the authority before the authority has decided whether there are any affected persons;
- (3)(b) **Must** decide that a person is not an affected person if it is unreasonable in the circumstances to seek the person's written approval.

The people who could potentially be affected by the proposed activity include those who are adjacent to the subject site as identified in Figure 1. Any effects on those people are to be disregarded in the consideration of adverse effects on the environment for the purpose of public notification. However, they are to be considered for the purpose of assessing whether there is any affected person for the purpose of limited notification.

Section 95E(2)(a): Rule or NES permits effects

The Council may disregard an adverse effect of the activity on a person if a rules or national environment standard permits an activity with that effect.

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| There is a rule or NES that permits an activity with an effect the same as the activity. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
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Section 95E(2)(b): Controlled or restricted discretionary matters

The Council must, in the case of a controlled or restricted discretionary activity, disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion. The activity status of the proposal is:

| | |
|--------------------------|-------------------------------------|
| Controlled | <input type="checkbox"/> |
| Restricted Discretionary | <input checked="" type="checkbox"/> |
| Discretionary | <input type="checkbox"/> |
| Non-complying | <input type="checkbox"/> |

The matters of Control are **N/A**

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Section 95E(2)(c): Statutory acknowledgement

The Council must have regard to Acts that include statutory acknowledgement as specified in Schedule 11 of the Act.

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| The proposed activity is located within or adjoining a statutory acknowledgement area. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
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Section 95E(3): Written approvals

The Council must decide that a person is not an affected person if written approval for the activity has been given and not withdrawn, or where it is deemed unreasonable to seek the person's written approval.

| | | |
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| Written approvals have been received | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| <ul style="list-style-type: none"> Te Runanga o Ngāti Waewae – Recommendations have been provided as a part of a preliminary support submission. This approval is conditional and therefore cannot be accepted as a formal affected party approval. The application notes that the conditions proposed by the applicant align generally with those conditions suggested as a part of the Te Runanga o Ngāti Waewae provisional support statement. | | |

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| It is considered unreasonable to seek written approval from: | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| | | |

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Section 95B(2)(a) and 95B(2)(b): Affected customary group

Council must decide that a protected customary rights group or customary marine title group is an affected group, if the activity may have adverse effects on a protected customary right or on the exercise of the rights that apply to a customary marine title group (in relation to an accommodated activity), and the group has not provided written approval for the activity.

| | | |
|--|------------------------------|--|
| There is a protected customary right or customary marine title relating to the proposed activity | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|--|------------------------------|--|

If yes, complete the following box:

| | | |
|---|------------------------------|-----------------------------|
| Does the proposed activity result in adverse effects on the/any protected customary right or the exercise of the rights of a customary marine title group in relation to an accommodated activity | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|---|------------------------------|-----------------------------|

If yes, complete the next box. If no, limited notification is not required.

| | | |
|--|------------------------------|-----------------------------|
| The customary group(s) have provided written approval for the activity | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|--|------------------------------|-----------------------------|

If yes, limited notification is not required. If no, limited notification is required.

| | | |
|---|------------------------------|-----------------------------|
| Conclusion: Limited Notification is required to an affected customary group. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|---|------------------------------|-----------------------------|

Section 95B(3)(a) Land subject to statutory acknowledgement under Schedule 11

The Council must give limited notification of the application to any person to whom a statutory acknowledgement is made where they are considered an affected person under section 95E.

| | | |
|---|------------------------------|--|
| The proposed activity is on, adjacent to or may affect land that is the subject of a statutory acknowledgement made in accordance with an Act specific in Schedule 11 | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|---|------------------------------|--|

If yes, complete the next box. If no, limited notification not required.

| | | |
|--|------------------------------|-----------------------------|
| The person to whom the statutory acknowledgement is made is an affected person under section 95E | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
|--|------------------------------|-----------------------------|

Statutory Acknowledgements Area:

Within, adjacent to or impacting on:

| Area | Yes | No | Other Iwi Issues |
|-----------------|-----|----|------------------|
| Taramakau River | | X | |

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|----------------------------|--|---|--|
| Lake Kaniere | | X | |
| Okarito Lagoon | | X | |
| Pouerua (Saltwater Lagoon) | | X | |
| Karangarua Lagoon | | X | |
| Makawhio (Jacobs) River | | X | |
| Lake Paringa | | X | |

Section 95B(6)(a) Rule or NES precludes limited notification

The Council must give limited notification of the application to any affected person, unless a rule or national environmental standard precludes this.

| | | |
|--|------------------------------|--|
| There is a rule or NES that precludes limited notification of the application for each activity. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|--|------------------------------|--|

Section 95B(6)(b)(i): Application is for either or both a controlled activity (other than the subdivision of land) and or a prescribed activity under s.360H91)(a)(ii) but no other activities.

| | | |
|---|------------------------------|--|
| Application is for a controlled activity, other than the subdivision of land. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Application is for a prescribed activity (s.360H(1)(a)(ii). | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Section 95E: Affected persons for specific activities

| | | |
|--|------------------------------|--|
| In accordance with section 95E, there is one or more owners of allotments with infringed boundaries that is considered an affected person. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| In accordance with section 95E, a prescribed person in respect of a prescribed activity (s.360H(1)(b) is an affected person. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| For any other activity, a person is affected in accordance with 95E. | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Potentially affected persons

The following people have been identified as being potentially adversely affected by the proposal. The list does not include people who are excluded from consideration as an affected person as a result of the requirements above.

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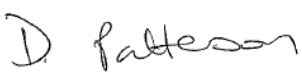

| Person | Property address | Potential effect(s) | Less than minor | Minor | More than minor |
|--------|------------------|---------------------|--------------------------|--------------------------|--------------------------|
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Decision on Limited Notification

Based on the above assessment, there are [select one]:

| | |
|---|-------------------------------------|
| No affected persons resulting from the proposed activity | <input type="checkbox"/> |
| Affected persons associated with the proposed activity but the adverse effects on these affected persons are less than minor | <input type="checkbox"/> |
| Affected persons associated with the proposed activity and the adverse effects on these affected persons are minor or more than minor | <input checked="" type="checkbox"/> |

As a result, the application **will not** be notified on a limited basis in accordance with section 95B of the RMA as the applicant has opted for public notification.

| Report by: | Peer Review by: | Decision by: |
|---|---|---|
|  |  |  |
| Anna Johnson Consultant Planner | Deborah Patterson Senior Planner | Olivia Anderson Planning Manager |