

**BEFORE THE ENVIRONMENT COURT
AT CHIRSTCHURCH
I MUA I TE KOOTI TAIAO O AOTEAROA
ŌTAUTAHI ROHE**

**ENV-2018-CHC-78, 83,
91, 107, 114, 108, 127, 147, 150,
151, 130, 131, 53, 117, 56.**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of appeals under clause 14(1) of the First Schedule
of the Act in relation to the Queenstown Lakes
District Plan

BETWEEN **DEPARTMENT OF CONSERVATION**

Appellant

BETWEEN **CADRONA STATION LTD**

Appellant

BETWEEN **JEREMY AND LESLEY BURDON**

Appellant

BETWEEN **TREBLE CONE INVESTMENTS LTD**

Appellant

BETWEEN **TRANSPower NEW ZEALAND LTD**

Appellant

BETWEEN **AURORA ENERGY LTD**

Appellant

BETWEEN **QUEENSTOWN PARK LTD**

Appellant

BETWEEN **ALLENBY FARMS LTD**

Appellant

BETWEEN	DARBY PLANNING LIMITED Appellant
BETWEEN	NEW ZEALAND TUNGSTEN MINING LTD Appellant
BETWEEN	PRIVATE PROPERTY LTD Appellant
BETWEEN	REAL JOURNEYS LTD Appellant
BETWEEN	FEDERATED FARMERS OF NEW ZEALAND INC Appellant
BETWEEN	CADRONA ALPINE RESORT LTD Appellant
BETWEEN	UPPER CLUTHA ENVIRONMENT SOCIETY INC Appellant
BETWEEN	SOHO SKI AREA LIMITED AND BLACKMANS CREEK NO.1 LP Appellant
AND	QUEENSTOWN LAKES DISTRICT COUNCIL Respondent

**SECTION 274 NOTICE BY THE ROYAL FOREST AND BIRD PROTECTION SOCIETY
OF NEW ZEALAND INCORPORATED**

10 July 2018

Royal Forest and Bird Protection Society of New Zealand Inc.
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Solicitor acting: Peter Anderson

TO: The Registrar
Environment Court
CHRISTCHURCH

SECTION 274 NOTICE

1. The Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest and Bird) wish to be a party to the following appeals in respect of the Queenstown Lakes District Council's decision on the proposed Queenstown Lakes District Plan:
 - a. Department of Conservation ENV-2018-CHC-078;
 - b. Cadrona Station Ltd ENV-2018-CHC-083
 - c. Jeremy and Lesley Burdon ENV- 2018-CHC-091
 - d. Treble Cone Investments Ltd ENV-2018-CHC-107
 - e. Transpower NZ ENV-2018-CHC-114
 - f. Aurora Energy LTD ENV-2-18-CHC-108
 - g. Queenstown Park Ltd ENV-2018-CHC-127
 - h. Allenby Farms Ltd ENV-2018-CHC-148
 - i. Darby Planning Ltd ENV-2018-CHC-150
 - j. New Zealand Tungsten Mining Ltd ENV-2018-CHC-151
 - k. Private Property Ltd ENV-2018-CHC-130
 - l. Real Journeys Ltd ENV-2018-CHC-131
 - m. Federated Farmers of New Zealand Inc ENV-2018-CHC-53
 - n. Cadrona Alpine Resort Ltd ENV-2018-CHC-117
 - o. Upper Clutha Environment Society Inc ENV-2018-CHC-56
 - p. Soho Ski Area Limited and Blackmans Creek No.1 LP ENV-2018-CHC-104

2. Forest and Bird:
 - a. made a submission and further submissions on the Queenstown Lakes District Plan; and/or

- b. has an interest greater than the public generally as an incorporated society with a well known role in the protection of indigenous biodiversity (see *Marlborough District Council v Burkhart Fisheries Ltd* [2018] NZEnvC 26 at [31]).
3. Forest and Bird is not a trade competitor for the purposes of section 308C or 308D of the Resource Management Act 1991.
4. Forest and Bird interest, position and reasons are set out in Table 1 below.
5. Forest and Bird agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 10 July 2018



Peter Anderson
Counsel for Royal Forest and Bird Protection Society of New Zealand Inc.

Address for service of person wishing to be a party:

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Table 1 – Details of section 274 party interest

Appellant	Provision	Oppose/S support	reasons
Department of Conservation ENV-2018-CHC-078	all parts of the appeal	support	The amendments sought provide for protection and maintenance of indigenous biodiversity, align with provisions of the plan (including as sought by Forest and Birds appeal) and the proposed RPS.
Cadrona Station Ltd ENV-2018-CHC-083	Chapter 3, Objective 3.2.1.7	oppose	The amendment sought is inconsistent with Proposed RPS provisions which recognise natural features and landscapes in Policy 3.1.10.
	Objective 3.2.1.8	oppose	It is inappropriate to remove the provision for the

			<p>maintenance of the values set out in decision wording. The amendment sought is inconsistent with the objectives of the plan and the provisions of the operative and proposed RPS's.</p>
	Chapter 3, Policy 3.3.21	oppose	<p>The words "appropriately manage" are uncertain and subjective. The amendment sought is inconsistent with achieving the strategic objectives 3.2.5. and is inconsistent with Proposed RPS policy 3.2.4 which sets out direction to protect</p>
	Chapter 21- Objective 21.2.1:	oppose	<p>The amendment is uncertain in terms on "rural resources" and "activities" compared with "land uses" which are already recognised by the objective. The inclusion of "protection" is appropriate to give effect to the RPS, including Objective 5.4.3 and is not consistent with proposed RPS Objective 3.2.</p>
	Chapter 21 - Policy 21.2.1.1	oppose	<p>Forest & Bird opposes the relief sought because in its own appeal Forest & Bird seeks to reinstate objective 3.2.4.2 and for Policy direction to ensure values of significant indigenous biological diversity can be protected.</p>
	Policy 21.2.6.4, Policy 21.2.10.4, Rule 21.4.24. Rule 21.4.25 and Table 4.	oppose	<p>The appellant has sought a number of changes to provide for additional access modes and structures. These amendments are generally uncertain as to the scale of activity and structures which would be provided for.</p> <p>In particular, the terms "other structures and facilities" would not need to be ancillary to the primary activity provided for.</p> <p>A large part of the Rural Zone is managed for conservation and recreational purposes, however where activities would have adverse effects of significant and outstanding values a higher activity classification is warranted.</p> <p>These amendments have implications in terms of adverse effects on indigenous biodiversity and may be inconsistent with provisions for the protection and maintenance of those values as sought in Forest and Birds appeal and to give effect to the RPS.</p>
	Chapter 27 Subdivision Rule 27.5.x, Rule 27.5.7 and Provision 27.10	oppose	<p>The amendment sought is inconsistent with the strategic objectives or the Proposed RPS and would not give effect to the RPS which seek to protect and maintain significant and outstanding values as well as other natural character values.</p>

			While the RMA sets out specific tests for notification of subdivision, where the potential for adverse effects on matters of national importance exist, public notification should be considered in recognition of those values.
	Planning Maps 10 and 24	oppose	The amendments sought are uncertain in terms of adverse effects on natural values and for the reasons set out above.
Jeremy and Lesley Burdon ENV- 2018- CHC-091	Strategic objective 3.2.5.1	support	The amended wording better aligns with s6 of the RMA
	Chapter 3- Policy 3.3.20	oppose	Inconsistent with Objective 3.2.4 The distinctive natural environments and ecosystems of the District are protected. Inconsistent with objective 3.2.4 The distinctive natural environments and ecosystems of the District are protected.
	Strategic policy 3.3.30	oppose	The amendment sought is inconsistent with s6(a) of the RMA
	Rule 27.5.8 All subdivision activities in the District's Rural Residential and Rural Lifestyle Zones	oppose	The amendment sought is inconsistent with the strategic objectives and the provisions of Chapters 6 and 33. The amendment would not give effect to the RPS or achieve the sustainable management purpose of the Act.
Treble Cone Investments Ltd ENV-2018- CHC-107	Chapter 3- Objective 3.2.1.7	oppose	The amendment sought is inconsistent with Proposed RPS provisions which recognise natural features and landscapes in Policy 3.1.10.
	Objective 3.2.1.8	oppose	It is inappropriate to remove the provision for the maintenance of the values set out in decision wording. The amendment sought is inconsistent with the objectives of the plan and the provisions of the operative and proposed RPS's.
	Policy 3.3.21	oppose	The words "appropriately manage" are uncertain and subjective. The amendment sought is inconsistent with achieving the strategic objectives 3.2.5. and is inconsistent with Proposed RPS policy 3.2.4 which sets out direction to protect
	All parts of the appeal relating to Chapter 6		The amendment sought to Chapter 6 are uncertain in terms of what is meant by "preeminent" and because both s6(b) and s7(c) visual amenity are relevant to rural character landscapes. The amendments sought are not consistent with the Policies 3.2.6 and 3.2.6 of the Proposed RPS which seek to identify and manage highly valued landscapes in addition to Outstanding.

	All parts of the appeal relating to Chapter 27	oppose	The amendments sought to Chapter 27 to enable subdivision with SASZs do not achieve the objectives of the Plan and would not give effect to the landscape or ecological provisions of the RPSs.
	All parts of the appeal relating to Chapter 33	oppose	The amendments sought to Chapter 33 to undertake indigenous vegetation clearance are inconsistent with the responsibilities and functions for protection and maintenance under s6 and s31 of the RMA.
	Planning Map 7	oppose	The alternative relief sought to extent zoning is inappropriate, as an assessment of effects has not been undertaken.
Transpower NZ ENV-2018- CHC-114	All parts of the appeal	oppose	The appeal is not sufficiently clear as to the specific wording of amendments sought. Any amendments would need to consider the full policy suit of the NPS ET, including Policies 4, 6 and 7. The operative and proposed RPS also provides relevant direction to be given effect to.
Aurora Energy LTD ENV-2-18- CHC-108	Definition of minor upgrading	oppose	The amendment sought may have adverse effects on indigenous biological diversity and landscape values which is not anticipated within the scope of a minor upgrade. The amendment sought is inconsistent with the objectives and policies for landscape and indigenous biological diversity and would not give effect to the pRPS.
	Definition of regionally significant infrastructure New Definition of Electricity Sub-transmission Infrastructure New Definition of Significant Electricity Distribution Infrastructure	oppose	The definitions proposed go beyond the significance recognised in the proposed RPS. The plan already includes a definition of Utility which includes structures and equipment for the transmission and distribution of electricity.
	Policy 3.3.25 Policy 4.2.2.1 Policy 6.3.17 Policy 6.3.18 Policy 6.3.24 Policy 6.3.25 Policy 30.2.6.1	oppose	The maintenance of utility infrastructure is provided under other provisions of the Plan. The wording proposed is uncertain in terms of provision for new electricity infrastructure and is not consistent with the proposed RPS.
	Policy 4.2.2.2	oppose	The additional wording is not necessary as utilities are

			already addressed in the policy. The amendment suggests a different level of consideration for some utilities which is inconsistent with the proposed RPS.
	<p>Policy 30.2.6.5</p> <p>Add new definition of Electricity Sub-Transmission or Significant Electricity Distribution Infrastructure Corridor</p> <p>New Policy 30.2.6.6</p> <p>New Rules 30.5.5, 30.5.6, 30.6.2 and 27.5.11</p>	oppose	<p>The term “significant” in this context suggests a different level of consideration which is inconsistent with the proposed RPS.</p> <p>The amendments sought are uncertain in terms of implications for indigenous vegetation clearance and landscape effects.</p>
	Rule 30.5.1.4	oppose	The amendment sought fails to ensure adverse effects would not be inconsistent with the provisions to protect and maintain the values of the areas to which the rule applies.
Queenstown Park limited ENV-2018-CHC-127	new special zone	oppose	<p>The amendments sought (paragraph 11 of the appeal) are inconsistent with the landscape, feature and biodiversity provisions of the Plan and the Proposed RPS, they do not give effect to objectives 5.4.2 or 5.4.3 of the RPS.</p> <p>For example the proposed QPSZ objectives do not provide for the protection of s6(b) or (c) matters and rules do not enable consideration of all relevant effects necessary to achieve the objectives of the plan.</p>
	All parts of the appeal relating to Chapter 3	oppose	The amendments sought are inconsistent with the RPS and proposed RPS and do not achieve the purpose of the Act, particularly in relation to s6 and s7.
	All parts of the appeal relating to Chapter 6	oppose	<p>There is insufficient detail on the wording of new policies sought at paragraph 28(a) to (c) and the amendment (g) of the appeal.</p> <p>The deletions (d), (e) and (i) amendments sought are uncertain as “limit” and “other non-farming activities” are not specified nor is a “functional reason” consist with protection required under s6(b). The deletion at (f) and (h) are inconsistent with the strategic objectives and s6(b) and 7(c) of the RMA.</p>
	All parts of the appeal relating to	oppose	The amendments sought (paragraph 31 of the appeal), including for controlled activity status do not achieve the

	Chapter 21		objectives and policies of the plan and is not consistent the sustainable purpose of the RMA, in particular s5(2)(c) and s6.
	All parts of the appeal relating to Chapter 27	oppose	Residential activities may have adverse effects on natural landscape and biodiversity values including through the introduction of pests. The amendment sought is inconsistent with the objectives of the Plan and would not give effect to the proposed RPS.
	All parts of the appeal relating to Chapter 33 Indigenous Vegetation and Biodiversity	oppose	The amendments are not consistent with the protection and maintenance requirements functions under the RMA, nor would the amendments sought give effect to the Proposed RPS.
Allenby Farms Ltd ENV-2018- CHC-148	New Policy and objective suite Strategic Objectives	Oppose	The amendments sought are already adequately addressed in the Objective and Policy suite of Chapter 3 Strategic Direction. The specific wording sought is inconsistent with RMA sections 5, 6, 7 and 31.
	Planning Maps 18 and 21	oppose	The amendment sought is inconsistent with Policy Objective 33.2.1 and Policy 33.2.1.8 and the proposed RPS Schedule 4 criteria for identification of significant areas.
Darby Planning Limited ENV-2018- CHC-150	Objective 3.2.1.8	Oppose	The amendment sought is consistent with RMA sections 5, 6, 31
	policy 3.3.20	Oppose	The amendments sought will not achieve the objectives of the plan, is not consistent with the proposed RPS 3.1 and 3.2 provisions and does not achieve the sustainable purpose of the RMA.
	objective 21.2.1	Oppose	The amendment wording is uncertain as to how “rely” is to be interpreted and removes wording which reflects the purpose and functions of the RMA.
	Policy 21.2.1	Oppose	The amendment seeks to include tourism activities which are not defined and removes wording which reflects the purpose and functions of the RMA.
	Chapter 27 Subdivision	Oppose	The amendmnet sought does not achieve the objectives of the Plan and would not give effect to the proposed RPS.
New Zealand Tungsten Mining Limited	Chapter 2 Definitions Mining Activity	Oppose	This considerably and inappropriately broadens the definition from that in the proposed plan, to include areas at or beyond the site, extraction, transport and processing, the construction of any works structures, discharges etc. “land improvements” etc., connected

ENV-2018- CHC-151			with the operations. This is not consistent with the plans provisions which are based on the definition provided in the decision. The amendment sought does not achieve the objectives of the Plan and would not give effect to the proposed RPS.
	New Definition Mining Building	Oppose	The amendment sought is uncertain in the context of the Chapter 2 definition for “mining” which is subject to a variation and not part of the Hearing Panels recommendations. The amendment also creates uncertainty with the proposed RPS in which mineral extraction is subject to appeals. Any adverse environmental effects of buildings which are ancillary to mining activities need to be considered as part of any mining proposals to achieve the objectives of the Plan and give effect to the RPS.
	Temporary Activity	Oppose	Exploration and prospecting can have adverse environmental impacts no matter how temporary the activity.
	policy 6.3.8	Oppose	The amendment sought changes the intent of the policy which sets out where avoidance is necessary. It is inappropriate to suggest that clearance can be remedied or mitigated, these actions apply to management of effects which is addressed under other provisions such as Policy 6.3.9 and 6.3.10.
	Policy 6.3.10	oppose	The amendment sought is inconsistent with the Objectives of Chapter 6 and 33.
	Policy 6.3.12	oppose	The amendment sought is inconsistent with the Objectives of Chapter 6. The proposed wording is also subjective as to how “adequately avoided, remedied or mitigated” could be interpreted.
	Policy 6.3.15	oppose	The amendment changes the intent of the provision by limiting it to “permanent adverse effects” rather than providing direction on the types of activities which are likely to be incompatible with the values recognised in the policy as worded in the decision. The amendments are inconsistent with the objectives of Chapter 6 and the proposed RPS.
	Objective 21.2.5	Oppose	The amendment sought is inconsistent with the Objectives of Chapter 6 and 33. The wording creates uncertainty and does not achieve the purpose of the RMA, in particular 5(2)(c) which requires avoiding, remedying, or mitigating any adverse effects of activities in the environment.
	New Policy	Oppose	The amendment sought is uncertain as to the meaning of “pre-existing” and does not identify the location of existing resources. The new policy is not effects based and could result in inconsistent application of plan

			provisions such as where significant or outstanding values are to be protected at the same locations.
	New Policy	Oppose	The amendment sought does not achieve the objectives of Chapter 6 or 33 and is inconsistent the direction to protect and maintain natural and ecological values under both the RPS's
	New Policy	Oppose	We further submitted on this as Exploration and prospecting are not always low impact as is recognised in Policy 21.2.5.4. Scale does not necessarily determine the significance of adverse effects.
	Table 5, Rule 21.8.1	oppose	The amendment sought does not include limits of restrictions to address adverse effects on the ONF
	Table 7 Informal airports New addition	oppose	The considerations for an access arrangement under the Crown Minerals Act 1991 deals with different considerations and it is not appropriate to obviate the need for a resource consent on that basis.
	Table 8 – Standards for Mining and Extraction Activities Rule 21.11.1.1 Rule 21.11.1.2	Oppose	The change of activity classification is inconsistent with policy direction of the plan and would not achieve the objectives of the plan or the proposed RPS.
	Chapter 35	oppose	Exploration and prospecting are not always low impact. The amendment sort is inconsistent with the provision or the plan and seeks to expand a rule which addresses farm storage activities to include exploration and prospecting which have very different effects. The amendment sought is inconsistent with provisions of Chapter 6 and 33 of the plan and would not achieve the objectives of the plan or the proposed RPS.
Private Property Limited ENV-2018-CHC-130	All parts of the appeal. Chapters 3, 6,21,27.	oppose	The amendment sought including for controlled activity status do not achieve the objectives and policies of Chapter 6 or 33 of the plan and are not consistent the sustainable purpose of the RMA, in particular s5(2)(c) and s6.
Real Journeys Ltd ENV-2018-CHC-131	new Definitions: Tourism Activity Visitor Industry	oppose	The proposed definitions are uncertain in the context of the plan provisions are they include or suggest a number of activities, such as buildings and infrastructure which are already addressed by provisions of the plan. The amendments as sought are not consistent with provisions of Chapter 6 and 33 of the plan and would not achieve the objectives of the plan or the proposed RPS
	All parts of the appeal relating to	oppose	The amendments sought change the scope and topic of the strategic provisions to an extent that the objectives

	Chapter 3, including specific points below.		of the plan are not achieved. The amendments will not give effect to the RPS or provide consistently with the proposed RPS. In general the amendments sought are not consistent the purpose and principles of Pat 2 of the RMA.
	Policy 3.2.4.3	oppose	The amendment sought creates uncertainty as to what is “otherwise protected”.
	Policy 3.2.5.1	oppose	The amendment sought is inconsistent with Chapter 6 objectives and the proposed RPS.
	Policy 3.3.1	oppose	The amendment sought changes the scope and focus of the provision and proposes a new objective (3.3.x below). The amendment policy wording proposed is inconsistent with Chapter 6 objectives and the proposed RPS.
	new Objective 3.3.x, new Objective and policy and Policy 3.3.1.2 and three new Strategic policies 3.3.x	oppose	It is uncertain what is mean by “protectionist provisions”. The RMA does not provide direction for specific protection of established visitor attractions or transport services. As worded the amendments sought are inconsistent with the Part 2 purpose and principles of the RMA.
	Policy 3.3.19	oppose	The amendment sought is inconsistent with Chapter 6 objectives and the proposed RPS.
	policy 3.3.20	oppose	The amendment sought changes the scope and focus of the provision. The amendment policy wording proposed is inconsistent with Chapter 6 and Chapter 33 objectives and the proposed RPS.
	All parts of the appeal relating to Chapter 6	oppose	The amendments sought change the scope and topic of the strategic provisions to an extent that the objectives of the plan are not achieved. The amendments will not give effect to the RPS or provide consistently with the proposed RPS. In general the amendments sought are not consistent the purpose and principles of Pat 2 of the RMA.
	All parts of the appeal relating to Chapter 21	oppose	The amendments sought change the scope and topic of the strategic provisions to an extent that the objectives of the plan are not achieved. The amendments will not give effect to the RPS or provide consistently with the proposed RPS. In general the amendments sought are not consistent the purpose and principles of Part 2 of the RMA.
	All parts of the appeal relating to Chapter 35	oppose	The amendments sought change the scope and topic of the strategic provisions to an extent that the objectives of the plan are not achieved. The amendments will not give effect to the RPS or provide consistently with the proposed RPS. In general the amendments sought are not consistent the purpose and principles of Pat 2 of the RMA.
Federated	Chapter 2-	oppose	Irrigation infrastructure can have adverse effects on

Farmers ENV-2018- CHC-53	Definitions - Building		landscape and/or indigenous biodiversity values. The implications of any exemption from the definition of “building” needs to ensure that the values and characteristics of landscapes and indigenous biodiversity are protected and maintained consistent with the objectives and policies of the plan and for consistency with the proposed RPS.
	Chapter 3 Policy 3.3.27		Prohibit gives effect to Decisions version Objective 34.2.1 and its suite of policies. Discourage is uncertain.
	Policy 6.3.12		The amendment is inconsistent with protection of Outstanding Natural Landscapes and Features.
	Policy 6.3.26		The amendment is inconsistent with protection of Outstanding Natural Landscapes and Features
Cadrona Alpine Resort ENV-2018- CHC-117	All parts of the appeal, in addition to the particular points set out below.	oppose	The amendments sought will not achieve the objectives of the plan or give effect to the RPS and are not consistent with the proposed RPS.
	All Ski Area Sub Zones	Oppose	
	New Policy 21.2.6	oppose	The amendment sought does not recognise cumulative adverse effects. The amendment sought does not achieve the objectives of Chapter 6 or 33 and is inconsistent with the direction to protect and maintain natural and ecological values under both the RPS's
	New Rule 21.12X	Oppose	The amendments sought will not achieve the objectives of the plan, is not consistent with the proposed RPS 3.1 and 3.2 provisions and will not enable Council to carry out their responsibilities and functions under the RMA.
	Rule 21.4.25	Oppose	A non-complying activity status is appropriate where for activities which are not anticipated in these zones. The amendment sought does not give effect to the Objectives of the plan.
	Rule 21.12 X Earthworks	Oppose	The amendments sought conflict with provisions which provide for the values and characteristics of landscapes and indigenous biodiversity to be protected and maintained in Chapters 3, 6 and 33 of the plan and would be inconsistent with the proposed RPS.
	21.20 Rules for Non – Notification of Applications	Oppose	the amendment sought does not recognise or provide for public participation where adverse effects of activities have a wider interest, such as in relation to matters of national importance.
Upper Clutha Environment Society ENV-2018-	Rural Zone – ONL and ONF	Support	Forest and Bird supports the appeal (at paragraph 6 of the relief sought) in seeking that subdivision within an ONL or ONF should be a non-complying activity. These outstanding areas are of national importance and a non-complying status is not only appropriate to recognise that

CHC-56			subdivision would not generally be acceptable, but also to provide public notification and participation in any subdivision consent process that might be pursued.
Soho Ski Area Limited and Blackmans Creek No.1 LP ENV-2018-CHC-104	All parts of the appeal relating to Chapter 3		The amendments sought are inconsistent with the RPS and proposed RPS and do not achieve the purpose of the Act, particularly in relation to s6 and s7.
	All parts of the appeal relating to Chapter 6		The amendments sought are not consistent with the Policies 3.2.6 and 3.2.6 of the Proposed RPS which seek to identify and manage highly valued landscapes in addition to Outstanding. The amendments sought are inconsistent with the RPS and proposed RPS and do not achieve the purpose of the Act, particularly in relation to s6 and s7.
	All parts of the appeal relating to Chapter 21		The amendments sought are inconsistent with the RPS and proposed RPS and do not achieve the purpose of the Act, particularly in relation to s6 and s7. The amendment wording is uncertain as to the meaning of “functional dependancy” and the changes to definition wording in the context of other plan provisions, particularly how the objectives in Chapters 3, 6 and 33 with be achieved.
	All parts of the appeal relating to Chapter 27		The amendments sought to Chapter 27 to enable subdivision with SASZs does not achieve the objectives of the Plan and would not give effect to the landscape or ecological provisions of the RPSs. In addition the proposed wording and activity classifications would inappropriately restrict councils ability to carry out their responsibilities and functions under s6, s7 and s31 of the RMA.
	All parts of the appeal relating to Chapter 33		The amendments sought to Chapter 33 to undertake indigenous vegetation clearance are inconsistent with the responsibilities and functions for protection and maintenance under s6 and s31 of the RMA.