

FURTHER SUBMISSION

Proposed Te Tai o Poutini Plan

Under Clause 8 of the First Schedule, Resource Management Act 1991

To: Te Tai o Poutini Plan Committee
388 Main South Road
Paroa
Greymouth 7805

By email: info@tpp.nz

Submission by: Hapuka Landing Limited

Address for Service: c/o Anderson Lloyd
PO Box 13831
Christchurch 8140

Email: sarah.eveleigh@al.nz

- 1 Hapuka Landing Limited (**HLL**) made a submission (S514) on the Proposed Te Tai o Poutini Plan (**TTPP**).
- 2 HLL has an interest in TTPP that is greater than the interest that the general public has.
- 3 This further submission on TTPP is on various submission points and seeks various forms of relief (allowing and disallowing the original submissions) as set out in **Appendix 1** to this further submission.
- 4 HLL owns two properties within the Hapuka Landing development at Okuru. HLL's original submission sought all amendments to the TTPP provisions necessary in order to ensure that consented and anticipated activities are enabled across Hapuka Landing. This further submission addresses specific changes to the TTPP sought by other submitters, but does not limit the generality of the relief sought in HLL's original submission.
- 5 The relief sought in this further submission will:
 - (a) Assist the Grey, Buller and Westland District Councils in fulfilling their statutory duties under the Resource Management Act 1991 (**RMA**) including the integrated management of the effects of the use, development, or protection of land;
 - (b) meet the requirements of section 32 of the RMA; and
 - (c) promote the sustainable management of natural and physical resources in accordance with Part 2 of the RMA, and in particular the efficient use of natural and physical resources.

- 6 HLL wishes to be heard in support of its further submission, and will consider presenting a joint case with others presenting similar submissions.

A handwritten signature in black ink, appearing to read 'S Eveleigh', with a long horizontal flourish extending to the right.

Sarah Eveleigh
For Hapuka Landing Limited

Dated: 13 July 2023

Appendix 1 – further submission points

This further submission is in relation to the original submission of:	Provision	The particular parts of the original submission I/we support/oppose are:	My/our position on the original submission:	The reason for my/our support/opposition to the original submission are:	Allow or disallow the original submission (in full or in part)	Give precise details of why you wish to allow/disallow (in full or in part) to indicate the decision you want Council to make
Volume 5 - Hazards and Risks						
West Coast Regional Council (S488)	Natural Hazards	<p>S488.020 The natural hazard overlay maps do not follow natural land contours. Maps need to be refined to exclude areas that are not subject to natural hazards, rather than relying on general studies.</p> <p>Seeks that the Plan is refined to ensure there are no adverse effects on the social or economic wellbeing of West Coast people and communities, and no undue burden is placed on the West Coast Community from the proposed Plan provisions.</p> <p>WCRC are concerned that the general natural hazard provisions are unduly restrictive when flood hazard areas have not been refined in the flood maps.</p>	Support	Refinement is needed to the hazard mapping and corresponding provisions, with greater consideration given to the impact of provisions on communities.	Allow	Refinement of objectives, policies, rules and accompanying maps for Natural Hazards to ensure these are not unduly restrictive.
Shaun and Carissa de Plessis (S402)	Natural Hazards	<p>S402.002 Review the number and extent of natural hazard overlays ensuring all are justified and supported with a relevant technical report that has been prepared by a suitably qualified person.</p>	Support	Hazard overlays must be justified.	Allow	Review and amend natural hazard overlays.
Volume 9 – General District Wide Matters – Coastal Environment						
Gerard Nolan (S261)	<p>General District-Wide Matters</p> <p>Coastal Environment</p>	<p>S261.003 Remove the Coastal Natural Character Overlay from Okuru</p>	Support	The High Natural Character Overlay should be removed from areas that have been modified by or approved for development	Allow	Remove the High Natural Character Overlay from Okuru, including properties in Hapuka Landing (Fox Moth Drive)
Royal Forest and Bird Protection Society of New	General District-Wide Matters	<p>S560.282 Amend CE - P3:</p>	Oppose	The amended policy sought is inappropriately	Disallow	Retain the provision as notified, or amend to

<p>Zealand Inc (Forest & Bird) (S560)</p>	<p>Coastal Environment CE-P3</p>	<p>Only consider allowing new subdivision, use and development within the Coastal Environment areas of outstanding and high coastal natural character, outstanding coastal natural landscapes, and outstanding coastal natural features where: <i>The elements, patterns, processes, and qualities that contribute to the outstanding or high natural character or landscape are maintained; Significant adverse effects on natural character, natural landscapes and natural features; and adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features are avoided; and</i> <i>bb. outside the areas in b., significant adverse effects on natural character, natural landscapes and natural features are avoided; and bbb. Other adverse effects on the matters in bb. are avoided, remedied, or mitigated; and</i> <i>The development is of a size, scale and nature that is appropriate to the environment.; It is for a Poutini Ngāi Tahu cultural purpose; or It is National Grid infrastructure that has a functional and operational need to locate in these areas.</i></p>		<p>restrictive on development in the area identified as Coastal Environment</p>		<p>give effect to HLL's original submission</p>
<p>Department of Conservation (S602)</p>	<p>General District-Wide Matters Coastal Environment CE-P3</p>	<p>Amend: Only allow new subdivision, use and development within areas of outstanding and high coastal natural character, outstanding coastal natural landscapes and outstanding coastal natural features where: <i>a. The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained; b. adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features are avoided ;c. Significant adverse effects on natural character, natural landscapes and natural features, and are avoided, and are otherwise managed in accordance with the effects management hierarchy; and</i> d. adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features are avoided; <i>e. The development is of a size, scale and nature that is</i></p>	<p>Oppose</p>	<p>It is overly burdensome to require that all effects on the coastal environment be managed in accordance with the effects management hierarchy</p>	<p>Disallow</p>	<p>Retain the provision as notified, or amend to give effect to HLL's original submission</p>

		<i>appropriate to the environment; f. It is for a Poutini Ngāi Tahu cultural purpose; or g. It is National Grid infrastructure that has a functional and operational need to locate in these areas; and h. All other effects on the coastal environment are managed in accordance with the effects management hierarchy</i>				
Department of Conservation (S602)	General District-Wide Matters Coastal Environment CE-P5	S602.147 Amend CE-P5 to include additional conditions for permitted buildings and structures to require that: <i><u>d. adverse effects on amenity, natural character, historic and cultural values, and biodiversity are appropriately managed; and</u></i> <i><u>e. are of a size, scale and nature that is appropriate to the area; and</u></i> <i><u>f. is consistent with the NZCPS</u></i>	Oppose	The additional policy requirements are unnecessary and overly burdensome	Disallow	Retain the provision as notified, or amend to give effect to HLL's original submission
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	General District-Wide Matters Coastal Environment CE-P6	S560.286 Amend: <i>Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini including parts of Westport, Greymouth and Hokitika and where it may be appropriate to: 1. enable new subdivision, buildings, and structures within and expansion of towns and settlements where <u>when:</u> These <u>activities</u> are located in areas already modified by built development; and or primary production activities, or the area is not subject to a natural hazard overlay <u>Where located in unmodified areas, any adverse impact on natural character can be mitigated; and</u> <u>In areas of outstanding or high natural character:</u> <i><u>i. Avoid encroachment into unmodified areas of the coastal environment; and ii. Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are avoided, remedied, or mitigated consistent with CE-PX [new policy giving effect to Policy 13 (a) and (b) of the NZCPS]; and d. significant natural areas are protected;</u></i> 2. make Provisione <u>provisions</u> for lawfully established land uses and activities <u>that manage adverse effects in accordance with provisions of this Plan</u></i>	Oppose	The additional policy requirements are unnecessary and overly burdensome	Disallow	Retain the provision as notified, or amend to give effect to HLL's original submission

		<p>to continue; 3ii. Allow for consider other uses with a functional need to locate in the coastal environment; 4iii. Allow for Poutini Ngāi Tahu cultural uses; and 5. where the area is subject to a natural hazard overlay the activity is consistent with achieving NH objectives. Avoid encroachment into unmodified areas of the coastal environment; and Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns</p>				
Department of Conservation (S602)	<p>General District-Wide Matters</p> <p>Coastal Environment</p> <p>CE-P6</p>	<p>S602.148</p> <p>Amend: <u>Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini including parts of Westport, Greymouth and Hokitika and enable new subdivision, buildings and structures within and expansion of towns and settlements where:</u></p> <p><u>These are located in areas already modified by built development or primary production activities and the adverse effects on amenity, natural character, historic and cultural values, and biodiversity are appropriately managed, or</u></p> <p><u>Where located in unmodified areas, any adverse impact on natural character are managed in accordance with the effects management hierarchy can be mitigated;</u></p> <p><u>In areas of outstanding or high natural character: Provide for lawfully established land uses and activities to continue; Allow for other uses with a functional need to locate in the coastal environment where adverse effects are managed in accordance with the effects management hierarchy;</u></p> <p><u>Allow for Poutini Ngāi Tahu cultural uses;</u></p> <p><u>Avoid encroachment into unmodified areas of the coastal environment; and</u></p> <p><u>Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are minimised. Significant adverse effects on natural character are avoided; Adverse effects on natural character are avoided in areas of outstanding natural character.</u></p>	Oppose	The additional policy requirements are unnecessary and overly burdensome	Disallow	Retain the provision as notified, or amend to give effect to HLL's original submission

<p>Foodstuffs (South Island) Properties Limited and Foodstuffs South Island Limited (S464)</p>	<p>General District-Wide Matters Coastal Environment Coastal Environment Rules</p>	<p>S464.007 Exclude Settlement Zone areas from Coastal Environment provisions</p>	<p>Support</p>	<p>The Coastal Environment overlay undermines and is inconsistent with zoning of Settlement Zones which are not natural or low intensity rural areas</p>	<p>Allow</p>	<p>Remove the Coastal Environment overlay from Settlement Zones</p>
<p>Department of Conservation (S602)</p>	<p>General District-Wide Matters Coastal Environment Coastal Environment Rules</p>	<p>S602.165 An additional rule is required to capture any other unanticipated activities and structures. Add an additional Rule: <u>XXX Activities, structures, buildings and earthworks not provided for in another Rule</u> <u>Activity status: Non-complying</u></p>	<p>Oppose</p>	<p>Non-complying activity status is inappropriate given the potential range of activities captured by this rule</p>	<p>Disallow</p>	<p>Consider whether additional activities should be addressed through rules with an appropriate activity status. Decline to include a catch-all rule.</p>
<p>Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)</p>	<p>General District-Wide Matters Coastal Environment CE-R1</p>	<p>S560.0536 Add and amend the following conditions to CE-R1: <u>Where: 1. The building, structure, infrastructure, fence, accessway, cycle/walking or farm track is lawfully established; and</u> <u>2. Any indigenous vegetation clearance complies with ECO-R1; and</u> <u>3. Earthworks and land disturbance does not exceed 50m³ or extend beyond 10 meters of a building or structure and 2 meters of an accessway or track.</u> <u>4. There is no alteration or addition to the structures height and area footprint is not increased; and</u> <u>5. The width or length of any access or track is not increased; and</u> <u>6. Works are not undertaken within 10m of any hazard mitigation/protection measure that exists within the coastal environment; and</u> <u>7. When the maintenance and repair is within an area of High Coastal Natural Character or the Outstanding Coastal Environment Area: The activity is limited to what is necessary to maintain the existing structure, within the</u></p>	<p>Oppose</p>	<p>The additional permitted activity conditions are unnecessary and inappropriate</p>	<p>Disallow</p>	<p>Retain provision as notified, or amend to give effect to HLL's original submission</p>

		<i>footprint or modified ground compromised by the existing structure; and The activity does not involve the installation of any new structures."</i>				
Department of Conservation (S602)	General District-Wide Matters Coastal Environment CE-R7	S602.153 Amend CE-R7 to: <i>Activity Status Permitted</i> Where: These are for: <u>1. Operation, maintenance, repair, or upgrade of existing Walking/cycling tracks, roads, or farm tracks;</u> 2. fences; <u>3. Operation, maintenance, repair, or upgrade of existing or installation of new network utility infrastructure or renewable electricity generation;or</u> <u>4. 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; and</u> <u>5. The cut height or fill depth does not exceed one metre vertically;</u> <u>6. Any fill, excavation or removal is not more than 250m2/ha and 250m3/ha where earthworks are set back more than 30m from the Coastal Marine Area;</u> <u>7. Any fill, excavation or removal is not more than 100m2/ha and 100m3/ha where earthworks are within 30m from the Coastal Marine Area.</u> ...	Oppose	The additional permitted activity conditions are unnecessary and inappropriate	Disallow	Retain provision as notified, or amend to give effect to HLL's original submission
Volume 14 – Rural Zones						
Department of Conservation (S602)	Rural Zones RURZ-P2	S602.229 Amend RURZ-P2(f) to: <i>Does not compromise the dominance of the natural and cultural landscape setting and minimises ribbon residential development along the coastline, on prominent spurs, ridges and skylines and avoids development on the ridgelines and peaks of ancestral mountains.</i>	Oppose	Provision as notified is appropriate.	Disallow	Retain provision as notified.