

Te Tai o Poutini Plan – Section 32
Evaluation

Report Thirteen Special Purpose Zones -
Ngā Takiwā mō Kaupapa kē

Airport Zone – Te Takiwā Taunga
Rererangi

Hospital Zone – Te Takiwā Hōhipera

Port Zone – Te Taikwā Wāpu

Stadium Zone -Te Takiwā Whare
Hākinikina

Future Urban Zone -Te Takiwā Tāone mō
Raurangi

Māori Purpose Zone -Te Takiwā Kapupapa
Māori

Scenic Visitor Zone – Te Takiwā Manuhiri
Tiro tiro Taiao

Table of Contents

Executive Summary	5
Part One: Airport Zone – Hospital Zone – Port Zone – Stadium Zone	8
1.0 Overview and Purpose.....	8
1.1 Introduction to the Resource Management Issue.....	8
1.2 Regulatory and Policy Direction.....	9
1.2.1 Part 2 of the RMA	9
1.2.2 National Instruments.....	9
1.2.3 National Planning Standards and/or Guidance Documents	10
1.2.4 Regional Policy and Plans	11
1.2.5 Local Policies, Plans and Strategies.....	12
1.2.6 Poutini Ngāi Tahu Iwi Management Plans.....	12
1.2.7 Other Relevant Regulation	13
2.0 Resource Management Issue and Analysis	13
2.1 Background	13
2.2 Evidence Base - Research, Consultation, Information and Analysis undertaken	16
2.2.1 Research	16
2.2.2 Consultation and Engagement.....	18
2.2.3 Iwi Authority Advice	19
2.3 Operative District Plan Provisions.....	20
2.3.1 Buller District Plan	20
2.3.2 Grey District Plan	21
2.3.3 Westland District Plan	22
2.4 Analysis of Best Practice – How Other Councils are Addressing the Same Issue	22
2.5 Summary of Issues Analysis.....	23
3.0 Scale and Significance Evaluation.....	24
3.1 Explanation Summary	24
4.0 Evaluation.....	25
4.1 Evaluation of Objectives.....	25
4.2 Evaluation of Policies, Rules and Methods.....	27
4.2.1 Description of the Provisions.....	27
4.2.2 Evaluation of Options	29
5. Summary.....	33
Part Two Future Urban Zone.....	34
6.0 Overview and Purpose.....	34
6.1 Introduction to the Resource Management Issue.....	34
6.2 Regulatory and Policy Direction.....	34
6.2.1 Part 2 of the RMA	34
6.2.2 National Instruments.....	35
6.2.3 National Planning Standards and/or Guidance Documents	35
6.2.4 Regional Policy and Plans	35

6.2.5	Poutini Ngāi Tahu Iwi Management Plans	35
6.2.6	Other Relevant Regulation	36
7.0	<i>Resource Management Issue and Analysis</i>	36
7.1	Background	36
7.2	Evidence Base - Research, Consultation, Information and Analysis undertaken	39
7.2.1	Research	39
7.2.2	Consultation and Engagement.....	40
7.2.3	Iwi Authority Advice	41
7.3	Operative District Plan Provisions.....	41
7.4	Analysis of Best Practice – How Other Councils are Addressing the Same Issue	41
7.5	Summary of Issues Analysis.....	42
7.6	Description of Proposed Plan Provisions.....	42
8.0	<i>Scale and Significance Evaluation</i>	43
8.1	Explanation Summary	44
9.0	<i>Evaluation</i>	45
9.1	Evaluation of Objectives.....	45
9.2	Evaluation of Policies and Rules	47
10.0	<i>Summary.....</i>	48
<i>Part Three Māori Purpose Zone</i>		49
11. Overview and Purpose		49
11.1	Introduction to the Resource Management Issue	49
11.2	Regulatory and Policy Direction	51
11.2.1	Part 2 of the RMA	51
11.2.2	National Instruments.....	52
11.2.3	National Planning Standards and/or Guidance Documents	53
11.2.4	Regional Policy and Plans	53
11.2.5	Local Policies, Plans and Strategies.....	54
11.2.6	Poutini Ngāi Tahu Iwi Management Plans.....	54
11.2.7	Other Relevant Regulation	55
12.0	<i>Resource Management Issue and Analysis</i>	55
12.1	Background.....	55
12.2	Evidence Base - Research, Consultation, Information and Analysis undertaken.....	56
12.2.1	Research	56
12.2.2	Consultation and Engagement.....	57
12.3	Operative District Plan Provisions	58
12.4	Analysis of Best Practice – How Other Councils are Addressing the Same Issue	59
12.5	Summary of Issues Analysis	59
13.0	<i>Scale and Significance Evaluation</i>	59
13.1	Explanation Summary	60
14.0	<i>Evaluation.....</i>	61

14.1	Evaluation of Objectives	61
14.2	Evaluation of Policies, Rules and Methods	63
14.2.1	Description of the Provisions.....	63
14.2.2	Evaluation of Options Policies, Rules and Methods	66
15.0	Summary.....	68
Part Four Scenic Visitor Zone.....		69
16.0	Overview and Purpose	69
16.1	Introduction to the Resource Management Issue	69
16.2	Regulatory and Policy Direction	69
16.2.1	Part 2 of the RMA	69
16.2.2	National Planning Standards/Guidance Documents.....	70
16.2.3	West Coast Regional Policy Statement.....	70
16.2.4	Local Policies, Plans and Strategies.....	70
16.2.5	Poutini Ngāi Tahu Iwi Management Plans	71
17.0	Resource Management Issue and Analysis	71
17.1	Background.....	71
17.2	Evidence Base - Research, Consultation, Information and Analysis undertaken.....	72
17.2.1	Research	72
17.2.2	Consultation and Engagement.....	73
17.3	Operative District Plan Provisions	73
17.4	Summary of Issues Analysis	75
18.0	Scale and Significance Evaluation.....	75
18.1	Explanation Summary	76
19.0	Evaluation.....	76
19.1	Evaluation of Objectives	76
19.2	Evaluation of Policies, Rules and Zones	78
19.2.1	Description of the Provisions.....	78
19.2.2	Evaluation of Options	80
20.0	Summary.....	82

Executive Summary

Section 32 of the Act requires objectives in district plan proposals to be examined for their appropriateness in achieving the purpose of the Resource Management Act 1991 (RMA), and the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness and risk in achieving the objectives. The analysis set out in this report is to fulfil the obligations of the Council under s32 of the Act.

Development of the Special Purpose Zone chapters and associated objectives, policies and rules have considered the unique requirements and pressures faced by the particular activities within these zones. This involved assessing whether the use of a Special Purpose Zone was necessary and appropriate, identifying what lands the Special Purpose Zone should apply to, and then what were appropriate management mechanisms.

The provisions have been developed on the premise that the activities within the Special Purpose Zone are generally strategically important to the West Coast.

Airport Zone – Hospital Zone – Port Zone – Stadium Zone

The airports, hospitals, stadia and ports are major local and regionally significant transport/logistics, recreation and healthcare related facilities that make an important contribution to the economic and social wellbeing of the West Coast.

However, neither this contribution nor the specialised nature of these facilities and related activities are comprehensively recognised in the Operative District Plans. Instead they are mostly managed within the more generic Commercial, Residential, Industrial, and Rural Zones. This variable and 'non-specific' approach has the potential to pose problems to the ongoing use and development of these facilities, particularly where the zoning and associated rules inadequately recognise their unique operational/developmental needs and associated environmental effects. In addition, it is at odds with the 2019 National Planning Standards zone framework, which specifies using Special Purpose Zones to cater for land use activities that are locally, regionally and/or nationally significant.

The key resource management issues that need to be addressed in relation to the airports, hospitals, stadia and ports are:

- Explicitly recognising the specialised nature of the activities allied with these facilities and the important contribution they make to the district and wider regional/national economy.
- Ensuring that these facilities and associated activities are afforded sufficient operational and development flexibility to meet their current and future needs.
- Managing the impact of existing activities and any future development on the adjacent receiving environment, particularly where the facility borders a residentially zoned property.

To address these issues, the following key changes are proposed:

- Introduction of specialised zones that specifically recognise and respond to the requirements of these significant transport/logistic, recreation and healthcare facilities and are aligned with the National Planning Standards.
- Specific Airport, Hospital, Stadium and Port Zone objectives and policies that provide for the efficient, ongoing use and development of these facilities and associated activities, while ensuring that adverse effects on adjacent properties are appropriately managed
- Specific Airport, Hospital, Stadium and Port Zone specific rules, effects standards and assessment matters that provide a clear framework to manage facilities and seek to strike a balance between efficient site use and development and avoiding or minimising adverse effects on neighbouring areas, particularly residential or rurally zoned properties

Future Urban Zone

The National Policy Statement for Urban Development Capacity (NPS-UDC) recognises the national significance of urban environments and provides direction to decision-makers on planning for urban environments. The NPS-UDC places a legal requirement on the Council to respond and provide zoned, feasible, serviced land to meet our projected population growth. The National Planning Standards 2019 provides clear direction on the growth framework District Plans must follow. This involves land

identified for growth being safeguarded through Future Urban Zones and Structure Plan Development Areas put in place to ensure comprehensive development of these areas can occur.

The resource management issues relating to growth are: the provision of adequate land in the right location for growth; safeguarding this land for future urban growth and avoiding residential subdivision and development creep into the rural/Future Urban Development Overlay areas.

The key changes introduced for growth are:

- The introduction of a Future Urban Zone to specifically recognise and identify suitable areas for residential and business growth in the medium to long term future. In line with the National Planning Standards, this zone will have specific objectives and policies that provide for the efficient urban growth of the West Coast while ensuring adverse effects of unplanned urban growth are managed.
- Zone specific rules, effects standards and assessment matters that provide a clear framework to manage urban growth and preventing activities from establishing in these areas that may affect the ability to develop the area for urban growth purposes in the future.
- The requirement that Future Urban Zones are to be appropriately zoned, planned (i.e. an agreed structure plan in place) and serviced before it can be developed for urban use.

The proposed TTPP will improve urban growth outcomes by providing a strengthened approach to the identification and provision of adequate land for growth in the right location. This will be supported by a robust policy framework that will ensure comprehensive, high quality development can occur in these areas.

Māori Purpose Zone

Poutini Ngāi Tahu have continued to express a desire to occupy and use Māori land within their ancestral rohe in order to develop social, cultural, economic and/or environmental outcomes in accordance with mātauranga and tikanga. They have also consistently expressed the aspiration to encourage people to return to their ancestral land. Connection with ancestral rohe was traditionally through building and living on the land.

The Operative District Plans do not specifically recognise Māori land, and with the exception of the operative Westland District Plan, provide for papakāinga, and even in this instance Māori Land is not recognised.

The Operative District Plans provisions are not achieving the use and development of Māori land. The underlying zoning restricts the type and scope of activities and development. Provisions for general zones such as boundary setbacks and traffic generation rules do not provide for Māori activities as they traditionally and usually occur. It is important to ensure that Poutini Ngāi Tahu have the flexibility to undertake specific cultural activities across the district.

Accordingly a special purpose Māori Purpose Zone, as provided for in the National Planning Standards has been developed for Māori Land.

This introduces into TTPP:

- A standalone chapter and specific objectives, policies and rules for Māori Purpose Zones developed with the guidance of Poutini Ngāi Tahu.
- Provisions for development of Māori land, including within natural environment overlay areas.
- Specific Māori Purpose activities that enable development and provide for management of amenity in proximity to the zone.
- Recognition of mātauranga, kawa and tikanga in design and development.

The Proposed TTPP will provide better outcomes for Poutini Ngāi Tahu by providing for a wider group of activities in all zones, and for more extensive development to take place on Māori land.

Scenic Visitor Zone

The Scenic Visitor Zone covers the commercial area of Punakaiki (previously Scenically Sensitive Commercial Zone in the Operative Buller District Plan) and the commercial areas of Franz Josef and Fox Glacier (previously Tourist Zone in the Operative Westland District Plan).

The Operative District Plans provisions recognise and provide for commercial development in these areas, but within a context of the high tourism and visitor use, and the scenic landscape within these villages are located. Development in these areas is intended to support the visitor community and local residents but also remain complementary to the coastal (Punakaiki) and mountainous (Franz Josef and Fox Glacier) locations.

The purpose of this topic is to enable the on-going use and development of these three townships. This includes providing for the expansion of Fox Glacier and Franz Josef, with an emphasis on development away from the Alpine Fault and in Franz Josef, flood hazard areas.

The key changes from the Operative Buller and Westland District Plans are combining these three townships within a Special Purpose Zone as defined by the National Planning Standards.

This introduces into TTPP:

- A standalone chapter and specific objectives, policies and rules for the Scenic Visitor Zones.
- Provisions which allow for development sensitive to the natural environment and landscape values within which the three townships are located.
- Rezoning of rural land adjacent to the Fox Glacier and Franz Josef Townships to enable these to grow – but in locations that take development further away from the the significant risks of natural hazards.

Part One: Airport Zone – Hospital Zone – Port Zone – Stadium Zone

1.0 Overview and Purpose

This report contains a section 32 evaluation of the objectives, policies and methods relating to the Airport, Hospital, Stadium and Port Zone in the Proposed Te Tai o Poutini Plan (TTPP). It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the TTPP development.

1.1 Introduction to the Resource Management Issue

The West Coast contains the following major local, regional or nationally significant facilities which contribute to the economic and social wellbeing of the community:

Ports

- Westport Port
- Greymouth Port

Airports

- Karamea Aerodrome
- Westport Airport
- Greymouth Aerodrome
- Hokitika Airport
- Franz Josef Heliport

Stadia

- Westland Recreation Centre, Greymouth
- Pulse Energy Centre, Westport

Hospitals

- Te Nikau, Grey Hospital and Health Centre
- Te Rau Kawakawa, Buller Health Centre
- Reefton Hospital

These facilities are large-scale and have a unique or specific predominant land use, such as providing a community service, producing goods or acting as a key infrastructure or logistics hub.

In addition to these predominant uses, the facilities generally comprise a range of ancillary activities related to the principal activity (e.g. administrative offices, laboratories, workshops, hangers, storage tanks) which contribute to the overall functioning of the sites.

The nature and scale of these facilities requires a degree of flexibility to enable them to develop and adapt in future. In most cases they include multiple buildings of varying size and height spread over a large site, along with large areas devoted to car parking. This can present particular challenges to the way in which these facilities are managed by TTPP, especially those that might be located in or near a sensitive receiving environment (e.g. residential).

Under the effects based operative District Plans, these facilities are generally managed by the generic Commercial, Residential, Industrial, and Rural Zones. The main problem with this approach is that there are insufficient provisions that specifically recognise the specialised role and operational requirements of their activities. As a result, the operative District Plans are not providing the best outcomes for the operators or the community.

This variable and non-specific, 'one size fits all' approach to managing these facilities means that the zoning and associated rules are not set up to recognise their particular operational requirements (e.g. on-site support activities, hours of operation, size of buildings, on-site carparking). In addition, the nature and scale of activities for these large-scale facilities has the potential to generate a wide range of adverse effects including noise, dust, vibration, odour, lighting, glare, shading, visual impacts of structures and industrial activities, and other effects which may cause a nuisance or risk to

surrounding land users. This can present particular challenges to the way these facilities are managed, especially those that are located in or near more sensitive residential areas or housing in rural areas.

The unique operational needs and environmental effects associated with these major healthcare, recreational and logistic/transport facilities has given rise to individual zones that are tailored to address those needs and effects, while recognising the extent of existing lawfully established activities.

Recognising and providing for large-scale facilities is intended to enable them to operate and develop effectively and efficiently while ensuring that any consequential adverse effects are appropriately managed.

This approach also aligns with the National Planning Standards 2019 framework that provides for "Special Purpose Zones" to cater for land use activities that are significant at a district, regional or national level. Using the National Planning Standards framework, the new Special Purpose Zones discussed in this report are:

- Special Purpose: Airport Zone.
- Special Purpose: Hospital Zone.
- Special Purpose: Stadium Zone
- Special Purpose: Port Zone.

This report sets out the statutory and policy context for the Airport, Hospital, Stadium and Port Zone, the key resource management issues, specific consultation and approach to evaluation to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA) in relation to this topic. Other sections of the TTPP also relevant to the facilities contained in this zone include Coastal Environment, Natural Hazards, Energy, Transport, Infrastructure, Hazardous Substances, Contaminated Land, Noise and Light.

1.2 Regulatory and Policy Direction

1.2.1 Part 2 of the RMA

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

1.2.2 National Instruments

New Zealand Coastal Policy Statement 2010 (NZCPS)

2010 Under section 75(3)(b) of the RMA, TTPP must give effect to any New Zealand Coastal Policy Statement (NZCPS). While some of the facilities identified in Section 2 of this report are unaffected by the policies in the NZCPS, Port Westport, Port Greymouth, the Westport Airport, Greymouth Airport and the Westland Recreation Centre are all located within the Coastal Environment.

In the case of the two Ports they also operate within the Coastal Marine Area.

Of particular relevance to these facilities are the following policies:

Policy 6: Activities in the coastal environment

1(e) Consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area

2(b) Recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area

2(c) Recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places

Policy 9: Ports Recognise that a sustainable national transport system requires an efficient national network of safe ports, servicing national and international shipping, with efficient connections with other transport modes, including by:

(a) ensuring that development in the coastal environment does not adversely affect the efficient and safe operation of these ports, or their connections with other transport modes; and

(b) considering where, how and when to provide in regional policy statements and in plans for the efficient and safe operation of these ports, the development of their capacity for shipping, and their connections with other transport modes.

Policy 18: Public open space Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:

(a) ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment

(b) taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements

(c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

When considering the large-scale facilities located within the District, the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the NESCS) is an important consideration.

The NESCS provides a nationally consistent set of planning controls and soil contaminant values and ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed and, if necessary, the land is remediated or the contaminants contained to make the land safe for human use.

The NESCS lists permitted activities (e.g. removal or replacement of fuel storage systems and associated soil, and associated subsurface soil sampling) as well as activities requiring a resource consent (e.g. the development of land where the risk to human health from soil contamination does not exceed the applicable soil contaminant value).

In order to carry out these obligations, the Council relies on the Hazardous Activities and Industries List (HAIL) compiled by the West Coast Regional Council which is a compilation of activities and industries that are considered likely to cause land contamination resulting from hazardous substance use, storage or disposal.

1.2.3 National Planning Standards and/or Guidance Documents

Gazetted in April 2019, the purpose of the National Planning Standards is to improve consistency in plan and policy statement structure, format and content. The standards were introduced as part of the 2017 amendments to the RMA. Their development is enabled by sections 58B–58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

Of particular relevance to the large-scale facilities discussed in this report is Table 13 (zone names and descriptions) of the Zone Framework Standard which directs that the district plan must contain zones consistent with the following descriptions:

- Airport Zone: Areas used predominantly for the operation and development of airports and other aerodromes as well as operational areas and facilities, administrative, commercial and other industrial activities associated with airports and other aerodromes.
- Hospital Zone Areas used predominantly for the operation and development of locally or regionally important medical, surgical or psychiatric care facilities, as well as other health care services and facilities, administrative and commercial activities associated with these facilities.
- Stadium Zone: Areas used predominantly for the operation and development of large-scale sports and recreation facilities, buildings and structures. It may accommodate a range of large-scale sports, leisure, entertainment, art, recreation, and/or event and cultural activities
- Port Zone Areas used predominantly for the operation and development of ports as well as operational areas and facilities, administrative, commercial and industrial activities associated with ports.

1.2.4 Regional Policy and Plans

West Coast Regional Policy Statement

The West Coast Regional Policy Statement (WCRPS) considers that the airports of Westport, Greymouth and Hokitika and the Ports of Westport and Greymouth as regionally significant infrastructure.

Significant tourism infrastructure is defined in the WCRPS as: *the major tracks, roads and facilities managed by the Department of Conservation and other public or community infrastructure providers which are regionally and nationally important in terms of their contribution to the regional economy such as the Glacier Roads, Heaphy Track, Punakaiki, the West Coast Wilderness Trail, and other visitor information and visitor access facilities.*

While not specifically identified in the WCRPS, the Franz/Glacier Country Heliport and the Karamea Airport could arguably be considered significant tourism infrastructure as a “visitor access facility” provided by “other public or community infrastructure providers” within the WCRPS. Prior to the COVID lockdowns of 2020, the Franz Josef/Glacier Country Heliport was the busiest heliport in the country, with almost all of its use for tourism activities.

The following provisions around Regionally Significant Infrastructure and Significant Tourism Infrastructure can be found in the WCRPS:

Chapter 5: Use and Development of Resources

Policy 5.2 To recognise that natural and physical resources important for the West Coast’s economy need to be protected from significant negative impacts of new subdivision, use and development by:

a) Avoiding, remedying or mitigating reverse sensitivity effects arising from new activities located near existing:

.....

iv) Significant tourism infrastructure;

v) Regionally significant infrastructure; and

b) Managing new activities to retain the potential future use of:

....

ii) Land which is likely to be needed for regionally significant infrastructure.

Chapter 6: Regionally Significant Infrastructure

Objective 6.1: Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure.

Policy 6.2 Provide for the development, operation, maintenance and upgrading of new and existing regionally significant infrastructure including renewable electricity generation activities and National Grid infrastructure

Policy 6.4. Recognise that regionally significant infrastructure important to the West Coast’s wellbeing needs to be protected from the reverse sensitivity effects arising from of incompatible new

subdivision, use and development, and the adverse effects of other activities, which would compromise the effective operation, maintenance, upgrading, or development of the infrastructure.

Policy 6.5 When considering any adverse environmental effects of RSI that cannot be avoided, remedied or mitigated, other than effects on indigenous biological diversity, decision-makers must have regard to any offsets and compensation proposed which benefit the natural environment or the community affected.

Policy 6.8 Land use and infrastructure should be integrated to avoid as much as practicably possible:

- a) Constraints through the lack of supporting infrastructure;*
- b) Unsustainable demands being placed on infrastructure to meet new growth;*
- c) Significant adverse effects on existing land uses.*

1.2.5 Local Policies, Plans and Strategies

Te Whanaketanga Te Tai Poutini West Coast 2050 Strategy

Te Whanaketanga is a collaborative document developed by Development West Coast, West Coast Councils and Poutini Ngāi Tahu. It sets out key strategic directions for the West Coast around economic development, regional identity and stronger communities.

Greymouth CBD Redevelopment Plan

The Greymouth CBD Redevelopment Plan was developed through a community consultation process and is supported by Māwhera Incorporation, the major landowner in the town. The Plan outlines a spatial approach to revitalisation of the Greymouth CBD – recognising that the current zoning and land uses were developed for a different economic time, and no longer meet the needs of the Greymouth community.

There are a wide range of recommendations and actions in the CBD Redevelopment Plan across a range of areas. Some are significant in terms of input to the development of the proposed TTPP Commercial and Mixed Use zoning and other provisions in the for Greymouth.

The Port Area is recognised as a key location adjacent to the Greymouth CBD. Relevant actions for this area include:

- Developing design guidelines that reflect the culture and history of the area
- Looking at planning incentives for repurposing, new build and activation of vacant sites and buildings
- Promoting adaptive re-use of existing or special character buildings and structures
- Ensuring the transport provisions align with the urban design goals – including supporting walking and cycling within the town, providing for cycle parking and reviewing carparking requirements

Some of these matters are also addressed in other sections of the proposed TTPP (e.g. Residential Zones, Historic Heritage and Sites and Areas of Significance to Māori).

Westport Revitalisation Plan

The Westport Revitalisation Project defines challenges and opportunities for Westport's town centre and waterfront and sets a direction to transform Westport. Key to the plan is economic revitalisation – making Westport a more appealing place to live. The disconnection of the town from the Kawatiri-Buller River and waterfront is identified as a key issue to resolve. As part of this a new footbridge linking the town to the river, over the rail-lines has been developed. This will link to the Kawatiri Coastal Trail. The port area touches on the edge of the area focussed for redevelopment and linkages between the two are envisaged.

1.2.6 Poutini Ngāi Tahu Iwi Management Plans

The RMA requires that when preparing a District Plan, the territorial authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)). There are three iwi management plans on the West Coast – the Te Rūnanga

o Makaawhio Pounamu Management Plan, the Ngāti Waewae Pounamu Management Plan and the Lake Māhinapua Management Plan.

While these documents focus on specific issues they also contain wider information about the overall approach to sustainability and kaitiakitanga of resources and Poutini Ngāi Tahu values. Natural landscapes may have cultural values such as pā, kāinga, ara tawhito (traditional trails), pounamu, mahinga kai, and wāhi ingoa (place names). The traditions of Ngāi Tahu tūpuna (ancestors) are embedded in the landscape.

1.2.7 Other Relevant Regulation

Of particular relevance to Port Westport and Port Greymouth is the Port Companies Act Section 21 (2) which sets out the status of areas within the Port.

Other legislation and regulations which are relevant to the Airport, Hospitals, Stadium and Port Zones and have been taken into account in reviewing and preparing the zone-specific provisions include:

- Airport Zone: Civil Aviation Act 1990.
- Hospital Zone: Health Act 1956, New Zealand Public Health and Disability Act 2000.
- Port Zone: Hazardous Substances and New Organisms Act 1996, Health and Safety at Work Act 2015, Maritime Transport Act 1996.
- Stadium Zone: Reserves Act

2.0 Resource Management Issue and Analysis

2.1 Background

Airport Zone

The Hokitika and Westport Airports, Greymouth and Karamea Aerodromes and Franz Josef Heliport are major strategic infrastructure assets and facilities for the West Coast/Te Tai o Poutini. Hokitika and Westport Airports are key entry points along with Greymouth and Karamea Aerodromes and Franz Josef Heliport play a significant role in facilitating access, trade, tourism and economic activity locally, regionally and nationally.

These facilities contain critical infrastructure assets such as runways, aprons, aircraft hangers and carparking areas. They contain operations including Air Ambulance services, refuelling services and navigational aids. They also have areas of land and buildings to serve commercial tenants.

In the case of Hokitika Airport, there is significant land available, and airport development plans include:

- a. Potential runway extensions to accommodate ATR airplanes
- b. Potential light industrial activities
- c. Potential commercial activities.

Franz Josef heliport is located very close to the Franz Josef town centre. As the busiest heliport in New Zealand, there are existing issues with its impact on amenity values – principally from noise but also from odour of aviation gas fumes.

Franz Josef heliport is also subject to existing flood hazards and is at increased threat from aggradation of the Waiho River Bed. It is also near to the Alpine Fault. Relocation may be required in the medium – long term.

Westport Airport is subject to existing coastal hazards and is at increased threat from climate change. Relocation will be required in the medium – long term.

Karamea Aerodrome does not currently have any height controls, but this has become an issue for safe operation of the aerodrome – particularly with vegetation extending into the flight path.

Reverse sensitivity for noise is a major issue for all airports and any new zoning needs to consider this. As part of developing the noise provisions for the proposed TTPP noise contours for all four airports have been calculated that allow for growth in flight numbers and aircraft type. These are discussed further in the Noise s32 report.

Hospital Zone

The Hospital Zone applies to the three public hospitals that are located on the West Coast/Te Tai o Poutini. It also applies to major medical centres and aged care facilities. Te Nikau, Grey Hospital and Health Centre is the main public regional hospital and is located in Greymouth/Māwhera. It provides a range of services that are essential to the social wellbeing and health for people and communities throughout the West Coast/Te Tai o Poutini. Te Rau Kawakawa/Buller Health Hospital and Reefton Hospitals provide a range of hospital and health services for the communities within the Buller District.

There are also medical centres at Fox Glacier/Weheka, Franz Josef/Waiiau, Haast, Harihari, Hokitika and Karamea and aged care facilities in Westport/Kawatiri, Greymouth/Māwhera and Hokitika included within the zone.

The sites on which the hospitals are located are predominantly characterised by bulky buildings with large footprints. These buildings tend to generate higher volumes of passenger vehicle traffic compared with typical residential or business activities and as a result, have large areas of sealed parking. Signage is important for wayfinding and providing information about hospital facilities and lighting is important for wayfinding and safety. Sporadic noise is generated from ambulance sirens and helicopters.

Flexibility for medical facilities to develop, upgrade, expand and adapt is important. Some of the facilities run 24 hours per day and have special operational needs and environmental effects. There is a need to provide for a degree of operational flexibility, subject to environmental considerations, while ensuring neighbouring communities are aware of what is anticipated within the zone.

As well as providing for public health care services, hospital sites are utilised for many health education and training programmes and non-clinical support service activities that are ancillary to the hospital's functions. The ongoing operation of these combined services are vital for the health and well-being of the community.

Emergency services provided for within the zone can create numerous temporary and sporadic environmental effects, but also require the site to be free from nuisances such as electrical interference.

It also needs to be acknowledged that there will be periods of time during the day and/or night where greater levels of noise emissions will be generated during emergency situations by land and air traffic. These intermittent and short-term noise events are to be expected in the vicinity of a working hospital.

The activities within the Ti Nikau and Te Rau Kawakawa Hospitals operate 24 hours a day, seven days a week, and it is important that the car parking area and the buildings are well lit. However, lightspill on to neighbouring properties can be a nuisance and an adverse environmental effect. Lightspill can also cause a hazard to transportation networks, including to aircraft, vehicles, trains, cyclists and pedestrians.

Reefton Hospital is surrounded by residential areas, with a high level of residential amenity, with extensive established vegetation in the neighbouring area. Residents would be exposed to very low levels of non-residential noise, as there are no after hours activities on the site. The large site relative to the size of the community means there is ample opportunity for redevelopment, with the site well able to absorb change.

Te Rau Kawakawa Hospital is adjacent to Buller High School and very close to the Pulse Energy Recreation Centre but the rest of the surrounding area is also residential. The site is currently being redeveloped. Further redevelopment in the future may well occur. There is a high level of residential amenity in the area, particularly west of Derby Street. There are also significant flooding risks in the area.

Ti Nikau Hospital is located adjacent to the Greymouth South commercial area with SH6 South, separated by a large dual carriageway from the more extensive residential areas opposite. The new, larger hospital building is set back behind commercial activities away from the residential area, and is well located to minimise any impact on residential amenity.

Port Zone

Westport and Greymouth Ports are the major ports on the West Coast/Te Tai o Poutini. They are significant connections to the rest of New Zealand/Aotearoa as well as providing the bases for the West Coast/Te Tai o Poutini fishing fleet.

Flexibility for the ports to develop and adapt is important. The ports have special operational needs and environmental effects and there is a need to specifically address those needs and effects in order to provide for a degree of operational flexibility subject to environmental considerations.

Essentially the Port activities are a type of heavy industrial land use. General port operations include cargo handling, fishing fleet operations, towage, pilotage and line handling, storage and warehousing. These activities are supported by a range of services including logistics, port infrastructure and port security. There are also marinas associated with Westport and Greymouth ports.

The Ports are vital transport links for the West Coast and key elements of economic resilience. The tenuous nature of transport links from the Coast, especially following significant adverse weather means that it is vital for commerce on the West Coast to have a resilient transport network that can rely on continued market access in the event of road and rail closure to the East Coast.

The road and rail links to the Ports are a key element of resilience and accessibility to support port function.

Greymouth Port has the only slipway and registered maintenance facility between Nelson and Bluff, and as such also supports marine maintenance facilities. Greymouth Port also has fuel storage facilities associated with it.

Both Greymouth and Westport are currently the subject of revitalisation and redevelopment initiatives aimed at supporting their town centres. These initiatives have identified the significance of the land around the ports to these efforts.

While there are already some walking links, there is significant potential to expand the public access to the Ports, provided this does not affect Port function. Worldwide – and in New Zealand, port areas have become significant features for the enjoyment of locals and visitors alike. The West Coast Wilderness trail passes through the Greymouth Port area, which also contains a range of heritage buildings and structures.

Ports can be noisy, dusty and smelly places and also can operate at night times. While good environmental standards are required, there are some types of activities which are less compatible with their function – particularly residential development.

Stadium Zone

The Westland Recreation Centre in Greymouth and the Pulse Energy Events Centre in Westport are the two main stadia on the West Coast.

The Pulse Energy Centre is located within a residential area on a 1.9ha site – but is part of a wider cluster of community facilities (Te Rau Kawakawa/Buller Health Hospital, McDonald Park, Westport Early Learning Centre and Buller High School). Pakington and Henley Streets already have been adapted to provide for the high level of community use of the facility.

Westland Recreation Centre is also located in a Residential Zone. It incorporates the Westurf Hockey Stadium and is on a 4 ha site adjacent to the Greymouth High School and has roads fronting 3 sides. High Street and Shakespeare Street are both significant roads for traffic. The site is across the road from the Greymouth South Commercial Area. There are also a number of accommodation facilities found in the nearby residential areas.

The two stadia are large-scale complexes with a range of activities. Therefore, the flexibility to develop and adapt is important. However, the size and complexity of these facilities can make it difficult to accommodate them under normal district plan provisions and zones.

The intention is that the stadia will continue to be used for this purpose, together with other complementary activities. It is not contemplated that land use at the sites will change fundamentally.

The stadia and their associated activities have the potential for visual, light spill, noise and traffic effects that may impact on surrounding land uses. The effects of activities within the area must be carefully managed to ensure that there are no adverse impacts on the rest of the city. Activities permitted within the Stadium Zone are limited to those clearly associated with the operation and function of the stadium, or that make use of the stadium facility itself.

A key issue for ensuring effective function of the stadia is the ability to have evening events and this is a key point of tension with the surrounding residential area.

Both sites are currently designated by their respective district council owners, Grey District Council and Buller District Council.

Key provisions in the current Designations for the two facilities are as follow:

Pulse Energy Recreation Centre	<ul style="list-style-type: none"> • Hours of operation: Stadium and Indoor Facilities 6am – 1am the following day, amplified music cease by midnight; • Hours of operation: Outdoor Hockey Field 8am -10pm • Light Spill not to exceed 10 lux measured 2m inside the boundary of the adjacent site • Noise levels as a result of outdoor activities – measured at any residential boundary Mon – Sun 8am – 10pm 55dBA L10, 70dBA Lmax, at all other times incl. public holidays 45dBA L10 70dBA Lmax • Site and buildings not to be used for commercial advertising • Earthy colours on exterior of all buildings and structures on the site • Landscaping including large trees to mitigate bulk of buildings
Westland Recreation Centre	<ul style="list-style-type: none"> • Hours of operation • Noise limits • Activities

2.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

2.2.1 Research

The current District Plans have been reviewed, technical advice and assistance from various internal and external experts has been commissioned and utilised, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Te Tai o Poutini Plan – Technical Update: Special Purpose Zones Approach. Report to Te Tai o Poutini Plan Committee 13 August 2020
Author	Lois Easton
Brief Synopsis	Discusses issues around Special Purpose Zones and recommends the inclusion of a range of Special Purpose Zones for inclusion within Te Tai o Poutini Plan
Link to Document	https://tppp.nz/wp-content/uploads/2022/01/Te-Tai-o-Poutini-Plan-Committee-Agenda-13-August-2020.pdf

Title	Te Tai o Poutini Plan – Technical Update: Port and Hospital Special Purpose Zones Objectives and Policies Report to Te Tai o Poutini Plan Committee November 2020
Author	Lois Easton
Brief Synopsis	Discusses issues around the Ports and Hospitals and includes draft Objectives and Policies for review by the Committee.
Link to Document	https://tppp.nz/wp-content/uploads/2020/11/TTPP-Agenda-13-November-2020.pdf

Title	Te Tai o Poutini Plan – Technical Update: Stadium and Future Urban Special Purpose Zones Objectives and Policies Report to Te Tai o Poutini Plan Committee December 2020
Author	Lois Easton
Brief Synopsis	Discusses issues around the Stadia and Future Urban Zones and includes draft Objectives and Policies for review by the Committee.
Link to Document	https://tppp.nz/wp-content/uploads/2020/12/TTPP-Agenda-14-December-2020-1.pdf

Title	Te Tai o Poutini Plan – Technical Update: Special Purpose Zones Airport Zone Objectives and Policies Report to Te Tai o Poutini Plan Committee January 2021
Author	Lois Easton
Brief Synopsis	Discusses issues around the Airports and includes draft Objectives and Policies for review by the Committee.
Link to Document	https://tppp.nz/wp-content/uploads/2021/01/TTPP-26-January-2021-Agenda.pdf

Title	Te Tai o Poutini Plan – Technical Update: Port Zone Rules Report to Te Tai o Poutini Plan Committee February 2021
Author	Lois Easton
Brief Synopsis	Discusses issues around the Ports and includes draft Rules for review by the Committee.
Link to Document	https://tppp.nz/wp-content/uploads/2021/02/TTPP-Agenda-23-February-2021.pdf

Title	Te Tai o Poutini Plan – Technical Update: Hospital Special Purpose Zone Draft Rules Report to Te Tai o Poutini Plan Committee 5 May 2021
Author	Lois Easton
Brief Synopsis	Discusses issues around the Hospitals and includes draft Rules for review by the Committee.
Link to Document	https://tppp.nz/wp-content/uploads/2021/05/Agenda-TTPP-Committee-25-May-2021.pdf

Title	Te Tai o Poutini Plan – Technical Update: Airport Zone Draft Rules Report to Te Tai o Poutini Plan Committee 5 May 2021
Author	Lois Easton
Brief Synopsis	Discusses issues around the Hospitals and includes draft Rules for review by the Committee.
Link to Document	https://tppp.nz/wp-content/uploads/2021/05/Agenda-TTPP-Committee-25-May-2021.pdf

Title	Te Tai o Poutini Plan – Technical Update: Stadium Zone Draft Rules Report to Te Tai o Poutini Plan Committee 2 September 2021
Author	Lois Easton
Brief Synopsis	Discusses issues around the Stadia and includes draft Rules for review by the Committee.
Link to Document	https://tppp.nz/wp-content/uploads/2021/09/TTPP-Agenda-2-September-2021.pdf

Title	Te Tai o Poutini Plan – Technical Update: Jackson Bay Port Zoning Provisions September 2021
Author	Lois Easton
Brief Synopsis	Discusses Jackson Bay Port and that it is not appropriate for inclusion in the Port Zone. Recommends specific controls for Jackson Bay Port.
Link to Document	https://tppp.nz/wp-content/uploads/2021/09/TTPP-Agenda-2-September-2021.pdf

2.2.2 Consultation and Engagement

Te Tai o Poutini Plan has been the subject of significant consultation and community engagement. Within that, the issues around urban areas and settlements have been the subject of targeted consultation alongside the overall TTPP consultation and engagement process.

This commenced in 2019 with the identification of development stakeholders on the West Coast – local surveyors and planning firms, infrastructure providers, Development West Coast, Māwhera Incorporation, Regional Public Health and local businesses.

Numerous one on one meetings were held with individual stakeholders during the Plan drafting, with multi-stakeholder workshops also held.

Specific meetings and workshops held were:

Plan Development Phase

19 October 2019 – Westland growth and development workshop

20 October 2019 – Grey growth and development workshop

20 and 21st November 2019 – Buller growth and development workshops

18th March 2020 – Hokitika public meeting (general community)

19 March 2020 - Hokitika and Greymouth town centre drop ins and Greymouth public meeting (general community)

22 September 2020 – Westport public meeting (general community)

24 September 2020 – Reefton drop in and public meeting (general community)

Draft Plan Consultation Phase

22 February 2022 – multi-stakeholder infrastructure provider workshop

24 February 2022 – multi-stakeholder developer and professional services interests

21 February 2022 – Westport community public meeting (general community)

22 February 2022 – multi-stakeholder infrastructure provider workshop

22 February 2022 – Hokitika community drop in (general community)

24 February 2022 – multi-stakeholder developer and professional services interests

24 February 2022 – Greymouth community drop in (general community)

11 April 2022 – Hokitika public meeting (general community)

12 April 2022 – Greymouth public meeting (general community)

13 April 2022 – Westport public meeting (general community)

The draft TTPP was released for public feedback in January 2022 and there was some feedback provided on the Port – Airport – Stadium and Hospital Zone Chapters. This chapter was amended following feedback as outlined in a report to the Committee on 29th March 2022.

Title	Te Tai o Poutini Plan: Technical Report Feedback on the Draft Plan: Report to Te Tai o Poutini Plan Committee 29 March 2022
Author	Lois Easton
Brief Synopsis	This report brings the feedback on the draft Plan and recommends amendments to the Plan in response to that feedback.
Link to Document	https://tppp.nz/wp-content/uploads/2022/03/TTPP-Agenda-29-March-2022.pdf

Schedule 1 Pre-notification consultation

The RMA requires councils to undertake pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of a proposed district plan. These parties include:

- the Minister for the Environment;
- those other Ministers of the Crown who may be affected by the proposed plan;
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities.

As a result of this consultation, written feedback was received from Department of Conservation, Department of Internal Affairs, Te Rūnanga o Ngāi Tahu and the Ministry for the Environment.

No specific feedback was provided on the Port, Airport, Stadium or Hospital Zones topic.

2.2.3 Iwi Authority Advice

Te Rūnanga o Ngāti Waewae and Te Rūnanga o Ngāti Mahaki ki Makaawhio are the two papatipu rūnanga on the West Coast. They are collectively known as Poutini Ngāi Tahu. They have provided advice around their expectations in relation to regionally significant infrastructure such as the ports and airports and have supported their recognition in special purpose zones. They have sought that TTPP provisions recognise cultural landscapes and cultural values associated with the facilities. Greymouth Port falls within an area of significance to Poutini Ngāi Tahu as it is in close proximity to Māwhera Pa.

2.3 Operative District Plan Provisions

2.3.1 Buller District Plan

Westport Port

The Buller Plan has a range of specific provisions for the Westport Port. A specific Port Zone is in place.

The relevant Objectives and Policies are:

Objective 4.2.5.1. To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects

Objective 4.2.5.2. To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.

Policy 4.2.6.4 The importance of Westport Airport, the Port of Westport and the railway network as communications links shall be recognised by ensuring the safe and efficient operation of these resources is not jeopardised by the effects of surrounding land use activities.

Previously the port area had been zoned industrial, however the Port Zone was introduced via a Plan Change.

Zone standards within the Port Zone are similar to the Industrial Zone, but the provisions allow for taller buildings (to 35m), recognise reverse sensitivity effects on the port, as well as manage specific port-related environmental effects such as dust and odour.

Provisions for Port related activities are also made within the Rural Zone – with commercial activities on the surface of the Buller River being provided for as a Permitted Activity.

Westport Airport

The Westport Airport is included within the Rural Airport Zone of the Buller Plan.

The relevant Objectives and Policies are the same as for the Port:

Objective 4.2.5.1. To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects

Objective 4.2.5.2. To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.

Policy 4.2.6.4 The importance of Westport Airport, the Port of Westport and the railway network as communications links shall be recognised by ensuring the safe and efficient operation of these resources is not jeopardised by the effects of surrounding land use activities.

The Rules within the Rural Airport Zone provide for the following permitted activities:

- Network utilities
- Any activity that is permitted or controlled in the Rural Zone which meets the following performance standards
 - Buildings are not for assembly designed for 15 or more people with the following performance standards:
 - 10m setback from road
 - 1.5m setback from other boundaries
 - Maximum 2 dwellings/site
 - Maximum ground floor area 500m²
 - Maximum height of buildings, structures, masts and trees is 1.2m (effectively meaning that no building would meet Permitted Activity standards)

Where a building or structure exceeds the 1.2m height limit it is a non-complying activity.

Karamea Airport

There are no specific provisions within the operative Buller District Plan for Karamea Airport – it is zoned Rural Zone and not mentioned in the Plan.

Pulse Energy Events Centre

This lies within the Residential Zone, however the site is subject to a Designation from the Buller District Council.

Hospitals, Rest Homes and Medical Centre

The Buller Health Hospital site is zoned Residential Zone, however the site is subject to a Designation. Reefton Hospital and Karamea Medical Centre is also zoned Residential Zone. O'Connor Memorial Home is zoned Rural Zone. There are no specific provisions for them within the operative Buller District Plan other than minimum carparking requirements.

2.3.2 Grey District Plan

Greymouth Port

The Greymouth Port is not specifically zoned within the Operative Grey District Plan, however there are objectives and policies that refer to it. At the time of the Grey District Plan being developed, there was some doubt about the long term viability of the Greymouth Port, due to the ongoing need for dredging. As a consequence there is policy supporting development of an alternative location, as well as policy supporting the existing port operation.

Relevant objectives and policies are as follow:

Objective 12.3.1 The operation of transport infrastructure in a manner that avoids, remedies or mitigates adverse effects.

Objective 12.3.2 The safe and efficient use of the District's transport infrastructure.

Objective 20.3.1 The efficient use of commercial and industrial areas including the port area, to serve the needs of the District in a manner that maintains a standard of amenity appropriate to the area and which will not compromise the amenity of adjoining areas

Policy 12.4.4 To consider the development of alternative port facilities if constraints on the existing Greymouth port cannot be overcome.

Policy 7.4.1 Development, use or subdivision affecting the natural character of the coastal environment shall have particular regard to the following:

- a) *The extent of existing and likely potential modification as a result of human presence in the area, such as port development and operation.....*

Policy 20.4. 5 Public use of the port area and adjoining land, including the floodwall for recreational and tourism purposes should be allowed where there is not conflict with port related activities.

Policy 20.4.7 Further industrial areas, particularly for the port should not be compromised by activities that could preclude use of that space.

The Port itself is zoned Industrial Environmental Area and the Rules do not provide specifically for any port related activity.

Hospital, Rest Homes and Medical Centres

The Hospital and other health facilities are not referred to within the Operative Grey Plan. The hospital is zoned Commercial Environmental Area, but is subject to a Designation. Dixon House and Granger House rest homes are zoned Residential Environmental Area.

Greymouth Aerodrome

The following objectives and policy are relevant to the Greymouth Aerodrome.

Objective 12.3.1 The operation of transport infrastructure in a manner that avoids, remedies or mitigates adverse effects.

Objective 12.3.2 The safe and efficient use of the District's transport infrastructure.

Policy 12.4.5 Development in the vicinity of the Greymouth aerodrome should not compromise flight paths and take steps to mitigate the adverse effects of aircraft noise.

The Aerodrome itself is zoned Rural Environmental Area. Outside of the Aerodrome Flight Protection Area, the Rules do not specifically provide for any airport related activity. It is subject to a Designation from the Grey District Council.

Westland Recreation Centre

The Westland Recreation Centre is not specifically provided for within the Operative Grey Plan provisions. It is within the Residential Environmental Area and subject to a Designation from the Grey District Council. The designation however is an old one and has limited reference to the current uses of the site.

2.3.3 Westland District Plan

Hokitika Airport and Franz Josef Heliport

The Hokitika Airport is zoned Rural Zone and the Franz Josef Heliport is zoned General Flood Hazard Area. There are no specific objectives or policies which apply to these facilities but both the Hokitika Airport and Franz Josef Heliport are Designated by the Westland District Council.

There is an Airport Protection Zone which puts in place height controls to project the Hokitika Airport flight paths.

Westland Health Centres and Rest Homes

These are not identified in the Operative Westland District Plan and there are no specific provisions that apply. In Hokitika the Plymouth Court Rest Home is zoned Residential Zone and the Hokitika Health Centre is zoned Commercial Core Zone. The Franz Josef and Haast Medical Centres are zoned Tourist Zone.

2.4 Analysis of Best Practice – How Other Councils are Addressing the Same Issue

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans. These plans were selected because they have been subject to recent plan changes / reviews that have addressed similar issues; and they have hospitals, airports, ports or special facilities that require unique zoning provisions.

- Partially Operative Auckland Unitary Plan
- Christchurch District Plan (Operative 2017)
- New Plymouth Proposed District Plan (Notified 2019)
- Hamilton District Plan
- Dunedin City Proposed District Plan (Appeals version 2019)

These plans were selected because they have been subject to recent reviews that have addressed the management of major, large-scale institutions and facilities that contribute to the social, cultural and economic wellbeing of their respective communities.

In summary, the key findings of this review are:

- Existing, large-scale educational, recreational, healthcare, research, port and airport related activities and associated facilities are specifically identified and recognised in the plans reviewed.
- Specific objectives and policies are included in each of the plans which: - Provide for a wide mix of activities related to the major, large-scale institutions and facilities identified. - Enable the efficient, ongoing use and development of these activities and associated facilities. - Ensure that the adverse effects of these activities and any future development on adjacent sensitive receiving environments is appropriately managed.
- Preparation of facility specific plans is encouraged in one of the plans reviewed (Hamilton City District Plan) as a means of providing greater certainty as to the nature and scale of on-site development anticipated.
- An enabling framework of associated rules is included in each of the plans that makes general provision for major, large-scale institutions and facilities and related activities as follows:

- Permitted/Controlled (subject to meeting specified standards) – specifically identified facilities and associated ancillary/support activities; new buildings and maintenance/repair/alteration/demolition of or addition to existing buildings; parking/loading/access.
- Restricted Discretionary – activities that do not comply with permitted activity standards; new buildings or additions to/alteration of existing buildings that do not comply with permitted activity standards.
- A range of specifically tailored standards covering such matters as: signs, hazardous substance storage, light spill/glare, noise, carparking/loading, outdoor storage, earthworks, fencing, maximum building height/height recession, site coverage, setbacks, boundary treatment/landscaping, subdivision.
- Specific criteria to guide the assessment of activities and development requiring a resource consent.

2.5 Summary of Issues Analysis

A summary of the key findings for the Port – Airport – Stadium - Hospital topic follows:

- Generally, plans allow for flexibility for expansion of healthcare and stadium type activities within the boundaries of their own site with few restrictions other than limits on ancillary type activities relating to retail and bulk and location standards for height and setbacks.
- Hospital, Stadium and Airport Zones also include ancillary type activities and are managed with permitted activity standards to limit their size, especially retail activities. These often escalate to restricted discretionary or discretionary activities where compliance with the permitted standards is not achieved.
- Consideration for amenity values of surrounding land uses is provided through setbacks, height recession planes and planting along road frontages permitted activity standards.
- The use of special zones for large scale/special industries allowed potentially compatible activities to locate within the zone as permitted activities, and in some circumstances a 'second' underlying zone was assigned to the special zone to allow for land use flexibility if the zone was no longer required as a special zone for a particular purpose.

3.0 Scale and Significance Evaluation

The level of detail undertaken for the evaluation of the Proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of these provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions.

	Minor	Low	Medium	High
Degree of change from the Operative Plans				x
Effects on matters of national importance (s6 RMA)		x		
Scale of effects – geographically (local, district wide, regional, national)			x	
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)		x		
Scale of effects on those with particular interests, e.g. Tangata Whenua			x	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		x		
Likelihood of increased costs or restrictions on individuals, businesses or communities		x		

3.1 Explanation Summary

In summary:

- The proposed zones align with the direction set in that National Planning Standards.
- The proposed zones are specifically tailored to major transport/logistic, recreation and healthcare related activities and associated facilities. This represents a departure from the current approach in the Operative District Plans.
- The Airport, Hospital, Stadium and Port Zones contain special features and cultural values that have national importance under section 6 of RMA.
- The proposed zones will largely have a localised effect, with those predominantly affected by the provisions being facility operators and adjacent landowners. However, as many of these sites contain natural and/or cultural features or values of importance to tangata whenua, their interests in this regard are also likely to be affected by the zone provisions.
- The changes are consistent with approaches adopted in other second-generation District Plans produced elsewhere around New Zealand
- The changes could result in reduced compliance costs for facility owners/operators due to a potential reduction in the number of consents required. Equally, they could also lead to greater land use/development flexibility due to the tailored, site specific nature of the provisions proposed.

Overall, it is considered that the scale and significance of the proposal is low-medium. Given this, the level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of the Airport, Hospital, Stadium and Port Zone provisions.

4.0 Evaluation

4.1 Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Objectives	Appropriateness to Achieve the Purpose of the Act
<p>Option A: Status Quo</p> <p>Buller District Plan Objectives:</p> <p><i>Objective 4.2.5.1. To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects</i></p> <p><i>Objective 4.2.5.2. To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.</i></p>	<p>The existing objectives fail to address the resource management issues relevant to the airport, hospitals, stadium and port zones.</p> <p>In particular they do not specifically recognise or address the specialised nature of major, large-scale transport/logistics and healthcare related facilities and associated activities located on the West Coast, or that their associated effects may differ from those that typically occur in the areas in which they are located.</p> <p>Consequently, the current framework of objectives provides insufficient direction and guidance to decision makers regarding the intended outcomes and specific activities and effects to be managed in relation to these facilities.</p>
<p>Grey District Plan Objectives:</p> <p><i>Objective 12.3.1 The operation of transport infrastructure in a manner that avoids, remedies or mitigates adverse effects.</i></p> <p><i>Objective 12.3.2 The safe and efficient use of the District's transport infrastructure.</i></p> <p><i>Objective 20.3.1 The efficient use of commercial and industrial areas including the port area, to serve the needs of the District in a manner that maintains a standard of amenity appropriate to the area and which will not compromise the amenity of adjoining areas</i></p>	<p>The contribution that these facilities make towards the social, cultural and economic wellbeing of the district, or the health and safety of its residents, is not expressly recognised.</p> <p>The lack of clearly expressed outcomes for these facilities also creates ambiguity and uncertainty. This reduces the utility of the objectives and could lead to unintended environmental and economic consequences. This, in turn, could impose unreasonable costs on facility owners and operators, as well as unanticipated remedial costs on the wider community if facility specific effects are inappropriately managed.</p>
<p>Westland District Plan Objectives: N/A</p> <p><i>3.4.2 To ensure that activities located adjacent to infrastructure resources do not adversely affect the safe and efficient use of those resources.</i></p>	<p>The current suite of objectives also fail to give effect to the specific policy direction in the RPS relating to the safe and efficient operation of regionally significant infrastructure. In light of the above the existing objectives are not considered appropriate in achieving the purpose of the RMA in relation to the management of the airports, hospitals, stadia and ports.</p>
<p>Option B: Proposed TTPP Objectives:</p> <p>Airport Zone:</p> <p><i>AIRPZ – O1 To support the continued operation, maintenance and upgrading of the Hokitika and Westport Airports, Greymouth Aerodrome as critical infrastructure and recognizing the</i></p>	<p>The purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being.</p>

contribution they make to the economic and social wellbeing and health of communities of the West Coast/Te Tai o Poutini

AIRPZ – O2 To ensure that Franz Josef (Glacier Country) Heliport and Karamea Aerodrome continue to operate as significant tourism and industry infrastructure.

AIRPZ – O3 To manage the potential reverse sensitivity effects on the airports and heliports in the AIRPZ - Airport Zone by providing noise contours and requirements for mitigation of these effects during subdivision and development.

AIRPZ – O4 To ensure that the airport and related activities within the AIRPZ - Airport Zone maintain an acceptable level of noise amenity that recognises the inherent airport/heliport function, alongside the need for general amenity, for those using the airports/heliports and living adjacent to them.

Port Zone

PORTZ – O1 Manage the West Coast/Te Tai o Poutini ports to sustain their current and future potential use and development.

PORTZ – O2 Minimise effects of port activities on areas beyond those used for port activities, including adverse effects on the adjacent coastal marine area.

Hospital Zone

HOSZ – O1 To ensure the safe and efficient operation, maintenance, upgrading and expansion of the West Coast/Te Tai o Poutini hospitals, medical centres and aged care facilities.

HOSZ - O2 To recognise the scale, form, nature and use of development at the Te Nikau Grey Hospital, Reefton Hospital and Buller Integrated Health Facility sites. These sites are characterised by:

- 1. Large scale grounds and buildings which accommodate major healthcare activities and ancillary support activities;*
- 2. A range of scales of buildings; and*
- 3. A spacious and open environment*

Stadium Zone

Under section 7(b), (c) and (f) of the RMA, this includes the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment.

The airport, hospitals, stadia and ports are significant resources on the West Coast. Specific zoning and associated provisions for these resources will enable them to be used efficiently, e.g. having flexibility to develop and adapt, standard operational activities being able to operate without resource consent.

These efficiencies will contribute to economic well-being. Ensuring that these resources are designed in a way that respects their surrounding environments, particularly the hospitals and ports which are next to residential areas, and incorporating mātauranga māori principles where possible, will help to maintain and enhance amenity values and the quality of the environment. In turn this will help people and communities to provide for their social and cultural well-being.

The objectives specifically and clearly set out the outcomes anticipated for the Airport, Hospital, Stadium and Port Zones, and address the resource management issues identified by specifically recognising the national, regional and local contribution they make to social and economic well-being, and that they have unique operational requirements.

The objectives also balance the requirements of these facilities with the need to ensure that any corresponding adverse effects on the environment are appropriately managed and, conversely, that their operation is not unduly compromised by incompatible activities or those that might generate reverse sensitivity effects, the latter of which will be managed through provisions applying across the district or within relevant adjoining zones (e.g. Residential).

<p><i>STADZ – 01 To enable efficient and effective operation of the stadia in the STADZ - Stadium Zone</i></p> <p><i>STADZ – 02 Land use development and activities are designed and operated to:</i></p> <ul style="list-style-type: none"> <i>a. Provide a good standard of on-site amenity for visitors; and</i> <i>b. Maintain and enhance the amenity of surrounding areas as far as is practicable.</i> 	
Evaluation of Alternative Options	Appropriateness to Achieve the Purpose of the Act
Do not define expectations for the airport, stadia, hospitals and ports	This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected. It would also fail to properly recognise the regionally important role these facilities play and the contribution they make to the economic and social well-being of the districts and region. This option would also fail to properly cater for the special operational and functional needs of these major, transport/logistics, stadium and healthcare related facilities.
<p>Summary</p> <p>The proposed objectives achieve the purpose of the RMA as they recognise the social and economic contribution that the airports, hospitals, stadia and ports make at a national/regional/local level and reflect clear statements of intent regarding their ongoing use and development. They align with the direction set in the National Planning Standards. The proposed objectives also provide certainty as to the outcomes anticipated under the Proposed District Plan provisions and align with contemporary planning practice applied elsewhere throughout New Zealand.</p>	

4.2 Evaluation of Policies, Rules and Methods

4.2.1 Description of the Provisions

Strategic Objectives

The applicability/relevance of all the proposed Strategic Objectives will need to be considered for all development proposals requiring resource consent under the Proposed TTPP. Of particular relevance to the Airport, Hospital, Stadium and Port Zones are the following proposed Strategic Objectives:

CR - 01 To build greater resilience in West Coast/Te Tai o Poutini communities and infrastructure, recognising the effects of climate change and the need to adapt to the changes associated with those effects.

CR - 02 To enable and protect the continued function and resilience of critical infrastructure and connections and facilitate their quick recovery from adverse events.

UFD - 01 To have urban environments and built form on the West Coast/Te Tai o Poutini that:

1. Are attractive to residents, business and visitors;
2. Have areas of special character and amenity value identified and their values maintained;
3. Support the economic viability and function of town centres;
4. Recognise the risk of natural hazards whereby new development is located in less hazardous locations;

5. Promote the re-use and re-development of buildings and land, including private and public land;
6. Support inclusivity and housing choice for the diversity within the community now and into the future;
7. Improve overall accessibility and connectivity for people, transport (including walking and cycling) and services
8. MPromote the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure and protection of critical infrastructure
9. Maintain the health and wellbeing of waterbodies, freshwater ecosystems and ereceiving environments and; and
10. Promote and enhance the distinctive character of the districts' towns and settlements.

Zoning Structure

Following the National Planning Standards framework, introduce Airport, Hospital, Stadium and Port Zones that specifically recognise and respond to the requirements of existing nationally, regionally or locally significant transport/logistic, stadium and healthcare facilities located on the West Coast.

Objectives and Policies

Objectives that:

- Recognise existing nationally or regionally significant major transport/logistic, stadium and healthcare facilities in the district.
- Ensure the operational and functional needs are provided for, while ensuring the adverse environmental effects of activities are avoided, remedied or mitigated.
- Ensure the facilities are not constrained or compromised by other activities.

A suite of policies that:

- Identify the role and function of each zone
- Identify the activities that are compatible, potentially compatible and incompatible with the zone and where, if appropriate, they can locate.
- Manage effects.
- Recognise where relevant/applicable sensitive activities, identified features and the coastal environment.
- Recognise the incorporation of mātauranga māori principles into the design, development and/or operation of activities in the Airport.

Rules

- Allow for specific special purpose activities as a Permitted Activity – ie Port Activities in the Port Zone, Airport Activities in the Airport Zone, Healthcare and Medical Activities in the Hospital Zone, and Stadium Activities in the Stadium Zone.
- Aside from the Hospital Zone, sensitive activities such as residential activities are not permitted within the zones.
- Allow for ancillary commercial activities only within the zones.
- Permitted Activity performance standards include matters such as:
 - Maximum building height
 - Maximum site coverage
 - Recession Planes
 - Maximum building length against a residential zone property
 - Maximum gross floor area
 - Minimum building setbacks
 - Stormwater management
 - Height limits within the Airport Flight Path Overlay.

Definitions

Provide for specific special purpose specific definitions: Port Activities, Airport Activities, Healthcare and Medical Activities and Stadium Activities.

4.2.2 Evaluation of Options

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting/not acting
<p>Option A: status quo</p> <p>Non-specific policies and standards in the Commercial, Industrial, Residential, and Rural Zones focused on managing a generic range of activities and associated effects in these areas</p>	<ul style="list-style-type: none"> Although not facility specific, the current plan provisions enable the effects associated with the operation and development of these major facilities to be generically managed. Facilities and Council staff are familiar with current provisions, resulting in reduced administrative costs. 	<ul style="list-style-type: none"> Provides an inadequate level of clarity and certainty to the community regarding the development aspirations of the facilities. Adequacy of rules and standards to effectively manage the activities and effects associated with the operation and development of major facilities, resulting in the unintentional triggering of resource consents Compliance costs associated with imposition of unessential restrictions on facility related use and development. Limited, non-facility specific range of assessment matters currently available, thereby constraining the scope of matters that Council can consider when processing a resource consent. Potential for less efficient use of existing major facility sites, including 	<ul style="list-style-type: none"> The existing rules and standards are largely ineffective as they fail to adequately recognise and explicitly respond to the operational requirements of each facility, including clearly identifying activities that are permitted as of right along with relevant thresholds that trigger the need for resource consent. This, in turn, offers reduced clarity and certainty to facility owners/ operators as well as the community more generally, and a less effective means of managing adverse effects, particularly on adjacent residentially or rurally zoned properties. It also fails to recognise the important functional contribution these facilities make to the district. This option is also an inefficient method of achieving the objectives as it is likely to result in less efficient use and development of these facilities and incur more operational and development related 	<p>The risk of acting is that the resource management issues relating to the facilities would continue to be inadequately addressed by this option, potentially resulting in these facilities being used and developed in a way that is inconsistent with their primary function and having an unintended negative impact on their surrounding environs</p>

		<p>land, buildings and associated infrastructure.</p> <ul style="list-style-type: none"> • Potential limitations on economic growth and employment opportunities due to retention of provisions that are unresponsive to the current and future operational and development needs/ demands of facility owners/operators. 	<p>compliance costs than the proposed approach.</p>	
<p>Option B: Proposed Plan</p> <ul style="list-style-type: none"> • Specific zones that recognise existing regionally significant transport/logistic, stadium and healthcare facilities, provide for their efficient, ongoing use and development and ensure any adverse effects are appropriately managed. • Facility specific standards tailored to the operational requirements of each site that manage the effects 	<ul style="list-style-type: none"> • Directly recognises and enables the continued, functional use of the sites for their primary purpose. • Provides facilities with increased flexibility to develop and adapt, thereby leading to improved efficiencies in land use. • Enables standard operational activities to be undertaken without the need to obtain resource consent. • Provides increased certainty and clarity to facilities regarding the nature and scale of onsite activity and development anticipated. 	<ul style="list-style-type: none"> • Adjacent residential/ rural property owners may be unreceptive due to the perceived adequacy of the approach to manage adverse effects (e.g. loss of neighbourhood amenity). 	<ul style="list-style-type: none"> • The proposed rules and standards are effective as they recognise the important functional contribution these facilities make to the district and explicitly respond to the operational and development requirements of each facility, including clearly identifying activities that are permitted as of right along with relevant thresholds that trigger the need for resource consent. This, in turn, offers increased clarity and certainty to facilities as well as the community more generally, and provides flexibility to enable these facilities to develop and adapt while ensuring that any impacts on adjacent areas are minimised. • The proposed option is also an efficient method of achieving 	<ul style="list-style-type: none"> • It is considered that there is sufficient information on which to base the proposed policies and methods. • The risk of not acting is that the operation and development of major facilities might be unduly restricted or additional compliance costs may be incurred.

<p>of associated activities and development (e.g. building height, noise, traffic).</p>	<ul style="list-style-type: none"> • Provides the community with increased certainty regarding the development aspirations of facilities. • Tailored rules, performance standards and assessment matters provide a clear framework to manage facilities and seek to strike a balance between efficient site development and avoiding or minimising adverse effects on neighbouring areas, particularly residentially zoned properties. • Potential reduction in time/cost to facility and Council of preparing and processing resource consent applications. • Potential to increase economic growth and employment opportunities through enabling managed expansion, including associated construction activities. 		<p>the objectives as the facility specific nature of the associated provisions (including related precincts) could result in reduced operational and development related compliance costs.</p>	
<p>Option C: Status quo + targeted regulatory refinements</p>	<ul style="list-style-type: none"> • Implicitly recognises the functional use of the sites. • Offers potential to provide facilities with a 	<ul style="list-style-type: none"> • Provides an inadequate level of clarity and certainty to the community regarding the development aspirations 	<ul style="list-style-type: none"> • This option would be partially effective in enabling facilities to respond to their operational and development requirements through more clearly 	<p>The risk of acting is that the resource management issues relating to major facilities would only be partially addressed by this option,</p>

<ul style="list-style-type: none"> Retention of the existing zoning framework and introduction of specific standards that reflect and align with the operational and development requirements of major facilities (e.g. height, carparking). 	<p>greater degree of flexibility to develop and adapt relative to the status quo, thereby leading to improved efficiencies in land use.</p> <ul style="list-style-type: none"> Could enable standard operational activities to be undertaken without the need to obtain resource consent. Tailored rules, effects standards and assessment matters would provide a clearer framework to manage facilities and seek to strike a balance between efficient site development and avoiding or minimising adverse effects on neighbouring areas, particularly residentially or rurally zoned properties. Potential reduction in time/cost to facility owners/operators and Council of preparing and processing resource consent applications. 	<p>of facility owners/operators.</p> <ul style="list-style-type: none"> Potential limitations on economic growth and employment opportunities as reliance on the existing zoning framework with more targeted standards may be insufficient to meet the current and future operational and development needs/ demands of facilities. Adjacent residential/ rural property owners may be unreceptive due to the perceived adequacy of the approach to manage adverse effects (e.g. loss of neighbourhood amenity). May afford insufficient protection of areas/sites of cultural significance to iwi located on facility sites. 	<p>identifying activities that are permitted as of right along with relevant thresholds that trigger the need for resource consent. This, in turn, has the potential to offer facilities and the community more generally with greater clarity and certainty, as well as greater flexibility for these facilities to develop and adapt. It is also partially effective in recognising the important functional contribution these facilities make to the district.</p> <ul style="list-style-type: none"> This option would also be a less efficient method of achieving the objectives as lack of provision for facility specific precincts could lead to less efficient use and development of these facilities and more operational and development related compliance costs being incurred than the proposed approach. 	<p>potentially resulting in these facilities being used and developed in a way that is inconsistent with their primary function.</p>
---	---	---	---	--

Quantification Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.

Summary:

The above table demonstrates that Option B is the most appropriate method to achieve the objectives relating to identified facilities on the West Coast. The existing regulatory approach to managing these facilities in the Operative District Plans are generic and lack sufficient specificity and clarity to effectively and efficiently address the major facility related resource management issues identified. Consequently, an alternative approach is proposed that more explicitly recognises the specialised nature of the facilities and their contribution to the district and wider regional/national economy, and enables more flexible use and development of existing facilities and associated activities while ensuring that any associated effects are appropriately managed. It is also one that gives clear effect to the National Planning Standards.

5. Summary

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that the proposed zones are the most appropriate option as:

- It aligns with the policy direction in the NZCPS regarding provision for activities that have a functional need to locate and operate in the coastal environment, as well as the RPS regarding the safe and efficient operation of regionally significant infrastructure.
- It aligns with the policy direction in the National Planning Standards because provision is made for separate zones that specifically recognise and respond to the requirements of existing nationally, regionally or locally significant transport/logistic, stadium and healthcare facilities located on the West Coast.
- Specific objectives and policies provide for the efficient, ongoing use and development of the zones and their associated activities, while ensuring that adverse effects on adjacent properties are appropriately managed.
- Rules, performance standards and assessment matters provide a clear framework to manage facilities and seek to strike a balance between efficient site use and development and avoiding or minimising adverse effects on neighbouring areas, particularly residentially or rurally zoned properties.

Overall, it is considered that the set of proposed provisions is the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent

Part Two Future Urban Zone

6.0 Overview and Purpose

This report contains a section 32 evaluation of the objectives, policies and methods relating to the Future Urban Zone in the Proposed Te Tai o Poutini Plan (TTPP). It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the TTPP development.

6.1 Introduction to the Resource Management Issue

While growth on the West Coast has been relatively slow, since the three Operative District Plans were developed the land zoned for residential use around Greymouth has been largely taken up for development. While there has been some rezoning for residential and business uses it is important that future urban growth is managed by providing adequate land for future urban growth, safeguarding this land for future urban growth and avoiding ad hoc development within Future Urban Zones.

The Proposed District Plan provisions have, therefore, been developed on the premise that the District is going to grow and the Proposed District Plan needs to manage the location of growth by safeguarding this land to enable future urban growth to occur.

This Section 32 report covers the provisions in the Special Purpose - Future Urban Zone chapter and rezoning in the Proposed TTPP. The Proposed TTPP also contains a residential chapter, a rural chapter, and a subdivision chapter, which are related to, and have some overlap with the urban growth topic as these may be relevant to the development or subdivision of a property in an identified Future Urban Zone. The evaluation for the other chapters are set out in the Section 32 evaluation report specific to each topic.

6.2 Regulatory and Policy Direction

6.2.1 Part 2 of the RMA

The Resource Management Act (RMA) sets out the functions of territorial authorities in Section 31. The key function for the district council is the establishment, implementation and review of objectives, policies and methods to achieve the integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. "Natural and physical resources" includes natural landforms, buildings and structures. In particular, under Section 31 (2), the district council control of subdivision of land.

Section 6 of the RMA specifically requires that the Council recognise and provide for matters of national importance, including:

a) The preservation of natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.

Section 7 of the RMA requires the Council to have particular regard to the following matters:

(a) Kaitiakitanga

(b) the efficient use and development of natural and physical resources.

(c) the maintenance and enhancement of amenity values.

(f) maintenance and enhancement of the quality of the environment.

The above matters are relevant when considering future urban growth issues. There are Future Urban Zones that are adjacent to waterbodies. The protection of these waterbodies is an important function of TTPP. Ensuring that TTPP caters for efficient use and development of future urban growth areas through allocating the most appropriate land for

Future Urban Zone is critical to ensure the efficient use and development of the other zones throughout the district (e.g. Rural Zone).

Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Tangata whenua, through iwi authorities have been consulted as part of the District Plan review process. This feedback has informed the section 32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

The above matters form the purpose of the RMA and are required to be considered as part of the Section 32 analysis.

6.2.2 National Instruments

National Policy Statement Urban Development

The National Policy Statement on Urban Development Capacity 2016 came into effect on 1 December 2016. It was amended to the National Policy Statement for Urban Development in 2020.

It recognises the national significance of urban environments and provides direction to decision-makers on planning for urban environments. The NPS-UD seeks to ensure there is sufficient development capacity for housing and business with a suite of objectives and policies to guide decision-making in urban areas.

The relevant objectives and policies place a requirement on local authorities to provide for urban growth. The NPS-UD requires the Council to look at the district projected population growth and pre-empt market demand by unlocking and servicing land feasible for development.

6.2.3 National Planning Standards and/or Guidance Documents

Released in April 2019, the purpose of the National Planning Standards (planning standards) is to improve consistency in plan and policy statement structure, format and content.

The standards were introduced as part of the 2017 amendments to the Resource Management Act 1991 (RMA). Their development is enabled by sections 58B–58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

The Proposed District Plan will give effect to the planning standards. Of particular relevance is the growth framework that District Plans must follow which includes a special purpose zone- Future Urban Zone.

Special Purpose Zone - Future Urban Zone are “areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise future urban use” and Development Areas are “a development area spatially recognises and manages areas where plans such as structure plans apply to determine future land use or development.”

6.2.4 Regional Policy and Plans

West Coast Regional Policy Statement

Under Section 75(3)(c) of the RMA, the District Plan must give effect to the Regional Policy Statement. The Regional Policy Statement (RPS) must also give effect to the NPS- UD but has not yet been amended to do so.

6.2.5 Poutini Ngāi Tahu Iwi Management Plans

The RMA requires that when preparing a District Plan, the territorial authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)). There are three iwi management plans on the West Coast – the Te Rūnanga o Makaawhio Pounamu Management Plan, the Ngāti Waewae Pounamu Management Plan and the Lake Māhinapua Management Plan.

While these documents focus on specific issues they also contain wider information about the overall approach to sustainability and kaitiakitanga of resources and Poutini Ngāi Tahu values. Natural landscapes may have cultural values such as pā, kāinga, ara tawhito (traditional trails), pounamu, mahinga kai, and wāhi ingoa (place names). The traditions of Ngāi Tahu tūpuna (ancestors) are embedded in the landscape.

6.2.6 Other Relevant Regulation

Local Government Act 2002 (LGA)

Sections 14(c), (g) and (h) of the LGA are also of relevance in terms of policy development and decision making:

(c) when making a decision, a local authority should take account of—

1. (i) the diversity of the community, and the community's interests, within its district or region; and
2. (ii) the interests of future as well as current communities; and
3. (iii) the likely impact of any decision on the interests referred to in subparagraphs (i) and (ii):
7. (g) a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and
8. (h) in taking a sustainable development approach, a local authority should take into account—

(i) the social, economic, and cultural interests of people and communities; and (ii) the need to maintain and enhance the quality of the environment; and
(iii) the reasonably foreseeable needs of future generations

As per Part II of the RMA, the provisions emphasise a strong intergenerational approach, considering not only current environments, communities and residents but also those of the future. They direct a future focussed policy approach, balanced with considering current needs and interests. The provisions also emphasise the need to take into account social, economic and cultural matters in addition to environmental ones.

Section 102 of the LGA requires the district councils to adopt a policy on development contributions. Residential development increases pressure on the capacity of the councils' infrastructure (roads, sewers, stormwater, water and open space) and service delivery and can result in the need to upgrade existing and/or develop new infrastructure and services.

7.0 Resource Management Issue and Analysis

7.1 Background

Consolidating and directing the location of the growth of the district through managing future subdivision and development in areas that are available or maybe part of a future growth area, promotes the sustainable management of the district's natural and physical resources.

The Future Urban Zone is essentially a holding pattern that identifies rural land suitable for urban development in the future. This holding pattern will remain in place until a Structure Plan is developed and the land is released for urban use or it is rezoned by Plan Change.

To help achieve good quality subdivision and development outcomes in urban areas, areas need to be appropriately zoned (e.g. from Future Urban Zone to a residential or industrial zone), appropriately serviced and structure plans need to be in place before these areas be developed for urban use.

Key to the intent of the Future Urban Zone is preventing development which would limit its future urban use. For example, subdivision into rural residential style development that prevents future cost effective infrastructure servicing by roading networks and water/wastewater infrastructure. In particular the zone aims to protect the land for comprehensive development as part of any managed

retreat to that location. For that reason, the development of urban infrastructure ahead of land development and subdivision is provided for.

Strategic Objectives:

Urban Form and Development Strategic Objective	
UFD - 01	<p>To have urban environments and built form on the West Coast/Te Tai o Poutini that:</p> <ol style="list-style-type: none"> 1. Are attractive to residents, business and visitors; 2. Have areas of special character and amenity value identified and their values maintained; 3. Support the economic viability and function of town centres; 4. Recognise the risk of natural hazards whereby new development is located in less hazardous locations; 5. Promote the re-use and re-development of buildings and land, including private and public land; 6. Support inclusivity and housing choice for the diversity within the community now and into the future; 7. Improve overall accessibility and connectivity for people, transport (including walking and cycling) and services; 8. Promote the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure and protection of critical infrastructure; 9. Maintain the health and wellbeing of waterbodies, freshwater ecosystems and receiving environments; and 10. Promote and enhance the distinctive character of the districts' towns and settlements.

Since the late 2000s/early 2010s Greymouth, Hokitika, Westport and Franz Josef in particular began to experience growth, predominately in the form of a residential housing “boom”. Urban growth has been experienced in the following ways:

- Greenfield subdivision of existing zoned areas;
- Infill within existing zoned areas;
- Plan Changes to facilitate residential, commercial and industrial development (e.g. Kaiata Park, Sergeant’s Hill, Franz Josef Developments, Racecourse Terraces, Kumara Junction Developments)
- Subdivision of rural land i.e. small lot subdivision to cater for lifestyle or residential housing on rural zoned land (widespread around Hokitika and Westport in particular).

The area that has experienced the greatest urban growth in the form of new subdivision has occurred in the areas around the edges of Greymouth, including Paroa.

Demand to accommodate additional growth has placed pressure on rural land in close proximity to existing towns and development. In some instances, there is pressure on rural land close to the towns to accommodate additional growth through creation of lifestyle properties, expanding urban boundaries, and providing for other commercial and industrial activities

Growth locations

- Residential growth within the Greymouth urban area remains a combination of infill development, complemented by greenfield subdivision. There is a strong desire to facilitate brownfield subdivision and development particularly within Greymouth within the proposed Mixed Use Zone.
- Infill housing relates to new development within an existing suburb of older houses. In Greymouth, it typically includes one or more dwellings built behind, in front of, or beside an

existing dwelling. There has also been significant uptake of the pensioner housing provisions in the operative Grey Plan resulting in purpose built multi unit pensioner developments.

- In terms of greenfield development, the focus for Greymouth's residential growth has been in Paroa and Marsden Road on the edge of Greymouth. In Hokitika the Racecourse Developments and expansion of suburban development into the Kaniere area has occurred – with Kaniere now effectively a suburb of Hokitika. In Franz Josef the Franz Josef Developments and Franz Alpine Village developments have been greenfield residential and commercial development.
- The growth of Greymouth at Paroa and Hokitika at Kaniere has required the extension of infrastructure networks, for transport, water and wastewater. At Franz Josef privately developed wastewater and water supply infrastructure has been developed to complement the Council infrastructure – however this has created some problems as ongoing maintenance of the private infrastructure has been insufficient. Currently the infrastructure capacity is not available for further urban growth at Franz Josef.
- Greenfield growth has also occurred at Kaiata Park inland from Greymouth where commercial, industrial and residential development has been undertaken. Required infrastructure has been developed in this area which has capacity for an expansion of this development.
- In parts of Paroa and the hills behind Greymouth however, required infrastructure capacity, particularly of three waters infrastructure, is not in place and upgrades are needed before this area could be developed.
- Another trend has been a disproportionate number of dwellings in the Rural Zones around both Westport and Hokitika, suggesting outward expansion.

Summary

- Understanding growth patterns has been a key focus of the development of TTPP. In summary residential development patterns within the Greymouth urban area is a combination of infill development, complemented by greenfield subdivision mainly in Paroa, Marsden Road and inland at Kaiata Park. At Hokitika most growth has been greenfield subdivision at Kaniere.
- What has been revealed through this analysis is that greater consideration and spread of land-supply is required throughout the West Coast to ensure that an efficient and planned urban layout can be sustained.

Development outside the urban boundaries (also addressed in the Rural Section 32 report).

- Over the last decade there has been a disparity between the provision and market demand for rural residential development that has created pressure for in particular the Buller and Westland District Councils to grant residential type subdivisions on rural land. On occasions, this has led to an ad hoc urban form and provision of infrastructure networks. Sprawling infrastructure networks are generally acknowledged to result in greater financial costs (capital and lifecycle) when compared to higher density infill in established urban areas.
- Development of greenfield land at the periphery of main towns has not proven effective in terms of meeting people's needs or protecting the rural zone. There are a considerable number of properties located throughout the West Coast that have been subdivided resulting in fragmentation of land that is neither suitable for typical suburban residential living, nor useful or viable for ongoing rural production purposes. In addition, there has been little control over the effect of activities located at or near the boundaries between towns and rural areas of the District. Growing awareness of the effects of both rural and residential activities on adjoining land users (reverse sensitivity), and the adverse impact on rural land from residential activities has made the effective separation of activities important.
- Uncontrolled urban expansion is likely to adversely affect rural land as it limits options for future primary production use and increases the potential for conflict between incompatible activities. It can also result in disconnected neighbourhoods and place pressure on existing infrastructure compromising both residential and rural amenity values.
- To combat ad hoc expansion, it has become increasingly evident that there is a need to clearly identify where urban and lifestyle development is and isn't appropriate. The approach

taken in the review has been to ensure that appropriate mechanisms are put in place to ensure that the land identified for growth is in the right location and secondly to ensure it is planned and well laid out. Strengthened subdivision provisions, design guidance, adequate residential zoned land, the identification of Future Urban Zone and the use of Structure Plans is seen as a key way to achieve this.

7.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

7.2.1 Research

The current District Plans have been reviewed, technical advice and assistance from various internal and external experts has been commissioned and utilised, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Te Tai o Poutini Plan – Technical Update: Special Purpose Zones Approach. Report to Te Tai o Poutini Plan Committee 13 August 2020
Author	Lois Easton
Brief Synopsis	Discusses issues around Special Purpose Zones and recommends the inclusion of a range of Special Purpose Zones for inclusion within Te Tai o Poutini Plan
Link to Document	https://tppp.nz/wp-content/uploads/2022/01/Te-Tai-o-Poutini-Plan-Committee-Agenda-13-August-2020.pdf

Title	Investigation of Growth in the Coulson Road Area, Greymouth – Draft June 2005
Author	Beca Carter Hollings and Ferner
Brief Synopsis	Discusses infrastructure issues in relation to the possible development of land for industrial purposes at Coulson Road, Greymouth
Link to Document	https://tppp.nz/technical-reports/

Title	Te Tai o Poutini Plan – Technical Update: Stadium and Future Urban Special Purpose Zones Objectives and Policies Report to Te Tai o Poutini Plan Committee December 2020
Author	Lois Easton
Brief Synopsis	Discusses issues around the Stadium and Future Urban Zones and includes draft Objectives and Policies for review by the Committee.
Link to Document	https://tppp.nz/wp-content/uploads/2020/12/TTPP-Agenda-14-December-2020-1.pdf

Title	Te Tai o Poutini Plan – Technical Update: Future Urban Zones Rules Report to Te Tai o Poutini Plan Committee 2 September 2021
Author	Lois Easton

Brief Synopsis	Discusses issues around the Future Urban Zone and includes draft Rules for review by the Committee.
Link to Document	https://tppp.nz/wp-content/uploads/2021/09/TTPP-Agenda-2-September-2021.pdf

7.2.2 Consultation and Engagement

Te Tai o Poutini Plan has been the subject of significant consultation and community engagement. Within that, the issues around urban areas and settlements have been the subject of targeted consultation alongside the overall TTPP consultation and engagement process.

This commenced in 2019 with the identification of development stakeholders on the West Coast – local surveyors and planning firms, infrastructure providers, Development West Coast, Māwhera Incorporation, Regional Public Health and local businesses.

Numerous one on one meetings were held with individual stakeholders during the Plan drafting, with multi-stakeholder workshops also held.

Specific meetings and workshops held were:

Plan Development Phase

- 19 October 2019 – Westland growth and development workshop
- 20 October 2019 – Grey growth and development workshop
- 20 and 21st November 2019 – Buller growth and development workshops
- 18th March 2020 – Hokitika public meeting (general community)
- 19 March 2020 - Hokitika and Greymouth town centre drop ins and Greymouth public meeting (general community)
- 22 September 2020 – Westport public meeting (general community)
- 24 September 2020 – Reefton drop in and public meeting (general community)

Draft Plan Consultation Phase

- 22 February 2022 – multi-stakeholder infrastructure provider workshop
- 24 February 2022 – multi-stakeholder developer and professional services interests
- 21 February 2022 – Westport community public meeting (general community)
- 22 February 2022 – multi-stakeholder infrastructure provider workshop
- 22 February 2022 – Hokitika community drop in (general community)
- 24 February 2022 – multi-stakeholder developer and professional services interests
- 24 February 2022 – Greymouth community drop in (general community)
- 11 April 2022 – Hokitika public meeting (general community)
- 12 April 2022 – Greymouth public meeting (general community)
- 13 April 2022 – Westport public meeting (general community)

The draft TTPP was released for public feedback in January 2022 and there was some feedback provided on the Future Urban Growth Chapter. This chapter was amended following feedback as outlined in a report to the Committee on 29th March 2022.

Title	Te Tai o Poutini Plan: Technical Report Feedback on the Draft Plan: Report to Te Tai o Poutini Plan Committee 29 April 2022
Author	Lois Easton

Brief Synopsis	This report brings the feedback on the draft Plan and recommends amendments to the Plan in response to that feedback.
Link to Document	https://tpp.nz/wp-content/uploads/2022/03/TTPP-Agenda-29-March-2022.pdf

There was also detailed feedback on Franz Josef Zoning, including the identification of Future Urban Zone areas at Franz Josef. This was discussed by the Committee at its meeting of 17th May 2022.

Title	Te Tai o Poutini Plan: Technical Report Franz Josef Zoning Report to Te Tai o Poutini Plan Committee 17 May 2022
Author	Lois Easton
Brief Synopsis	This report brings the feedback on the draft Plan and recommends amendments to the Plan in response to that feedback.
Link to Document	https://tpp.nz/wp-content/uploads/2022/05/TTPP-Agenda-17-May-2022.pdf

Schedule 1 Pre-notification consultation

The RMA requires councils to undertake pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of a proposed district plan. These parties include:

- the Minister for the Environment;
- those other Ministers of the Crown who may be affected by the proposed plan;
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities.

As a result of this consultation, written feedback was received from Department of Conservation, Department of Internal Affairs, Te Rūnanga o Ngāi Tahu and the Ministry for the Environment.

No specific feedback was provided on the Future Urban Zone topic.

7.2.3 Iwi Authority Advice

Te Rūnanga o Ngāti Waewae and Te Rūnanga o Ngāti Mahaki ki Makaawhio are the two papatipu rūnanga on the West Coast. They are collectively known as Poutini Ngāi Tahu. They have provided advice around their expectations in relation to urban development including future urban areas. They have sought that TTPP provisions recognise cultural landscapes and cultural values associated with the facilities.

7.3 Operative District Plan Provisions

The Operative District Plans contain no provisions for Future Urban Growth or deferred zoning of any type. Alongside this neither the Buller or Westland District Plans have significant provision for greenfields growth within the zoned towns. Some additional land was added as a result of Plan Changes to all three operative plans – Kaiata Park (industrial, commercial and residential) in Grey, Sergeants Hill (Industrial) in Buller, Racecourse Developments (Hokitika) and Franz Josef Developments (Franz Josef) but these were all developer – initiated proposals, and no specific provisions or planning for future urban growth has been included in the operative plans.

7.4 Analysis of Best Practice – How Other Councils are Addressing the Same Issue

A review of other Council's approaches to Future Urban Zones has been undertaken. A relatively new tool, Future Urban Zones have been identified in Auckland, Hamilton, Christchurch and under other names (e.g. Deferred Zones) in Tasman, Waipa, Selwyn, Whakatane and Marlborough.

Requirements set out in the NPS Urban Development for Medium and Fast Growth Councils to specifically plan for future urban growth will no doubt see an increase in the number of Councils using this zone.

A consistent approach can be seen from Councils using the zone at the moment

- Identification in District Plans
- Policies and Objectives strongly directing it towards rural uses until such time as a Plan Change is put in place with the new urban zoning
- Rule framework essentially that of a rural land use but specifically discouraging
 - subdivision
 - any new activities which might provide reverse sensitivity issues with an urban zone
 - any activities which might make development of efficient infrastructure in the area difficult when it is rezoned.
- Because it is acknowledged that the Plan Change process can be a slow one, some Councils do provide for urban development ahead of a Plan Change – but only where developers fund or construct the full cost of infrastructure including connections with the ultimate design capacity and provide at their own cost an internal buffer from surrounding rural activities

Structure Plans

A structure plan is a tool used to guide the development or redevelopment of an area by defining the future development and land use patterns, areas of open space, the layout and nature of infrastructure (including transportation links), and other key features and constraints that influence how the effects of development are to be managed.

Most plans that contain Future Urban Zones provide for structure plans as a key mechanism for implementation of Future Urban Zones.

7.5 Summary of Issues Analysis

One of the District Plan's most important roles is planning the way the District is shaped (where people live) and the way people get around it. This means prioritising and managing future growth so that the community will know the expectations around how we will grow, and the supporting infrastructure requirements so that informed investment decisions can be made.

7.6 Description of Proposed Plan Provisions

The Future Urban Zone applies to land that has been identified as being suitable for urbanisation in the future. The purpose of this zone is to safeguard, protect and earmark this land for future urban growth.

When the land is required, it will need to be rezoned to facilitate development (e.g. residential or industrial zone). Through the rezoning process a structure plan will be required to ensure the area can be comprehensively developed.

Until required for urban development land within this zone may be used for typical rural activities such as agricultural, pastoral and horticultural activities. Larger scale and industrial activities are to be managed and/or avoided to ensure the activities occurring within the zone are compatible with and do not compromise potential future urban uses.

Objectives and Policies

The Future Urban Zone provides the long term land supply for Greymouth, Franz Josef and Fox Glacier. In summary the proposed objectives and policies provide a framework to:

- Maintain the predominant rural character of the FUZ.
- Clearly signal that the Future Urban Zone is the preferred location for urban growth to meet the District's medium and long term housing and industrial needs.
- Clearly signal that it is not the proposed TTPP's intention for urban growth to occur within the FUZ until the FUZ is comprehensively planned by a structure plan.

- Ensure activities within and adjacent to the identified FUZ do not compromise the ability to develop the area for urban growth purposes.
- Allow existing agricultural, pastoral, horticultural and low density rural living activities to continue (some of what was previously allowed under the previous Rural Zone).
- Ensure that any structure plan prepared for the purposes of enabling Future Urban Zone land to transition into urban zoned land, provides for comprehensive, coordinated and efficient development.

Rules

Permitted activity rules provide for the following, subject to performance standards:

- Agricultural, pastoral and horticultural activities and buildings
- Residential activities and residential buildings
- Conservation and recreation activities
- Minor residential unit
- Minor structures and relocated buildings
- Home busines
- Visitor accommodation
- Mineral exploration and prospecting
- Any activity provided for as a Permitted Activity within the relevant Urban Zone provided for within a structure plan prepared for the site and adopted by the relevant District Council

Where performance standards are not met activities are Controlled (Relocated Buildings and Minor Structures), Restricted Discretionary (Home Business, Visitor Accommodation, Mineral Exploration), Discretionary (Agricultural, pastoral and horticultural activities) or Non-complying (Residential activities).

Restricted discretionary activity rules provide for the following:

- Mineral extraction
- Community facilities
- Camping grounds

Most other activities (e.g. Industrial, Commercial, Intensive Indoor Primary Production) are a Non-complying activity.

Planning Maps - Future Urban Zone

The following locations have been identified as Future Urban Zone

Greymouth

- land around Pope Road, Glen Road, Town Belt Road and Milton Road in the hills behind Greymouth
- Marsden Road area, Boddytown
- Land between Coulson Road and Main South Road, Paroa – 196 - 254 Coulson Road and 439 – 471 Main South Road

Franz Josef

- Land between Donovan Drive and Franz Josef Highway
- Part Section 1 SO 11879 (Stewardship Land) between Franz Josef Highway and Cron Street
- Part of Lot 1 DP 524033 at the end of Cron Street

Fox Glacier

- Lot 1 DP 524033 at the corner of Cook Flat Road and Fox Glacier Highway
- Part of Section 2 SO 484633 adjacent to Haast Highway

8.0 Scale and Significance Evaluation

The level of detail undertaken for the evaluation of the Proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of these provisions.

The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions.

	Minor	Low	Medium	High
Degree of change from the Operative Plans				x
Effects on matters of national importance (s6 RMA)			x	
Scale of effects – geographically (local, district wide, regional, national)		x		
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)			x	
Scale of effects on those with particular interests, e.g. Tangata Whenua			x	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?			x	
Likelihood of increased costs or restrictions on individuals, businesses or communities			x	

8.1 Explanation Summary

In summary:

- The degree of change from the Operative District Plan is medium, considering that new areas of land are being identified as Future Urban Zone. The activity status and technical standards for Future Urban Zone are similar to the General Rural Zone, except that activities that might compromise a future urban use are not Permitted. There is also clear policy direction and emphasis on achieving high quality integrated development in a planned and structured manner. This aims to avoid incompatible activities in the Future Urban Zone, avoiding subdivision creep on urban boundaries and providing connectivity, integration of natural features and landforms, and low impact design solutions.
- The geographic scale of effects applies specifically to the areas within a Future Urban Zone. The geographic scale of these areas is relatively low in the context of the district. However, the growth strategy will provide for a more connected and cohesive district and will have wider implications.
- The landowners within or adjacent to the areas being rezoned and or identified as Future Urban Zone will be specifically affected by these changes. The rezoning for individual landowners will not affect their current land use but economic benefits are likely to be realised if and when they choose to develop their land. Land owners within the Future Urban Zone may be subject to some tighter subdivision and development controls but these controls are not likely to affect the majority of land owners and their current land use.

- The wider community and tangata whenua are likely to be affected positively by the proposal as it is expected to result in improved urban growth outcomes, creating high quality urban environments for people to live, work and play.
- The proposed Future Urban Zone and Structure Plan Development Area provisions will give effect to the NPS-UD and part 2 of the RMA, and the National Planning Standard 2019
- The proposed Future Urban Zone provisions are considered to be in accordance with best-practice.

Overall, it is considered that the scale and significance of the proposal is medium. The level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of the Future Urban Zone and Development Area provisions.

9.0 Evaluation

9.1 Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Option	Appropriateness to Achieve the Purpose of the Act
<p>Option A: Existing Objectives</p> <p>No provisions</p>	<p>This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected. It would also fail to properly provide land for growth and development of the district in a cohesive manner and would not allow the growth needs of the community to be met. This option would not deliver on the requirements of section 7 a, d, e and f of the RMA. This approach could adversely affect the environment and is unlikely to achieve the purpose of the RMA.</p>
<p>Option B: Proposed TPPP Objectives:</p> <p>Future Urban Zone</p> <p>FUZ – O1 Future urban development <i>is not compromised by incompatible subdivision, use and development</i></p> <p><i>FUZ – O2 Future urban land is available for managed retreat of vulnerable communities.</i></p> <p><i>FUZ – O3 Rural activities that will not create reverse sensitivity issues in the future are provided for until the land is rezoned for urban purposes.</i></p> <p><i>FUZ – O4 Urbanisation on sites zoned FUZ - Future Urban Zone occurs in a planned manner either by Plan Change, or by implementation of a Structure Plan where Council resolution</i></p>	<p>The purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being. Under Section 7(c) and (f), this includes the maintenance and enhancement of amenity values and the quality of the environment, which council shall have particular regard to.</p> <p>The proposed objectives clearly express the outcomes anticipated by the plan in relation to the FUZ and specifically address the resource management issues identified in this report.</p> <p>The growth objectives enable communities to provide for their social, economic and cultural well-being by ensuring urban growth is directed into locations that ensure a compact and cohesive urban form. This will ensure the health and safety of the community by having better quality, connected living environments.</p> <p>The objectives will allow for a comprehensive approach to growth so that more integrated outcomes are achieved. Assessed against the other matters in Section 7 this will lead to</p>

<p><i>identifies that natural hazard risk thresholds have been met.</i></p>	<ul style="list-style-type: none"> • More efficient use of resources/infrastructure and achievement of long term economic, social and environmental outcomes by aligning growth and infrastructure planning (Section 7 (b), (g) and (i)). • Improved amenity values and improvements to the quality of the environment as places are more connected, accessible, compact and better designed. (Section 7 (c), and (f). • These proposed objectives give effect to the National Policy Statement on Urban Development and will ensure the district develops in a cohesive, compact and structured way to ensure that sufficient land is supplied to meet the community's short, medium and long-term housing and industrial needs. • The objectives will sustain the potential of physical resources for current and future generations, and maintains and enhance amenity values and quality of the environment. In light of the above, the proposed objectives are considered appropriate in achieving the purpose of the RMA in relation to supplying land for future urban growth and managing the development of and activities and development within the Future Urban Zone.
---	---

Evaluation of Alternative Option	Appropriateness to Achieve the Purpose of the Act
<p>Do Nothing</p>	<p>This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected. It would also fail to properly provide land for growth and development of the district in a cohesive manner and would not allow the growth needs of the community to be met. This option would not deliver on the requirements of section 7 a, d, e and f of the RMA. This approach could adversely affect the environment and is unlikely to achieve the purpose of the RMA.</p>
<p>Summary</p> <p>The proposed objectives will achieve the purpose of the RMA as they are a clear statement of intent that defines the expectations for urban growth within the West Coast. It provides certainty as to the outcomes that are considered to be appropriate under the TTPP provisions.</p> <p>The proposed objectives achieve the purpose of the RMA as they recognise the social and economic contribution that identifying and providing land for future urban growth provides for the district. The proposed objectives for FUZ also provide increased certainty regarding the clear outcomes anticipated under the Proposed TTPP provisions and align with contemporary planning practice applied around the country and the National Planning Standards 2019.</p>	

9.2 Evaluation of Policies and Rules

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting/not acting
<p>Option A: status quo – no provisions for future urban growth</p>		<p>Continue to not provide adequate zoned, serviced and feasible land available to meet the Greymouth and South Westland’s growth demand.</p>	<p>Due to limited policy guidance and lack of zoned, serviced and feasible land available the operative District Plans fail to meet the growth demands of the West Coast.</p> <p>Further, the lack of direction in the plans leads to inconsistent decision- making and lack of control over certain activities.</p> <p>Therefore, this option is not considered to be the most efficient, effective or appropriate option to achieve the objectives.</p>	<p>The risk of acting on these status quo provisions is that:</p> <ul style="list-style-type: none"> • The availability of zoned land does not meet the urban growth demands of the West Coast; • It is considered that the risk of acting on these provisions outweighs the risk of not acting. There is sufficient information not to act on this approach.
<p>Option B: Proposed Plan</p>	<ul style="list-style-type: none"> • Provides zoned, serviced and feasible land available to meet the West Coast’s needs. • Gives effect to short to long-term requirements under the NPS-UD. • Promotes a structure plan as an effective tool for 	<ul style="list-style-type: none"> • Some restrictions on landowners compared with General Rural Zoning • Land values may increase – with effects on rates for the FUZ property 	<ul style="list-style-type: none"> • This approach is effective and efficient as it would allow urban growth within the West Coast and in particular Greymouth and South Westland to meet increasing demand. • This approach addresses current issues, in particular providing zoned, serviced and feasible land available for residential development in the future. 	<ul style="list-style-type: none"> • The risk of acting on these provisions is that whilst the Committee has identified the key resource management issues and considers that this approach is most effective to achieve the objective, it has received limited feedback from the community (including local engineers or surveyors) on this matter. • Not acting may mean that the current implementation issues with the Operative Plans approach continue and incrementally result

	rezoning of an area. <ul style="list-style-type: none"> • Certainty for developers 		<ul style="list-style-type: none"> • This option is considered to be the most efficient and effective to achieve the objectives. 	in either the inability to achieve the requirements of the NPS-UDC or a loss of amenity values and quality of the environment. Overall, it is considered that there is sufficient information to act, and that risks of not acting are outweighed by the benefits of acting.
Quantification Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.				
Summary: The above table has demonstrated that Option B is the most appropriate method for ensuring that urban growth results in sufficient zoned, serviced and feasible land to meet the District's urban growth needs, is an efficient use of land, achieves patterns of development that reflect good quality community environments, are compatible with the role, function and predominant character of the area, and minimises any adverse effects on the environment.				

10.0 Summary

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

1. The objectives and policies provide direction and certainty to plan users on the outcomes expected for urban growth within the FUZ chapter. There is a focus on reinforcing the role and function and character of the FUZ to ensure that the zones integrity and character is maintained through development and that any activities that have the potential to impact this have their effects appropriately managed. Another focus is to ensure that development within a FUZ is avoided until the area is rezoned and a structure plan is in place. With structure plans there is a focus on ensuring that development and/or subdivision is undertaken in accordance with the structure plan development areas.
2. The proposed changes identify adequate land to meet the districts short, medium and long term growth demands. The focus here then switches to safeguarding this land for future urban growth.
3. The rule framework ensures activities occur in accordance with structure plans and that development and subdivision is managed in these areas.
4. The rule framework also ensures that appropriate discretion is placed on any out of zone activities within the FUZ to ensure that any reserve sensitivity matters are minimised and managed.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent.

Part Three Māori Purpose Zone

11. Overview and Purpose

This report contains a section 32 evaluation of the objectives, policies and methods relating to the Māori Purpose Zone in the Proposed Te Tai o Poutini Plan (TTPP). It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the TTPP development.

This report sets out the statutory and policy context for the approach to management of Māori land, the key resource management issues, specific consultation and approach to evaluating this topic that was used to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA or the Act) in relation to this topic.

11.1 Introduction to the Resource Management Issue

The term 'Māori land' is defined as"

1. Land owned by Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio or one of their holding companies;
2. Land gazetted or determined by order of the Māori Land Court as Māori reservation under s338 Te Ture Whenua Māori Act 1993;
3. Māori customary and Māori freehold land as defined in s4 and s129 of Te Ture Whenua Māori Act 1993;
4. Any land where:
 - i. A status declaration under the Māori Affairs Amendment Act 1967 was made converting Māori freehold land to general title, and where there have been no changes of ownership since the conversion other than to an owner's bloodline successor(s); or
 - ii. One or more owners are able to provide written evidence of Whakapapa to the original grantees of the land as confirmed by the Te Rūnanga o Ngāi Tahu Whakapapa Unit or the Māori Land Court; or
 - iii. The land is vested in a Trust constituted pursuant to Part 12 of Te Ture Whenua Māori Act 1993 or a Māori incorporation constituted pursuant to Part 13 of the Te Ture Whenua Māori Act 1993.

Poutini Ngāi Tahu emphasise the need for development within the district that reflects their identity and aspirations. These aspirations include:

- Social aspirations – focusing on housing, health and social well-being.
- Environmental aspirations – including the practical application of kaitiakitanga in the management of the natural and physical resources of the district.
- Economic aspirations – focussing on the use of customary resources and creating an economic base from resources acquired through Treaty settlements; and
- Cultural and spiritual aspirations - including the establishment and strengthening of cultural institutions such as papakāinga and marae, the availability of urupā, and the recognition of Māori knowledge and design principles in the development in the district, as well as the review of wāhi taonga, or sites and areas of significance to Māori, to correctly identify and record their location and extents.

In developing the strategy around the use and management of Māori land, Poutini Ngāi Tahu identified the following values/principles to guide the plan making process:

1. Kaitiakitanga

Traditionally, kaitiaki were the non-human guardians of the environment (e.g. birds, animals, fish and reptiles) which, in effect, communicated the relative health and vitality of their respective environments to local tohunga and rangatira who were responsible for interpreting the 'signs' and making decisions accordingly. Poutini Ngāi Tahu consider kaitiakitanga as a much wider cultural concept than pure guardianship. To Poutini Ngāi Tahu, kaitiakitanga entails an active exercise of

rights and responsibility in a manner beneficial to the resource. Kaitiaki, the people who practice kaitiakitanga, do so because they hold the authority and responsibility to do so. To Poutini Ngāi Tahu, kaitiakitanga is not a passive custodianship and they are required to play an active kaitiaki role in the day to day management of natural resources.

Section 7(a) of the RMA requires the Council to have particular regard to kaitiakitanga. The outcomes of kaitiakitanga are likely to include the management of natural resources in a way that ensures that all taonga (which includes all natural resources) are available for future generations.

2. Tino Rangatiratanga

Tino rangatiratanga involves having the mana or authority to exercise the relationship of Poutini Ngāi Tahu and their culture and traditions with the natural world. Article II of the Treaty of Waitangi and sections 6(e) and 8 of the RMA are concerned with this same relationship.

Traditionally, tino rangatiratanga incorporates the right to make, alter and enforce decisions pertaining to how a resource is to be used and managed, and by whom. Today, it is similar to the functions of the district councils and is expressed through the relationship between Poutini Ngāi Tahu and the councils. A practical expression of tino rangatiratanga is the active involvement of Poutini Ngāi Tahu in resource management decision-making processes. The West Coast/Te Tai o Poutini District Councils have long recognised the need to engage with Poutini Ngāi Tahu and to provide opportunities for their active involvement in resource management decision making processes. Poutini Ngāi Tahu will continue to have a voice in all resource management decision making.

3. Mauri

For Poutini Ngāi Tahu, mauri is the life force that comes from wairua – the spirit, or source of existence and all life. Mauri is the life force in the physical world. As a life principle, mauri implies health and spirit. In the environment, mauri can be used to describe the intrinsic values of all resources and of the total ecosystem. In the natural environment, mauri is of paramount importance to the wellbeing of the people. Mauri can be harmed by the actions of humans but is unaffected by natural processes such as natural disasters.

The preservation of the mauri of all natural resources is paramount to Poutini Ngāi Tahu to ensure that natural and physical resources may be used sustainably by present and future generations. The overall purpose of resource management for Poutini Ngāi Tahu is the maintenance of the mauri of natural and physical resources, and to enhance mauri where it has been degraded.

There are indicators within the environment, both physical and spiritual, that Poutini Ngāi Tahu use to measure mauri. These include the presence of healthy mahinga kai and healthy flora and fauna, the presence of resources fit for cultural use, and the aesthetic qualities of resources such as the visibility of important landmarks. Spiritual indicators are those from the atua (gods), which can take many forms and are recalled in the kōrero pūrūkau (stories) of whānau and hapū.

4. Mahinga kai

Mahinga kai refers to Poutini Ngāi Tahu cultural values in association with food and other natural resources and includes such resources as those used for weaving, carving, and rongoā Māori or Māori medicine. It also includes the places where such resources are gathered such as rivers and coastal waters. The term mahinga kai encompasses social and educational elements as well as the process of gathering cultural materials/natural resources. It includes the way such resources are gathered, the place where they are gathered from, and the actual resource itself.

5. Ki Uta Ki Tai

The principle of Ki Uta Ki Tai ("the mountains to the sea") reflects the holistic nature of traditional resource management, particularly the interdependent nature and function of the various elements of the environment within a catchment. This principle requires an integrated management approach across the land and water boundary.

6. Wāhi tapu

Wāhi tapu are places of particular significance that have been imbued with an element of sacredness or restriction (tapu) following a certain event or circumstance. Wāhi tapu sites are treated according to tikanga and kawa that seek to ensure that the tapu nature of those sites is respected. Wāhi tapu include kōiwi (human remains), urupā (burial sites), waiwhakaheke tūpāpaku (water burial sites), historic pa, buried whakairo (carvings) tuhituhi o neherā (archaeological and rock art sites), tohu ("markers" such as landmarks, mountains, mountain ranges, and some trees), ana (caves), and tauranga waka (canoe landing sites).

It is important to Poutini Ngāi Tahu that wāhi tapu sites are protected from inappropriate activity and that there is continued access to such sites for Poutini Ngāi Tahu. Where sites are of special significance, Poutini Ngāi Tahu may wish to protect them by restricting certain activities, access and information about their location. Wāhi tapu are often not confined to specific sites and management of the wider cultural landscape may be needed to protect their values, consistent with the ki uta ki tai philosophy.

The whakapapa and traditions of Poutini Ngāi Tahu are embedded in the landscape. A cultural landscape or wāhi tupuna is a geographical area that holds significant value to Poutini Ngāi Tahu due to the concentration of wāhi tapu or taonga values, or the importance of the area to cultural traditions, history or identity. Wāhi tūpuna provide current and future generations of Poutini Ngāi Tahu the opportunity to experience and engage with the landscape as their tipuna once did. It is important that the history and tradition are recognised and the associated values maintained, but cultural landscapes are not areas that are locked up to preserve the past. The relationship of Poutini Ngāi Tahu with the place will continue and develop over time.

Indicators of wāhi tūpuna include pā and kāinga, ara tawhito, mahinga kai, wāhi tapu, tohu (markers such as prominent features, mountain ranges and some trees), and ana (caves). Wāhi ingoa (place names) are also important for their association with wāhi tūpuna.

7. Taonga

All natural resources – air, land, water and indigenous biological diversity are taonga. Taonga are treasures, things highly prized and important to Poutini Ngāi Tahu, derived from the Atua (Gods) and left by the tipuna (ancestors) to provide and sustain life. Taonga include sites and resources such as wāhi tapu, tauranga waka, and mahinga mātaimai, other sites for gathering food and cultural resources, tribally significant landforms, and features. The term cultural landscapes is an inclusive expression for taonga sites and areas.

Pounamu is a taonga of utmost importance to Poutini Ngāi Tahu/Ngāi Tahu culture and tradition, and the two papatipu rūnanga have each prepared a pounamu management plan to manage appropriate use and protection of pounamu. Councils must have regard to these management plans when preparing regional and district plans, and when considering resource use activities that might affect pounamu resources.

11.2 Regulatory and Policy Direction

11.2.1 Part 2 of the RMA

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

Section 6 (e) of the RMA requires that the Plan recognise and provide for "the relationship of Maori and their culture and traditions with their ancestral lands, water sites, waahi tapu and other taonga" as a matter of national importance.

Section 7 (1) requires the Plan to “have particular regard to kaitiakitanga”.

Section 8 of the RMA requires that in exercising functions and powers under the Act, that “in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)”.

The Treaty of Waitangi provides for the exercise of kawanatanga, while actively protecting tino rangatiratanga of tangata whenua in respect of their natural, physical and spiritual resources.

11.2.2 National Instruments

New Zealand Coastal Policy Statement

Objective 3 and Policy 2 of the NZCPS set out national direction for the management of the coastal environment in relation to the Treaty of Waitangi, Tangata Whenua and Māori. Specifically, Policy 2(a) requires recognition that Tangata Whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations. Policy 6 seeks that, in the coastal environment, tangata whenua needs for papakāinga, marae, and associated activities are recognised.

Objective 5 and Policy 25 of the NZCPS relate to the management of coastal hazard risks. Objective 5 seeks that new development is located away from areas prone to coastal hazard risks taking into account climate change; responses are considered for existing development in this situation; and natural defences to coastal hazards are protected or restored. Policy 25 seeks to avoid redevelopment, or change in land use, in areas affected by coastal hazards in the next 100 years, where that would increase the risk of adverse effects from the hazards.

Parts of the Māori Purpose Zone is located within the coastal environment. The NZCPS also recognises the tension between enabling the use of ancestral land and the risks of natural hazards.

National Policy Statement on Freshwater Management 2020

The National Policy Statement for Freshwater Management 2020 (NPS-FM) sets out an objective and policies that focus on:

- Managing freshwater in a way that ‘gives effect’ to Te Mana o te Wai: (the integrated and holistic well-being of a freshwater body) in the management of fresh water;
- Prioritising the health and wellbeing of water bodies and freshwater ecosystems, followed by the health needs of people, followed by the ability of people and communities to provide for their social, economic and cultural well-being, now and in the future;
- Avoiding overallocation, improving and maximising efficient allocation and use of water and safeguarding its life-supporting capacity;
- Improving integrated management of fresh water and the use and development of land;
- Establishing a national objectives framework, monitoring progress, and accounting for freshwater takes and contaminants; and
- Providing for the active involvement of tangata whenua in freshwater management and that Māori freshwater values are identified and provided for.
- While many of the objectives and policies relate to the functions of regional councils, those covering integrated management, and tangata whenua roles and interests are of relevance. Provisions relating to the management of the use and development of land to safeguard water will also be relevant to the Proposed District Plan, but will need to be implemented in close co-ordination with West Coast Regional Council in order to avoid overlap and duplication.

Proposed National Policy Statement for Indigenous Biodiversity 2022

The proposed National Policy Statement for Indigenous Biodiversity 2022 (NPS – IB) was released in June 2022 and is expected to be gazetted in December 2022.

The NPSIB sits in the wider context of the vision and goals for biodiversity set out in Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020. The Biodiversity Strategy provides the overarching direction for biodiversity, while the NPSIB will be one of its regulatory tools.

The NPSIB also responds to the recommendations in Ko Aotearoa Tēnei: Report on the Wai 262 Claim. It provides a strengthened role in the resource management system for tangata whenua in management and decision-making for indigenous biodiversity. It also provides a pathway for tangata whenua to identify and protect their taonga species.

The objective of the NPSIB is to protect, maintain and restore indigenous biodiversity in a way that:

- a) recognises tangata whenua as kaitiaki, and people and communities as stewards, of indigenous biodiversity; and
- b) provides for the social, economic and cultural wellbeing of people and communities, now and into the future.

Te Rito o te Harakeke refers to the need for an integrated and holistic approach to maintain the integrity of indigenous biodiversity. It is a fundamental concept of the NPSIB. It recognises the intrinsic value and mauri of indigenous biodiversity as well as people's connections and relationships with it.

It also acknowledges the status of iwi and hapū as kaitiaki in their rohe and the central role they have in protecting our indigenous biodiversity. Councils are required to work with tangata whenua to develop a local approach for Te Rito o te Harakeke.

The NPSIB addresses the management of biodiversity on all types of land, including public, private and Māori land to ensure nature can thrive. Much of Aotearoa's indigenous biodiversity is on privately owned and managed land.

Māori lands, which include treaty settlement land, have specific management provisions for councils to work in partnership with tangata whenua and Māori landowners. Together they can develop planning provisions which balance the maintenance and protection of indigenous biodiversity and taonga species on Māori lands with the development of that land, including papakāinga, marae, dwellings, and associated infrastructure.

11.2.3 National Planning Standards and/or Guidance Documents

Released in April 2019, the purpose of the National Planning Standards (planning standards) is to improve consistency in plan and policy statement structure, format and content.

The planning standards were introduced as part of the 2017 amendments to the RMA. Their development is enabled by sections 58B–58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

As discussed in the Overview Report, the Proposed TTPP will give effect to the planning standards. Of particular relevance is the ability to include provisions for a Special Purpose – Māori Purpose Zone chapter within the Proposed TTPP. This zone uses definitions for Poutini Ngāi Tahu Activities and Māori Purpose Activities that provide for a wider range of cultural, community and living purposes across all zones, for Marae/Pa, and for integrated development of Māori land.

11.2.4 Regional Policy and Plans

West Coast Regional Policy Statement

The July 2020 Operative Regional Policy Statement has a specific chapter on resource management issues of significance to Poutini Ngāi Tahu. As well as outlining the key resource management issues, it sets these in context with an explanation of the relationship between Poutini Ngāi Tahu and the management of natural resources. The chapter also provides an overview of the key values, principles and practices. Much of this information is very valuable and it could be appropriate to include it within Te Tai o Poutini Plan.

In relation to Poutini Ngāi Tahu – and supporting the use of a Māori Purpose Special Zone the RPS has the following Objectives and Policies in the Resource Management Issues of Significance to Poutini Ngāi Tahu Chapter:

Objective 2 Recognise and provide for the relationship of Poutini Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga within the West Coast Region.

Policy 1 Acting cooperatively and in good faith, the Regional and district councils will continue to provide opportunities for active involvement of tangata whenua in resource management processes under the RMA.

Policy 3 The special relationship that Poutini Ngāi Tahu have with te taiao (the environment), and their economic, cultural, and spiritual values, including their role as kaitiaki, will be given particular consideration in resource management decisions and practices.

Policy 4 The aspirations of Poutini Ngāi Tahu concerning the development of papakāinga housing on Poutini Ngāi Tahu land will be recognised and supported.

11.2.5 Local Policies, Plans and Strategies

Poutini Ngāi Tahu – West Coast Regional Council Mana Whakahono a Rohe: Iwi Participation Agreement

The Manawhakahono a Rohe agreement sets as number of directions for TTPP. Specifically:

1. Sections 3.18 – 3.23 recognise Poutini Ngāi Tahu historic heritage and cultural landscapes and practices – wāhi typuna, wāhi tapu, urupā, Poutini Ngāi Tahu archaeological and cultural sites, kōiwi tangata and taonga (collectively Poutini Ngāi Tahu Heritage). It is identified that Poutini Ngāi Tahu Heritage is recorded within planning instruments, that there is a whakapapa relationship of Poutini Ngāi Tahu with Poutini Ngāi Tahu Heritage and that impacts on Poutini Ngāi Tahu Heritage are impacts on Poutini Ngāi Tahu. It recognises the Poutini Ngāi Tahu should participate in decisions that impact on Poutini Ngāi Tahu Heritage.
2. Section 3.34 identifies that pounamu management areas should be given priority as areas of protection and Poutini Ngāi Tahu whānui access, including through the use of local planning instruments.
3. Section 3.36 identifies that Aotea is given a similar level of priority to Pounamu as areas of protection and Ngāti Māhaki whānui access, including through the use of local planning instruments.
4. Section 4 recognises the importance of Iwi Management Plans and that they shall inform the development of planning frameworks, instruments and documents, as well as decisions on individual resource consents. Acting in accordance with iwi management plans is agreed as the primary means by which a Treaty partnership approach to resource management in the region can be achieved.

11.2.6 Poutini Ngāi Tahu Iwi Management Plans

The RMA requires that when preparing a District Plan, the territorial authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)). There are three iwi management plans on the West Coast – the Te Rūnanga o Makaawhio Pounamu Management Plan, the Ngāti Waewae Pounamu Management Plan and the Lake Māhinapua Management Plan.

While these documents focus on specific issues they also contain wider information about the overall approach to sustainability and kaitiakitanga of resources and Poutini Ngāi Tahu values. Natural landscapes may have cultural values such as pā, kāinga, ara tawhito (traditional trails), pounamu, mahinga kai, and wāhi ingoa (place names). The traditions of Ngāi Tahu tūpuna (ancestors) are embedded in the landscape.

11.2.7 Other Relevant Regulation

Ngai Tahu Claims Settlement Act 1998 (NTCSA)

The NTCSA outlined the full and final settlement relating to historical claims against the Crown. This included granting certain rights to sites of significance and a role in managing conservation resources.

The NTCSA records statutory acknowledgements, providing Ngai Tahu input into decision making processes. The NTCSA also identifies specific nohoanga areas of Crown-owned land adjacent to lakes, riverbanks and the coast used for mahinga kai (resource gathering).

These sites can be used for up to 210 days of the year, and is administered by Ngāi Tahu.

The NTCSA vested the bed of Lake Mahinapua in Poutini Ngāi Tahu and sought that a joint management plan be developed for effective integrated management of the area and the natural and historic resources within the area.

Te Ture Whenua Māori Act or the Māori Land Act 1993 (TTWMA)

The TTWMA recognises land as taonga tuku iho (heirloom) with special significance and connection to Māori, especially in terms of historical links. It categorises land in terms of Māori Land or General Land. There is: Māori customary land; Māori freehold land; general land (either Māori owned or not) and crown land (including land reserved for Māori).

The Māori Land Court promotes retention of Māori Land and facilitates occupation, development and use of the land. The Court has jurisdiction over the status, ownership, management and use of Māori land. This requires all dealings regarding Māori land to be examined and approved by the Māori Land Court. The TTWMA places significant restrictions on transferring ownership and favours ownership to be retained with whanau, hapu and descendants.

12.0 Resource Management Issue and Analysis

12.1 Background

Māori Land is different to General Land. This has largely resulted from historical efforts by past governments to reconcile the differences in customary Māori communal ownership of land, and the individual title system favoured by British law. Māori land generally has multiple owners, with descendants inheriting ownership as owners die (via applying to the Te Kooti Whenua Māori / Māori Land Court (MLC)).

The MLC is the only Court with specific jurisdiction over Māori Land, as prescribed by Te Ture Whenua Māori Act 1993 ('TTWM Act') also known as the Māori Land Act 1993. Owners of Māori Land must apply to the MLC if they want to administer their land. This is different to General Land where, for example, a person does not need to apply to a Court to succeed to land interests left to them.

The passage of TTWM Act represented the end of lengthy discussions within the Māori community on how to balance the often-competing objectives of retaining Māori Land in Māori ownership with development of the land. The TTWM Act remains the MLC's guiding legislation, and it directs that the Act be interpreted in a manner that best furthers the principles set out in the Preamble:

"Whereas the Treaty of Waitangi established the special relationship between the Māori people and the Crown: And whereas it is desirable that the spirit of the exchange of kāwanatanga for the protection of rangatiratanga embodied in the Treaty of Waitangi be reaffirmed: And whereas it is desirable to recognise that land is a taonga tuku iho of special significance to Māori people and, for that reason, to promote the retention of that land in the hands of its owners, their whānau, and their hapū, and to protect wāhi tapu: and to facilitate the occupation, development, and utilisation of that land for the benefit of its owners, their whānau, and their hapū: And whereas it is desirable to maintain a court and to establish mechanisms to assist the Māori people to achieve the implementation of these principles."

Section 2(2) of the TTWM Act states:

"...it is the intention of Parliament that powers, duties, and discretions conferred by this Act shall be exercised, as far as possible, in a manner that facilitates and promotes the retention, use,

development and control of Māori land as taonga tuku iho by Māori owners, their whanau, their hapū, and their descendants.”

As a resource, there is very little Māori land left on the West Coast: less than 0.5% of land is classed as Māori freehold land. The land area is less than 10,000 hectares of the 2.3 million hectares in the West Coast. The small amount of Māori land still available is located throughout the West in a variety of uses. Some of this land is difficult to develop due to the shape of the land parcel or because it is on bush covered coastal land which is subject to other protective overlays.

Poutini Ngāi Tahu have continued to express a desire to occupy and use Māori land within their ancestral rohe in order to develop social, cultural, economic and/or environmental outcomes in accordance with mātauranga and tikanga. They have also consistently expressed the aspiration to encourage people to return to their ancestral land. Connection with ancestral rohe was traditionally through building and living on the land.

The Operative District Plans do not specifically recognise Māori land, and with the exception of the operative Westland District Plan, do not provide for papakāinga, and even in this instance Māori Land is not recognised.

The history of Māori land in the District is well reported in numerous reports (e.g. The Ngāi Tahu Report, 1991) legislation (e.g. Ngāi Tahu Deed of Settlement, South Island Landless Natives Act 1906), waiata, karakia, whakatauki and the like. This history is not repeated here, but suffice it to note the impact that the confiscation of land has had on the West Coast, and the importance of the whenua (land) that remains in Māori ownership to support Poutini Ngāi Tahu aspirations.

There has been a general lack of positive outcomes for Poutini Ngāi Tahu from successive planning frameworks, and more specifically a pronounced lack of acknowledgement and provision for the relationships between Poutini Ngāi Tahu and their whenua.

In light of this, the identification of land to include within a Māori Purpose Zone was undertaken in conjunction with Poutini Ngāi Tahu Kaiwhakahaere and planning staff. The idea of a Māori Purpose Zone is that it should enable Poutini Ngāi Tahu to provide for environmental, economic, social and cultural wellbeing and look to the future in relation to this. Therefore when looking at the types of activities which could occur in the Māori Purpose Zone, it is important to recognise that such activities should not just be restricted to cultural activities undertaken in the recent past.

The relevant Strategic Objectives and Policies for this topic are:

POU – O1 To enable the occupation, development and use of Poutini Ngāi Tahu land in accordance with tikanga and for the benefit of Poutini Ngāi Tahu.

POU – P2 Enable rangatiratanga and kaitiakitanga in accordance with tikanga on Poutini Ngāi Tahu land through the development and use of Iwi/Papatipu Rūnanga Management Plans.

POU – P4 Provide for papakāinga, marae and Māori cultural activities to be established throughout the West Coast/Te Tai o Poutini settlements and on Poutini Ngāi Tahu land.

POU – P9 Recognise Poutini Ngāi Tahu as specialists in tikanga and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga.

POU – P10 Protect Poutini Ngāi Tahu taonga and cultural sites, including sites and areas of significance to Māori identified in Schedule Three while ensuring Poutini Ngāi Tahu's key role in decision making around their management.

12.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

12.2.1 Research

The current District Plans have been reviewed, technical advice and assistance from various internal and external experts has been commissioned and utilised, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Te Tai o Poutini Plan – Technical Update: Special Purpose Zones Approach. Report to Te Tai o Poutini Plan Committee 13 August 2020
Author	Lois Easton
Brief Synopsis	Discusses issues around Special Purpose Zones and recommends the inclusion of a range of Special Purpose Zones for inclusion within Te Tai o Poutini Plan
Link to Document	https://tpp.nz/wp-content/uploads/2022/01/Te-Tai-o-Poutini-Plan-Committee-Agenda-13-August-2020.pdf

Title	Te Tai o Poutini Plan – Poutini Ngāi Tahu Issues, Objectives and Policies. Report to Te Tai o Poutini Plan Committee November 2020
Author	Lois Easton
Brief Synopsis	Discusses issues in relation to Poutini Ngāi Tahu strategic provisions. Recommends draft Objectives and Policies.
Link to Document	https://tpp.nz/wp-content/uploads/2020/11/TTPP-Agenda-13-November-2020.pdf

Title	Te Tai o Poutini Plan – Māori Purpose Zone Objectives and Policies. Report to Te Tai o Poutini Plan Committee February 2021
Author	Lois Easton
Brief Synopsis	Discusses draft objectives and policies for Māori Purpose Zone land. Identifies sites for inclusion within the Māori Purpose Zone.
Link to Document	https://tpp.nz/wp-content/uploads/2021/02/TTPP-Agenda-23-February-2021.pdf

Title	Te Tai o Poutini Plan – Māori Purpose Zone Rules. Report to Te Tai o Poutini Plan Committee March 2021
Author	Lois Easton
Brief Synopsis	Discusses draft rules for Māori Purpose Zone land.
Link to Document	https://tpp.nz/wp-content/uploads/2021/04/TTPP-Agenda-30-March-2021.pdf

12.2.2 Consultation and Engagement

Te Tai o Poutini Plan has been the subject of significant consultation and community engagement. In relation to the Māori Purpose Zone provisions the focus of consultation was engaging with Te Rūnanga o Ngāti Waewae and Te Rūnanga o Ngāti Mahaki ki Makaawhio the two papatipu rūnanga on the West Coast.

Specific hui were also held at Arahura Marae and Te Tauraka Waka a Maui Marae during development of the draft plan provisions and to seek input and comment on these from hapū members.

Consultation was also undertaken with Te Tumu Paeroa/The Māori Trustee. There was strong support for an approach whereby tino rangatiratanga is provided for on Poutini Ngāi Tahu land.

The draft TTPP was released for public feedback in January 2022 and there was some feedback provided on the Māori Purpose Zone Chapter. This chapter was amended following feedback as outlined in a report to the Committee on 29th March 2022.

Title	Te Tai o Poutini Plan: Technical Report Feedback on the Draft Plan: Report to Te Tai o Poutini Plan Committee 29 March 2022
Author	Lois Easton
Brief Synopsis	This report brings the feedback on the draft Plan and recommends amendments to the Plan in response to that feedback.
Link to Document	https://tppp.nz/wp-content/uploads/2022/03/TTPP-Agenda-29-March-2022.pdf

Schedule 1 Pre-notification consultation

The RMA requires councils to undertake pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of a proposed district plan. These parties include:

- the Minister for the Environment;
- those other Ministers of the Crown who may be affected by the proposed plan;
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities.

As a result of this consultation, written feedback was received from Department of Conservation, Department of Internal Affairs, Te Rūnanga o Ngāi Tahu (TRONT) and the Ministry for the Environment.

TRONT provided detailed feedback on the Māori Purpose Zone and other provisions within the Plan. While strongly supporting the approach of including Māori Land within the Māori Purpose Zone, TRONT sought a number of changes – significant and minor. Where possible TTPP provisions were amended to reflect the TRONT feedback, but it was acknowledged that in relation to which lands are included within the Māori Purpose Zone, further policy work and discussion is needed. This is anticipated to be undertaken during the submission period on the proposed Plan, with the view to a joint submission being lodged by the TTPP Committee and Poutini Ngāi Tahu in line with the outcome of this policy work. This is discussed further in the following report.

Title	Te Tai o Poutini Plan: Feedback from Schedule 1(3) Consultation Process. Report to Te Tai o Poutini Plan Committee June 2022
Author	Lois Easton
Brief Synopsis	This report brings the Schedule 1 feedback on the draft Plan and recommends amendments to the Plan in response to that feedback.
Link to Document	https://tppp.nz/wp-content/uploads/2022/06/TTPP-Committee-Meeting-Agenda-21-June-2022-1.pdf

12.3 Operative District Plan Provisions

The current Plans do not recognise the difference in land tenure of Poutini Ngāi Tahu Land, the customary uses associated with it, or the kaitiakitanga role for this land. The land is zoned as the surrounding general title land – often rural, with Coastal Settlement at Okuru/Neil's Beach, Mahitahi/Bruce Bay, Small Settlement at Arahura kainga and a mix of Commercial, Industrial, Residential and Rural for the Māwhera land at Greymouth

12.4 Analysis of Best Practice – How Other Councils are Addressing the Same Issue

The inclusion of a Māori Purpose Zone is a relatively new planning provision. However recently produced plans surveyed include this zone, specifically Auckland, Timaru, New Plymouth and Porirua.

In Auckland this Zone is predominantly used for lands which have existing or proposed mārae development or other Māori cultural institutions, on general or Māori land. Produced prior to the National Planning Standards, the Auckland Unitary Plan has separate, additional provisions for land, which was returned under Treaty Settlements, as prior to Settlements very little Māori Land remained in Māori ownership.

In New Plymouth this zone recognises and provides for the relationship of Māori with Māori land as defined in the Te Ture Whenua Māori Act 1993. It also applies to some areas of land granted as Native Reserve for Māori occupation or use.

In Porirua, a relatively small City, the zone applies to a single area of land which consists of a residential area, including the marae and wharenuī, surrounded by six large land blocks. This land is the last remnant of the land that was set aside as a reserve for Ngāti Toa's perpetual benefit in 1846. It is mostly made up of Māori land blocks with some general land ownership.

12.5 Summary of Issues Analysis

There are a number of issues affecting the management of Māori land on the West Coast, including the ability to develop Māori land across the district, to achieve the social, cultural, economic or and/or environmental outcomes of Poutini Ngāi Tahu.

The existing approach of not recognising Māori land in the operative district plans is a significant hindrance to it's use by Poutini Ngāi Tahu and has negatively impacted on the wellbeing and mana of Poutini Ngāi Tahu whanui. Development of a Māori Purpose Zone and enabling decision making on this land is a key mechanism that could ensure the principles of Te Tiriti are taken into account as required by Section 8 of the RMA.

13.0 Scale and Significance Evaluation

The level of detail undertaken for the evaluation of the Proposed TTPP provisions has been determined by an assessment of the scale and significance of the implementation of these provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions.

	Minor	Low	Medium	High
Degree of change from the Operative Plans			x	
Effects on matters of national importance (s6 RMA)				x
Scale of effects – geographically (local, district wide, regional, national)		x		
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)		x		
Scale of effects on those with particular interests, e.g. Tangata Whenua				x
Degree of policy risk – does it involve effects that have been considered			x	

implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?				
Likelihood of increased costs or restrictions on individuals, businesses or communities	x			

13.1 Explanation Summary

In summary:

- The degree of change from the Operative District Plans is high: - This puts in place a new framework for managing Māori land on the West Coast, the Māori Purpose Zone is a new zone designed to provide specifically for Māori purpose activities, with provisions that recognise and provide for existing activities and set an appropriate management framework for future activities in the district.
 - The Māori Purpose Zone introduces specific rule provisions that enable the development of Māori land for Māori purposes
 - The Māori Purpose Zone identifies land within the district as a specific zone, and activities which require management where they occur within proximity to that zone (e.g. noisy or high traffic producing activities).
 - The Māori Purpose Zone introduces the iwi/papatipu rūnanga management plan as the principle tool for managing activities and effects within the zone – a significant new tool enabling tino rangatiratanga within the TTPP
- The proposal relates to s.5, 6(e), 6(f), 6(g), 7(a) and 8 matters in the RMA. This is a significant number compared to other topics in the TTPP. Māori land is taonga tuku iho, and the management of these areas in the district directly relates to matters of national importance, other matters and te Tiriti o Waitangi (Treaty of Waitangi).
- The geographical scale of effects is generally limited to discrete locations around the West Coast.
- The scale of effects on people and Treaty partners is high. Tangata Whenua of the district will primarily be affected by the proposed approach to managing activities on Māori land. The provision of a specific zone, as well as nuanced objectives, policies, rules and other methods that recognise the unique challenges of using and developing Māori-owned land, will allow for the critical role these activities play in providing for social, economic, cultural and environmental wellbeing.

Overall, it is considered that the scale and significance of the proposal is medium. The level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of specific Māori Purpose Zone activities (irrespective of whether they occur on Māori Land or not) that enable development and provide for management of amenity in proximity to the Māori Purpose Zone, and an approach to managing Māori land in the district.

14.0 Evaluation

14.1 Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Objectives	Appropriateness to Achieve the Purpose of the Act
<p>Buller District Plan Objectives:</p> <p><i>Objective 4.6.7.1. To protect places and sites of historical and cultural value from the adverse effects of land use activities and to ensure where appropriate, access to historic and cultural sites is maintained and enhanced.</i></p>	<p>The existing high-level objectives are generally considered appropriate in that they are consistent with the statutory and policy context.</p> <p>However, they fail to address the resource management issue relating to the development of Māori land or the need to allow for cultural uses and activities (irrespective of whether they occur on Māori Land or not) or reverse sensitivity effects in proximity to Marae or Pa.</p>
<p>Grey District Plan Objectives:</p> <p><i>Objective 15.5.1 To recognise and provide for the identification and management of those natural and physical resources which are considered important to Tangata Whenua, including Statutory Acknowledgement Areas and nohoanga sites.</i></p> <p><i>Objective 15.5.2. To recognise and provide for Tangata Whenua access to their traditional food gathering sites and the adequate protection of these from any use or development that may threaten such resources.</i></p> <p><i>Objective 15.5.3. To protect culturally significant sites, such as burial grounds, tapu sites and other taonga throughout the District.</i></p> <p><i>Objective 15.5.4 To encourage Tangata Whenua to participate in the development and implementation of resource management decisions in the District.</i></p>	<p>The lack of specific objectives also does not adequately recognise and provide for the relationship of Māori with their land in accordance with Section 6 (e) of the RMA, or Poutini Ngāi Tahu expectations.</p> <p>It is important to ensure Poutini Ngāi Tahu have the flexibility to develop Māori land, in accordance with mātauranga, kawa and tikanga, to achieve social, cultural, economic and/or environmental outcomes while ensuring appropriate health, safety and amenity standards are met.</p> <p>The existing objectives are no longer considered appropriate in achieving the aspirations of Poutini Ngāi Tahu to develop their land and enable the return of descendants to ancestral land.</p>
<p>Westland District Plan Objectives:</p> <p><i>Objective 3.5.2 To recognise and provide for the relationship, culture and traditions of tangata whenua with their ancestral lands, water, sites, waahi tapu and other taonga.</i></p>	
<p>Proposed TTPP Objectives:</p> <p>Māori Purpose Zone Chapter:</p> <p><i>MPZ – O1 The use and possession of ancestral land by Poutini Ngāi Tahu and Te Rūnanga o Ngāi Tahu is</i></p>	<ul style="list-style-type: none"> The purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being.

recognised and provided for within the MPZ - Māori Purpose Zone, within which Ngāi Tahu are able to exercise tino rangatiratanga

MPZ – O2 The MPZ - Māori Purpose Zone specifically provides for Poutini Ngāi Tahu needs and activities, including residential, social, cultural, environmental and economic use and development to:

- a. Provide a safe, nurturing environment for ngā uri (descendants), whānau (family), hapū (extended family), iwi me ngā manuhiri (tribe and visitors);*
- b. Ensure the whenua is managed in accordance with tikanga Māori; and*
- c. Ensure the protection and maintenance of ngā taonga tuku iho (treasures).*

MPZ – O3 The significant coverage of identified natural environment overlays across some parts of the MPZ - Māori Purpose Zone and the contribution their values make to the wider community is recognised, and the appropriate use and development of the Zone is provided for.

- Under Section 5 of the RMA, the management of Māori land must enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety while sustaining the potential of natural and physical resources; safeguarding the life-supporting capacity of air, water, soil, and ecosystems, and avoiding, remedying, or mitigating adverse effects of activities on the environment.
- Under Section 6 (f) of the RMA, the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga; the protection of historic heritage from inappropriate subdivision, use and development; and the protection of protected customary rights are matters of national importance that TTPP Committee must recognise and provide for.
- Under Section 7(a), TTPP Committee must have particular regard to kaitiakitanga.
- Under Section 8 of the RMA, all persons managing the use, development and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).
- Inclusion of a Māori Purpose Zone will provide for greater use and development of Māori land, and additional provisions for Poutini Ngāi Tahu and Māori Purpose activities will enable a wider range of cultural activities and uses throughout the West Coast.
- The new provisions are also necessary to better give effect to the provisions of the Regional Policy Statement for the West Coast 2020, and the expectations of Poutini Ngāi Tahu.
- Inclusion of a Māori Purpose Zone with specific provisions also gives effect to the RMA.
- The proposed objectives are also aligned with the principles identified by Poutini Ngāi Tahu; in particular: Kaitiakitanga, Tino Rangatiratanga
- The proposed objectives provide for tangata whenua to exercise their kaitiaki responsibilities and tino rangatiratanga within the Māori Purpose Zone and enable Māori Purpose activities and the comprehensive, coordinated and efficient development of Māori land in the zone, whilst ensuring that adverse effects are avoided, remedied or mitigated.
- Objective O3 gives specific recognition to managing and developing the resource of Māori land including within natural environment overlays, and protecting such land from inappropriate subdivision, use and development. It provides certainty to Plan users that Māori Purpose Zone areas should be recognised, identified and protected to achieve the social, environmental, economic and cultural aspirations of Māori for their land.

	<p>The retention and protection of Māori land contributes to Māori identity and sense of place as it provides connections to the past and to future generations.</p> <p>The proposed objectives are aligned with best-practice, and are reasonable and achievable. The objectives will sustain the potential of physical resources for current and future generations, maintaining and enhancing amenity values and quality of the environment. Therefore, the proposed objectives will achieve the purpose of the RMA.</p>
Evaluation of Alternative Options	Appropriateness to Achieve the Purpose of the Act
Do not provide for a Māori Purpose Zone or for the overall management of Māori land in the district.	This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected. It would also fail to properly recognise the social, environmental, economic and cultural aspirations of Māori for their land or provide for the historical or Poutini Ngāi Tahu values that Māori land can contribute to an area, including sense of place and community identity.
<p>Summary</p> <p>The proposed objectives will achieve the purpose of the RMA as they are a clear statement of intent that recognises the tangata whenua values and Māori aspirations for the development of their land and protects the land from inappropriate subdivision, use and development. The objectives provide certainty as to the outcomes that are appropriate under the TTPP provisions and are aligned with best practice throughout New Zealand.</p>	

14.2 Evaluation of Policies, Rules and Methods

14.2.1 Description of the Provisions

Location of Māori Purpose Zone

In the proposed TTPP the following sites are identified as Māori Purpose Zone:

- Māori Reserve 755, Waiototo River, Jackson Bay 42.7ha
- Open Bay Islands, Jackson Bay 15.8ha
- Lot 2 DP 3882 and Lot 1 DP 3882, Mahitahi Bruce Bay 1.3ha
- Bruce Bay Block XIV Section 781B, Bruce Bay Block XIV Section 781A, Lot 1 Deposited Plan 344397, Lot 1 Deposited Plan 346435 Mahitahi Bruce Bay 197.7ha
- Lot 2 DP 406129 and Lot 1 DP 406129 Mahitahi Bruce Bay 1.7ha – Te Tauraka a Maui Marae
- Bruce Bay Blocks X and XI Sections 853, 854 and 855B, Bruce Bay 783 and Bruce Bay 786 Makaawhio Jacobs River 308.4ha
- Part Rural Section 891, Rural Section 892 (Bruce Bay Blk VIII Sec 892), Bruce Bay 788, Rural Section 893, Rural Section 894, Rural Section 895, Rural Section 896, Rural Section 897, Rural Section 898, Rural Section 899, Rural Section 900, Rural Sections 2499 and 2500 Manakaiaua River, Karangarua 1311.1ha
- Lot 14-17 and Part lot 5 DP 545, Lot 1-3 DP 545 Arthurstown, Hokitika 83.9ha
- Arahura 30 Māori Reserve (multiple lots), Arahura River and Valley 811.9ha
- Arahura 1-10 (multiple lots) Arahura 18, Arahura Settlement 9.1ha
- Lot 2 DP 394182, Lot 1 DP 394182 Arahura Marae

Policies

There are 6 policies as follow:

MPZ – P1 Enable the incorporation of whānaungatanga, mātauranga and tikanga in relation to the use, design and layout of development within the MPZ - Māori Purpose Zone.

MPZ – P2 *Enable the use and development of the land in the MPZ - Māori Purpose Zone for a wide range of activities to support the Poutini Ngāi Tahu community, including:*

- a. Single dwellings, multiple dwellings, and papakāinga housing;*
- b. Marae complexes;*
- c. Cultural uses including harvest of mahinga kai;*
- d. Social, recreational, educational and community facilities; and*
- e. Farming and other economic activities.*

While

- i. Ensuring any significant adverse effects from these activities on adjoining landowners beyond the zone and the wider environment are mitigated; and*
- ii. Requiring that the above activities are adequately serviced with on-site or community scale facilities.*

MPZ – P3 *Enable the establishment of compatible activities within the MPZ - Māori Purpose Zone while ensuring that:*

- a. Use and development is consistent with the purpose of the zone;*
- b. The Poutini Ngāi Tahu community is sustained;*
- c. Cultural values are maintained or enhanced; and*
- d. The quality of the environment within or adjacent to the zone is not adversely affected.*

MPZ – P4 *Avoid activities which are likely to be incompatible with the purpose of the MPZ - Māori Purpose Zone, unless a cultural impact assessment endorsed by the relevant rūnanga demonstrates that the effects on the cultural values are acceptable or can be mitigated.*

MPZ – P5 *Provide for the use of Papatipu Rūnanga mandated Iwi/Papatipu Rūnanga management plans to provide for development in different areas within the MPZ - Māori Purpose Zone; ensuring that these plans contain the level of detail necessary to ensure that comprehensive, coordinated and efficient development occurs, including:*

- a. A description of activities, buildings and structures existing, or proposed to be established within the development area;*
- b. The bulk and location of any buildings and structures;*
- c. How adverse effects resulting from proposed activities, in particular at zone boundaries, will be avoided, remedied or mitigated;*
- d. The provision of sufficient infrastructure to service the needs of all activities proposed to be established; and*
- e. The protection of the mauri of any identified features potentially affected by any activities, buildings or structures proposed to be established.*

MPZ – P6 *Support the future application of the MPZ - Māori Purpose Zone to locations where it will enable the use and development of land in accordance with tikanga Māori and to meet Poutini Ngāi Tahu needs.*

Rules

The rules for the Māori Purpose Zone are based on the General Rural Zone – as most of the identified Māori Purpose Zone sites are adjacent to or within the General Rural Zone. The exception to this is the Arahura Pā which is a small settlement close to Hokitika.

The rules are structured so that:

- Māori Purpose Activities, Community Facilities and Residential Activities are a Permitted Activity with Permitted Activity Performance Standards similar to the General Rural Zone in terms of setbacks, building coverage, maximum gross floor area and building height.
- There are no density standards for residential activities – enabling comprehensive papakāinga to be developed in the zone
- Other Activities that are a Permitted Activity in the General Rural Zone are also Permitted, with similar performance standards, including:
 - Agricultural, pastoral or horticultural activities or buildings
 - Minor structures, fences and relocated buildings

- Visitor accommodation

The significant additional Permitted Activity is Buildings and Activities that are undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan that are not provided for in another Permitted Activity Rule. While the base performance standards in relation to setback, gross floor area, building coverage and height must be complied with to ensure amenity for adjacent properties is retained, there is no other restriction on the activities in the zone provisions.

Restricted Discretionary Activities are:

- Permitted activities not meeting the Permitted Activity performance standards
- Intensive Indoor Primary Production
- Non-rural Activities.

Discretionary Activities are activities not meeting Restricted Activity standards.

Any other activity is a Non-complying Activity.

14.2.2 Evaluation of Options Policies, Rules and Methods

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting/not acting
Option A: status quo	Tangata whenua are familiar with current provisions, resulting in reduced costs in understanding and complying with the amended provisions of the plan.	<p>Māori land is not identified or protected and tangata whenua have no specific rights to develop it for present and future generations</p> <p>Fails to meet the principles of Te Tiriti o Waitangi and s8 of the RMA</p> <p>Places potentially unreasonable restrictions in terms of Māori Land - particularly land that has been in continuous possession by Poutini Ngāi Tahu.</p>	These provisions are not considered efficient or effective – they do not recognise Māori Land on the West Coast and have no specific provision for its management under the RMA. This does not meet s6(e) or s8 of the RMA.	<p>The effects of this option are well understood and the implications of acting to implement this option have led to the issues identified in the discussion above.</p> <p>It is considered that there is sufficient information not to act on this option.</p>
Option B: Proposed Plan	<p>Environmental benefit includes:</p> <ul style="list-style-type: none"> Facilitate the implementation of kaitiakitanga, including those provisions expressed in iwi management planning documents. Potential benefits from use of alternative infrastructure (e.g. landbased wastewater infrastructure) which reduce impacts on the environment. 	<ul style="list-style-type: none"> Potential for adverse effects related to noise and traffic associated with permitted activities Risk of development permitted as a baseline preventing more comprehensive development in future Risk of further fragmentation of Māori land due to more development access permitted. 	<ul style="list-style-type: none"> The cultural benefits, with the associated environmental, economic, and social benefits outweigh the potential environmental and social costs. The recognition of tangata whenua and the empowerment for development is important and is ultimately the key benefit, though does not diminish the constraints to development away from natural hazards. The proposed provisions are considered to be the 	<p>Risk of not acting is reduced as zoning needs to be specifically applied to an area and an assessment undertaken before the zone is in place.</p> <p>The risk of not acting is that Council's relationship with iwi and hapū will deteriorate because of a perceived reluctance to enable kaitiakitanga and tino rangatiratanga.</p> <p>It is considered that there is sufficient information to act on this option.</p>

	<p>Economic benefit includes:</p> <ul style="list-style-type: none"> • This approach addresses current issues, by providing for the aspirations of Poutini Ngāi Tahu for the development of Māori land across the West Coast. • Certainty for landowners of development permitted without a resource consent. <p>Social benefit includes:</p> <ul style="list-style-type: none"> • Enhanced Poutini Ngāi Tahu whanui well-being through self reliance and improved living conditions <p>Cultural benefit includes:</p> <ul style="list-style-type: none"> • Provisions are designed to align with principles identified by Poutini Ngāi Tahu • Residential and marae development allows reoccupation of Māori land. 		<p>most effective means of achieving the objective(s) as together they will:</p> <ul style="list-style-type: none"> ○ give effect to WCRPS and enable the Councils to fulfil their statutory obligations, including Part 2 of the RMA, most notably Section 6 and Section 8. ○ ensure that adverse effects on the surrounding environment are managed appropriately by rule requirements 	
<p>Quantification Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.</p>				

Summary:

Option B – Proposed Approach is the most appropriate method for identifying, recognising and providing for the development of Māori land on the West Coast, for a range of Māori uses and activities to occur. The current provisions do not recognise the unique activities associated Māori land, nor the importance of the ability to develop this land to provide for social, economic, cultural and environmental well-being. Accordingly Option B is recommended and best meets the requirements of section 32 of the Resource Management Act as it represents the most appropriate means of achieving the objectives in respect of Māori land and Poutini Ngāi Tahu activities.

15.0 Summary

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The objectives and policies provide direction and certainty to plan users on the outcomes expected for the Māori Purpose Zone; and
- Methods are designed to provide for specific development anticipated on Māori land, as well as recognising the need to manage potential impacts at zone interfaces with other uses.
- Principles identified by Poutini Ngāi Tahu to guide the use of the zone have been adopted, with planning provisions aligned to the outcomes required to implement those principles.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent.

Part Four Scenic Visitor Zone

16.0 Overview and Purpose

This report contains a section 32 evaluation of the objectives, policies and methods relating to the Scenic Visitor Zone in the Proposed Te Tai o Poutini Plan (TTPP). It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the TTPP development.

This report sets out the statutory and policy context for the approach to management of land within the commercial areas of Franz Josef, Fox Glacier and Punakaiki, the key resource management issues, specific consultation and approach to evaluating this topic that was used to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA or the Act) in relation to this topic.

16.1 Introduction to the Resource Management Issue

The settlement centres of Franz Josef/Waiau, Fox Glacier/Weheka and Punakaiki are all currently subject to specific zones which reflect their status as major locations for visitor activity. Franz Josef/Waiau and Fox Glacier/Weheka are currently located in a Tourist Commercial Zone, and Punakaiki in a Scenically Sensitive Commercial Zone.

The Scenic Visitor Special Zone recognises the unique features of these townships – with relatively small permanent populations in the few hundreds, but annual visitor numbers in the hundreds of thousands. The Zone also recognises the amenity and scenic values that exist in the locations, with Punakaiki on the edge of the Paparoa National Park, within an Outstanding Coastal Natural Landscape and an Area of Significance to Māori, and Franz Josef/Waiau and Fox Glacier/Weheka being on the edge of Te Wahipounamu – South West New Zealand World Heritage Area and Tai Poutini/Westland National Park.

These three areas are already recognised for their special nature, with specific rules in the Buller and Westland and District Plans respectively.

16.2 Regulatory and Policy Direction

16.2.1 Part 2 of the RMA

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety. In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

A number of provisions have been included in the Special Purpose Scenic Visitor Zone Chapter in response to the requirements in Part 2, including:

1. Section 6, which identifies matters of national importance. Those relevant to this chapter are:
 - (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
 - (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.
 - (h) the management of significant risks from natural hazards.
2. Section 7, which identifies other matters. Those relevant to this chapter are:
 - (b) the efficient use and development of natural and physical resources;

(f) maintenance and enhancement of the quality of the environment.

3. Section 8, where all persons exercising functions and powers under the RMA shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The above matters are relevant to the Special Purpose Scenic Visitor Zone Chapter because if not managed appropriately, development and use of the land could have adverse effects on communities, property and the environment. The Special Purpose Scenic Visitor Zone Chapter seeks to address the resource management issues and achieve the purpose and principles contained in Part 2 of the RMA.

16.2.2 National Planning Standards/Guidance Documents

The following aspects of the National Planning Standards are relevant to this topic:

- 8. Zone Framework Standard

The standards seek that any additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:

- a. are significant to the district, region or country
- b. are impractical to be managed through another zone
- c. are impractical to be managed through a combination of spatial layers.

The Fox Glacier, Franz Josef and Punakaiki commercial areas meet the above requirements as it is impractical they be managed through another zone and have a distinct set of objectives and policies.

Further, their prominence as nationally significant tourism sites is of a scale that is unique, and therefore significant, to the West Coast.

16.2.3 West Coast Regional Policy Statement

The West Coast Regional Policy Statement (RPS) became operative in 2020. Of relevance to the Scenic Visitor Zone topic is Chapter 4 : Sustainable and Resilient Communities. Key objectives and policies are:

Objective 4.3. To ensure that the West Coast has physical environments that effectively integrate subdivision, use and development with the natural environment, and which have a sense of place, identity and a range of lifestyle and employment options.

Policy 4.4. To promote:

a) The sustainable management of urban areas and small settlements, along with the maintenance and enhancement of amenity values in these places; and...

16.2.4 Local Policies, Plans and Strategies

Greater Punakaiki Masterplan 2018

This plan considers the future spatial needs of the community so that it can grow sustainably. It has a number of key moves as follow:

- Improvements to the road corridor (SH6), including speed limit reductions and pedestrian /cycle safety measures.
- Gradual retreat of residents from current low-lying areas such as Punakaiki Village and around the Punakaiki River to areas on higher ground (areas to be determined as part of a separate study).
- Enhancing pedestrian /cycle linkages by providing an offroad track linking communities and key activities.
- Ongoing protection of private property and infrastructure in low-lying areas from coastal erosion (until such time as retreat occurs).
- Enhancing Dolomite Point as a 'Visitor Hub' through upgrades to the Visitor Centre and experience (as part of Dolomite Point Redevelopment project), the potential for a new Community Centre and additional services & amenities

Dolomite Point Redevelopment Project

This is a joint project between the Department of Conservation and Te Rūnanga o Ngāti Waewae which aims to celebrate and respect the significant Māori values associated with the Punakaiki area,

Three key objectives underpin the project: securing and future-proofing the infrastructure and visitor facilities at Dolomite Point in accordance with best-practice; deepening natural heritage visitor immersion by considering and celebrating the natural environment in all redevelopment plans; and establishing a compelling cultural footprint and story-telling platform.

West Coast Tourism Strategy 2016 and West Coast Economic Development Strategy 2018-2025

These strategies recognise Punakaiki and Glacier Country (Fox Glacier and Franz Josef) as two of six icons showcasing the West Coast. Future proofing Franz Josef and Punakaiki are two key initiatives as part of growing the West Coast economy.

Our Future Our Franz Josef

The West Coast Regional Council led a consultation process in 2018 called "Our Future, Our Franz Josef". This was based on work undertaken by Tonkin and Taylor and Ernst and Young to develop an appropriate evidence base to assist decision-making about "the best" way forward for the Township. Working closely with the community and stakeholders, three packages of options were identified:

- Avoid nature's most significant challenges
- Live with nature's challenges
- Defend against nature's challenges

Consultation and feedback on this was undertaken with this informing the next phase of development of a Franz Josef Strategy.

Westland National Park Management Plan and Paparoa National Park Management Plan

The three towns are surrounded by national park land – Paparoa National Park at Punakaiki and Westland National Park at Fox Glacier and Franz Josef. The National Park Management Plans recognise the importance of tourism activities to these three towns and have been co-developed with Poutini Ngāi Tahu.

16.2.5 Poutini Ngāi Tahu Iwi Management Plans

The RMA requires that when preparing a District Plan, the territorial authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)). There are three iwi management plans on the West Coast – the Te Rūnanga o Mākaawhio Pounamu Management Plan, the Ngāti Waewae Pounamu Management Plan and the Lake Māhinapua Management Plan.

While these documents focus on specific issues they also contain wider information about the overall approach to sustainability and kaitiakitanga of resources and Poutini Ngāi Tahu values. Natural landscapes may have cultural values such as pā, kāinga, ara tawhito (traditional trails), pounamu, mahinga kai, and wāhi ingoa (place names). The traditions of Ngāi Tahu tūpuna (ancestors) are embedded in the landscape.

17.0 Resource Management Issue and Analysis

17.1 Background

There are a range of issues that arise in relation to these three communities. These are partly addressed in the Scenic Visitor Zone provisions, but also within the overlay chapters – notably

- Coastal Severe, Coastal Alert Hazard and Land Instability Hazard Overlays (Punakaiki)
- Sites and Areas of Significance to Māori (Punakaiki)
- High Coastal Natural Character (Punakaiki)

- Earthquake Hazard, Severe Flood Hazard, Flood Susceptibility Hazard (Fox Glacier and Franz Josef)

These three areas are already recognised for their special nature, with specific rules in the Buller and Westland and District Plans respectively.

In relation to Franz Josef in particular a key focus of management is to progressively move the town away from the Alpine Fault. There is also a recognition that design improvements to the village are needed and that the desire is to retain the amenity of an alpine village – recognising the spectacular World Heritage Area environment.

An additional consideration is that as the glaciers recede and Franz Josef/Waiiau and Fox Glacier/Weheka become more reliant on the other aspects of the National Parks to continue to secure tourism numbers, that having a high - amenity built form will positively impact on this.

Similar issues arise in the Punakaiki Commercial Area although it is much smaller in size than Franz Josef/Waiiau or Fox Glacier/Weheka.

17.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

17.2.1 Research

The current District Plans have been reviewed, technical advice and assistance from various internal and external experts has been commissioned and utilised, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Franz Josef Natural Hazards Options Assessment and Cost Benefit Analysis October 2017
Author	Tonkin and Taylor and EY
Brief Synopsis	Looks at three options for managing natural hazard risk at Franz Josef and the costs and benefits of each of these
Link to Document	https://www.wcrc.govt.nz/repository/libraries/id:2459ikxj617q9ser65rr/hierarchy/Documents/Publications/Natural%20Hazard%20Reports/Westland%20District/Franz%20Josef/Franz%20Josef%20Natural%20Hazard%20Options%20Assessment%20and%20Cost%20Benefit%20Analysis.pdf

Title	Our Future Our Franz Josef Consultation Feedback March 2018
Author	West Coast Regional Council
Brief Synopsis	Summarises the feedback from the Our Future Our Franz Josef community consultation
Link to Document	https://www.wcrc.govt.nz/repository/libraries/id:2459ikxj617q9ser65rr/hierarchy/Documents/Council/News%20and%20Announcements/News%20%28media%20releases%29/Our%20future%20Our%20Franz%20Josef%20-%20Summary%20of%20consultation%20feedback.pdf

Title	Te Tai o Poutini Plan – Technical Update: Special Purpose Zones Approach. Report to Te Tai o Poutini Plan Committee 13 August 2020
Author	Lois Easton

Brief Synopsis	Discusses issues around Special Purpose Zones and recommends the inclusion of a range of Special Purpose Zones for inclusion within Te Tai o Poutini Plan
Link to Document	https://tppp.nz/wp-content/uploads/2022/01/Te-Tai-o-Poutini-Plan-Committee-Agenda-13-August-2020.pdf

Title	Te Tai o Poutini Plan – Technical Update: Scenic Visitor Zone Provisions Report to Te Tai o Poutini Plan Committee 28 September 2021
Author	Lois Easton
Brief Synopsis	Discusses issues around the Scenic Visitor Zone and recommends provisions for inclusion within Te Tai o Poutini Plan
Link to Document	https://tppp.nz/wp-content/uploads/2021/09/Agenda-TTPP-28-September-2021.pdf

17.2.2 Consultation and Engagement

Te Tai o Poutini Plan has been the subject of significant consultation and community engagement. Within that, the issues around urban areas and settlements have been the subject of targeted consultation alongside the overall TTPP consultation and engagement process.

Numerous one on one meetings were held with individual stakeholders during the Plan drafting, with multi-stakeholder workshops also held. Alongside this there was place based consultation undertaken to enable local community input into both the plan development and draft review phase.

Over February and September of 2020 a series of consultation drop in sessions were held at settlements throughout the West Coast, including Punakaiki (22nd September 2020) , Franz Josef (16 March 2020) and Fox Glacier (18 March 2020).

During March – April 2022 further meetings were held to discuss the draft Plan provisions across the West Coast, including Punakaiki (12 April 2022), Franz Josef (28 February 2022, 14 April 2022) and Fox Glacier (1 March 202).

The zoning provisions at Franz Josef have been developed by the Westland District Council as part of their Franz Josef Strategy. This has followed on from the WCRC Our Future Our Franz Josef work and has looked at how the township could progressively move north and away in particular from the Waiho River Severe Flood Hazard and the Alpine Fault. The Westland District Council has undertaken a parallel process to the development of TTPP of working with the Franz Josef community around zoning options and provisions to support resilience of the town.

17.3 Operative District Plan Provisions

Scenically Sensitive Commercial (Buller)

There is one relevant objective and one relevant policy for this area as follows:

Objective 4.3.6.1. To recognise, and where possible, protect the distinctive character and heritage values of Buller settlements from the adverse effects of inappropriate development.

Policy 4.3.7.4. The design and height of residential buildings within the Paparoa

Character Area and Punakaiki and Ross Subdivision (located within the Urban Character Area) shall be controlled with criteria for assessment designed to ensure that the landscape setting rather than the building remains the dominant visual perspective, in this scenically spectacular location.

The strong natural character policy framework in Buller has driven the Scenically Sensitive Commercial Zone rules which are exceedingly restrictive.

- The Zone provides for no new buildings/structures or additions as a Permitted Activity.
- It also provides for no indigenous vegetation clearance as a Permitted Activity.
- There is a maximum height limit of 7m.
- Restrictions are placed on heavy and light vehicle trips generated by the non-residential activities.
- The zone only provides for commercial, recreational or community activities.
- Discretionary activities are height limited to 10m.

Tourist Commercial (Westland)

There are two relevant objectives and four relevant policies in relation to this zone.

Objective 3.9.1 To identify, protect and enhance the distinctive Westland Character of the District's settlements.

Objective 3.9.2 To provide for the "intermingling" of land use activities within Westland's settlements and towns, where this does not detrimentally impact on the amenities, health and safety of residents and workers.

Policy 4.2. A A range of activities should be able to locate in the urban areas provided that any adverse effects on the environment or neighbouring land uses are avoided, remedied or mitigated.

Policy 4.2. B The status and importance of historic and cultural settlements and parts of settlements should not be adversely affected by development.

Policy 4.3. A. Urban development should be located in areas of low natural landscape value, low natural hazard risk and areas that do not have high public servicing costs.

Policy 4.3. D. Any expansion of settlements beyond the current policy unit zone boundaries shall take into account the significant landscape and visual qualities of the area.

There are two different approaches in this zone. The first reflects the original rules at the time of the notification of the Westland District Plan, and the second reflects the more recent developments – with two areas added to the zone in separate private plan changes.

The first approach is essentially just treating these areas as being very similar to other settlements in Westland and does not have much in the way of recognition of the special nature of the environment in which the settlements are located.

Rules under this original framework provide for:

- Commercial and residential activities to occur in the zone
- A maximum of 4m height for accessory buildings and 10m height for other buildings
- Recession planes, building length and yards against residential and zone boundaries
- 100% site coverage
- A minimum lot size per dwelling of 200m² with a 50m² outdoor space requirement

Rules under the more recent Plan Changes framework are much more reflective of the need for care in design and retaining some of the amenity and landscape values of the Franz Josef/Waiiau environment. Specifically:

- The inclusion of Objectives and Environmental Outcomes for the Stony Creek development
- The requirement to retain some indigenous vegetation for screening and to help better reflect the "alpine village in the bush" feel of the area
- A requirement for a buffer from SH6
- A lower max building coverage (to allow for vegetation retention and landscaping)
- Limitations on the number of signs outside the commercial core
- Specific design guidelines for development – including matters such as roofline pitch, materials and colour.

17.4 Summary of Issues Analysis

Franz Josef/Waiau

Proposals from the draft Franz Josef/Waiau Strategy identify that Cron Street is intended to become the new town centre core, with requirements for verandahs and good pedestrian amenity.

Additionally, draft changes to zoning in the wider area will actually reduce the amount of land zoned from the current Tourist Commercial zoning.

Scenic Visitor Zone is proposed for the "Commercial and Mixed Use" components of Franz Josef with specific verandah and frontage controls (similar to Hokitika) for the commercial core area.

For all the areas in Franz Josef/Waiau design requirements would apply which:

- Promote the retention of some indigenous vegetation to provide amenity and the "in the mountains" feel of the township.
- Encourage the use of appropriate materials and colours – but not have these as absolute rules
- Support pedestrian movement and connectivity within the township.

Fox Glacier/Weheka Township

Fox Glacier/Weheka township is much more at the base of the mountains than within them, and growth of the town is expected towards Lake Matheson rather than the glacier. The main street (Cook Flat Road to Sullivan Road) doesn't provide sufficient pedestrian amenity, as it is split by the State Highway. Fox Glacier/Weheka township urban design is also strongly influenced by the presence of the large and visually significant White Pub Café and Bar which is in an historic heritage building.

However much of the area where it is proposed to extend the commercial activity is forested. This would place this new development in a similar landscape to Franz Josef and does represent an opportunity to improve the amenity of the town. Consequently it is proposed that design requirements for Franz Josef should also apply to new development at Fox Glacier/Weheka, though it is not proposed to include any urban design requirements for the main street area.

Punakaiki Township

The commercial area of Punakaiki is fairly small – some of the area identified in the Buller Plan as Scenically Sensitive Commercial is now inside the Paparoa National Park. A sizable chunk of the private land is also currently vegetated – and subject to an Outstanding Natural Landscape and Outstanding Coastal Natural Character identification, as well as all of it falls within the Coastal Environment and is subject to natural hazard threats.

These considerations justify the current Buller approach of requiring resource consent for any activity which involves vegetation clearance. These matters are proposed to be addressed through specific controls (not a separate precinct) which refer just to the area at Punakaiki.

18.0 Scale and Significance Evaluation

The level of detail undertaken for the evaluation of the Proposed TTPP provisions has been determined by an assessment of the scale and significance of the implementation of these provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:

	Minor	Low	Medium	High
Degree of change from the Operative Plans			X	
Effects on matters of national importance (s6 RMA)			X	

Scale of effects – geographically (local, district wide, regional, national)		X		
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)		X		
Scale of effects on those with particular interests, e.g. Tangata Whenua			X	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		X		
Likelihood of increased costs or restrictions on individuals, businesses or communities		X		

18.1 Explanation Summary

In summary:

The level of analysis in the report is low – moderate. Existing plan rules are largely rolled over into TTPP however an objective and policy framework is now provided. Because of the high value natural environment and cultural values management of these townships impacts on section 6 matters of national importance. The towns themselves are small and therefore only a small number of property owners are affected.

19.0 Evaluation

19.1 Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Objectives	Appropriateness to Achieve the Purpose of the Act
<p>Option A Status Quo/Principle Alternative</p> <p>Buller District Plan Objectives:</p> <p><i>4.3.6.1. To recognise, and where possible, protect the distinctive character and heritage values of Buller settlements from the adverse effects of inappropriate development.</i></p>	<p>These objectives do not provide any recognition of the unique scenic qualities of the three townships and put in place a broad framework that applies across all towns and settlements in the respective districts.</p> <p>They also do not recognise the special nature of the three towns – their important role as visitor destinations (and where visitor numbers are overwhelmingly greater than permanent residents).</p>
<p>Westland District Plan Objectives:</p> <p><i>Objective 3.9.1 To identify, protect and enhance the distinctive Westland Character of the District's settlements.</i></p>	<p>The current objectives are not the most appropriate way to meet the purpose of the RMA and therefore it is necessary to develop specific objectives that reflect the different nature of these towns and the issues associated with</p>

<p><i>Objective 3.9.2 To provide for the "intermingling" of land use activities within Westland's settlements and towns, where this does not detrimentally impact on the amenities, health and safety of residents and workers.</i></p>	<p>allowing ongoing use and development and recognise their significance to the West Coast.</p>
<p>Option B: Proposed TTPP Objectives:</p> <p>Scenic Visitor Zone Chapter:</p> <p><i>SVZ – O1 o provide for community and visitor needs in the Fox Glacier/Weheka, Franz Josef/Waiaiu and Punakaiki townships in a way that delivers protection of the unique values that attracts visitors and benefits the local and regional economies and communities</i></p> <p><i>SVZ – O2 To support the expansion of the Fox Glacier/Weheka and Franz Josef/Waiaiu townships into areas of lower risk from natural hazards and to reduce the risk where existing development is located in high-risk natural hazard locations.</i></p>	<p>Objective 1 and 2 are considered the most appropriate way to achieve the purpose of the RMA because they are:</p> <ul style="list-style-type: none"> • More effective at managing the use, development, and protection of natural and physical resources within the Scenic Visitor Zone. • More effective at ensuring the efficient use and development of natural and physical resources within the Scenic Visitor Zone • More appropriate safeguards of the life-supporting capacity of air, water, soil, and ecosystems within the Scenic Visitor Zone • More effective at avoiding, remedying, or mitigating any adverse effects of activities on the Scenic Visitor Zone environment. • More appropriate at reflecting the Councils obligations under s31 of the RMA in being specific to the Scenic Visitor Zone than the alternative options, and gives effect to the relevant Part 2 matters, namely s7(b), 7(c) and 7(f). • Give effect to higher level documents, namely the RPS, by recognising and responding to the surrounding landscapes while also acknowledging that the Scenic Visitor Zone is geographically-dependent on their location, that it is necessary that development is responsive to the wider landscape and ecological values of the West Coast, while also ensuring that the adverse effects associated with such land use activities are appropriately managed. • Recognise that the provisions are focused on a discrete geographical location and provide the opportunity for more effective integration of resources compared with the proposed commercial and mixed use provisions of the Proposed TTPP. • Align with the Strategic Objectives. • Recognise the socio-economic benefits to the West Coast and in particular Buller and Westland Districts of having tourism support settlements with the consequential benefits to employment, local, district and regional economies and is more effective at enabling people to provide for their social, economic, and cultural well-being.
<p>Summary</p> <p>The proposed objectives will achieve the purpose of the RMA as they are a clear statement of intent that defines the expectations for the Scenic Visitor Zone within the West Coast. It provides certainty as to the outcomes that are considered to be appropriate under the TTPP provisions.</p> <p>The proposed objectives achieve the purpose of the RMA as they recognise the social and economic contribution that identifying and providing land for tourism and visitor support provides for the district. The proposed objectives for SVZ also provide increased certainty regarding the</p>	

clear outcomes anticipated under the Proposed TTPP provisions and align with contemporary planning practice applied around the country and the National Planning Standards 2019.

19.2 Evaluation of Policies, Rules and Zones

19.2.1 Description of the Provisions

Strategic Objectives

The applicability/relevance of all the proposed Strategic Objectives will need to be considered for all development proposals requiring resource consent under the Proposed TTPP. Of particular relevance to the Scenic Visitor Zones are the following proposed Strategic Objectives:

TRM – O1 To recognise the significance of tourism to the West Coast/Te Tai o Poutini economy by providing for sustainable tourism development while managing the adverse effects on the environment, communities and infrastructure. This includes:

1. Supporting the development of visitor facilities and accommodation within and near existing settlements and communities and on public conservation land where appropriate;
2. Supporting the development of cycling and walking connections between tourism sites;
3. Providing for the development, maintenance and upgrading of supporting infrastructure;
4. Ensuring that visitor facilities are connected to existing services and infrastructure;
5. Managing the development and expansion of visitor activities and services so that the natural and cultural values, amenity and character of the West Coast/Te Tai o Poutini and its communities are maintained;
6. Promoting a sustainable approach to tourism and minimising the adverse effects, and in particular cumulative adverse effects, of visitor activities and services on cultural values and wāhi tapu, natural values, amenity and landscape;
7. Supporting Ngāti Waewae and Ngāti Māhaki o Makaawhio to exercise kaitiakitanga, and provide education about the cultural importance of maunga, other landforms, taonga and wāhi tapu to Poutini Ngāi Tahu and how to treat these areas with respect; and
8. Supporting Poutini Ngāi Tahu in expansion of their tourism and visitor activities to deliver better economic outcomes for the hapū.

NENV – O3 To recognise:

- a. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land in protecting significant areas, habitats and features;
- b. The need for infrastructure to sometimes be located in significant areas; and
- c. The need to support the ethic of stewardship and to consider the positive effects of the conservation estate in achieving the requirements of the RMA.

NENV – O4 To clearly identify:

- a. Unique and important natural environment areas and features on the West Coast/Te Tai o Poutini which must be protected; and
- b. Areas where subdivision, use and development to enable community economic, cultural and social wellbeing can be sustainably managed.

Objectives and Policies

Objectives that:

- Recognise the unique locations and values of the townships
- Recognise the exposure to natural hazards particularly at Franz Josef and Fox Glacier and support the towns to expand into areas of lower risk

Policies that

- Provide for growth and change including new commercial development beyond the current Fox Glacier and Franz Josef centres
- Support the development of the centres as world class visitor destinations

- Support the development of tourism businesses
- Seek appropriate infrastructure that reflects the importance of the natural environment and Poutini Ngāi Tahu values with particular regard to land-based disposal of wastewater
- Require high quality design outcomes within the zone
- Seek to implement the Franz Josef Concept Plan and Punakaiki Masterplan

Rules

Allow for a wide mix of activities as Permitted Activities – Commercial Activities, Visitor Accommodation, Residential Activities, Recreational and Conservation Activities, Community Facilities and Emergency Service Facilities. Permitted Activity performance standards focus on ensuring high quality design outcomes in these locations including:

- Limiting vegetation clearance
- Maximum building heights (7m at Punakaiki and 10m at Franz Josef and Fox Glacier)
- Requiring low reflectance roofs
- Specifying roof pitch, and cladding materials at Franz Josef and Fox Glacier
- Identifying a main street frontage area at Franz Josef (Cron St) where verandahs, building to the street frontage and display windows are required
- Setting maximum building coverage

There are also standards that aim to support the amenity of adjacent Settlement Zone /residential dwellings such as

- Setbacks
- Screening of outdoor storage and waste management space
- Recession planes at boundaries

Where design standards are not met then the activity is generally a Discretionary Activity.

Industrial Activities and other activities not specifically provided for in the zone are a Non-complying Activity.

19.2.2 Evaluation of Options

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting/not acting
Option A: status quo	<p>Council staff and community are familiar with the current provisions, resulting in reduced administrative costs</p>	<ul style="list-style-type: none"> • Provides an inadequate level of clarity and certainty to the community regarding the appropriateness of development in these locations. • The special nature of the areas is not recognised in policy • Limited policy guidance, direction or emphasis on site layout, design and streetscape impacts resulting in varied outcomes, some lowquality design outcomes and limited consideration of site and wider landscape context • Options for managed retreat away from significant natural hazards are not available in Franz Josef • Greater potential for inconsistent decision making 	<ul style="list-style-type: none"> • Due to limited policy guidance, lack of integration between planning and urban design, the status quo delivers varying amenity and landscape outcomes. • The lack of direction in the plan leads to inconsistent decision-making and lack of control over certain activities. • This option fails to meet the growth demands of Franz Josef and Fox Glacier towns and does not provide any managed retreat options for Franz Josef • Therefore, this option is not considered to be the most efficient, effective or appropriate option to achieve the objectives. 	<ul style="list-style-type: none"> • If the proposed policy approach is not taken now, the risk of not acting is that development may occur on an ad hoc basis which could lead to a reduction in environmental quality and adverse character and amenity outcomes. • It is considered that the risk of acting on these provisions outweighs the risk of not acting. There is sufficient information not to act on this approach.
Option B: Proposed Plan	<ul style="list-style-type: none"> • Gives effect to the “sustainable communities” policies of the RPS. 	<ul style="list-style-type: none"> • Stronger emphasis on building layout, design and streetscape impact reduces flexibility for developers, and may reduce development yield and 	<ul style="list-style-type: none"> • This approach is effective and efficient as it would allow a range of development types to proceed with an appropriate assessment 	<p>The risk of not acting is that the current implementation issues with the Operative Plans approach continue and incrementally result in loss of amenity and landscape values within these townships. This includes:</p>

	<ul style="list-style-type: none"> • Gives effect to short to long-term requirements under the NPS-UD • Provides certainty for communities as to the future level of change or development they can expect. • Streamlined, simplified rules/standards that are easier for plan users to interpret and apply. The reduction in ambiguity is expected to result in increased compliance and effective compliance monitoring • Better quality development layout and design, and associated community environments which results in economic and social benefits for new and existing businesses. 	<p>associated financial benefits.</p> <ul style="list-style-type: none"> • Excluding part of the Franz Josef Developments area from the zone will have a negative effect on development options and associated financial benefits for that site 	<p>of environmental effects of the proposal.</p> <ul style="list-style-type: none"> • Rules and standards are considered effective in that they clearly set out what is allowed to occur and what requires resource consent. They effectively outline requirements for activities and development taking into account the expectations, characteristics and values of these scenic areas. • Rules and standards are considered efficient and effective as they provide a high level of certainty to landowners, residents, neighbours, the community and Council about the nature and level of activities and development allowed. • This option is considered to be the most efficient and effective to achieve the objectives. 	<ul style="list-style-type: none"> • Varying design requirements depending on which part of the existing Tourist Zone sites are currently located in • Options for managed retreat of development away from significant natural hazards are not available in Franz Josef • The amenity and character is compromised by poor urban design. • Inefficient use of land resource and infrastructure. <p>Overall, it is considered that there is sufficient information to act, and that risks of not acting are outweighed by the benefits of acting.</p>
<p>Quantification Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.</p>				
<p>Summary:</p>				

The above table demonstrates that Option B is the most appropriate method to achieve the objectives relating to these scenic townships on the West Coast. The existing regulatory approach to managing these facilities in the Operative District Plans are generic and lack sufficient specificity and clarity to effectively and efficiently address the scenic township related resource management issues identified. Consequently, an alternative approach is proposed that more explicitly recognises the unique locations and values and their contribution to the district and wider regional/national economy. It is also one that gives clear effect to the National Planning Standards.

20.0 Summary

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the issues, needs, benefits and costs relating to the Scenic Visitor Zone and the appropriateness of the proposed methods having regard to their effectiveness and efficiency relative to other means (including the current provisions) in achieving the purpose of the RMA. This evaluation has determined that a specific zoning, with the proposed objectives, policies and rules is the most appropriate way of addressing the topic in the Proposed TTPP.