

Submission on Te Tai o Poutini Plan

From Te Tai o Poutini Plan Committee

Introduction

This submission comes from the Te Tai o Poutini Plan Committee. It focuses on matters that are:

- a) West Coast wide where the Committee considers that amendment of the Proposed Plan is appropriate, generally as a result of further information becoming available after the notification of the Proposed Plan
- b) Correction of errors that the Committee have become aware of following the notification of the Proposed Plan.
- c) Omissions identified in the Proposed Plan as implementation has commenced.

It is noted that there are matters that the individual Councils (Westland District Council, Grey District Council, Buller District Council and West Coast Regional Council) and Poutini Ngāi Tahu may also submit on some matters. These have not been discussed with or endorsed by the Te Tai o Poutini Plan Committee. This document is its sole submission.

Submission

1. Matters Where Further Information Has Become Available after notification of the Proposed Plan.

1.1 Landscape Mapping

A further reassessment of the Outstanding Natural Landscape boundaries has now been completed by Brown Ltd. This reassessment was undertaken because for many areas, the boundaries of these overlays in the Proposed Plan reflects work done in 2013. Since that time there have been landscape changes, and the quality of aerial photography and GIS resolution has increased substantially. The Committee submit that the updated Brown Ltd work from the 2022 resurvey (dated September 2022 and appended to this submission) be used to form the basis of the boundaries of these overlays where this identifies that the boundaries should be reduced from the Proposed Plan mapped boundaries. The Committee does not support an increase in land area covered by the Outstanding Natural Landscape overlays.

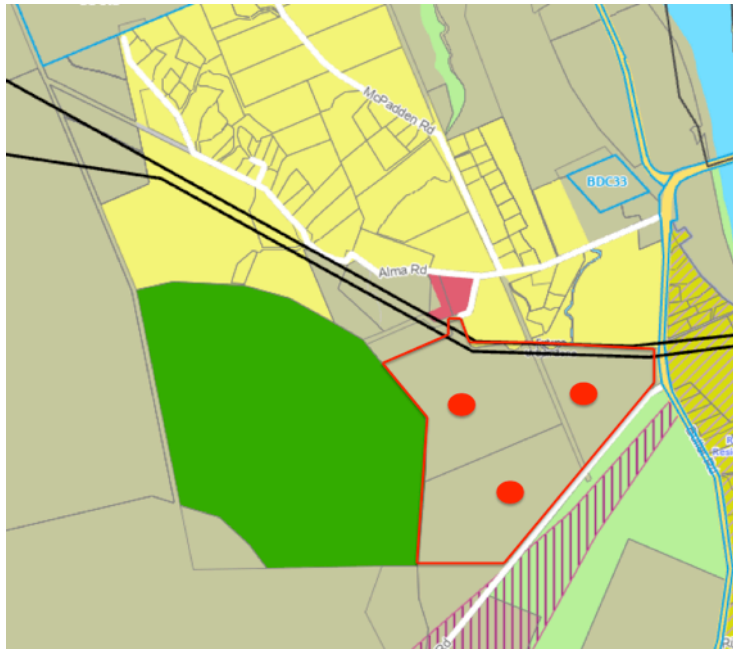
Relief Sought: That the extent of the area of Outstanding Natural Landscape overlays in the Plan be amended to reflect the updated boundaries for the Outstanding Natural Landscape where these cover a lesser land area, as identified in the Brown Ltd September 2022 mapping.

1.2 General Residential Zone – Alma Road Terrace, Buller District

The Alma Road area has been identified as a critical managed retreat location for Westport, which is affected by a range of natural hazards. Three sites were excluded from the General Residential Rezoning in the Proposed Plan due to their proximity to the Rifle Range and an operating quarry. However infrastructure planning has identified that these sites are important to the overall development of the Alma Road terrace as a residential area and need to be included within the General Residential Zone.

Relief Sought: That the Plan be amended so that the following sites, as shown in the attached map, be zoned General Residential Zone.

- Lot 2 DP 418652
- Lot 2 DP 404550
- Part Section 24 Block VII Kawatiri SD



2. Correction of Errors Identified in the Proposed Plan

2.1 Rule NH – R52. Westport Hazard Overlay.

The wording of this rule has been identified as being poorly drafted and will not enable a certain outcome in administration.

Relief Sought: Amend the rule as per the text below (additions underlined, deletions crossed out)

NH – R52 New Buildings and Additions and Alterations to Existing Buildings in the Westport Hazard Overlay

1. ~~Any new occupied buildings and additions and alterations to existing occupied buildings where these are protected by~~ are located in the protection area of the Westport Flood and Coastal Erosion Protection Scheme ~~from a 100-year Annual Recurrence Interval (1%ARI) plus 1m sea level rise coastal event and a 1% annual exceedance probability (AEP) flood even as certified as mapped by the West Coast Regional Council;~~ or
2. Where new occupied buildings are located in areas ~~not protected by~~ outside those areas protected by the Westport Flood and Coastal Erosion Protection Scheme ~~from a 1% ARI plus 1m sea level rise coastal event and a 1% AEP flood event,~~ where these are:
 - a. Buildings for sensitive activities where the finished floor level is 500mm above a 1% Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event and a 1% Annual Exceedance Probability (AEP) flood event;
 - b. Commercial and industrial buildings where the finished floor level is 300mm above a 1% ARI plus 1m sea level rise coastal event and a 1% AEP flood event;

or
3. These are new unoccupied buildings or additions or alterations to existing unoccupied buildings; or
4. These are additions and alterations to ~~critical response facilities~~ commercial and industrial activities where there is no increase in area of building that does not meet a minimum finished floor level of 300mm above a 1% ARI plus 1m sea level rise event and a 1% AEP flood event; or
5. These are additions and alterations to buildings for sensitive activities in areas not protected by the Westport Flood and Coastal Erosion Protection Scheme ~~from a 1%~~

~~ARI plus sea level rise coastal event and a 1% AEP flood event, where there is no increase in area of building that does not meet a minimum finished floor level of 500mm above a 1% ARI plus 1m sea level rise event and a 1% AEP flood event.~~

2.2 Rule NH – R50 Hokitika Coastal Hazard Overlay

The wording of this rule has been identified as being poorly drafted and will not enable a certain outcome in administration.

Relief Sought: Amend the rule as per the text below (additions underlined, deletions crossed out)

NH – R50 New Buildings in the Hokitika Coastal Hazard Overlay

1. ~~All~~ Any new buildings are ~~protected by the~~ located in the protection area of the Hokitika Flood and Coastal Erosion Protection Scheme, ~~from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event, as certified as mapped by the West Coast Regional Council~~
2. Where new buildings are not protected by the Hokitika Flood and Coastal Erosion Protection Scheme from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event:
 - a. Buildings for sensitive activities have a finished floor level of 500mm above the 100-year ARI plus 1m sea level rise coastal event;
 - b. Commercial and industrial buildings have a finished floor level of 300mm above the 100-year ARI plus 1m sea level rise coastal event.

2.3 Rule SUB – R21 in Relation to Natural Hazards

Rule SUB – R21 is not consistent with the plan approach to managing severe hazards whereby where a severe hazard is identified, subdivision in this area is a non-complying activity. For example subdivision in the Earthquake Hazard Overlay is a non-complying activity.

Relief Sought: Amend Rule SUB –R21 in relation to subdivision in the Coastal Hazard Severe and Flood Hazard Severe Overlay so that it is a Non-complying activity.

3.0 Addressing Omissions in the Proposed Plan

3.1 Commercial and Mixed Use Zones Objectives

There is no objective that relates to and supports the framework of the different Commercial and Mixed Use Zones.

Relief Sought: Add an additional Objective to the Commercial and Mixed Use Zones that provides direction to support the inclusion of the different zones.

3.2 Residential Zones Objectives

There is no objective that provides direction to support the rezoning of new areas for residential development, intensification or managed retreat.

Relief Sought: Add an additional Objective to the Residential Zones that provides direction to support the rezoning of new areas for residential development, intensification or managed retreat.

3.3 Residential Zones Policies

There are no policies that provide direction to support the rezoning of areas for residential expansion on the West Coast.

Relief Sought: Add two additional Policies to the Residential Zones:

- A policy that provides direction to support the rezoning of residential expansion at Alma Road in Westport, Paroa in Greymouth and Seaview/Kaniere in Hokitika

- A policy that identifies enabling managed retreat as being a key driver for rezoning areas to Residential Zones.

3.4 Financial Contributions Rules

There is no escalation rule for Financial Contributions, where the Permitted Activity rule is not met.

Relief Sought: Where Permitted Activity Standards are not met, provide a Discretionary Activity Rule for Financial Contributions.

3.5 Definitions to support Rule SASM – R17

Several terms in Rule SASM – R17 are not defined, yet are critical to rule interpretation and domestic scale and farming related activities may be unintentionally caught by this rule. These are Waste Disposal Facilities, Hazardous Facilities, Wastewater Treatment Plants and Wastewater Disposal Facilities.

Relief Sought: Provide definitions as follow

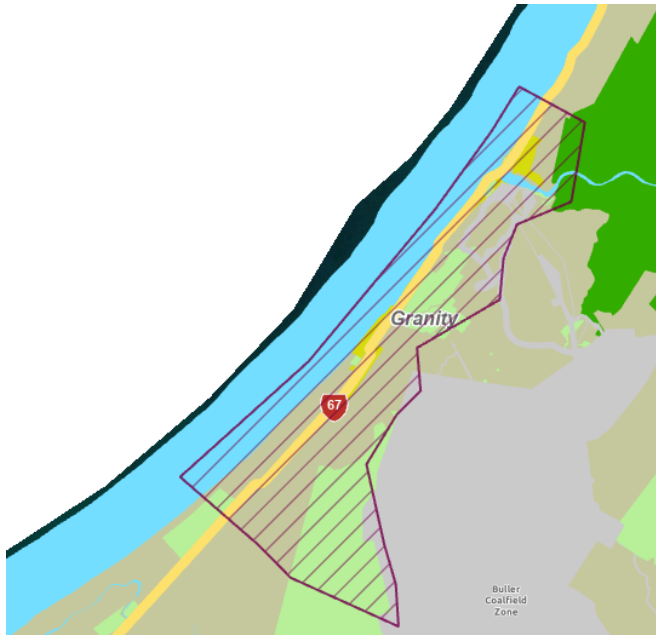
- For Waste Disposal Facilities – that clarifies that this applies to municipal or community scale facilities and excludes domestic and farm related facilities
- For Hazardous Facilities – that excludes service stations and domestic/farm scale storage of hazardous substances such as agrichemicals
- For Wastewater Treatment Plants – that clarifies this applies to municipal or community scale facilities for the treatment of human wastewater, and excludes domestic septic tank/on site wastewater treatment and dairy shed effluent treatment facilities
- For Wastewater Disposal Facilities that clarifies this applies to municipal or community scale facilities for the disposal of human wastewater, and excludes domestic septic tank/on site wastewater disposal fields and dairy shed effluent disposal facilities

3.6 Incorrect Mapping of Land Instability Hazard at Granity/Hector

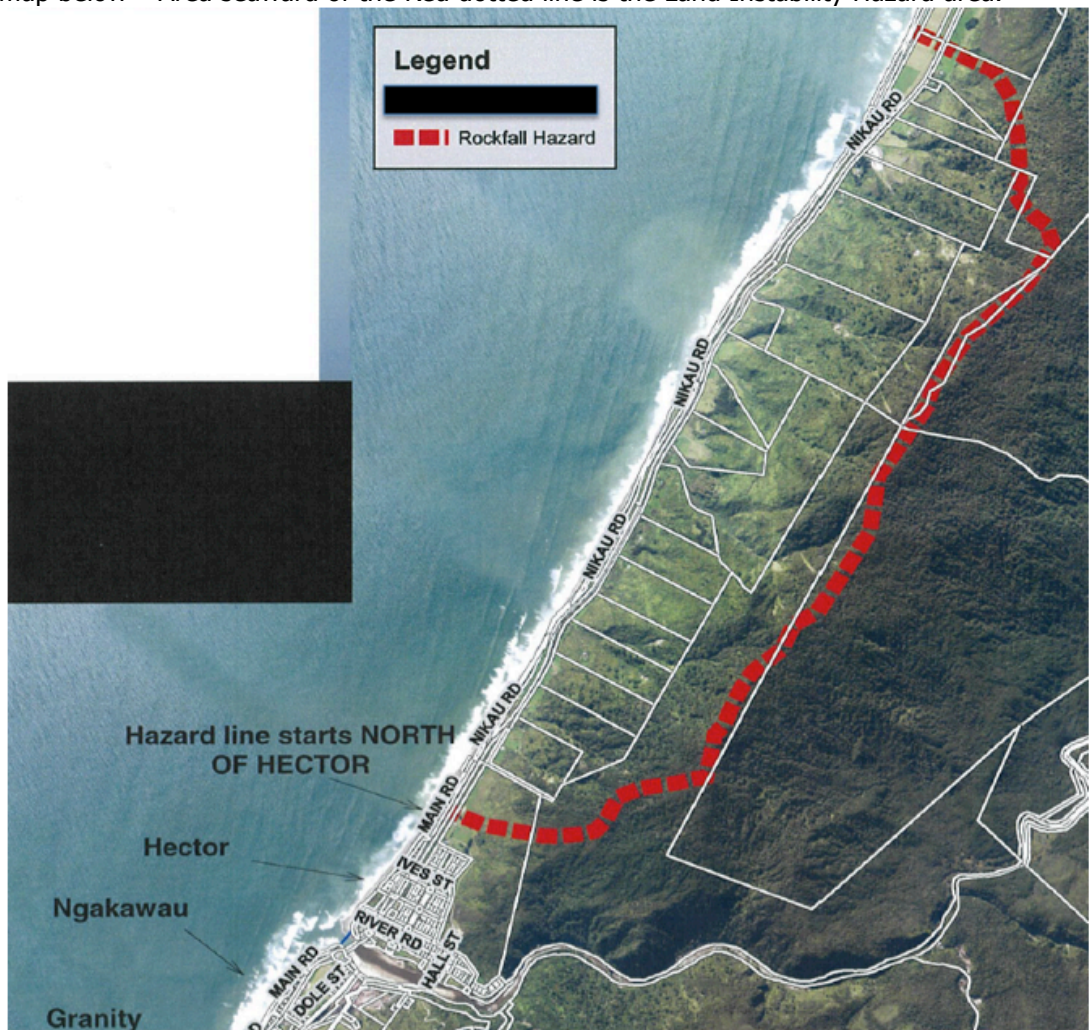
The mapping of the Land Instability Hazard at Granity/Hector is incorrect. The area to be included was supposed to be that which was previously identified in the Buller District Plan for which there is a strong evidence base. The area mapped over Granity has been included in error, as there is insufficient evidence to include this area in the Land Instability Hazard overlay in the Plan.

Relief Sought:

- i. Delete the Land Instability Hazard overlay on the area as shown at Granity in the map below.



- ii. Add a Land Instability Hazard overlay to the area north of Hector as shown in the map below – Area seaward of the Red dotted line is the Land Instability Hazard area.

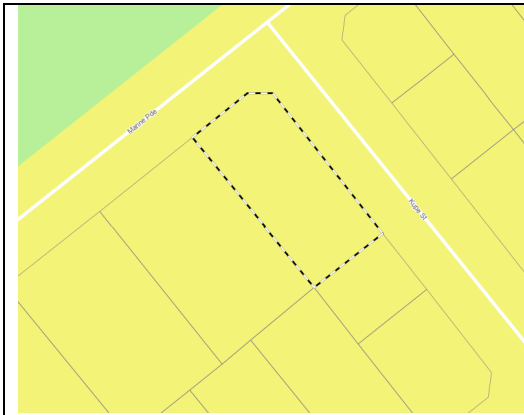


3.7 Address the following Errors in the Rules

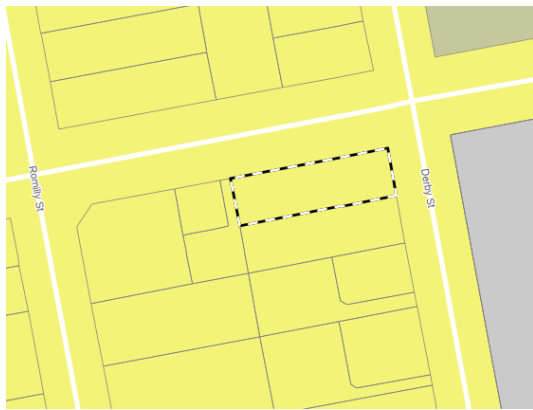
Error	Relief Sought
SUB – R8 should refer to the National Grid Subdivision Corridor and National Grid Yard not the Electricity Transmission Corridor and Electricity Transmission Yard	Replace references to the Electricity Transmission Corridor and Electricity Transmission Yard with references to the National Grid Subdivision Corridor and National Grid Yard.
HH-R6 is a restricted discretionary activity subject to conditions. There aren't really any conditions to comply with, but non-compliance defaults to discretionary.	Amend rule so that it is restricted discretionary, without conditions. Activity status where compliance is not achieved should be Not Applicable.
Amend Rule SUB - R5 to make it clear that the provisions in relation to Sites and Areas of Significance to Māori only apply where these specific sites are located. As currently worded standard 4 in relation to Sites and Areas of Significance to Māori appears to over-ride the rest of the rule.	Clarify the rule to make it clear that subdivision is a Controlled Activity within the specific Sites and Areas of Significance to Māori identified in the rule, and that outside any other Sites and Areas of Significance to Māori, the other standards in the rule apply.
<p>SUB - R10 and SUB - R17 both omit to exclude the Sites of Significance to Māori listed in SUB - R5 as being a Controlled Activity for subdivision.</p> <p>In relation to SUB - R10, this has the unintended consequence that subdivisions which are within a natural hazard area have to assess the impacts on cultural values, and notification to the rūnanga is required.</p> <p>In relation to SUB - R17, because Greymouth is within the Coastal Environment this has the unintended consequence of making all subdivision a Discretionary Activity.</p>	Amend Rules SUB - R10 and SUB - R17 to make it clear that within the Sites and Areas of Significance to Māori identified in SUB R5 subdivision is a Controlled Activity, and rules SUB - R10 and SUB - R17 do not apply.

3.8 Address the Following Zone Mapping Errors in the Plan

Error	Relief Sought
<p>Zoning Maps – the following sites are zoned General Residential Zone. They are the locations of small shops and community facilities that the correct zone should be Neighbourhood Centre Zone:</p> <ul style="list-style-type: none"> • 23 Marine Parade, Donaldos Store, Carter's Beach 	Rezone the sites Neighbourhood Centre Zone



- Lot 7 DP 16517, 46 Derby Street, Luffy's Corner Dairy and Grumpy's Takeaways, Westport

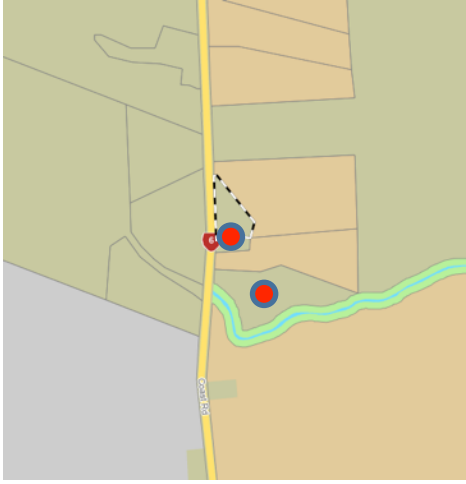



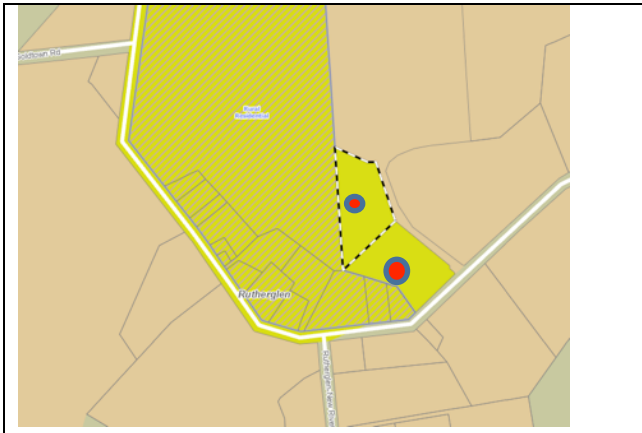

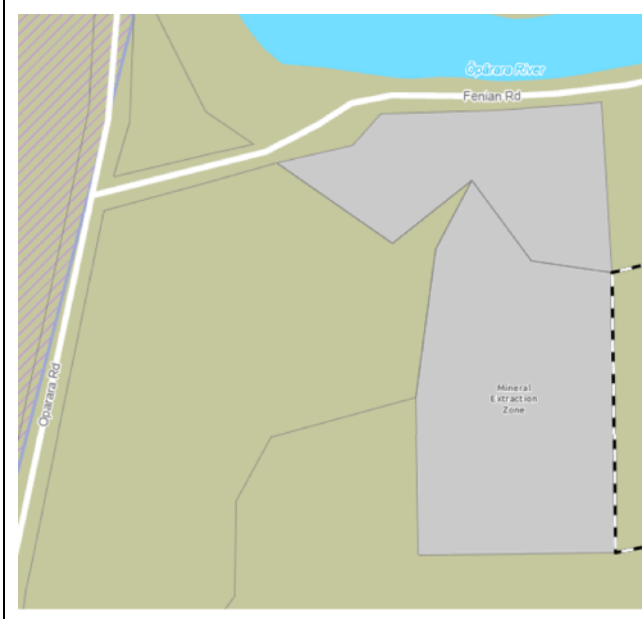
- Section 675 TN OF Westport, 21 Disraeli Street, Arkwrights Dairy and Takeaways, Westport



Zoning Maps: 3316 Coast Road Barrytown and two

Rezone the sites Rural Lifestyle Zone

<p>adjacent properties are incorrectly zoned General Rural Zone – all small sites on the eastern (landward) side of Coast Road were intended to be zoned Rural Lifestyle. Feedback on the draft plan was provided on this, and the intended zoning was Rural Lifestyle.</p> 	
<p>Zoning Maps: 7 Upper Buller Gorge, 5 Inwoods Road and adjacent properties Inangahua are incorrectly zoned Open Space Zone. These are privately owned sites. Staff consider the correct zoning would be Settlement Zone. There are also two small adjacent properties incorrectly zoned General Rural Zone that should also be rezoned Settlement Zone.</p> 	<p>Rezone the sites Settlement Zone</p>
<p>Zoning Maps Rutherglen</p> <p>Two properties that are part of a Rural Lifestyle subdivision that has now been approved have been incorrectly zoned Settlement Zone instead of Rural Lifestyle Zone</p>	<p>Rezone the sites Rural Lifestyle Zone</p>

	
<p>Te Kinga – three small sites have been incorrectly zoned General Rural Zone instead of Rural Lifestyle Zone.</p> 	<p>Rezone the sites Rural Lifestyle Zone</p>
<p>Karamea – one part of the Karamea Limestone quarry was incorrectly omitted from the Mineral Extraction Zone</p> 	<p>Rezone the site Mineral Extraction Zone</p>
<p>Kaniere – 31 Hans Bay Road private property incorrectly zoned Open Space Zone. The correct zone should be General Rural Zone</p>	<p>Rezone the site General Rural Zone</p>

