

# John Brazil - TTPP Submission



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Thu 10/11/2022 11:13

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Hi,

Please find attached my submission to the TTPP

Please let me know if you require any further information

Regards

John Brazil

<b>SUBMITTER DETAILS</b>	
First name	John
Last name	Brazil
Are you submitting as an individual, or on behalf of an organisation?	Individual
Organisation (if applicable)	N/A
Would you gain an advantage in trade competition through this submission?	No
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<b>OUR SUBMISSION</b>	
The specific provisions of the proposal that my submission relates to are	<ul style="list-style-type: none"><li>• Strategic Direction</li><li>• Energy Infrastructure and Transport</li><li>• Hazards and Risks</li><li>• Historical and Cultural Values</li><li>• Natural Environment Values</li><li>• Subdivision</li><li>• General District Wide Matters</li><li>• Zones</li><li>• Schedules</li><li>• Appendices</li><li>• General feedback</li></ul>
Do you wish to speak your submission?	Yes
Would you consider presenting a joint case?	Yes

## **John Brazil Submission on Proposed Te Tai o Poutini Plan**

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My submission explicitly extends to include any other related provisions in the plan touched on in my submission and/or concerning my submission or relevant to the matters raised in my submission. I wish to speak to my submission. I will consider presenting a joint case if others make a similar submission. I would not gain an advantage in trade competition through this submission.

### **PART 2 – DISTRICT-WIDE MATTERS**

#### **HAZ - HAZARDS AND RISKS**

##### **NH - Natural Hazards**

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
Coastal Hazard Severe Overlay	Oppose in part	I object to my property (i.e. 261 Utopia Road Westport) being included in this overlay.	Amend overlay to exclude Lot 1 DP 336364.
New objective	-	Similarly to NH – O4, the role that protective structures play in natural hazard mitigation needs to be recognised in the Natural Hazards Objectives.	Add a new objective: <i>To ensure the role of hazard mitigation played by protective structures and works that minimise impacts of hazards including rock walls and stopbanks is recognised and protected.</i>
NH – P10	Oppose in part	The wording of this policy is too restrictive and precludes a landowner seeking other expert input or utilising solutions where the hazard could be substantially mitigated using technical solutions.	Include wording that allows technical solutions or differing expert opinion to support resource consent applications for development. The wording of NH – P11 is more appropriate for severe overlays than the current wording.

			Delete <i>“and there is significant public or environmental benefit from doing so”</i> .
NH – P11	Support	I support this provision.	Retain as notified.
NH – P12	Support	I support this provision.	Retain as notified.
NH – R1	Oppose in part	Two and five years is an insufficient length of time for reconstruction/replacement.	Amend rule so that there is a ten-year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit.
NH – R38	Oppose in part	Two and five years is an insufficient length of time for reconstruction/replacement and there is no activity status where compliance is not achieved.	Amend rule so that there is a ten-year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
NH – R39	Support	I support this rule.	Retain as notified.
NH – R40	Oppose in part	Point two in this rule is too restrictive.	Delete point 2.
NH – R41	Oppose in part	The activity status when compliance is not achieved within the Coastal Severe Overlay is too restrictive.	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
NH – R42	Oppose in part	The activity status when compliance is not achieved within the Coastal Severe Overlay is too restrictive.	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
NH – R43	Support	I support this rule.	Retain as notified.
NH – R44	Oppose	Activity status is too restrictive.	Amend status to Discretionary.

## NATURAL ENVIRONMENT VALUES

### NFL - Natural Features and Landscapes

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
NFL – R14- R15	Support	I support this rule.	Retain as notified.

### PA - Public Access

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
Pre-objective discussion	Support	I support the discussion in the PA chapter preceding the objective.	Retain as notified.
PA – O1	Support	I support this single objective	Retain as notified.

## SUBDIVISION

### SUB – Subdivision

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
SUB – P3	Support	I support this policy.	Retain as notified.
SUB – P6	Support in part	I support that this policy seeks to minimise reverse sensitivity issues.	Retain point d. as notified.
SUB – P9	Oppose in part	I support the inclusion of policy related to esplanade reserves and strips. However, the purpose as notified is too extensive.	Delete the wording of this policy and reformulate to reflect the wording of the operative Buller District Plan. The purposes of esplanade reserves and strips to be only those set out in Section 229 of the Act

		<p>It is inappropriate that the policy provides for esplanade strips/reserves wider than 20m.</p> <p>The way in which esplanade strips and reserves are provided for in the Operative Buller District Plan is more appropriate than the wording in the proposed plan.</p>	<p>with the only additional inclusion being Poutini Ngai Tahu values. All reference to the width of esplanade reserves and strips being wider than 20m should be deleted.</p>
SUB – R6	Oppose in part	<p>There are parts of this rule that are too restrictive.</p> <p>For example, if only part of a parcel is located within overlays a specified in point 4, this should not automatically result in the entire parcel being considered inappropriate for subdivision. A subdivision site suitability report is the appropriate way to manage this issue.</p>	<p>Activity status where there is non-compliance with point should be Discretionary. There should be no escalation to Non-Complying status.</p>
SUB – R13	Support	<p>I support the provision.</p>	<p>Retain as notified.</p>
SUB – R16	Oppose in part	<p>The escalation of this rule where compliance is not achieved in unnecessarily restrictive.</p>	<p>Amend “Non-complying” to “N/A” under “Activity status where compliance not achieved”.</p>
SUB – R21	Oppose in part	<p>I believe this the appropriate activity status for this type of subdivision.</p> <p>For example, if only part of a parcel is located within the noted overlays this should not automatically result in the entire parcel being considered inappropriate for subdivision. A subdivision site suitability report is the appropriate way to manage this issue.</p> <p>However, there appears to be an error for the status where compliance is not achieved.</p>	<p>Amend “Non-complying” to “N/A” under “Activity status where compliance not achieved”.</p>

SUB – R23	Support	I support this provision.	Retain
SUB – R25	Oppose	I do not support this provision.	Delete.
SUB – R27	Oppose	I do not support this provision.	Delete.
SUB – S1	Oppose in part	The minimum lot sizes for the General Rural Zone and Rural Lifestyle Zone are too large.	Amend General Rural Zone minimum lot size to 1 hectare.  Amend Rural Lifestyle Zone minimum lot size to 0.5 hectare/5000m <sup>2</sup> .

## GENERAL DISTRICT-WIDE MATTERS

### Coastal Environment

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
Coastal Environment Overlay	Oppose in part	This overlay is far too extensive. The extent inland that the overlay covers is inappropriate and will unduly restrict development.  However, I support that Lot 1 DP 336364 (i.e. 261 Utopia Road Westport) is not included in the schedule.	Amend and reduce the inland extent of the Coastal Environment Overlay.  Listed parcel to remain excluded.
CE – O1-O2	Support	I support these objectives.	Retain as notified.
CE – O3	Support in part	The term “functional need” does not go far enough in recognising that some activities are required to operate in the coastal environment e.g. due to the location of mineral deposits.	Amend as follows:  <i>To provide for activities which have a functional, technical, operational or locational need to locate in the coastal environment in such a way that the impacts on natural character, landscape,</i>

			<i>natural features, access and biodiversity values are minimised.</i>
CE – P1	Support	I support this provision.	Retain as notified.
CE – P4	Support in part.	I believe this policy needs amending.	Include a point c. that provides for activities which have a functional, technical, operational or locational need to locate in the coastal environment.
CE – P5	Support in part.	I support this provision but believe this needs amending.	Amend point d. as follows: <i>Have a functional, <u>technical, locational</u> or operational need to locate within the coastal environment.</i>
CE – P6	Support	I support this provision.	Retain as notified.
CE – R1	Support	I support this provision.	Retain as notified.
CE – R4	Oppose in part	The maximum height limit of buildings and structures should be that specified for the particular zone.  The gross ground floor area is too restrictive and should revert to zone rules.	Delete point 2. A. i.  Delete point 2. A. iii.
CE – R5-R12	Oppose in part	I believe this is too restrictive.	Amend to be more enabling of development.
CE – R14-R19	Oppose in part	I believe this is too restrictive.	Amend to be more enabling of development.
CE – R21	Oppose in part	I believe this is too restrictive.	Amend to be more enabling of development.

## **PART 3 – AREA-SPECIFIC MATTERS**

### **ZONES**

#### **Rural Zones**

##### **RURZ – Rural Zones – Objectives and Policies**

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
RURZ O1-O6	Support	I support these objectives.	Retain as notified.
RURZ P1 – P12	Support	I support these policies.	Retain as notified.
RURZ P15 – P28	Support	I support these policies.	Retain as notified.

##### **GRUZ – General Rural Zone**

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
General Rural Zone	Oppose in part	I oppose my property, Lot 1 DP 336364 (i.e. 261 Utopia Road Westport), being included in the General Rural Zone. It is more appropriately zoned Rural Lifestyle Zone in the same way adjacent properties are.	Amend so that my property, Lot 1 DP 336364 (i.e. 261 Utopia Road Westport), is zoned Rural Lifestyle Zone.
GRUZ – R1-R3	Support in part	However, pre-existing non-compliance with points 1, 2, 3 and 4 should be recognised as being acceptable for the application of the rule.	Amend so that existing non-compliance with points 1, 2, 3 and 4 of does not preclude the application of this rule.



GRUZ – R5	Oppose in part	I believe this rule should be simplified.  Additionally, pre-existing non-compliance with points 1, 2, 3 and 4 should be recognised as being acceptable for the application of the rule.	Simplify the rule and/or amend so that existing non-compliance with points 1, 2, 3 and 4 of Rule GRUZ – R1 does not preclude the application of this rule.
GRUZ – R6	Support	I support this rule.	Retain as notified.
GRUZ – R8- R10	Support in part	I support this rule in principle. However, pre-existing non-compliance with Rule GRUZ – R1 should be recognised as being acceptable for the application of the rule.	Amend so that existing non-compliance with points 1, 2, 3 and 4 of Rule GRUZ – R1 does not preclude the application of this rule.
GRUZ – R12	Oppose in part	I support this rule in principle but believe that Transport Performance Standards and rules relating to light need to be amended before this rule is acceptable.  I believe the rule is also too restrictive.	Improve the Transport Performance Standards and rules relating to light that connect to this rule.  Amend to be more enabling of development.
GRUZ – R16- R17	Support in part	I support this rule in principle. However, pre-existing non-compliance with Rule GRUZ – R1 should be recognised as being acceptable for the application of the rule.	Amend so that existing non-compliance with points 1, 2, 3 and 4 of Rule GRUZ – R1 does not preclude the application of this rule.
GRUZ – R18	Support in principle	I support in principle.	Retain as notified.
GRUZ – R20- R22	Support in part	I support this rule in principle. However, pre-existing non-compliance with Rule GRUZ – R1 should be recognised as being acceptable for the application of the rule.	Amend so that existing non-compliance with points 1, 2, 3 and 4 of Rule GRUZ – R1 does not preclude the application of this rule.

GRUZ – R24	Support in part	I support this rule in principle. However, pre-existing non-compliance with Rule GRUZ – R1 should be recognised as being acceptable for the application of the rule.	Amend so that existing non-compliance with points 1, 2, 3 and 4 of Rule GRUZ – R1 does not preclude the application of this rule.
GRUZ – R25-29	Support	I support these rules.	Retain as notified.
GRUZ – R31	Oppose in part	I believe this rule is too restrictive.	Delete point 1.  Amend “Non-complying” to “N/A” under “Activity status where compliance not achieved”.

### **RLZ - Rural Lifestyle Zone**

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
Rural Lifestyle Zone	Oppose in part	I oppose my property, Lot 1 DP 336364 (i.e. 261 Utopia Road Westport), being excluded from the Rural Lifestyle Zone. It is an appropriate zone given the surrounding proposed zoning.	Amend so that my property, Lot 1 DP 336364 (i.e. 261 Utopia Road Westport), is zoned Rural Lifestyle Zone.
RLZ – R1	Support	I support this rule.	Retain as notified.
RLZ – R3 and R5	Support in part	I support this rule in principle. However, pre-existing non-compliance with Rule RLZ – R1 should be recognised as being acceptable for the application of the rule.	Amend so that pre-existing non-compliance with Rule RLZ – R1 does not preclude the application of this rule.
RLZ – R6	Support in part	I support this rule.	Retain as notified.

RLZ – R7-R9	Support in part	I support this rule in principle. However, pre-existing non-compliance with Rule RLZ – R1 should be recognised as being acceptable for the application of the rule.	Amend so that pre-existing non-compliance with Rule RLZ – R1 does not preclude the application of this rule.
RLZ – R12-R14	Support in part	I support this rule in principle. However, pre-existing non-compliance with Rule RLZ – R1 should be recognised as being acceptable for the application of the rule.	Amend so that pre-existing non-compliance with Rule RLZ – R1 does not preclude the application of this rule.
RLZ – R16	Support in part	I support this rule but it is restrictive and non-compliance should not mean the activity is Non-complying.	Delete point 1. Amend “Non-complying” to “N/A” under “Activity status where compliance not achieved”.
RLZ – R17	Oppose in part	This rule is too restrictive, and non-compliance should not mean the activity is Non-complying.	Amend to be more enabling of development.
	Delete.		
RLZ – R19-R22	Support	I support these rules.	Retain as notified.
RLZ – R23-R25	Oppose	These rules are too restrictive.	Delete.

## **PART 4 – APPENDICES**

### **SCHEDULES**

#### **Schedule Four: Significant Natural Areas**

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
Schedule Four: Significant Natural Areas	Support in part	<p>I support that areas of significant indigenous vegetation and fauna habitat will be identified through the resource consent process until such time as district wide identification and mapping of significant natural areas is undertaken in an appropriate and consultative way and that a formal Plan Change occurs after that time.</p> <p>I support this policy in principle. I believe that a June 2027 deadline is too ambitious to undertake the work in a way that sufficiently involves landowners.</p>	Retain Schedule as notified

#### **Schedule Five: Outstanding Natural Landscapes**

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
Schedule Five: Outstanding Natural Landscapes	Support in part	I support that Lot 1 DP 336364 (i.e. 261 Utopia Road Westport) is not included in the schedule.	Listed parcel to remain excluded.

**Schedule Six: Outstanding Natural Features**

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
Schedule Six: Outstanding Natural Features	Support in part	I support that Lot 1 DP 336364 (i.e. 261 Utopia Road Westport) is not included in the schedule.	Listed parcel to remain excluded.

**Schedule Seven: High Coastal Natural Character**

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
Schedule Seven: High Coastal Natural Character	Support in part	I support that Lot 1 DP 336364 (i.e. 261 Utopia Road Westport) is not included in the schedule.	Listed parcel to remain excluded.

**Schedule Eight: Outstanding Coastal Natural Character**

<b>Plan Provision</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Sought</b>
Schedule Eight: Outstanding Coastal Natural Character	Support in part	I support that Lot 1 DP 336364 (i.e. 261 Utopia Road Westport) is not included in the schedule.	Listed parcel to remain excluded.