

# Te Tai o Poutini Plan Proposed Plan Submission form

**Have  
your  
say!**

Te Tai o  
Poutini Plan  
Proposed  
Plan

We need your feedback. We want to hear from you on the proposed Te Tai o Poutini Plan. What do you support and what would you like changed? And why? It is just as important to understand what you like in the Proposed Plan as what you don't. Understanding everyone's perspectives is essential for developing a balanced plan.

## Your details:

First name: \_\_\_\_\_ Surname: \_\_\_\_\_

Are you submitting as an individual, or on behalf of an organisation?  Individual  Organisation

Organisation (if applicable): **Hapuka Landing Limited**

Would you gain an advantage in trade competition through this submission?  Yes  No

If you **could** gain an advantage in trade competition through this submission please complete the following:

I am  /am not  directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Postal address: **c/ Anderson Lloyd, PO Box 13831, Christchurch 8140**

Email: **sarah.eveleigh@al.nz**

Phone: **03 335 1217**

Signature: 

Date: **11 November 2022**

## Your submission:

The specific provisions of the proposal that my submission relates to are:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Strategic Direction            | <input type="checkbox"/> Energy Infrastructure and Transport | <input type="checkbox"/> Hazards and Risks |
| <input type="checkbox"/> Historical and Cultural Values | <input type="checkbox"/> Natural Environment Values          | <input type="checkbox"/> Subdivision       |
| <input type="checkbox"/> General District Wide Matters  | <input type="checkbox"/> Zones                               | <input type="checkbox"/> Schedules         |
| <input type="checkbox"/> Appendices                     | <input type="checkbox"/> General feedback                    |  |

All submitters have the opportunity to present their feedback to Commissioners during the hearings process. Hearings are anticipated to be held in the middle of 2023. Please indicate your preferred option below:

I wish to speak to my submission  I do not wish to speak to my submission

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes, I would consider presenting a joint case  No, I would not consider presenting a joint case

**Public information** - all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information. The content provided in your submission form will be published to the Te Tai o Poutini Plan website and available to the public. It is your responsibility to ensure that your submission does not include any personal information that you do not want published.

Want to know more?  
[tppp.westcoast.govt.nz](http://tppp.westcoast.govt.nz)

0508 800 118



**Te Tai o Poutini**  
PLAN

A combined district plan for the West Coast



## Submission on notified proposal for Proposed Te Tai o Poutini Plan

- 1 This is a submission on the Proposed Te Tai o Poutini Plan (TTPP) by Hapuka Landing Limited (HPL).

### Background

- 2 HPL is the owner of two undeveloped lots at 17 and 27 Fox Moth Drive, Okuru, Westland (Lots 9 and 14 DP 498766), together with a share of the access and balance lots (Lot 19 DP 498766 (seaward balance lot) and Lot 100 498766 (access road)). The lots are within a rural residential subdivision known as Hapuka Landing.
- 3 The subdivision was consented through resource consent RC 140061, obtained concurrently with land use consent RC 140062 for the construction and residential use of a dwelling and ancillary buildings on each lot. These resource consents were obtained prior to notification of the TTPP, however the TTPP zoning and overlays over Hapuka Landing do not recognise the consented activity.
- 4 A map detailing the lots, and a map detailing Hapuka Landing more generally, is **attached as Appendix 1**.
- 5 HPL seeks to ensure that the TTPP provisions provide for the consented and anticipated development at Hapuka Landing, to ensure that the owners of property at Hapuka Landing are able to undertake appropriate activities on their land.

### Relief Sought

- 6 HPL seeks the appropriate enablement of activities envisaged by the subdivision and land use consents, and any ancillary activities that might reasonably be anticipated, in the TTPP. Hapuka Landing is an 18-lot development of moderate density in a small settlement, and this should be reflected in the TTPP zoning. Residential use is consented at Hapuka Landing, and that use should be recognised. Various activities expected in a rural residential context, and ancillary to this consented development, should be enabled. These activities include, but are not limited to, home business and visitor accommodation, swimming pools, fencing, domestic animal shelters, sheds and other structures, and construction activities including earthworks and vegetation clearance. A particular feature of the development (as indicated by the name of the subdivision and access road) is provision for access via aircraft landing on the site, within the balance lot. Landing of aircraft, including helicopters, and related infrastructure (airstrips, landing areas, helicopter pads and hangars) should be enabled.
- 7 HPL seek all amendments to the TTPP provisions necessary in order to ensure that consented and anticipated activities are enabled across Hapuka Landing. Without limiting the generality of that relief, amendments to give effect to this intention include:

- (a) Rezoning of Lots 1-18 DP 498766, Lot 19 DP 498766 and Lot 100 498766, being 'Hapuka Landing', from General Rural Zone (**GRZ**) to Settlement Zone with a Coastal Settlement Precinct; or, in the alternative, any other such zoning which recognises the existing environment (including consented residential dwellings, ancillary buildings and residential use generally) and activities appropriate in a residential context.
- (b) Amending CE-R4 to ensure that standards are appropriate for residential use, including by increasing the permitted gross ground floor area of new buildings.
- (c) Amending CE-R5 to increase the permitted ground floor area and building footprint limits to allow for appropriate residential use.
- (d) Removing the Flood Plain overlay.
- (e) Amending the activity status of NH-R43, relating to new buildings for sensitive activities or increases to net floor area of buildings for sensitive activities in the Coastal Hazard Alert overlay, from discretionary to restricted discretionary, with matters of discretion restricted to management of inundation effects.
- (f) Amending the activity status of NH-R44, relating to new buildings for sensitive activities or increases to net floor area of buildings for sensitive activities in the Coastal Hazard Severe overlay, from non-complying to restricted discretionary, with matters of discretion restricted to management of inundation and erosion effects.
- (g) Amendment to SASM-R4 to permit indigenous vegetation clearance of a specific area (indicatively, 100m<sup>2</sup>), and/or indigenous vegetation clearance associated with ongoing residential use/maintenance; or, in the alternative, exclude SAMS197 from the application of this rule.

8 HPL also seek any alternative, further or consequential amendments to any provisions of the TTPP that address the matters raised in this submission.

### **Reasons**

9 Zoning, overlays and associated rule frameworks should reflect what is existing and anticipated on the site. The TTPP does not currently reflect the Hapuka Landing receiving environment, and the extensive restrictions applied through the overlay mechanisms do not provide for usual and ongoing residential activity (including ancillary activities) anticipated on the site. In many cases, the controls imposed do not reflect effects-based planning.

10 The GRZ is said to apply to areas used predominantly for primary production activities, activities supporting primary production or activities requiring a rural location. Given the subdivision and land use consents applying to Hapuka Landing, the GRZ is not the most appropriate zone for this area. Settlement Zone with a Coastal Settlement Precinct has been

applied to similar coastal developments across the region. Zoning should reflect what is existing/anticipated on the site and be applied consistently across the region.

- 11 Restrictions on ground floor area and/or building footprints are activity-based rather than effects-based as increased ground floor area/building footprint does not automatically correlate to increased effects on coastal character (or increased risk of natural hazards for that matter). In any case, the ground floor area limitations provided (200m<sup>2</sup> in Coastal Environment, and 100m<sup>2</sup> (or 50m<sup>2</sup> increase) in the High Coastal Natural Character Area) are overly restrictive and do not appropriately provide for rural and residential use.
- 12 The Flood Plain overlay is unsubstantiated and represents an unnecessary duplication of the Coastal Hazard Severe and Coastal Hazard Alert overlays – both of which address inundation.
- 13 Non-complying and discretionary rules are not required to ensure management of natural hazard risk. There is no need to open up consent applications to assessment of all effects (and/or the gateway test) purely on the basis of natural hazard risk when this can be addressed independently. The risk of natural hazards, and/or any potential effects of natural hazards, are discrete issues that can be managed through a restricted discretionary activity status with matters of discretion that address natural hazard risk/potential effects.
- 14 Further, restrictions on gross ground floor area and/or net floor area are not the most appropriate mechanism to address the risk and/or potential effects of inundation or erosion. A restricted discretionary matter relating to management of inundation and/or erosion effects is more appropriate as it allows consideration of an array of mitigation measures, including minimum ground floor levels – which are more appropriate to address inundation effects.
- 15 Small scale clearance of indigenous vegetation on privately owned residential properties (including the jointly owned balance lot and accessway), is unlikely to interfere with any of the values listed for SASM197 (being Kāinga, Nohoanga, Urupā and Mahinga kai).

#### **Decision Sought**

- 16 HPL seeks any and all relief required to give effect to this submission, including but not limited to the relief detailed above.
- 17 HPL also seek any alternative, further or consequential amendments to any provisions of the TTPP that address the matters raised by HPL.

Dated this 11th day of November 2022



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**Sarah Eveleigh**  
**For Hapuka Landing Limited**

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Telephone: 03 335 1217  
Contact person: Sarah Eveleigh



## Appendix 1. Landholdings

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17 Fox Moth Drive (Lot 9 DP 498766) and 27 Fox Moth Drive (Lot 14 DP 498766).



**Hapuka Landing:** Lots 1-18 DP 498766 (residential), Lot 19 DP 498766 (seaward) and Lot 100 498766 (access road).