

## Te Tai o Poutini Plan Proposed Plan

### Your details:

First name: Jane Surname: Bayley

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

Individual  Organisation

Organisation (if applicable): Cape Foulwind Staple 2 Ltd

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:

Email: [jane@staigsmith.co.nz](mailto:jane@staigsmith.co.nz)

Phone: 03 545 6883

Signature: 

Date: 10 November 2022

### Your submission:

Te Tai o Poutini Plan Proposed Plan 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 checked="" type="checkbox"/> Hazards and Risks             | <input type="checkbox"/> Historical and Cultural Values      |
| <input type="checkbox"/> Natural Environment Values               | <input checked="" type="checkbox"/> Subdivision              |
| <input checked="" type="checkbox"/> General District Wide Matters | <input checked="" type="checkbox"/> Zones                    |
| <input type="checkbox"/> Schedules                                | <input type="checkbox"/> Appendices                          |
| <input checked="" 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.

**Submission 1**  
**General – Maps**  
Reason

The proposed Planning Maps do not reflect current legal parcel boundaries.

For Instance, Maps 22 and 152 do not reflect the appellations as shown below.  
This may be because of the transparency of the Zones.



From TTPP



From Grip re parcels

**Decision Sought**

Cape Foulwind Staple 2 Ltd seek that all of the Planning Maps accurately reflect the legal appellations at time of printing, and that Zones reflect appellation boundaries.

It is understood that On-Line maps will update automatically as LT Plans are deposited to ensure that plans remain relevant.

## Submission 2

### Zoning Maps 22 and 152

Reason Cape Foulwind Staple 2 Ltd seeks reconsideration of the zoning of parts of their land as identified in the Attached Plan.

#### Area 1 Larsen Street

Cape Foulwind Staple 2 Ltd have Resource Consent Issued, RC170026, a for a 11-lot subdivision around the dwellings located on Larsen Street, Cape Foulwind, with associated Esplanade Reserves along either side of Gibson Creek.

Cape Foulwind. Staple 2 Ltd have had the Land Transfer Plan 574635 approved as to s224(c) and are seeking the deposit of the titles.

The Submitter therefore considers that the proposed Rural Zoning sends the wrong signal to both the community and neighbouring land owners as rural activity is non-viable on this land.

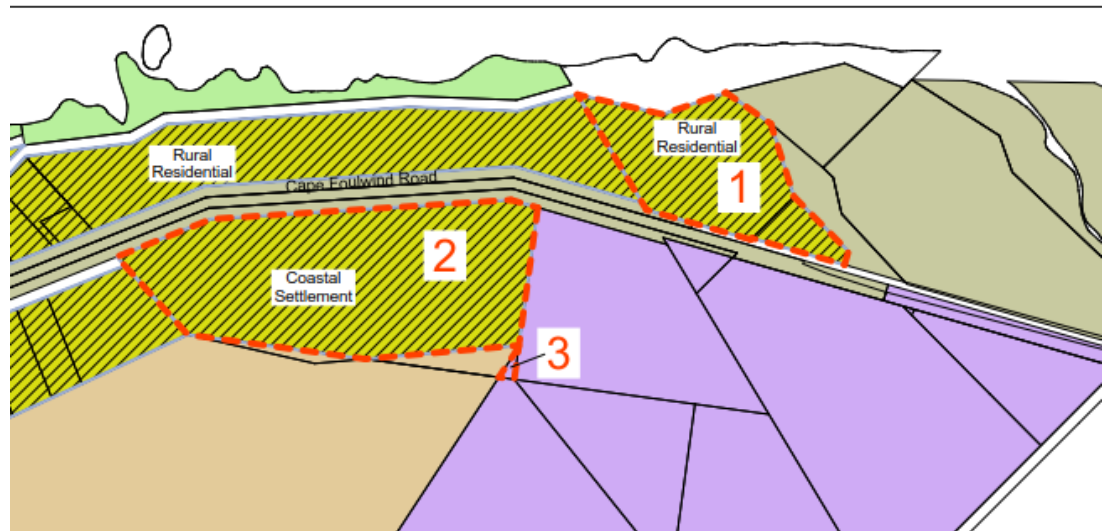
The consented residential allotments vary in size from 0.1748ha to 0.4678ha.

Cape Foulwind Staple 2 Ltd have also had a resource consent lodged with Council since April 2022 for the subdivision of Lot 1 LT 574635 into three allotments, all over 4,000m<sup>2</sup>. This is currently being processed following receipt of Further Information, and a decision is due imminently.

The Notified Planning Maps show this as Rural General, as shown below:



Cape Foulwind Staple 2 Ltd seeks that the zoning of the area shown as 1, on the attached plan, therefore be changed from Rural-General to Settlement Zone-Rural Residential Precinct 4.



#### Decision Sought

Cape Foulwind Staple 2 Ltd seeks that the zoning of the area shown as 1, on the attached plan, therefore be changed from Rural-General to Settlement Zone-Rural Residential Precinct 4 on Planning Maps 22 and 152.

**Submission 3**  
**Zoning Maps 22 and 152**  
Reason

Cape Foulwind Staple 2 Ltd seeks reconsideration of the zoning of parts of their land as identified in the **Attached Plan.**

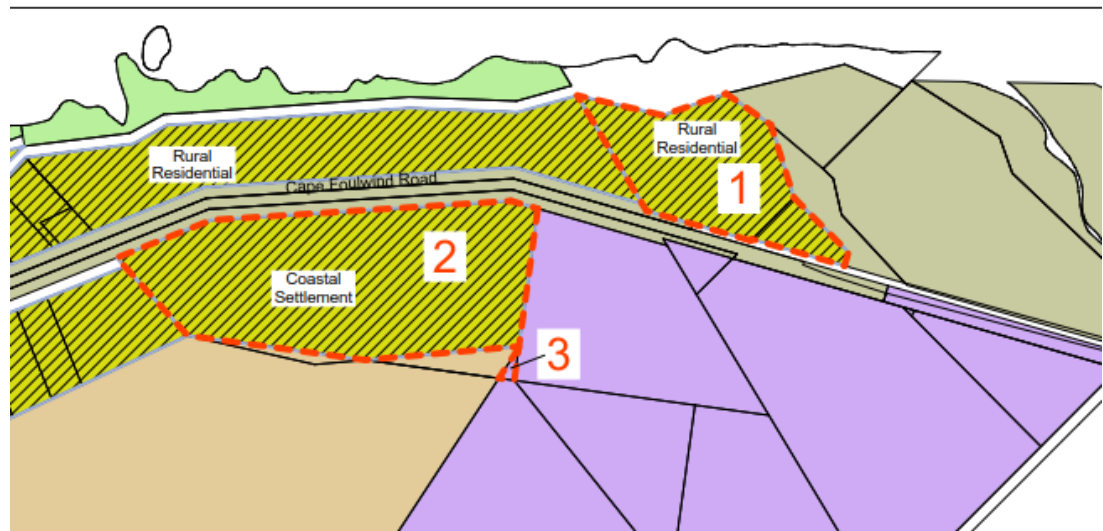
**Area 2 Inner Cape Foulwind Road**

Cape Foulwind Staple 2 Ltd acknowledge the TTPP's zoning of this Inner Cape Foulwind Road land shown as Area 2, as being Settlement Zone-Rural Residential Precinct 4 and being suitable to subdivide to 4,000m<sup>2</sup>.

Cape Foulwind Staple 2 Ltd have a well-established, existing wastewater system which was installed to service the 100 plus employees at the former Holcim Cement works site.

As part of developing the area shown as 2 below, the Submitter plans to install an additional new effluent treatment plant immediately adjacent to the existing system utilising the same dripper fields etc to service future residential development of the land.

Cape Foulwind Staple 2 Ltd therefore consider that the land shown as Inner Cape Foulwind Road - Area 2 is suitable to be considered as Settlement Zone-Coastal Settlement Precinct 3 on the basis that an approved communal effluent treatment system is installed to service development of Area 2 at an intensity greater than the 4,000m<sup>2</sup> min lot size permitted under proposed Rural Residential Precinct 4.



**Decision Sought**

Cape Foulwind Staple 2 Ltd seeks that the zoning of the Inner Cape Foulwind Road area shown as Area 2 on the attached plan, therefore be changed from Settlement Zone-Rural Residential Precinct 4 to Settlement Zone-Coastal Settlement Precinct 3 on Planning Maps 22 and 152.

## Submission 4

### Zoning Maps 22 and 152

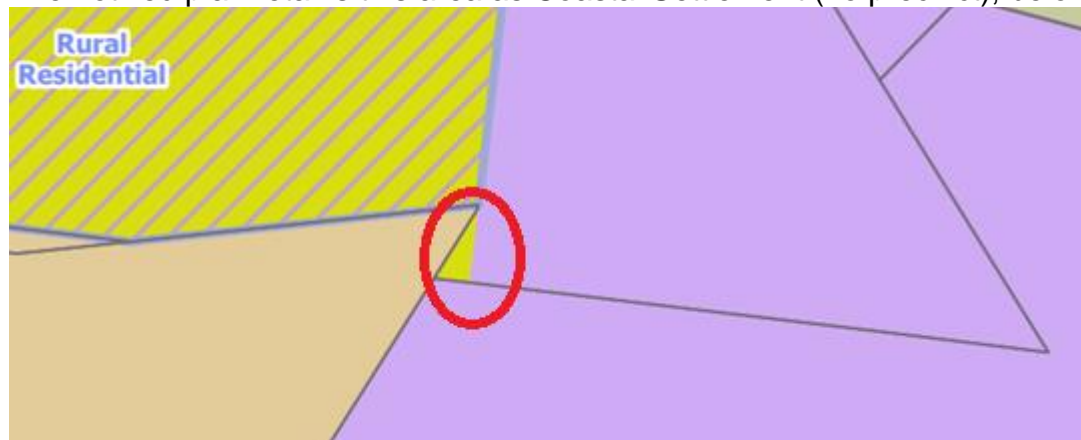
Reason Cape Foulwind Staple 2 Ltd seeks reconsideration of the zoning of parts of their land as identified in the **Attached Plan**.

### Area 3 Triangle

Cape Foulwind Staple 2 Ltd submitted in the Consultation Document, that the small triangle shown as Area 3, should be zoned Light Industrial, consistent with the land wrapping around it on two sides.



The notified plan retains this area as Coastal Settlement (no precinct), below.



Cape Foulwind Staple 2 Ltd seeks that the zoning of the area shown as 3, on the attached plan, therefore be changed from Settlement Zone to Light Industrial.

### Decision Sought

Cape Foulwind Staple 2 Ltd seeks that the zoning of the area shown as 3, on the attached plan, therefore be changed from Settlement Zone to Light Industrial on Planning Maps 22 and 152.

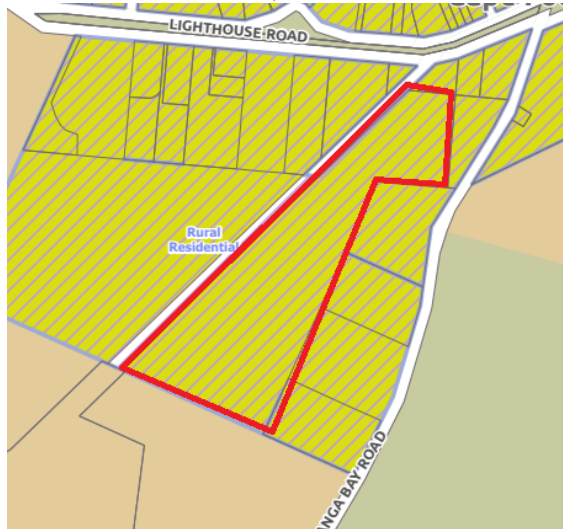


**Submission 5**  
**Zoning Maps 22 and 152**  
Reason

Cape Foulwind Staple 2 Ltd seeks reconsideration of the zoning of parts of their land as identified in the **Attached Plan**.

**Area 5 Limestone Road**

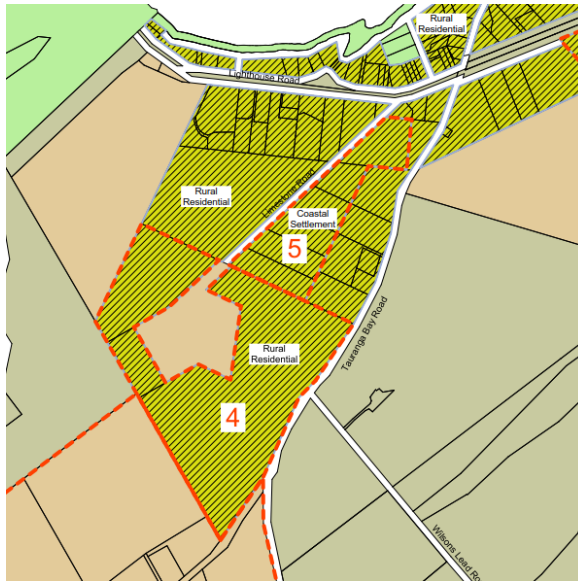
Cape Foulwind Staple 2 Ltd acknowledge the TTPP's zoning of this Limestone Road land shown below, as being Settlement Zone-Rural Residential Precinct 4 and being suitable to subdivide to 4,000m<sup>2</sup>.



Cape Foulwind Staple 2 Ltd investigated the installation of a community wastewater system which would enable greater intensification of development of Area 4 as part of the Infrastructure Acceleration Fund 'IAF' process.

Whilst this project was feasible, the project was not supported under the IAF process, and any infrastructure development would therefore need to be privately funded.

Cape Foulwind Staple 2 Ltd consider that the land shown as Limestone Road land shown as Area 5 is suitable to be Settlement Zone-Coastal Settlement Precinct 3.



### Decision Sought

Cape Foulwind Staple 2 Ltd seeks that the zoning of Limestone Road land shown as Area 5 on the attached plan, therefore be changed from Settlement Zone-Rural Residential Precinct 4 to Settlement Zone-Coastal Settlement Precinct 3 on Planning Maps 22 and 152.



**Submission 6**  
**Zoning Map 152**  
Reason

Cape Foulwind Staple 2 Ltd is concerned about the renaming of Omau Village without public consultation as shown on Map 152.

Map 152 is referenced as Cape Foulwind, which is considered inappropriate as this addresses the wider area, however the naming of the Village should correctly refer to as Omau.



**Decision Sought**

Cape Foulwind Staple 2 Ltd seeks that the village of Omau is correctly referenced on Planning Map 152 and removing the reference Cape Foulwind.

## Submission 7 Zoning Maps 22 and 152

### Reason

Cape Foulwind Staple 2 Ltd note that the notified TTPP on Zoning Maps 22 and 152 have zoned various strips of land owned by both the Buller District Council and Cape Foulwind Staple 2 Ltd as Rural – General.

The TTPP Planning maps show that the land on either side of the strips are zoned Settlement Zone-Rural Residential Precinct 4.

Cape Foulwind Staple 2 Ltd seek that these strips of land, be zoned in accordance with the adjacent zoning for consistency.



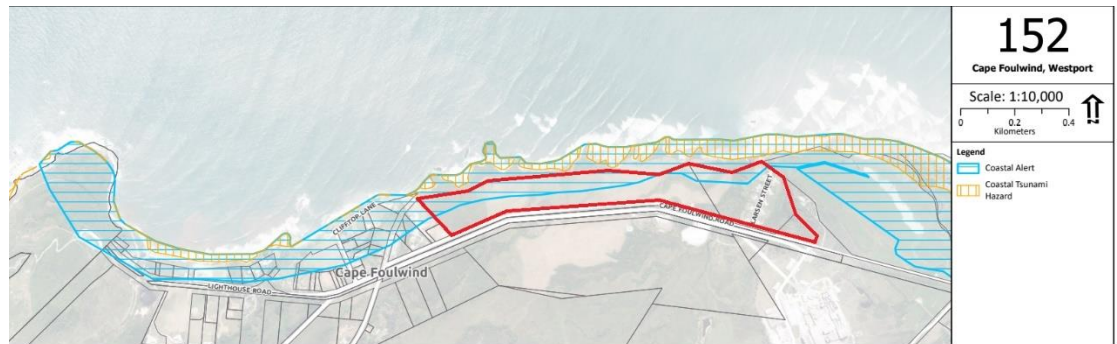
### Decision Sought

Cape Foulwind Staple 2 Ltd seeks that the zoning of the strips of land along Cape Foulwind Road and Lighthouse Road be amended to reflect the adjacent zoning rather than being Rural Zone- General.

**Submission 8**  
**Hazard Map 22 and 152**  
Reason

Cape Foulwind Staple 2 Ltd has sought a coastal hazard assessment of the cliffs in relation to two subdivisions they have undertaken, namely Larsen Street (RM170036) and The Cliffs (RM220064). The Buller District Council have received both hazard assessments.

Cape Foulwind Staple 2 Ltd seeks that the Coastal Alert hazard lines, as shown on Hazard Maps 22 and 152, reflect the detailed site specific reports for their land.



**Decision Sought**

Cape Foulwind Staple 2 Ltd seeks that the zoning of Coastal Alert hazard lines, as shown on Hazard Maps 22 and 152, reflect the detailed site specific reports for their land.

## Submission 9

### Definitions

Reason        The definition of building needs clarified.

The definition of building is

*a temporary or permanent movable or immovable physical construction that is:*

*a. partially or fully roofed, and*

*b. is fixed or located on or in land;*

*but excludes any motorised vehicle or other mode of transport that could be moved under its own power*

As such, if it is not *partially or fully roofed* it does not meet the first requirement of building a building.

Therefore, wastewater treatment and Land Application Areas do not meet with the definition of building.

The Council's Building Departments however consider that wastewater treatment and Land Application Areas are part of a dwelling.

This definition is also open as to whether water tanks are deemed a building.

### Decision Sought

Cape Foulwind Staple 2 Ltd seeks clarification on Definition of Building

## Submission 10

### Coastal Environment – Building Heights and Building size

#### Reason

Within the General Rural, Rural Lifestyle Settlement Zones, under Rule CE – R4, the permitted building height is 7m and the gross ground floor area is 200m<sup>2</sup> for new buildings.

This rule could inevitably enable at least a 400m<sup>2</sup> gross floor area building which may be even larger depending on the whether the structure is cantilevered.

Cape Foulwind Staple 2 Ltd consider that as a permitted activity, this rule should be amended to enable a single storey dwelling of up to 400m<sup>2</sup> within the Coastal Environment.

The visual impact of a single storey structure spread out on ground level, compared to a two storey structure will have a lessor visual impact within the coastal environment.

It is more appropriate to require resource consent for a second storey than it is to enable a gross ground floor area over 200m<sup>2</sup>.

Cape Foulwind Staple 2 Ltd also question whether it is appropriate to have a maximum building coverage within the Coastal Environment

#### Decision Sought

Cape Foulwind Staple 2 Ltd seek to amend Rule CE – R4 (2)(a)(i)  
i Maximum height is 5.5m for new buildings

Cape Foulwind Staple 2 Ltd seek to amend Rule CE – R4 (2)(a)(iii)(i)  
iii The gross ground floor area is  
i A maximum of 400m<sup>2</sup> per building for new buildings

Cape Foulwind Staple 2 Ltd seek consideration whether there needs to be a specific maximum building coverage within the Coastal Environment depending on Zone.

## Submission 11

### Site Coverage v Building Coverage

#### Reason

There needs to be consistency across the plan as to the definition of Site Coverage v Building Coverage in the Plan. The TTPP only references Building Footprint, which seems to be used for another purpose in relation to extensions of buildings.

#### *BUILDING FOOTPRINT*

*means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.*

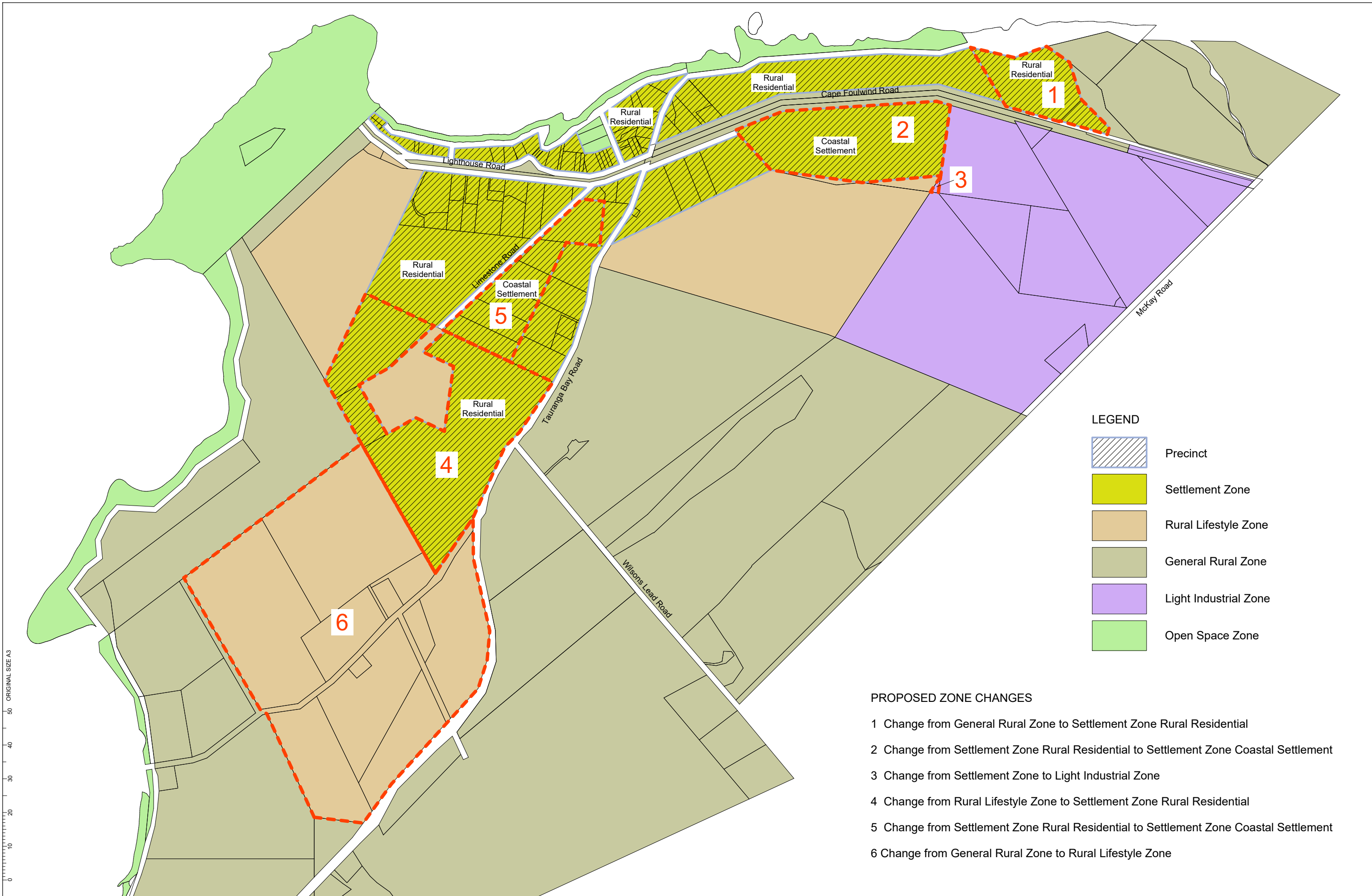
NCZ – R1(5)	Maximum site coverage is 60%;
NCZ – R5(4)	Maximum site coverage is 60%;
NCZ – R10(3)	Maximum building coverage is 50%
GIZ - R1(2)	Maximum site coverage is 80%;
LIZ - R1(2)	Maximum site coverage is 65%;
GRZ - R1(5)	Maximum site coverage is 40%;
GRZ -R16(6)	Maximum building coverage is 50%.
GRZ - R17(4)	Maximum building coverage is 50%.
GRZ - R18(3)	Maximum building coverage is 50%.
LLRZ – R1(5)	Maximum site coverage is 40% or 500m whichever is the lesser;
LLRZ – R14(5)	Maximum building coverage is 50%.
MRZ - R1(4)	Maximum site coverage is 40%;
MRZ - R11(5)	Maximum building coverage is 50%.
RLZ – R1(5)	Site coverage is a maximum of 30%; and
SETZ - R2(4)	The maximum site coverage is: i. 40%; except ii. Maximum site coverage is 60% in the SETZ - PREC2 - Settlement Centre Precinct
MPZ – R1(3)	Maximum site coverage is 40%;
PORTZ - R1(2)	Maximum site coverage is 80%;
SVZ – R1(4) iii.	Maximum site coverage is 60%;
SVZ – R1(6) vi.	Maximum building coverage is: a. 80%; except b. 100% for sites in the Franz Josef/Waiiau Main Street Frontage area;

#### Decision Sought

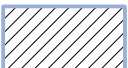





Cape Foulwind Staple 2 Ltd seeks clarification of the definition of Site Coverage v Building Coverage if Council wants to use the two terminologies.

Cape Foulwind Staple 2 Ltd seeks consistency across the use of the TTPP in relation to the use of Site Coverage v Building Coverage in its rules.





**LEGEND**

-  Precinct
-  Settlement Zone
-  Rural Lifestyle Zone
-  General Rural Zone
-  Light Industrial Zone
-  Open Space Zone

**PROPOSED ZONE CHANGES**

- 1 Change from General Rural Zone to Settlement Zone Rural Residential
- 2 Change from Settlement Zone Rural Residential to Settlement Zone Coastal Settlement
- 3 Change from Settlement Zone to Light Industrial Zone
- 4 Change from Rural Lifestyle Zone to Settlement Zone Rural Residential
- 5 Change from Settlement Zone Rural Residential to Settlement Zone Coastal Settlement
- 6 Change from General Rural Zone to Rural Lifestyle Zone

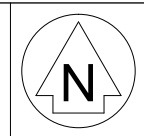
50 ORIGINAL SIZE A3  
40  
30  
20  
10  
0

  
 81 Selwyn Place, Nelson  
 248 Montreal St, Christchurch  
 Ph: 0800 807 818  
 www.staigsmith.co.nz  
 enquiries@staigsmith.co.nz

AMENDMENT	DATE
-----------	------

JOB/CLIENT  
**CapeFoulwind Staple 2 Ltd  
 & Cape Foulwind Staple 1 Ltd**

DRAWING  
**Submission on Notified  
 TTPP Zoning Maps**



Survey:  
 Drawn: SA  
 Checked: JB  
 Approved:

ISSUE  
**A**

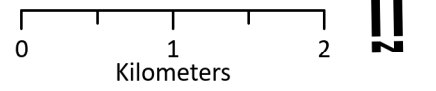
DATE  
**04 Oct 2022**

PROJECT NO.  
**12510-CPT-07**

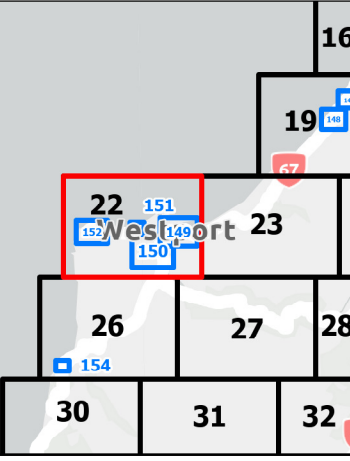
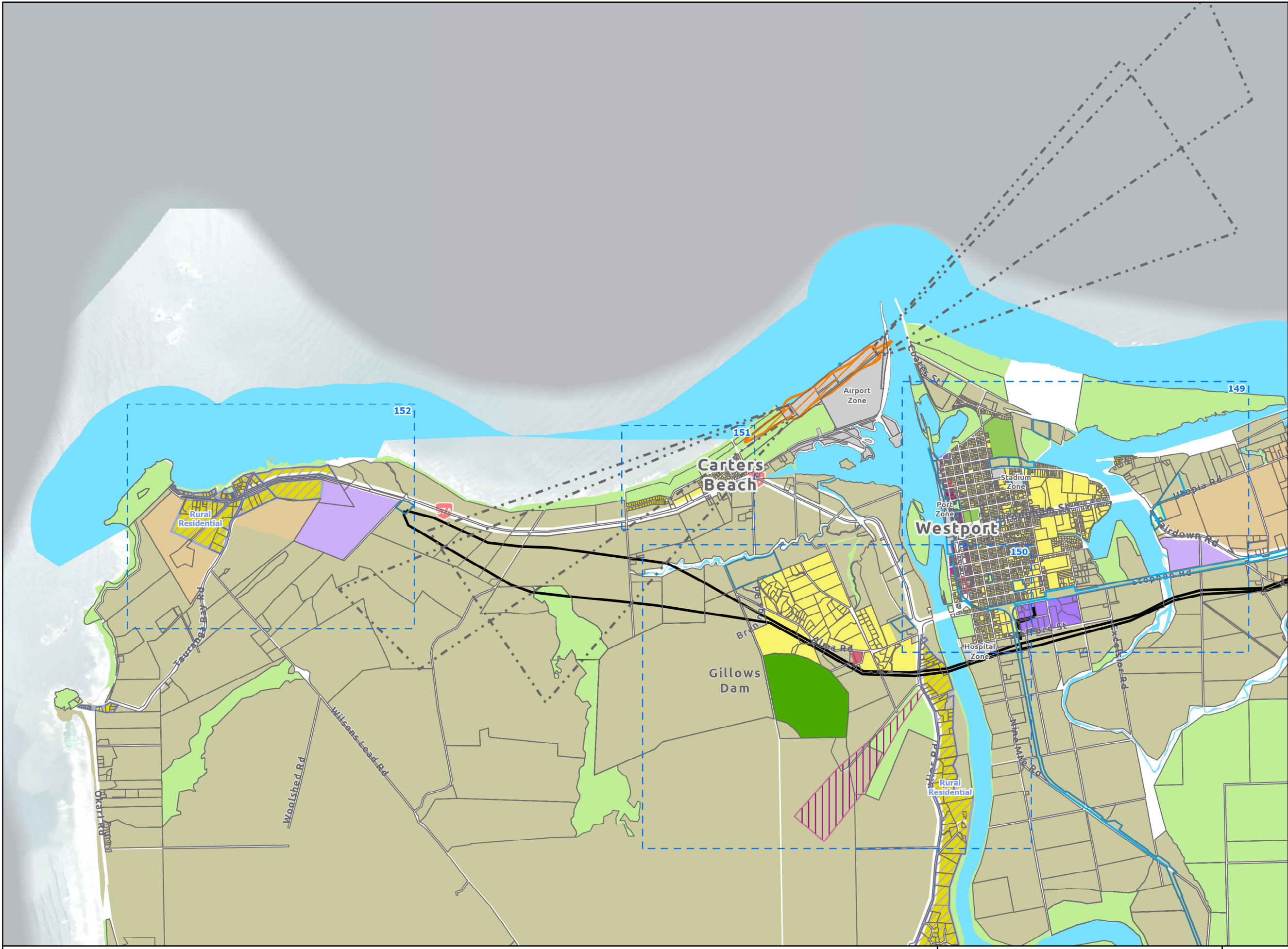
SCALE: A3 A1  
 Hz 1:12000 -  
 Vt - -

SHEET  
**1**  
 OF 1

Y:\jobs\12500\12510 Cape Foulwind Staple 24. CAD\12D\Zone Changes



- Legend**
- |   |  |
|---|--|
| Designations                              | Light Industrial Zone                    |
| Airport Noise Contours                    | General Industrial Zone                  |
| Airport Approach Paths                    | Open Space Zone                          |
| National Grid                             | Sport and Active Recreation Zone         |
| Significant Electricity Distribution Line | Natural Open Space Zone                  |
| Precincts                                 | Special Purpose Zone - Airport Zone      |
| Rifle Range Protection Area               | Special Purpose Zone - Future Urban Zone |
| <b>District Plan Zones</b>                | Special Purpose Zone - Port Zone         |
| Commercial Zone                           | Special Purpose Zone - Hospital Zone     |
| Town Centre Zone                          | Special Purpose Zone - Stadium Zone      |
| Mixed Use Zone                            | Waterbody                                |
| Settlement Zone                           |  |
| General Residential Zone                  |  |
| Rural Lifestyle Zone                      |  |
| General Rural Zone                        |  |



### Proposed District Plan - Zoning

**NOTE**  
Roads carry the same zoning as the adjoining land. If a boundary between zones follows a road, the zone boundary is located on the centreline of the formed road, or where unformed, the centreline of the legal road.

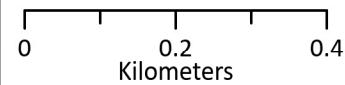
**DISCLAIMER**  
Considerable care has been taken to avoid errors and omissions, and the latest information has been included in these District Plan maps. However, even with the greatest care inaccuracies may occur and therefore the West Coast Regional Council cannot accept any responsibility for such errors and omissions.



# 152

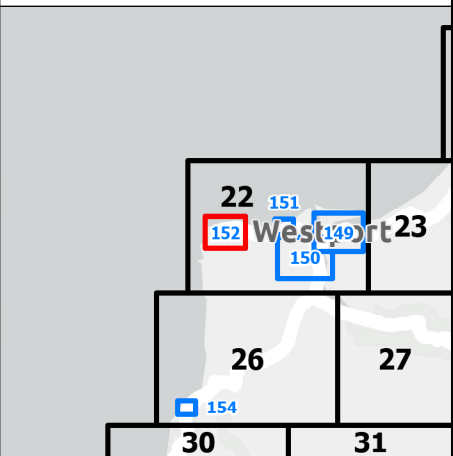
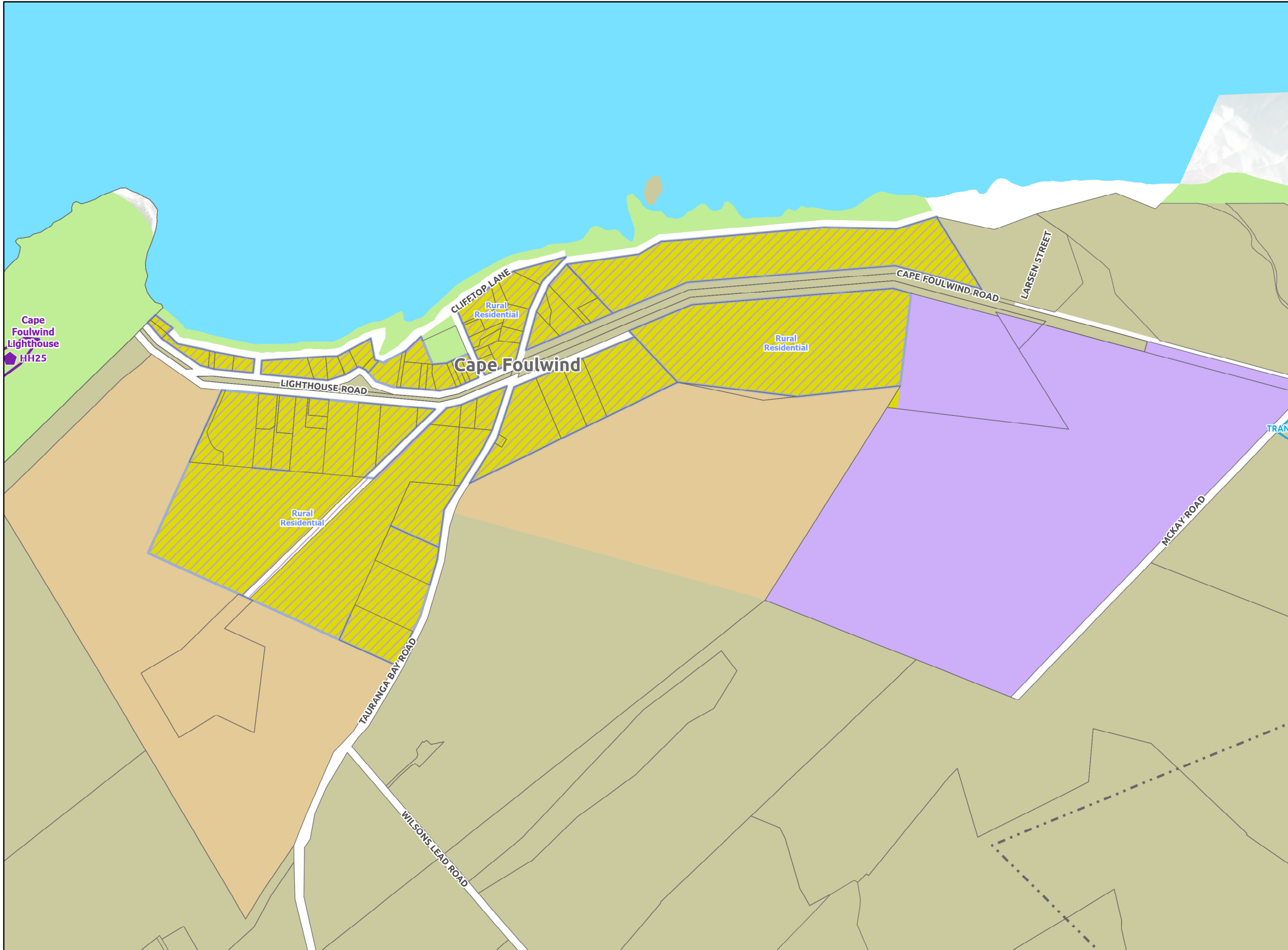
Cape Foulwind, Westport

Scale: 1:10,000



### Legend

-  Heritage Areas
-  Heritage Sites
-  Designations
-  Airport Approach Paths
-  Precincts
- District Plan Zones**
-  Settlement Zone
-  Rural Lifestyle Zone
-  General Rural Zone
-  Light Industrial Zone
-  Open Space Zone
-  Waterbody



## Proposed District Plan - Zoning

**NOTE**  
Roads carry the same zoning as the adjoining land. If a boundary between zones follows a road, the zone boundary is located on the centreline of the formed road, or where unformed, the centreline of the legal road.

**DISCLAIMER**  
Considerable care has been taken to avoid errors and omissions, and the latest information has been included in these District Plan maps. However, even with the greatest care inaccuracies may occur and therefore the West Coast Regional Council cannot accept any responsibility for such errors and omissions.