Te Tai o Poutini Plan Proposed Plan

Submission form

Te Tai o Poutini Plan Proposed Plan

Have your say!

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: Peter Surname: Langford

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

Organisation (if applicable): Karamea Lime Company

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: 415 Granite Creek Road
Karamea 7893

Email: langford@farmside.co.nz Phone: 021 782 616

Signature: PB Langford Date: 11/11/2022

Your submission:

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

- ☐ Strategic Direction
- ☐ Historical and Cultural Values
- ✓ General District Wide Matters
- ☐ Appendices
- ☐ Energy Infrastructure and Transport
- ✓ Natural Environment Values
- ✓ Zones
- ✓ General feedback
- ☐ Hazards and Risks
- ✓ Subdivision
- ☐ Schedules

mining

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?
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Te Tai o Poutini PLAN
A combined district plan for the West Coast

Submission on Proposed Te Tai o Poutini Plan

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

GENERAL FEEDBACK

We support recognising the importance of farming, quarrying and mining to the West Coast. We support specifically providing for mineral extraction in zones across the three West Coast districts including within rural, open space and specific mineral extraction zones. We support the Mineral Extraction Zone remaining in the Plan (though being amended to include further parcels as noted in this submission) and including future activities to help ensure economic opportunities on the West Coast into the future.

PART 1 – INTRODUCTION AND GENERAL PROVISIONS

INTERPRETATION

Definitions

Plan Provision	Support/Oppose	Reasons	Decision Sought
Intensive Indoor Primary Production	Oppose in part	We believe that this definition could inadvertently capture herd homes and wintering barns (where the primary production activity principally otherwise occurs in an outdoor environment). We believe this should be amended so as to be clear that the use of herd homes and wintering barns is not included within the definition of Intensive Indoor Primary Production.	Amend as follows: *Means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. <u>The use of herd homes and wintering barns where the primary production activity principally otherwise occurs in</u>*

			an outdoor environment is not included in this definition.
New definition	-	We believe that there needs to be a clear definition for "offensive industries".	Develop a definition for "offensive industries".
New definition	-	We believe that there needs to be a clear definition for "hazardous facilities".	Develop a definition for "hazardous facilities".

PART 2 – DISTRICT-WIDE MATTERS

STRATEGIC DIRECTION

Plan Provision	Support/Oppose	Reasons	Decision Sought
AG – O1-O2	Support	We support the various Strategic Objectives and Policies.	Retain as notified
CR – O1-O4			
MIN – O1-O6			
NENV – O1-O4			

EIT - ENERGY, INFRASTRUCTURE, AND TRANSPORT

TRN – Transport

Plan Provision	Support/Oppose	Reasons	Decision Sought
TRN – O1-O5	Support	We support these objectives.	Retain as notified

HAZ - HAZARDS AND RISKS

CL - Contaminated Land

Plan Provision	Support/Oppose	Reasons	Decision Sought
CL – O1	Support	We support these objectives.	Retain as notified.
CL – P1-P2	Support	We support these policies.	Retain as notified.

HS - Hazardous Substances

Plan Provision	Support/Oppose	Reasons	Decision Sought
HS – O1	Support	We support these objectives.	Retain as notified.
HS – P1-P4	Support	We support these policies.	Retain as notified.

NH - Natural Hazards

Plan Provision	Support/Oppose	Reasons	Decision Sought
Flood Plain Overlay	Support in part	We support that there are no land use rules for the flood plain overlay and this overlay relates only to the subdivision rules.	Retain no land use rules for the Flood Plain Overlay.
New objective	-	Similarly to NH – O4, the role that protective structures play in natural hazard mitigation needs	Add a new objective: *To ensure the role of hazard mitigation played by protectives structures and works that minimise*

		to be recognised in the Natural Hazards Objectives.	*impacts of hazards including rock walls and stopbanks is recognised and protected.*
NH – P12	Support	We support this policy.	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 – R12	Support	We support this rule.	Retain as notified.
NH – R13	Support	We support this rule.	Retain as notified.
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	We support this rule.	Retain as notified.
NH – R40	Oppose in part	Point two in this rule is too restrictive.	Delete point 2.
NH – R43	Support	We support this rule.	Retain as notified.

NATURAL ENVIRONMENTAL VALUES

ECO - Ecosystems and Indigenous Biodiversity

Plan Provision	**Support/Oppose**	**Reasons**	**Decision Sought**
ECO – O1-O4	Support	We support these objectives.	Retain as notified.
ECO – P1	Oppose in part	We support that areas of significant indigenous vegetation and fauna habitat will be identified through the resource	Delete “and completed by June 2027” from point 2. iii.

		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. We believe that a June 2027 deadline is too ambitious to undertake the work in a way that sufficiently involves landowners.	
ECO – P2	Oppose in part	The term "functional need" does not go far enough in recognising that some activities are required to operate in certain areas.	Amend point d. as follows: *The activity has a functional, technical, operational or locational need to be located in the area;*
ECO – P3	Support	We support this policy.	Retain as notified.
ECO – P6	Support in part	We believe that some of the terms used in this policy need defining.	Define the technical ecological terms used in this policy.
ECO – P7	Support in part	We support that this policy provides for consideration of "the appropriateness of any biodiversity offsetting or compensation in accordance with Policy 9 to offset any residual adverse effects that remain after avoiding, remedying and mitigating measures have been applied." However, there could be significant adverse effects as a result of SNA mapping if the fixed location of mineral deposits is not provided for in the policy and the temporary nature of mining is not recognised.	Retain point h. Amend to recognise that, in some instances, vegetation clearance is unavoidable (e.g. in the case of accessing mineral resource) but that these effects can be temporary due so subsequent restoration processes.
ECO – P8-10	Support	We support these policies.	Retain as notified.
ECO – R1-R3	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.

ECO – R4/ SUB – R7	-	Refer to SUB – R7 below.	-
ECO – R5	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
ECO - R6/ SUB - R9	-	Refer to SUB – R9 below.	-
ECO – R7	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
ECO - R8/SUB - R15	-	Refer to SUB – R15 below.	-
ECO - R9/SUB - R27	-	Refer to SUB – R27 below.	-
ECO – R10-R11	Support	We support these rules.	Retain as notified.

NFL - Natural Features and Landscapes

Plan Provision	**Support/Oppose**	**Reasons**	**Decision Sought**
NFL – R14-R15	Support	We support this rule.	Retain as notified.

PA - Public Access

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

NC – Natural Character and the Margins of Waterbodies

Plan Provision	Support/Oppose	Reasons	Decision Sought
NC – O1-O3	Support	We support these objectives.	Retain as notified.
NC – P1-P5	Support	We support these policies.	Retain as notified.

SUBDIVISION

Subdivision

Plan Provision	Support/Oppose	Reasons	Decision Sought
SUB – P6	Support in part	We support that this policy seeks to minimise reverse sensitivity issues.	Retain point d. as notified.
SUB – R5	Support in part	We support this rule in principle but believe some amendments are necessary.	Delete reference to "development plan" unless a better definition is supplied. Amend wording "design and layout of allotments" to refer to 15mx15m building platform or similar specification that is more certain.

			Delete point j. under Matters of Control.
SUB – R6	Oppose in part	We support this rule in principle but believe some amendments are necessary.	Amend to be less restrictive.
SUB – R7/ECO – R4	Oppose in part	We support this rule in principle but believe some amendments are necessary.	Amend to be less restrictive.
SUB – R9/ ECO - R6	Oppose	This is too restrictive.	Delete points 2 and 3.
SUB – R13	Support	We support the provision.	Retain as notified.
SUB – R14	Oppose in part	We believe this activity should just be discretionary with no conditions.	Delete point 1. Amend "Non-complying" to "N/A" under "Activity status where compliance not achieved".
SUB – R15/ECO – R8	Oppose	This is too restrictive.	Delete points 1 and 2. Amend "Non-complying" to "N/A" under "Activity status where compliance not achieved".
SUB – R23	Support	We support this provision.	Retain
SUB – R25	Oppose	We do not support this provision.	Delete.
SUB – R27/ECO – R9	Oppose	We do not support this provision.	Delete.

GENERAL DISTRICT-WIDE MATTERS

Coastal Environment

Plan Provision	Support/Oppose	Reasons	Decision Sought
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.	Amend and reduce the inland extent of the Coastal Environment Overlay.
CE – O1-O2	Support	We 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: *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, natural features, access and biodiversity values are minimised.*
CE – P1	Support	We support this provision.	Retain as notified.
CE – P4	Support in part.	We 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.	We support this provision but believe this needs amending.	Amend point d. as follows: *Have a functional, technical, locational or operational need to locate within the coastal environment.*

CE – P6	Support	We support this provision.	Retain as notified.
CE – R1	Support	We 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	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R6	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R7	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R8	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R9	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R10	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R11	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R12	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R14	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R15	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.

CE – R16	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R17	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R18	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R19	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.
CE – R21	Oppose in part	We believe this is too restrictive.	Amend to be more enabling of development.

EW – Earthworks

Plan Provision	**Support/Oppose**	**Reasons**	**Decision Sought**
EW – O1	Support	We support the objective.	Retain as notified.
EW – P1-P4	Support	We support the policies.	Retain as notified.
EW – R2-3	Oppose in part	Earthworks rules are difficult to understand in the way they are currently structured. We believe these rules are too restrictive.	Amend to be more enabling of development and provide more clarity.
EW – R6-R8	Support	We support the rules.	Retain as notified.

LIGHT – Light

Plan Provision	Support/Oppose	Reasons	Decision Sought
LIGHT – O1	Support	We support the objective.	Retain as notified.
LIGHT – P1	Support	We support this policy.	Retain as notified.
LIGHT – P2	Support in part	We believe that this policy should extend to appropriate lighting of outdoor commercial/industrial activities.	Amend to include the enabling of artificial outdoor lighting that allows safe commercial and industrial activities.
LIGHT – R1-R4	Oppose	These rules are too complicated and restrictive.	Amend significantly to reduce complexity and be more enabling of development.

NOISE – Noise

Plan Provision	Support/Oppose	Reasons	Decision Sought
NOISE – O1-O3	Support	We support these objectives.	Retain as notified.
NOISE – P1, P2 and P4	Support	We support these policies.	Retain as notified.
NOISE – R5, R6 and R11	Oppose	We are opposing this due to reverse sensitivity concerns regarding quarry operations. Timeframes for noise emissions are too restrictive.	Amend to further mitigate reverse sensitivity issues for the Karamea Lime Co quarry.
NOISE – R11	Oppose	Correct the error where a Mineral Extraction Zone is referred to as "MEZ".	Correct "MEZ" error.

PART 3 – AREA SPECIFIC MATTERS

ZONES

Rural Zones

RURZ – Rural Zones – Objectives and Policies

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

GRUZ – General Rural Zone

Plan Provision	Support/Oppose	Reasons	Decision Sought
General Rural Zone	Oppose in part	We oppose that Lot 1 DP 483059 has been zoned GRUZ. This parcel should be zoned MINZ – Mineral Extraction Zone.	Amend so that Lot 1 DP 483059 is zoned MINZ – Mineral Extraction Zone.
General Rural Zone	Support in part	We support the way that land to the north, west and south of the quarry area (including quarried land and permitted land) has been zoned General Rural Zone. We support that all land to the south of Lot 1 DP 483059, Section 1 SO 15488 and Section 50 Blk IX Oparara SD should be General Rural Zone right up to the area that is presently zoned Rural Lifestyle Zone. This will minimise reverse sensitivity impacts on the quarry.	Retain the General Rural Zone as discussed in under "Reasons".

GRUZ – R1-R2	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 – 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	We 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	We support this rule.	Retain as notified.
GRUZ – R8-R10	Support in part	We 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 – R11	Oppose in part	Not all prospecting or exploration is required to have a permit from NZPAM e.g. some minerals are privately owned. Amend accordingly. We believe the rule is also too restrictive.	Amend point 1 as follows: *This is authorised under a prospecting or exploration permit from NZPAM <u>where legally required</u>;* Delete point 3 or extend the timeframe until a period after cessation of mining activity.
GRUZ – R12	Oppose in part	We 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. We 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 – R13	Support in part	We support this rule but note the minor error.	Retain as notified with minor timing error being corrected (i.e. 12pm).
GRUZ – R16-R17	Support in part	We 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	We support in principle.	Retain as notified.
GRUZ – R20-R22	Support in part	We 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	We 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	We support these rules.	Retain as notified.
GRUZ – R30	Oppose in part	We believe this rule is too restrictive and unclear.	Amend with more clearly defined terms. Delete points 1 and 2. Amend “Non-complying” to “N/A” under “Activity status where compliance not achieved”.
GRUZ – R31	Oppose in part	We believe this rule is too restrictive.	Delete point 1. Amend “Non-complying” to “N/A” under “Activity status where compliance not achieved”.

GRUZ – R32-R33	Support	We support these rules.	Retain as notified.
GRUZ – R34	Oppose	This rule is unnecessarily restrictive.	Delete.

MINZ – Mineral Extraction Zone

Plan Provision	**Support/Oppose**	**Reasons**	**Decision Sought**
Mineral Extraction Zone Overview	Support in part	We support the overview in part though note that authorisation regarding some effects of activities in the proposed MINZ derived from existing use rights.	Add a 4th point to include "existing use rights".
Mineral Extraction Zone	Support in part	We support that Section 1 SO 15488 and Section 50 Blk IX Oparara SD have been classed as MINZ.	Retain zoning as noted.
Mineral Extraction Zone	Oppose in part	We oppose that Lot 1 DP 483059 has been zoned GRUZ. This parcel should be zoned MINZ – Mineral Extraction Zone.	Amend zoning as noted.
MINZ – O1-O2	Support	We support these objectives.	Retain as notified.
MINZ – P1-P8	Support	We support these policies.	Retain as notified.
MINZ – R1	Support in part	We support the principle of this rule. However, point two is unnecessarily restrictive.	Delete point 2.
MINZ – R2	Support	We support this rule in principle.	Retain as notified.
MINZ – R3	Support in part	We support the principle of this rule. However, point two is unnecessarily restrictive.	Delete point 2.

		Existing non-compliance with the points noted should be recognised as being acceptable.	Amend so that existing non-compliance with points 2 and 3 does not preclude the application of this rule.
MINZ – R5	Support	We support this rule.	Retain as notified.
MINZ – R6	Support	We support this rule.	Retain as notified.
MINZ – R7	Support	We support this rule.	Retain as notified.
MINZ – R9	Support	We support this rule.	Retain as notified.
MINZ – R10	Oppose	We oppose this rule.	Delete.

PART 4 – APPENDICES

SCHEDULES

Schedule Four: Significant Natural Areas

Plan Provision	Support/Oppose	Reasons	Decision Sought
Schedule Four: Significant Natural Areas	Support in part	We 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 if that work occurs. We believe that a June 2027 deadline is too ambitious to undertake the work in a way that sufficiently involves landowners.	Retain Schedule as notified.

Schedule Five: Outstanding Natural Landscapes

Plan Provision	Support/Oppose	Reasons	Decision Sought
Schedule Five: Outstanding Natural Landscapes	Support in part	We support that Lot 1 DP 483059, Section 1 SO 15488 and Section 50 Blk IX Oparara SD are not included in the schedule.	Listed parcels to remain excluded.

Schedule Six: Outstanding Natural Features

Plan Provision	Support/Oppose	Reasons	Decision Sought
Schedule Six: Outstanding Natural Features	Support in part	We support that Lot 1 DP 483059, Section 1 SO 15488 and Section 50 Blk IX Oparara SD are not included in the schedule.	Listed parcels to remain excluded.

Schedule Seven: High Coastal Natural Character

Plan Provision	Support/Oppose	Reasons	Decision Sought
Schedule Seven: High Coastal Natural Character	Support in part	We support that Lot 1 DP 483059, Section 1 SO 15488 and Section 50 Blk IX Oparara SD are not included in the schedule.	Listed parcels to remain excluded.

Schedule Eight: Outstanding Coastal Natural Character

Plan Provision	Support/Oppose	Reasons	Decision Sought
Schedule Eight: Outstanding Coastal Natural Character	Support in part	We support that Lot 1 DP 483059, Section 1 SO 15488 and Section 50 Blk IX Oparara SD are not included in the schedule.	Listed parcels to remain excluded.

Schedule Nine: Lawfully Established Mineral Extraction and Processing Areas

Plan Provision	Support/Oppose	Reasons	Decision Sought
Schedule Nine: Lawfully Established Mineral Extraction and Processing Areas	Support in part	We support that the Karamea Lime Quarry is listed in the schedule.	Retain Schedule as notified

APPENDICES

Appendix One: Transport Performance Standards

Plan Provision	**Support/Oppose**	**Reasons for the Submission**	**Decision Sought**
Transport Performance Standards	Oppose in part	These unnecessarily restrictive and complex. There also appear to be potential errors in the table. The qualifiers are not consistent, and this makes the table difficult to use.	Amend to be less onerous, more consistent and correct errors.

Appendix Seven: Mineral Extraction Management Plan Requirements

Plan Provision	**Support/Oppose**	**Reasons**	**Decision Sought**
Appendix Seven: Mineral Extraction Management Plan Requirements	Support	We support the plan requirements.	Retain as notified.