

FORM 5

**SUBMISSION ON NOTIFIED PROPOSAL FOR  
POLICY STATEMENT OR PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Buller District Council  
Grey District Council  
Westland District Council  
West Coast Regional Council

Name The owners and occupiers of the following properties on Snodgrass Road which are collectively referred to as the Snodgrass Road submitters hereafter:

| <b>Name</b>   | <b>Address</b>     | <b>Legal Description</b>            |
|---|--------------------|-------------------------------------|
| Paul Robert Reynolds  | 21 Snodgrass Road  | Lot 1 DP 20308 Blk III Kawatiri SD  |
| James McFarlane Risk<br>(and Yvonne Ward as occupier)                 | 21A Snodgrass Road | Lot 1 DP 456393 Blk III Kawatiri SD |
| Elizabeth Jane Duncan,<br>Glen Anthony Duncan,<br>Casey Marie Scanlon | 21B Snodgrass Road | Lot 3 DP 469120 Blk III Kawatiri SD |

| Name   | Address           | Legal Description                   |
|--|-------------------|-------------------------------------|
| Jacob Peter Hawes (and Alexa Kliebenstein as occupier) | 22 Snodgrass Road | Lot 2 DP 358517 Blk III Kawatiri SD |
| Hector Antony Frederick Soares, Yvonne Isabel Soares   | 24 Snodgrass Road | Lot 2 DP 456393 Blk III Kawatiri SD |
| Nigel Vaughn Kerr                                      | 62 Snodgrass Road | Lot 3 DP 349548 Blk III Kawatiri SD |
| Kim Robert Walters                                     | 65 Snodgrass Road | Lot 2 DP 349548 Blk III Kawatiri SD |
| Brian Gregory Cohen, Svetlana Cohen                    | 66 Snodgrass Road | Lot 4 DP 349548 Blk III Kawatiri SD |

| Name  | Address             | Legal Description                      |
|---|---------------------|--|
| Janine Rose Franklin,<br>Jamie Michael Doyle                          | 68 Snodgrass Road   | Lot 1 DP 359713 Blk III Kawatiri<br>SD |
| Kenneth John Dixon (and<br>Joanne Dixon as<br>occupier)               | 70 Snodgrass Road   | Lot 1 DP 469120 Blk III Kawatiri<br>SD |
| Ruth Lillian Schwass-<br>Vaega (and Peter John<br>Graham as occupier) | 71 Snodgrass Road   | Sec 1 Orowaiti Blk III Kawatiri<br>SD  |
| Lachlan Tom Field (and<br>Betsy Field as occupier)                    | 72 Snodgrass Road   | Lot 2 DP 469120 Blk III Kawatiri<br>SD |
| Marcus Peter Shenker  | 1/75 Snodgrass Road | Sec 4 Orowaiti Blk III Kawatiri<br>SD  |

| Name  | Address             | Legal Description                     |
|---|---------------------|---------------------------------------|
| Michael Ralston<br>Stevenson, Vicki Jane<br>Stevenson, Clement<br>Michael Carey | 2/75 Snodgrass Road | Sec 2 Orowaiti Blk III Kawatiri<br>SD |
| Elizabeth Mary Pahl   | 3/75 Snodgrass Road | Sec 3 Orowaiti Blk III Kawatiri<br>SD |
| Hannah Louise McGowan   | 77 Snodgrass Road   | Sec 5 Orowaiti Blk III Kawatiri<br>SD |
| Paul James Gibson,<br>Suzanne Catherine<br>Gibson, Francis Thomas<br>Dooley     | 1/79 Snodgrass Road | Sec 6 Orowaiti Blk III Kawatiri<br>SD |
| Christine Janice Blair<br>(and Darryl John Jose as<br>occupier)                 | 2/79 Snodgrass Road | Sec 7 Orowaiti Blk III Kawatiri<br>SD |

| Name  | Address           | Legal Description                   |
|---|-------------------|-------------------------------------|
| Anna Marie Daily  | 83 Snodgrass Road | Sec 8 Orowaiti Blk III Kawatiri SD  |
| Trevor Morris Donaldson   | 85 Snodgrass Road | Sec 9 Orowaiti Blk III Kawatiri SD  |
| Leonie Mary Byrne   | 87 Snodgrass Road | Sec 10 Orowaiti Blk III Kawatiri SD |
| Margaret Anne Broderick,<br>Rosemary Schulte,<br>Francis Thomas Dooley,<br>Canterbury Trustees<br>Limited | 89 Snodgrass Road | Sec 11 Orowaiti Blk III Kawatiri SD |
| Thomas Michael Graham<br>Marie-Louise Hill  | 91 Snodgrass Road | Sec 2 SO 14107 Blk III Kawatiri SD  |

| Name   | Address            | Legal Description   |
|--|--------------------|---|
| Brett Johnathon Avery  | 95 Snodgrass Road  | Section 1 Survey Office Plan 14107 and Sec 14 Orowaiti Blk II Kawatiri SD |
| Malcolm Edward Anderson, Vyonnette Gail Anderson, Francis Thomas Dooley                                    | 109 Snodgrass Road | Lot 2 DP 356407 Blk III Kawatiri SD                                       |
| Malcolm Edward Anderson, Vyonnette Gail Anderson, Francis Thomas Dooley                                    | 111 Snodgrass Road | Lot 3 DP 356407 Blk III Kawatiri SD                                       |
| Michael Timothy Reedy, Gillian Elizabeth Reedy (and Karl Richard Barlow and Kelly Anne Reedy as occupiers) | 118 Snodgrass Road | Lot 2 DP 359713 Blk III Kawatiri SD                                       |
| Joshua Robert Reynolds, Tania Anne Reynolds  | 134 Snodgrass Road | Lot 3 DP 359713 Blk III Kawatiri SD                                       |

| <b>Name</b>                            | <b>Address</b>     | <b>Legal Description</b>            |
|--|--------------------|-------------------------------------|
| Noel Allan Burr, Helen Clare Burr      | 135 Snodgrass Road | Lot 1 DP 10854 Blk III Kawatiri SD  |
| George David Field, Cindy Louise Field | 137 Snodgrass Road | Lot 1 DP 356407 Blk III Kawatiri SD |
| Sarah-Lee Wendy Poore Smith            | 138 Snodgrass Road | Lot 3 DP 10854 Blk III Kawatiri SD  |

1. **This is a submission on the Proposed Te Tai o Poutini Plan ("Proposed Plan").**

2. **The individual Snodgrass Road submitters could not gain an advantage in trade competition through this submission.**

3. **The specific provisions of the proposal that this submission relates to are:**

The background to the Snodgrass Road submitters overall submission is summarised in paragraph 4 below. Their submissions on the Proposed Plan, and the specific relief sought, is then set out in **Appendix A**.

4. **Background and issues that inform the Snodgrass Road submitters position on the Proposed Plan.**

The Snodgrass Road area originally contained a golf links course and a racecourse, with the small residential titles on the estuary side which were used as baches. In the mid-1960s the area was converted to farmland, and since that time it has been progressively subdivided and developed with rural residential properties.

Whilst the area has been subject to periodic flooding of various degrees over that period, including Cyclone Fehi in 2018, and the major Westport flooding event in July 2021, and despite conducting reasonable due diligence before purchasing properties in the area, the Snodgrass Road submitters have had no reason to believe the area would be subject to a long-term unmitigated flood risk of such severity that the planning scheme would:

- prevent any further development of their properties; and
- impose a sinking lid on the existing use development rights which apply.

The LIM reports for the properties contain no mention of dwellings being potentially subject to flood risk, and until very recently the residents were also led to believe that any flood risk which is present would be addressed, alongside the rest of Westport, through the Councils' proposed flood protection scheme. In that respect, building consents have continued to be issued for new dwellings in the area up until very recently (i.e. after the July 2021 flood event).

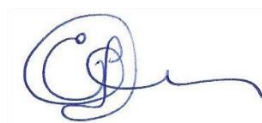
It therefore came as a significant shock when in 2022 the business case put forward to central government for funding to address Westport's flood hazard excluded the Snodgrass Road area, and the Proposed Plan imposed significant restrictions on the use and development of properties due to the unmitigated flood hazard risk that would result.

The Snodgrass Road submitters will continue to work with the Councils and other stakeholders on the current plan for managing flood risk in Westport with a view to seeking it be amended to provide protection to the Snodgrass Road area. However, they are also cognisant that despite those efforts it is possible that the Councils will provide no further flood protection to the area.

The Snodgrass Road submitters are submitting on the Proposed Plan in this context and seek that the Proposed Plan allows for the reasonable use and development of their properties.

5. **The Snodgrass Road submitters do wish to be heard in support of their submission. If others make a similar submission, Snodgrass Road submitters will consider presenting a joint case with them at any hearing.**

**Signed as agent on behalf of the Snodgrass Road submitters:**



**Elizabeth Jane Duncan 10.11.2022**



Address for Service: C/O P O Box 57, Westport 7866

Contact person: Elizabeth Jane Duncan

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### **Note to person making submission**

If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

## APPENDIX A

### **SPECIFIC SUBMISSION POINTS – Te Tai o Poutini Plan**

The Snodgrass Road submitters seek that the Proposed Plan allows for the reasonable use and development of their properties. This includes seeking that the Proposed Plan:

- Acknowledge that all properties within the Snodgrass Road area are different in terms of their topography and susceptibility to flood hazard, and allow site specific assessment of the 1% ARI floor levels by landowners to demonstrate compliance with permitted activity rules and / or to inform the acceptability of any alternative proposal put forward as part of a resource consent application (the 2021 floods exemplified the need for this, with only 14 of the 35 properties in the area experiencing flooding of their primary dwelling);
- Acknowledge that managing flood hazard in the Snodgrass Road area will require the construction of mitigation works (bundling, raised building platforms etc.) and that these activities are anticipated in, and form part of the anticipated landscape and amenity values of, the area;
- Permit construction of non-residential (unoccupied) buildings on the Snodgrass Road submitters' properties as a permitted activity;
- Permit re-construction of destroyed/damaged buildings on Snodgrass Road submitters' properties for a period up to 5 years following the event, acknowledging the practical difficulties in meeting the proposed 2-year timeframe;
- Permit the floor area of a dwelling on Snodgrass Road submitters' properties to be extended by 25 - 50 m<sup>2</sup> over any continuous 10-year period without meeting the finished floor area standards (the intent being to allow for addition of a bedroom or similar and allow reasonable use of existing dwellings as the needs of residents change);
- Permit new dwellings and extensions to existing dwellings on the Snodgrass Road submitters' properties to be constructed irrespective of whether the new Westport flood scheme is constructed to protect this area, where residents are able to devise their own onsite design solutions which allow the dwelling to meet the specified finished floor level standards;
- Allows the Council to grant applications for a resource consent for a new dwelling or addition to an existing dwelling on the Snodgrass Road submitters' properties which does not meet the specified minimum floor level where:

- Mitigation measures are proposed which would avoid risk to life and minimise risk to property and the environment; and
- The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding;
- Allows the Council to grant a subdivision consent on Snodgrass Road submitters' properties on where the subdivision is able to be done in a manner which will provide a safe, flood free and stable building platform.

The Proposed Plan has identified the Snodgrass Road submitters properties as being contained within the Westport Flood Hazard Overlay, and submissions on specific provisions are made in the table below to implement the above principles in that context. In the event that the Council were to seek a different flood hazard overlay apply to these properties through the Schedule 1 public submissions and hearing process the Snodgrass Road submitters seek the provisions which would ultimately apply to the properties under the revised overlay also implement the matters set out above in bullet form. For the avoidance of doubt, the Snodgrass Road submitters oppose this relief in the event it seeks the Flood Hazard Severe overlay apply to their properties.

The Snodgrass Road submitters also seek that the proposed controlled activity rule which would apply to Westport flood and coastal protection works constructed by a statutory agency or its authorised contractor, allow consideration of the effects of the works on flooding experienced by properties not protected by those works. At present, the rule would provide the Snodgrass Road submitters no ability to contest a resource consent application for works which would exacerbate the flood hazard which applies to their properties.

The Snodgrass Road submitters also seek that the Coastal Environment Overlay, which appears to have been applied in an unsophisticated manner over the area (see figure below), be removed from their properties.



The Snodgrass Road properties which are covered by the Coastal Environment Overlay would be subject to additional development restrictions as a result of being included within it, which are unjustified in this location, including:

- A reduction in the permitted building height from 10m to 7m for sites within the overlay;
- A reduction in the permitted ground floor area for new buildings from 350m<sup>2</sup> to 200m<sup>2</sup> in the Settlement Zone and from unlimited scale to 200 m<sup>2</sup> in the Rural General Zone; and
- Being afforded no permitted indigenous vegetation clearance unless it is for a track, fence, or establishment of a building platform and access.

In its submissions on specific provisions below the Snodgrass Road submitters have sought to provide for the above matters through specific exemptions within the general objective, policy and rule framework included in the Proposed Plan. An alternative would be to include a specific Snodgrass Road precinct in the Proposed Plan which identifies the Snodgrass Road submitters properties and contains specific objectives, policies and rules which recognise and provide for the matters raised in this submission.

| PROVISION   |   |                       | POSITION | REASONS   | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought) |
|---|---|-----------------------|----------|---|--|
| MAPS  |   |                       |          |   |  |
| The zoning applied to the following land parcels: |   |                       | Support  | The zoning accurately reflects the existing and intended use of the properties. | Retain proposed zoning of the Snodgrass Road properties.   |
| Address   | Legal Description                                     | Zone                  |          |   |  |
| 21 Snodgrass Road                                 | Lot 1 DP 20308 Blk III Kawatiri SD                    | General Rural Zone    |          |   |  |
| 21 A Snodgrass Road                               | Lot 1 DP 456393 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 21B Snodgrass Road                                | Lot 3 DP 469120 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 22 Snodgrass Road                                 | Lot 2 DP 358517 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 24 Snodgrass Road                                 | Lot 2 DP 456393 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 62 Snodgrass Road                                 | Lot 3 DP 349548 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 65 Snodgrass Road                                 | Lot 2 DP 349548 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 66 Snodgrass Road                                 | Lot 4 DP 349548 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 68 Snodgrass Road                                 | Lot 1 DP 359713 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 70 Snodgrass Road                                 | Lot 1 DP 469120 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 71 Snodgrass Road                                 | Sec 1 Orowaiti Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 72 Snodgrass Road                                 | Lot 2 DP 469120 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 1/75 Snodgrass Road                               | Sec 4 Orowaiti Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 2/75 Snodgrass Road                               | Sec 2 Orowaiti Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 3/75 Snodgrass Road                               | Sec 3 Orowaiti Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 77 Snodgrass Road                                 | Sec 5 Orowaiti Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 1/79 Snodgrass Road                               | Sec 6 Orowaiti Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 2/79 Snodgrass Road                               | Sec 7 Orowaiti Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 83 Snodgrass Road                                 | Sec 8 Orowaiti Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 85 Snodgrass Road                                 | Sec 9 Orowaiti Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 87 Snodgrass Road                                 | Sec 10 Orowaiti Blk III Kawatiri SD                   | Rural Settlement Zone |          |   |  |
| 89 Snodgrass Road                                 | Sec 11 Orowaiti Blk III Kawatiri SD                   | Rural Settlement Zone |          |   |  |
| 91 Snodgrass Road                                 | Sec 2 SO 14107 Blk III Kawatiri SD                    | Rural Settlement Zone |          |   |  |
| 95 Snodgrass Road                                 | Sec 1 SO 14107 and Sec 14 Orowaiti Blk II Kawatiri SD | Rural Settlement Zone |          |   |  |
| 109 Snodgrass Road                                | Lot 2 DP 356407 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |
| 111 Snodgrass Road                                | Lot 3 DP 356407 Blk III Kawatiri SD                   | General Rural Zone    |          |   |  |

| PROVISION  |   |                    | POSITION | REASONS   | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)   |
|--|---|--------------------|----------|---|--|
| 118 Snodgrass Road   | Lot 2 DP 359713 Blk III Kawatiri SD                   | General Rural Zone |          |   |  |
| 134 Snodgrass Road   | Lot 3 DP 359713 Blk III Kawatiri SD                   | General Rural Zone |          |   |  |
| 135 Snodgrass Road   | Lot 1 DP 10854 Blk III Kawatiri SD                    | General Rural Zone |          |   |  |
| 137 Snodgrass Road   | Lot 1 DP 356407 Blk III Kawatiri SD                   | General Rural Zone |          |   |  |
| 138 Snodgrass Road   | Lot 3 DP 10854 Blk III Kawatiri SD                    | General Rural Zone |          |   |  |
| The Westport Flood Hazard Overlay which applies to the following land parcels: |   |                    | Oppose   | The Snodgrass Road submitters seek that the flood hazard zoning be removed from their properties or the objectives, policies and rules which apply to these properties be amended as per the submission points below. | Remove Westport Flood Hazard zoning or amend the flood hazard related objectives, policies and rules which apply to these properties as per the submission points below. |
| Address  | Legal Description                                     |                    |          |   |  |
| 21 Snodgrass Road  | Lot 1 DP 20308 Blk III Kawatiri SD                    |                    |          |   |  |
| 21 A Snodgrass Road  | Lot 1 DP 456393 Blk III Kawatiri SD                   |                    |          |   |  |
| 21B Snodgrass Road   | Lot 3 DP 469120 Blk III Kawatiri SD                   |                    |          |   |  |
| 22 Snodgrass Road  | Lot 2 DP 358517 Blk III Kawatiri SD                   |                    |          |   |  |
| 24 Snodgrass Road  | Lot 2 DP 456393 Blk III Kawatiri SD                   |                    |          |   |  |
| 62 Snodgrass Road  | Lot 3 DP 349548 Blk III Kawatiri SD                   |                    |          |   |  |
| 65 Snodgrass Road  | Lot 2 DP 349548 Blk III Kawatiri SD                   |                    |          |   |  |
| 66 Snodgrass Road  | Lot 4 DP 349548 Blk III Kawatiri SD                   |                    |          |   |  |
| 68 Snodgrass Road  | Lot 1 DP 359713 Blk III Kawatiri SD                   |                    |          |   |  |
| 70 Snodgrass Road  | Lot 1 DP 469120 Blk III Kawatiri SD                   |                    |          |   |  |
| 71 Snodgrass Road  | Sec 1 Orowaiti Blk III Kawatiri SD                    |                    |          |   |  |
| 72 Snodgrass Road  | Lot 2 DP 469120 Blk III Kawatiri SD                   |                    |          |   |  |
| 1/75 Snodgrass Road  | Sec 4 Orowaiti Blk III Kawatiri SD                    |                    |          |   |  |
| 2/75 Snodgrass Road  | Sec 2 Orowaiti Blk III Kawatiri SD                    |                    |          |   |  |
| 3/75 Snodgrass Road  | Sec 3 Orowaiti Blk III Kawatiri SD                    |                    |          |   |  |
| 77 Snodgrass Road  | Sec 5 Orowaiti Blk III Kawatiri SD                    |                    |          |   |  |
| 1/79 Snodgrass Road  | Sec 6 Orowaiti Blk III Kawatiri SD                    |                    |          |   |  |
| 2/79 Snodgrass Road  | Sec 7 Orowaiti Blk III Kawatiri SD                    |                    |          |   |  |
| 83 Snodgrass Road  | Sec 8 Orowaiti Blk III Kawatiri SD                    |                    |          |   |  |
| 85 Snodgrass Road  | Sec 9 Orowaiti Blk III Kawatiri SD                    |                    |          |   |  |
| 87 Snodgrass Road  | Sec 10 Orowaiti Blk III Kawatiri SD                   |                    |          |   |  |
| 89 Snodgrass Road  | Sec 11 Orowaiti Blk III Kawatiri SD                   |                    |          |   |  |
| 91 Snodgrass Road  | Sec 2 SO 14107 Blk III Kawatiri SD                    |                    |          |   |  |
| 95 Snodgrass Road  | Sec 1 SO 14107 and Sec 14 Orowaiti Blk II Kawatiri SD |                    |          |   |  |
| 109 Snodgrass Road   | Lot 2 DP 356407 Blk III Kawatiri SD                   |                    |          |   |  |

| PROVISION  |                                     | POSITION | REASONS   | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought) |
|--|-------------------------------------|----------|---|--|
| 111 Snodgrass Road   | Lot 3 DP 356407 Blk III Kawatiri SD |          |   |  |
| 118 Snodgrass Road   | Lot 2 DP 359713 Blk III Kawatiri SD |          |   |  |
| 134 Snodgrass Road   | Lot 3 DP 359713 Blk III Kawatiri SD |          |   |  |
| 135 Snodgrass Road   | Lot 1 DP 10854 Blk III Kawatiri SD  |          |   |  |
| 137 Snodgrass Road   | Lot 1 DP 356407 Blk III Kawatiri SD |          |   |  |
| 138 Snodgrass Road   | Lot 3 DP 10854 Blk III Kawatiri SD  |          |   |  |
| The Flood Hazard Susceptibility Overlay which applies to the following properties: |                                     | Oppose   | The Flood Hazard Susceptibility Overlay applies to the front part of this property and incorporates a dwelling.<br><br>It is unclear why this area is subject to this overlay.                | That the Flood Hazard Susceptibility Overlay be removed in its entirety from this property.            |
| <b>Address</b>   | <b>Legal Description</b>            |          |   |  |
| 2/75 Snodgrass Road  | Sec 2 Orowaiti Blk III Kawatiri SD  |          |   |  |
| The Coastal Hazard Alert Overlay which applies to the following properties:        |                                     | Oppose   | The Coastal Hazard Alert Level Overlay applies to the front part of this property and incorporates a dwelling.<br><br>It is unclear why this area is subject to this overlay.                 | That the Coastal Hazard Alert Level Overlay be removed in its entirety from this property.             |
| <b>Address</b>   | <b>Legal Description</b>            |          |   |  |
| 2/75 Snodgrass Road  | Sec 2 Orowaiti Blk III Kawatiri SD  |          |   |  |
| The Coastal Environment Overlay which applies to the following properties:         |                                     | Oppose   | The Coastal Environment Overlay appears to have been applied in a unsophisticated manner on these properties and the associated restrictions on land use are unjustified on these properties. | That the Coastal Environment Overlay be removed from these properties.                                 |
| <b>Address</b>   | <b>Legal Description</b>            |          |   |  |
| 21 A Snodgrass Road  | Lot 1 DP 456393 Blk III Kawatiri SD |          |   |  |
| 21B Snodgrass Road   | Lot 3 DP 469120 Blk III Kawatiri SD |          |   |  |
| 24 Snodgrass Road  | Lot 2 DP 456393 Blk III Kawatiri SD |          |   |  |
| 62 Snodgrass Road  | Lot 3 DP 349548 Blk III Kawatiri SD |          |   |  |
| 65 Snodgrass Road  | Lot 2 DP 349548 Blk III Kawatiri SD |          |   |  |
| 66 Snodgrass Road  | Lot 4 DP 349548 Blk III Kawatiri SD |          |   |  |
| 68 Snodgrass Road  | Lot 1 DP 359713 Blk III Kawatiri SD |          |   |  |
| 70 Snodgrass Road  | Lot 1 DP 469120 Blk III Kawatiri SD |          |   |  |
| 71 Snodgrass Road  | Sec 1 Orowaiti Blk III Kawatiri SD  |          |   |  |
| 72 Snodgrass Road  | Lot 2 DP 469120 Blk III Kawatiri SD |          |   |  |
| 1/75 Snodgrass Road  | Sec 4 Orowaiti Blk III Kawatiri SD  |          |   |  |
| 2/75 Snodgrass Road  | Sec 2 Orowaiti Blk III Kawatiri SD  |          |   |  |

| PROVISION  |   | POSITION        | REASONS  | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought) |
|--|---|-----------------|--|--|
| 3/75 Snodgrass Road  | Sec 3 Orowaiti Blk III Kawatiri SD                    |                 |  |  |
| 77 Snodgrass Road  | Sec 5 Orowaiti Blk III Kawatiri SD                    |                 |  |  |
| 1/79 Snodgrass Road  | Sec 6 Orowaiti Blk III Kawatiri SD                    |                 |  |  |
| 2/79 Snodgrass Road  | Sec 7 Orowaiti Blk III Kawatiri SD                    |                 |  |  |
| 83 Snodgrass Road  | Sec 8 Orowaiti Blk III Kawatiri SD                    |                 |  |  |
| 85 Snodgrass Road  | Sec 9 Orowaiti Blk III Kawatiri SD                    |                 |  |  |
| 87 Snodgrass Road  | Sec 10 Orowaiti Blk III Kawatiri SD                   |                 |  |  |
| 89 Snodgrass Road  | Sec 11 Orowaiti Blk III Kawatiri SD                   |                 |  |  |
| 91 Snodgrass Road  | Sec 2 SO 14107 Blk III Kawatiri SD                    |                 |  |  |
| 95 Snodgrass Road  | Sec 1 SO 14107 and Sec 14 Orowaiti Blk II Kawatiri SD |                 |  |  |
| 109 Snodgrass Road   | Lot 2 DP 356407 Blk III Kawatiri SD                   |                 |  |  |
| 118 Snodgrass Road   | Lot 2 DP 359713 Blk III Kawatiri SD                   |                 |  |  |
| 134 Snodgrass Road   | Lot 3 DP 359713 Blk III Kawatiri SD                   |                 |  |  |
| 135 Snodgrass Road   | Lot 1 DP 10854 Blk III Kawatiri SD                    |                 |  |  |
| 137 Snodgrass Road   | Lot 1 DP 356407 Blk III Kawatiri SD                   |                 |  |  |
| 138 Snodgrass Road   | Lot 3 DP 10854 Blk III Kawatiri SD                    |                 |  |  |
| The Coastal Environment Overlay which applies to the following properties:   |   | Support         | The Coastal Environment Overlay does not apply to these properties. This is appropriate given their setting.   | That the Coastal Environment Overlay continue to not apply to these properties.                        |
| <b>Address</b>   | <b>Legal Description</b>                              |                 |  |  |
| 21 Snodgrass Road  | Lot 1 DP 20308 Blk III Kawatiri SD                    |                 |  |  |
| 22 Snodgrass Road  | Lot 2 DP 35517 Blk III Kawatiri SD                    |                 |  |  |
| 111 Snodgrass Road   | Lot 3 DP 356407 Blk III Kawatiri SD                   |                 |  |  |
| <b>PART 2 DISTRICT WIDE MATTERS</b>  |   |                 |  |  |
| <b>Urban Form and Development Strategic Objective UFD - O1</b><br>To have urban environments and built form on the West Coast/Te Tai o Poutini that: <ol style="list-style-type: none"> <li>1. Are attractive to residents, business and visitors;</li> <li>2. Have areas of special character and amenity value identified and their values maintained;</li> <li>3. Support the economic viability and function of town centres;</li> <li>4. Recognise the risk of natural hazards whereby new development is located in less hazardous locations;</li> <li>5. Promote the re-use and re-development of buildings and land, including private and public land;</li> <li>6. Support inclusivity and housing choice for the diversity within the community now and into the future;</li> <li>7. Improve overall accessibility and connectivity for people, transport (including walking and cycling) and services;</li> </ol> |   | Support in part | The overall objective is supported insofar as it applies to managing the risk of natural hazards and development. It is the mechanisms elsewhere in the Proposed Plan which set out how it is to be achieved in respect of the Snodgrass Road submitters properties which is opposed on account of it being unjustifiably restrictive. | Retain Objective UFD-01.   |



| PROVISION   | POSITION  | REASONS  | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)  |
|---|---|--|---|
| <p>8.Promote the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure and protection of critical infrastructure;</p> <p>9.Maintain the health and wellbeing of waterbodies, freshwater ecosystems and receiving environments; and</p> <p>10.Promote and enhance the distinctive character of the districts' towns and settlements.</p>   |   |  |   |
| <b>NH NATURAL HAZARDS</b>   |   |  |   |
| <b><i>Natural Hazards Objectives</i></b>  |   |  |   |
| <p>NH - O1 To use a regionally consistent, risk-based approach to natural hazard management.</p> <p>NH - O2 To reduce the risk to life, property and the environment from natural hazards, thereby promoting the well-being of the community and environment.</p> <p>NH - O3 To only locate critical infrastructure within areas of significant natural hazard risk where there is no reasonable alternative, and to design infrastructure so as not to exacerbate natural hazard risk to people and property.</p> <p>NH - O4 To ensure the role of hazard mitigation played by natural features that minimise impacts of hazards including wetlands and dunes is recognised and protected.</p> <p>NH - O5 To recognise and provide for the effects of climate change, and its influence on the frequency and severity of natural hazards.</p> <p>NH - O6 Measures taken to mitigate natural hazards do not create or exacerbate adverse effects on other people, property, infrastructure and the environment.</p> | <p>Support in part.</p> <p>Oppose in part.</p>          | <p>The Snodgrass Road submitters seek that the objectives be amended to acknowledge that some site-specific allowance from the regionally consistent approach be accommodated by the Proposed Plan such that the site-specific circumstances of their properties can be accommodated as per the submission on policies and rules below.</p>  | <p>Retain the provisions subject to including specific text which acknowledges some site-specific allowance from the regionally consistent approach will be accommodated by the Proposed Plan such that the site specific circumstances of their properties can be accommodated as per the submission on policies and rules below.</p>  |
| <b><i>Natural Hazards Policies</i></b>  |   |  |   |
| <p>NH - P13 Allow subdivision, use and development within the Westport Hazard Overlay where:</p> <p>a. 1% annual exceedance probability flood event is mitigated; and</p> <p>b. 1% annual recurrence interval plus 1m sea level rise coastal event are mitigated; and</p> <p>c. Where mitigation is not achieved, further subdivision, use and development is avoided.</p>  | <p>Support subject to the amendments set out below.</p> | <p>The policies for natural hazards are supported subject to the amendments specified for Policy NH—P13 specified below.</p>   | <p>Retain Policies NH-P1 – NHP13 subject to the specific amendments to Policy NH-P13 set out in the submission below.</p>   |
| <p>NH - P13 Allow subdivision, use and development within the Westport Hazard Overlay where:</p> <p>a. 1% annual exceedance probability flood event is mitigated; and</p> <p>b. 1% annual recurrence interval plus 1m sea level rise coastal event are mitigated; and</p> <p>c. Where mitigation is not achieved, further subdivision, use and development is avoided.</p>  | <p>Oppose in part</p>                                   | <p>The Snodgrass Road submitters properties are contained within the Westport Hazard Overlay.</p> <p>The Snodgrass Road submitters support explicit policy direction that subdivision, use and development on their properties be allowed where:</p> <p>a. 1% annual exceedance probability flood event is mitigated; and</p> <p>b. 1% annual recurrence interval plus 1m sea level rise coastal event are mitigated</p> <p>However, the Snodgrass Road submitters seek explicit policy direction that subdivision, use and development on their properties also be allowed in circumstances where (a) and (b) above are not met but:</p> <p>c. It involves:</p> | <p>Include additional provisions in Policy NH-P13 insofar as they apply to the Snodgrass Road submitters properties, which direct that subdivision, use and development on their properties be allowed in circumstances where the specified minimum floor levels are not achieved but:</p> <p>a. It involves:</p> <p>i. Construction of buildings which do not house people; or</p> <p>ii. Reconstruction of existing dwellings</p> |

| PROVISION   | POSITION | REASONS  | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)   |
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|   |          | <ul style="list-style-type: none"> <li>i. Construction of buildings which do not house people; or</li> <li>ii. Reconstruction of existing dwellings which are damaged or destroyed; or</li> <li>iii. The extension of the floor area of a dwelling by 25 - 50 m<sup>2</sup> over any continuous 10 year period without meeting the finished floor area standards set out above (the intent being to allow for addition of a bedroom or similar); or</li> </ul> <p>d. It includes:</p> <ul style="list-style-type: none"> <li>i. Mitigation measures avoid risk to life and minimise risk to property and the environment; and</li> <li>ii. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.</li> </ul> <p>The proposed matters in (c) above recognize that rules in the Proposed Plan contain various exemptions from the need to mitigate the 1% AEP flood event to allow for the reasonable use of properties in these areas by existing property owners.</p> <p>The proposed matters in (d) reflect the proposed policy direction for the Flood Susceptibility Overlay and would allow some development where the flood hazard risk is suitably addressed.</p> | <ul style="list-style-type: none"> <li>iii. The extension of the floor area of a dwelling by 25 - 50 m<sup>2</sup> over any continuous 10 year period without meeting the finished floor area standards set out above (the intent being to allow for addition of a bedroom or similar); or</li> </ul> <p>b. It includes:</p> <ul style="list-style-type: none"> <li>i. Mitigation measures avoid risk to life and minimise risk to property and the environment; and</li> <li>ii. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.</li> </ul> |
| <b>Natural Hazards Rules - General</b>  |          |  |  |
| <p><b>NH- R1 Reconstruction and Replacement of Lawfully Established Buildings in all Natural Hazard Overlays Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. This is the reconstruction/replacement of a building lawfully established at the time of notification of the Plan; and</li> <li>2. The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God;</li> <li>3. The destroyed/damaged building is reconstructed or replaced within 2 years in the Westport Hazard, Coastal Severe and Flood Severe Overlays;</li> <li>4. The destroyed/damaged building is reconstructed or replaced within 5 years in all other natural hazard overlays; and</li> <li>5. The reconstructed/replaced building is similar in character, intensity and scale to the building that it replaces.</li> </ol> | Oppose   | <p>History has shown that it is not practical to reconstruct or replace a damaged home within a 2 year timeframe. The need to work through insurance issues, building consent, obtain materials and commission tradespeople means it takes considerably longer.</p> <p>This must be accommodated by the rule.</p>  | Amend Rule NH-R1 so reconstruction and Replacement of Lawfully Established Buildings in the Westport Hazard Overlay is permitted within a <u>5 year</u> timeframe.   |

| PROVISION  | POSITION | REASONS  | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought) |
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| <p><b>NH - R2 Repairs, Maintenance and Operation of any Existing Natural Hazard Mitigation Structure</b><br/> Activity Status Permitted<br/> Where:</p> <ol style="list-style-type: none"> <li>The structure has been lawfully established;</li> <li>Earthworks and land disturbance is the minimum required to undertake the activity;</li> <li>There is no change to the design, texture, or form of the structure;</li> <li>The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure; and</li> <li>There is no reduction in public access.</li> </ol>   | Support  | It is important that repair and maintenance of any mitigation structure which protects a property or properties in Snodgrass Road can occur without the need for a resource consent in the circumstances covered by this rule.               | Retain Rule NH-R2.   |
| <p><b>NH- R3 Upgrades to Existing Natural Hazard Mitigation Structures</b><br/> Activity Status Permitted<br/> Where:</p> <ol style="list-style-type: none"> <li>The structure has been lawfully established;</li> <li>Earthworks and land disturbance is the minimum required to undertake the activity;</li> <li>There is no reduction in public access;</li> <li>There is no change to more than 10% to the overall dimensions, orientation or outline of structure from that originally consented structure; and</li> <li>It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing.</li> </ol>   | Support  | It is important that upgrade of any mitigation structure a resident or council constructs to protect a property or properties in Snodgrass Road can occur without the need for a resource consent in the circumstances covered by this rule. | Retain Rule NH-R3.   |
| <p><b>NH - R4 New Natural Hazard Mitigation Structure</b><br/> Activity Status Permitted<br/> Where:</p> <ol style="list-style-type: none"> <li>The structure is located outside of any Overlay Chapter area identified in Schedules 1-8;</li> <li>Earthworks and land disturbance is the minimum required to undertake the activity;</li> <li>There is no reduction in public access;</li> <li>It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing.</li> </ol> <p>Advice Note:</p> <ol style="list-style-type: none"> <li>A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan.</li> <li>Natural Hazard Mitigation Structures constructed in the Coastal Environment, or within the Riparian Margins of Waterbodies or within areas identified in Schedules 1 - 8 will be subject to the provisions in the relevant Overlay Chapters.</li> <li>If the Overlay Chapters don't provide for this activity then NH-R4 prevails</li> </ol> | Support  | It is appropriate that the Proposed Plan permits new mitigation structures constructed to protect a property or properties in Snodgrass Road without the need for a resource consent in the circumstances specified in this rule.            | Retain Rule NH-R4.   |

| PROVISION   | POSITION       | REASONS   | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)  |
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| <p><b>NH - R5 Repairs, Maintenance, Operation, Upgrade of Existing Natural Hazard Mitigation Structures and New Natural Hazard Mitigation Structures not meeting Permitted Activity Standards</b></p> <p><b>Activity Status Discretionary</b></p> <p><i>Advice Notes:</i></p> <ol style="list-style-type: none"> <li>Where any natural hazard mitigation structure is also located in another Overlay Chapter area as identified on the planning maps and in the Schedules 1-8 then resource consent may be required under the relevant Overlay Chapter rules.</li> <li>A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan.</li> </ol> | Support        | Discretionary activity status is appropriate for any natural hazard mitigation structure which does not meet permitted activity rules.  | Retain Rule NH-R5.  |
| <b>Rules - Flood Severe Overlay and Flood Susceptibility Overlay</b>  |                |   |   |
| <p><b>NH - R6 Repairs and Maintenance of Existing Buildings in the Flood Severe and Flood Susceptibility Overlays</b></p> <p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Repairs and maintenance do not increase the net floor area of the building used for sensitive activities.</li> </ol> <p>Activity status where compliance not achieved:</p> <p>For Flood Susceptibility Overlay Discretionary</p> <p>For Flood Severe Overlay Non-complying</p>   | Support        | <p>This rule applies to 2/75 Snodgrass Road (front building).</p> <p>It is important the Proposed Plan permit the repair and maintenance of this building.</p>  | Retain Rule NH-R6.  |
| <p><b>NH - R7 New Unoccupied Buildings in the Flood Severe and Flood Susceptibility Overlays</b></p> <p>Activity Status Permitted</p>   | Support        | There is no reason to limit the establishment of new unoccupied buildings in these overlays.  | Retain Rule NH-R7.  |
| <p><b>NH - R10 Flood Susceptibility Overlay - New Buildings used for Sensitive Activities and Additions and Alterations to Existing Buildings used for Sensitive Activities</b></p> <p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>Any new buildings or additions and alterations have a finished floor level of 500mm above the 1% AEP flood event</li> </ol>   | Oppose in part | <p>The permitted activity rule should allow the floor area of a dwelling in the Snodgrass Road submitters' properties to be extended by 25 - 50 m<sup>2</sup> over any continuous 10-year period without meeting the finished floor area standards set out in Rule NH-R10(1)</p> <p>This is needed to allow for addition of a bedroom or similar and accommodate the reasonable use and development of property owners.</p> | Amend Rule NH-R10 to allow the floor area of a dwelling in the Snodgrass Road submitters' properties to be extended by 25 - 50 m <sup>2</sup> over any continuous 10-year period without meeting the finished floor area standards set out in Rule NH-R10(1). |
| <p><b>NH-R13 Flood Susceptibility Overlay - Additions and Alterations to Existing Buildings used for Sensitive Activities not meeting Permitted Activity standards and New Buildings used for Sensitive Activities not meeting Permitted Activity Standards.</b></p> <p>Activity Status Discretionary</p>   | Support        | It is important the Proposed Plan allow a resource consent application be made for an activity which does not meet permitted activity rules.  | Retain provision.   |
| <b>COASTAL SEVERE AND COASTAL ALERT OVERLAY RULES</b>   |                |   |   |
| <p><b>NH - R38 Reconstruction, Repairs and Maintenance to Existing Buildings in the Coastal Severe and Coastal Alert Overlays</b></p>   | Oppose in part | This rule applies to 2/75 Snodgrass Road (front building).  | Amend Rule NH-R38 so reconstruction and   |

| PROVISION  | POSITION       | REASONS  | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)   |
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| <p><b>Activity Status Permitted</b></p> <p><b>Where:</b></p> <ol style="list-style-type: none"> <li>1. For repairs and maintenance there is no increase in the area of the building;</li> <li>2. For reconstruction of a building lawfully established at the time of notification of the Plan where:               <ol style="list-style-type: none"> <li>a. The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God;</li> <li>b. The destroyed/damaged building is reconstructed within 5 years in the Coastal Alert overlay and 2 years in the Coastal Severe overlay;</li> <li>c. The reconstructed building is similar in character, intensity and scale to the building it replaces.</li> </ol> </li> </ol> |                | <p>History has shown that it is not practical to reconstruct or replace a damaged home within a 2-year timeframe. The need to work through insurance issues, building consent, obtain materials and commission tradespeople means it takes considerably longer.</p> <p>This must be accommodated by the rule.</p>                                | <p>Replacement of Lawfully Established Buildings in the Coastal Alert Overlay is permitted within a <u>5-year</u> timeframe.</p>   |
| <p><b>NH - R39 New Unoccupied Buildings and Structures in the Coastal Severe and Coastal Alert Overlays</b></p> <p>Activity Status Permitted</p>   | Support        | <p>There is no reason to limit the establishment of new unoccupied buildings in these overlays.</p>  | <p>Retain Rule NH-R39.</p>   |
| <p><b>NH - R41 Additions and Alterations of Existing Buildings used for Sensitive Activities in the Coastal Severe and Coastal Alert Overlays</b></p> <p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. There is no increase in net floor area used for a sensitive activity.</li> </ol> <p>Activity status where compliance not achieved:</p> <p>Discretionary for Coastal Alert</p> <p>Non-complying for Coastal Severe</p>  | Oppose in part | <p>The permitted activity rule should allow the floor area of a dwelling in the Snodgrass Road submitters' properties to be extended by 25 - 50 m<sup>2</sup> over any continuous 10-year period.</p> <p>This is needed to allow for addition of a bedroom or similar and accommodate the reasonable use and development of property owners.</p> | <p>Amend Rule NH-R41(1) to allow the floor area of a dwelling in the Snodgrass Road submitters' properties to be extended by 25 - 50 m<sup>2</sup> over any continuous 10-year period.</p> |
| <p><b>NH - R43 Coastal Alert Overlay: New Buildings for Sensitive Activities and Additions and Alterations of existing Buildings that increase the net floor area for Sensitive Activities</b></p> <p>Activity Status Discretionary</p>  | Support        | <p>It is important the Proposed Plan allow a resource consent application be made for an activity which does not meet permitted activity rules.</p>  | <p>Retain Rule NH-R43.</p>   |
| <b>COASTAL TSUNAMI OVERLAY</b>   |                |  |  |
| <p><b>NH - R47 Repairs, Maintenance, Additions and Alterations to Existing Buildings within the Coastal Tsunami Overlay Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. Any works do not increase the building footprint used for Critical Response Facility purposes;</li> <li>2. Any works do not increase the area of the building used for Critical Response Facility purposes; and</li> <li>3. No building used for a Critical Response Facility is reconstructed or replaced in a position that is seaward of the building it replaces.</li> </ol>   | Support        | <p>There is no reason to restrict buildings in this overlay beyond those used for Critical Response Facilities.</p>  | <p>Retain provision.</p>   |
| <p><b>NH - R48 Repairs, Maintenance, Additions and Alterations to Existing Buildings within the Coastal Tsunami Overlay not meeting Permitted Activity Standards</b></p> <p>Activity Status Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. Any addition or alteration does not increase the area of the building used for Critical Response Facilities</li> <li>2. No building used for a Critical Response Facility is reconstructed or replaced in a position that is seaward of the building it replaces.</li> </ol>   | Support        | <p>There is no reason to restrict buildings in this overlay beyond those used for Critical Response Facilities.</p>  | <p>Retain provision.</p>   |

| PROVISION  | POSITION                              | REASONS  | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)   |
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| <p><b>NH 49 New Buildings for Critical Response Facilities within the Coastal Tsunami Overlay and Additions and Alterations to existing buildings for Critical Response Facilities not meeting Discretionary Activity Standards</b></p> <p>Activity Status Non-complying</p>   | Support                               | There is no reason to restrict buildings in this overlay beyond those used for Critical Response Facilities.   | Retain provision.  |
| <b>WESTPORT HAZARD OVERLAY RULES</b>   |                                       |  |  |
| <p><b>NH - R52 New Buildings and Additions and Alterations to Existing Buildings in the Westport Hazard Overlay</b></p> <p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>New occupied buildings and additions and alterations to existing occupied buildings where these are protected by 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 event as certified by the West Coast Regional Council; or</li> <li>New occupied buildings in areas not 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: <ol style="list-style-type: none"> <li>Buildings for sensitive activities where the finished floor level is 500mm above a 1% ARI plus 1m sea level rise coastal event and a 1% AEP flood event;</li> <li>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;</li> </ol> </li> <li>These are new unoccupied buildings or additions or alterations to existing unoccupied buildings; or</li> <li>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;</li> <li>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.</li> </ol> | Oppose in part                        | <p>The permitted activity rule should allow the floor area of a dwelling in the Snodgrass Road submitters' properties to be extended by 25 - 50 m<sup>2</sup> over any continuous 10-year period without meeting the finished floor area standards set out in Rule NH-R52</p> <p>This is needed to allow for addition of a bedroom or similar and accommodate the reasonable use and development of property owners.</p> <p>The Snodgrass Road submitters also consider council has not provided sufficient justification as to why 1m of sea level rise needs to be accommodated by finished floor levels on their properties under the permitted activity rules.</p> | <p>Amend Rule NH-R52 to allow the floor area of a dwelling in the Snodgrass Road submitters' properties to be extended by 25 - 50 m<sup>2</sup> over any continuous 10 year period without meeting the finished floor area standards set out in Rule NH-R52.</p> <p>Delete reference to 1m sea level rise from Rule NH-R52 insofar as it applies to the Snodgrass Road properties.</p> |
| <p><b>NH - R53 New Buildings and Additions and Alterations to Existing Buildings in the Westport Hazard Overlay not meeting Permitted Activity Standards.</b></p> <p>Activity Status Discretionary</p>   | Support                               | It is important the Proposed Plan allows a resource consent application to be made for an activity which does not meet permitted activity rules and discretionary activity status is appropriate for that activity.  | Retain Rule NH-R53.  |
| <b>ECOSYSTEMS AND INDIGENOUS BIODIVERSITY RULES</b>  |                                       |  |  |
| <p>Permitted Activities ECO - R1 Indigenous vegetation clearance and disturbance outside of the coastal environment</p> <p>Activity Status Permitted where:</p> <ol style="list-style-type: none"> <li>It is outside of a scheduled Significant Natural Area as identified in Schedule Four;</li> <li>It is clearance permitted by the Natural Character and the Margins of Waterbodies Rule NC - R1; or</li> <li>It is necessary for one of the following purposes: <ol style="list-style-type: none"> <li>It is the removal of windthrown timber through: <ol style="list-style-type: none"> <li>Use of helicopter recovery methods; or</li> <li>Where ground-based recovery is only undertaken from areas adjacent to existing vehicle tracks; or</li> </ol> </li> </ol> </li> </ol>  | Support in part<br><br>Oppose in part | <p>It is unclear whether a vegetation clearance activity needs to be a named activity under (3) and meet the threshold specified in (5) to be a permitted activity under this Rule.</p> <p>The submitters seek that the rule be amended to the extent necessary to permit miscellaneous indigenous vegetation clearance of up to 5,000 m<sup>2</sup> per site on the Snodgrass Road submitters properties over any continuous 3-year period.</p>   | Amend Rule ECO-R1 to the extent necessary to permit miscellaneous indigenous vegetation clearance of up to 5,000 m <sup>2</sup> per site on the Snodgrass Road submitters properties over any continuous 3-year period.  |

| PROVISION   | POSITION | REASONS | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought) |
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| <p>ii. The maintenance, operation and repair of lawfully established tracks, fences, structures, buildings, critical infrastructure, network utilities, renewable electricity generation activities or natural hazard mitigation activities;</p> <p>iii. For the installation of temporary network activities following a regional or local state of emergency declaration;</p> <p>iv. To prevent a serious threat to people, property, structures or services;</p> <p>v. To ensure the safe and efficient operation (including maintenance and repair) of any formed public road, rail corridor or access;</p> <p>vi. For the construction of new fences and traplines associated with Conservation Activities or to exclude stock or pest animals;</p> <p>vii. To upgrade or create new public walking or cycling tracks up to 3m in width undertaken by the Council or its approved contractor;</p> <p>viii. To comply with section 43 of the Fire and Emergency Act 2017;</p> <p>ix. For construction or operation of an above ground or below ground network utility or the national grid where:</p> <p>a. The construction corridor does not exceed 3m in width; and</p> <p>b. All machinery used in construction is cleaned and made free of weed material and seeds prior to entering the site; and</p> <p>c. Rehabilitation of disturbed areas is undertaken following the completion of construction;</p> <p>x. It is cultural harvest undertaken by Poutini Ngāi Tahu; or</p> <p>xi. It is on MPZ - Māori Purpose Zoned land and undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or</p> <p>xii. It is within an area subject to a QEII National Trust Covenant or Ngā Whenua Rahui Kawaneta, a Reserves or Conservation Act covenant or a Heritage covenant under the Heritage New Zealand/Pouhere Taonga Act and the vegetation disturbance is authorised by that legal instrument;</p> <p>4. Within the Grey District it is clearance outside of an Outstanding Natural Landscape identified in Schedule Five; or</p> <p>5. Within the Buller and Westland Districts:</p> <p>i. It is the removal or clearance of mānuka, kānuka and bracken only that is not part of any wetland and which is under 15 years old, not exceeding 5ha per site over any continuous three year period, subject to provision of notice to the relevant District Council at least 20 working days prior to the proposed clearance including:</p> <p>a. Details of the location of the proposed clearance;</p> <p>b. Area of the proposed clearance; and</p> <p>c. Verification by documentary, photographic or other means that the vegetation is less than 15 years old and not part of any wetland; or</p> <p>ii. It is a maximum area of 5000m per site, in total, over any continuous three-year period.</p> <p>Advice Notes:</p> <p>1. Where clearance of mānuka, kānuka or bracken is proposed under Standard 5 (i) of this rule, if proof that the vegetation is less than 15 years old or that the site is not a wetland, is unavailable, then a resource consent will be required.</p> <p>2. Where indigenous vegetation clearance is proposed within the riparian margins of a waterbody refer to these sections of the Plan for the Rules around this clearance.</p> |          |         |  |

| PROVISION   | POSITION | REASONS  | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)  |
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| <p>3. Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM - R4 will also apply.</p> <p>4. Where indigenous vegetation clearance is proposed within a wetland this is also subject to rules within the NES - Freshwater which is administered by the West Coast Regional Council</p> <p>5. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF in relation to significant natural areas.</p>  |          |  |   |
| <p><b>ECO - R2 Indigenous Vegetation Clearance in the Coastal Environment</b></p> <p><b>Activity Status Permitted</b></p> <p><b>Where:</b></p> <p>1. This is for:</p> <ul style="list-style-type: none"> <li>i. Walking/cycling tracks, roads, farm tracks or fences;</li> <li>ii. Operation, maintenance, repair, upgrading and installation of new network utility infrastructure and renewable electricity generation activities; or</li> <li>iii. Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site;</li> </ul> <p>2. The extent of indigenous vegetation disturbed and/or cleared per site does not exceed an area of 500m<sup>2</sup> in area per site in any 3-year period;</p> <p>3. The indigenous vegetation clearance does not disturb, damage, or destroy nesting areas or habitat of protected species; and</p> <p>4. The indigenous vegetation clearance does not occur in any area identified as a Significant Natural Area in Schedule Four.</p> <p>Advice Notes:</p> <p>1. Where indigenous vegetation clearance is proposed within the riparian margins of a waterbody refer to these sections of the Plan for the Rules around this clearance.</p> <p>2. Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM - R4 will also apply.</p> <p>3. Where indigenous vegetation clearance is proposed within a wetland this is also subject to rules within the NES - Freshwater which is administered by the West Coast Regional Council.</p> <p>4. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF.</p> | Oppose   | <p>It is understood Rule ECO-R2 only permits indigenous vegetation clearance in this area where all of (1) – (4) are satisfied.</p> <p>It is important that the rule permit miscellaneous clearance on the Snodgrass Road submitters' properties unrelated to the matters listed in (1).</p> | Amend Rule ECO-R1 to the extent necessary to permit miscellaneous indigenous vegetation clearance of up to 5,000 m <sup>2</sup> per site on the Snodgrass Road submitters properties over any continuous 3-year period. |
| <p><b>ECO - R5 Indigenous vegetation clearance not meeting Permitted or Controlled Activity Standards</b></p> <p>Activity Status Restricted Discretionary</p> <p><b>Where:</b></p> <p>1. This is not within:</p> <ul style="list-style-type: none"> <li>i. A Significant Natural Area identified in Schedule Four;</li> <li>ii. An area of land environment of category one or two of the Threatened Environment Classification;</li> <li>iii. An Outstanding Natural Landscape identified in Schedule Five;</li> <li>iv. An Outstanding Natural Feature identified in Schedule Six;</li> <li>v. An area of High Coastal Natural Character identified in Schedule Seven; or</li> <li>vi. An area of Outstanding Coastal Natural Character identified in Schedule Eight.</li> </ul>  | Support  | It is important the Proposed Plan allow a focused resource consent application be made for an activity which does not meet permitted activity rules.   | Retain Rule ECO-R5.   |



| PROVISION  | POSITION   | REASONS   | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)  |
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| <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Whether there are other regulations impacting the site that have meant the land is unable to be used for economic rural uses;</li> <li>b. Constraints imposed by functional or operational need of network utilities and critical infrastructure;</li> <li>c. Effects on habitats of any threatened or protected species;</li> <li>d. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;</li> <li>e. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;</li> <li>f. Effects on the intrinsic values of ecosystems;</li> <li>g. Effects on recreational values of public land; and</li> <li>h. The matters outlined in Policies ECO - P6 and ECO - P7.</li> </ul>  |  |   |   |
| <b>SUBDIVISION</b>   |  |   |   |
| <b>Objectives and Policies</b>   | Support subject to the amendments set out below. | The objectives and policies for subdivision are supported subject to the amendments specified for Policy UB-P6 specified below.   | Retain Objectives SUB-01 – SUB06 and Policies SUB-P1 – SUB P9 subject to the specific amendments to SUB P6 and set out in the submission below. |
| <p>SUB - P6 Avoid subdivision:</p> <ul style="list-style-type: none"> <li>a. In the RURZ - Rural Zones that could result in the creation of an unplanned new settlement;</li> <li>b. In the Earthquake Hazard Overlay that could result in the creation of new allotments;</li> <li>c. Where detached minor residential units in RURZ - Rural Zones become legally separated from the main residential unit thereby creating cumulative effects on rural character and productivity;</li> <li>d. Where this could create significant reverse sensitivity issues in relation to the MINZ – Mineral Extraction Zone or Energy Activities;</li> <li>e. In the Coastal environment outside of areas that are already modified unless adverse effects on the natural character of the coastal environment can be avoided or mitigated; and</li> <li>f. In areas of significant risk of natural hazards, where this is for the purposes of accommodating and/or servicing people and communities.</li> </ul> | Oppose in part                                   | <p>Policy UB-P4 provides appropriate policy direction in respect of subdivision in areas subject to natural hazards insofar as it contemplates mitigation measures being used to manage natural hazard risk to an acceptable level.</p> <p>Policy UB-P6(f) undermines that policy direction by directing in all areas subject to natural hazard risk subdivision be avoided where it is intended to accommodate people.</p> | Delete Policy SUB-P6(f).  |
| <b>Rules</b>   |  |   |   |
| <p>UB - R20 Subdivision of Land in the Westport Hazard Overlay</p> <p>Activity Status - Discretionary</p>  | Support  | Discretionary activity status is considered appropriate for an application to subdivide land within the Snodgrass Road submitters properties.   | Retain Rule UB-R20 and discretionary activity status for subdivision of the Snodgrass Road submitters properties.                               |
| <b>Subdivision Standards</b>   | Support  | <p>The subdivision standards are supported insofar as they do not include any prohibitive standards regarding flood hazard.</p> <p>The proposed requirement for each allotment to provide a provide a stable, flood free building area suitable for building foundations in accordance with</p>   | Retain the subdivision standards in Rule SUB-S1 – SUBS11.   |

| PROVISION   | POSITION | REASONS   | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)    |
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|   |          | the requirements of the New Zealand Building Code - Acceptable Solution B1/AS4 Approved Document B1/4:<br>Structure Foundations is considered appropriate.  |   |
| <b>COASTAL ENVIRONMENT</b>  |          |   |   |
| <b>OBJECTIVES AND POLICIES</b>  |          |   |   |
| <p><b>Objective CE-01</b></p> <p>To preserve the natural character, landscapes and biodiversity of the coastal environment while enabling people and communities to provide for their social, economic and cultural wellbeing in a manner appropriate for the coastal environment.</p>  | Support  | It is important the plan seek appropriate use and development of the coastal environment.   | Retain provision.   |
| <p><b>Objective CE-03</b></p> <p>To provide for activities which have a functional 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.</p>  | Support  | It is important the provision acknowledge that in places flood protection work will be required in the coastal environment and in a manner which cannot avoid impacts on natural character.   | Retain provision.   |
| <p><b>Policy CE-P1</b></p> <p>Identify and map a Coastal Environment overlay that recognises and provides for the extent of the coastal environment and different areas, elements or characteristics within it, including:</p> <ol style="list-style-type: none"> <li>Areas where coastal processes, influences or qualities are significant;</li> <li>Elements and features that contribute to the natural character, landscape, visual qualities or amenity values;</li> <li>Areas along the coast and river mouths where coastal erosion and coastal inundation is likely, and within the wider coastal environment where there is a potential hazard risk should accelerated sea level rise occur;</li> <li>Historic heritage and Poutini Ngāi Tahu cultural areas or features;</li> <li>Areas of significant coastal vegetation and habitat of indigenous coastal flora and fauna species; and</li> <li>The built environment and infrastructure which have modified the coastal environment.</li> </ol> | Oppose   | <p>It is unclear why these elements have been selected to define the coastal environment.</p> <p>It is also unclear how the coastal environment overlay at Snodgrass Road has been developed and why some areas are in and others outside the overlay.</p> <p>There is no clear rationale for the seemingly arbitrary line drawn through the Snodgrass Road area.</p> <p>Clear rationale is important because of the additional development restrictions the Proposed Plan places on land within the Coastal Environment.</p> | Delete Policy CE-P1 or remove Coastal Environment overlay from the Snodgrass Road submitters' properties. |
| <p><b>Policy CE-P3</b></p> <p>Only allow new subdivision, use and development within areas of outstanding and high coastal natural character, outstanding coastal natural landscapes and outstanding coastal natural features where:</p> <ol style="list-style-type: none"> <li>The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained;</li> <li>Significant adverse effects on natural character, natural landscapes and natural features, and adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features are avoided;</li> </ol>   | Support  | <p>The coastal margins of the Snodgrass Road area is subject to a high natural character overlay.</p> <p>This policy is consistent with the requirements of the New Zealand Coastal Policy Statement 2010.</p>  | Retain Policy CE-P3.  |
| <p><b>Policy CE-P5</b></p> <p>Provide for buildings and structures within the coastal environment outside of areas of outstanding coastal natural character, outstanding natural landscape and outstanding natural features where these:</p> <ol style="list-style-type: none"> <li>Are existing lawfully established structures; or</li> <li>Are of a size, scale and nature that is appropriate to the area; or</li> </ol>  | Support  | It is important that the provisions provide for use and development in these areas, which include Snodgrass Road.   | Retain Policy CE-P5   |

| PROVISION  | POSITION   | REASONS   | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)  |
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| c. Are in the parts of the coastal environment that have been historically modified by built development and primary production activities; or<br>d. Have a functional or operational need to locate within the coastal environment.   |  |   |   |
| <b>CE-P6</b><br>Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast/Te Tai o Poutini including parts of Westport, Greymouth and Hokitika and enable new subdivision, buildings and structures within and expansion of towns and settlements where:<br>a. These are located in areas already modified by built development or primary production activities, or<br>b. Where located in unmodified areas, any adverse impact on natural character can be mitigated;<br>c. In areas of outstanding or high natural character:<br>i. Provide for lawfully established land uses and activities to continue;<br>ii. Allow for other uses with a functional need to locate in the coastal environment;<br>iii. Allow for Poutini Ngāi Tahu cultural uses;<br>iv. Avoid encroachment into unmodified areas of the coastal environment; and<br>v. Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are minimised. | Support  | It is important that the provisions provide for use and development in these areas, which include Snodgrass Road.<br><br>It is important that in areas of high natural character that activities which have a functional need to locate in those areas are provided for. Including, if necessary, flood protection works.   | Retain Policy CE-P6   |
| <b>CE-P7</b><br>Reduction in public access to the coastal environment can be considered when coastal hazard mitigation works are required to protect communities from a significant natural hazard threat. When assessing proposals for natural hazard structures effects on public access should be considered and ways to minimise them found, including:<br>a. Provision of alternate certain and enduring access; and<br>b. Provision of public amenity or opportunity for environmental benefit along the structure, provided that the physical integrity and function of the structure is maintained.  | Support  | It is important that the provisions acknowledge the practical requirements of flood protection works.   | Retain Policy CE-P7   |
| <b>FLOOD HAZARD RULES</b>  |  |   |   |
| <b>General</b>   | Support subject to the amendments set out below. | The rules for the Coastal Environment are supported subject to the amendments specified for Rule CE-R4 and CE-R12 specified below.  | Retain Rules CE-R1 – CE-R22 subject to the specific amendments to Rule CE-R4 and CE-R12 set out in the submission below.  |
| <b>Rule CE-R4</b><br>CE - R4 Buildings and Structures in the Coastal Environment<br>Activity Status Permitted<br>Where:<br>1. These are not located within:<br>a. An Outstanding Natural Landscape identified in Schedule Five;<br>b. An Outstanding Natural Feature identified in Schedule Six;<br>c. An area of High Coastal Natural Character identified in Schedule Seven and subject to Rule CE - R5;<br>d. An area of Outstanding Coastal Natural Character identified in Schedule Eight; and  | Oppose in part                                   | Outside of the outstanding natural character area there is no reason to restrict the ground floor area and height of new and replacement buildings over and above the underlying zone-based restrictions. Particularly in areas like Snodgrass Road which are already well developed.<br><br>Restricting the height of buildings may also cut across the implementation of mitigation measures to avoid flood hazard in this area, which may include things like raised floor levels. | Remove restriction on ground floor area and height of new and replacement buildings in Rule CE-R4(2)(i) and (ii) insofar as they apply to the Snodgrass Road submitters properties.<br><br>Remove the requirement in Rule CE-R4(2)(c) for natural hazard mitigation structures to |

| PROVISION   | POSITION                                     | REASONS   | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)  |
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| <p>2. These:</p> <ul style="list-style-type: none"> <li>a. Comply with the rules for buildings and structures within the relevant zone, except that within the GRUZ - General Rural Zone, RLZ - Rural Lifestyle and SETZ - Settlement Zone: <ul style="list-style-type: none"> <li>i. Maximum height is 7m for new buildings;</li> <li>ii. No height limits apply where this is replacement of a lawfully established building with another building of the same height, in the same location; and</li> <li>iii. The gross ground floor area is: <ul style="list-style-type: none"> <li>I. A maximum of 200m per building for new buildings;</li> <li>II. No maximum area where this is the replacement of a lawfully established building with another building of the same ground floor area, in the same location; or</li> </ul> </li> </ul> </li> <li>b. Are Energy Activities or Network Utilities, including ancillary earthworks, subject to provisions in the Energy, Infrastructure and Transport Chapters of the Plan; or</li> <li>c. Are natural hazard mitigation structures constructed by a Statutory Agency or their authorised contractor.</li> </ul>   |  | <p>There is also no rationale provided as to why natural hazard mitigation structures constructed by a Statutory Agency or their authorized contractor can be a permitted activity whilst the equivalent work constructed by a third party cannot.</p>  | <p>be constructed by a statutory agency or authorized contractor.</p>   |
| <p><b>CE-R12</b></p> <p><b>Natural Hazard Mitigation Structures and Earthworks in the Coastal Environment in High Coastal Natural Character Overlay Area identified in Schedule Seven and the Outstanding Coastal Environment not provided for as a Permitted Activity</b></p> <p>Activity Status Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. These are to protect the coastal State Highway, Special Purpose Roads or other Critical Infrastructure;</li> <li>2. These are Westport flood and coastal protection works constructed by a statutory agency or its authorised contractor.</li> </ol> <p>Matters of control are:</p> <ul style="list-style-type: none"> <li>a. Effects on habitats of any threatened or protected flora or fauna species;</li> <li>b. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;</li> <li>c. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;</li> <li>d. Effects on the intrinsic values of ecosystems;</li> <li>e. Effects on recreational values of public land;</li> <li>f. Effects on Poutini Ngāi Tahu values and any Sites and Areas of Significance to Māori identified in Schedule Three;</li> <li>g. Landscape and visual effects;</li> <li>h. Effects on natural character and natural features;</li> <li>i. Location, dimensions and appearance of the structure;</li> <li>j. Effects on public access to the coast.</li> </ul> <p>Advice Note:</p> <ol style="list-style-type: none"> <li>1. The rules in the Earthworks Chapter do not apply to Controlled Activities under Rule CE - R11.</li> <li>2. This rule also applies to plantation forestry activities where this provision is more stringent than the NES - PF.</li> </ol> | <p>Support in Part</p> <p>Oppose in part</p> | <p>In principle a streamlined and more certain consenting process for these types of flood protection work is supported.</p> <p>However, there is no consideration in Rule CE-R12 of potential effects the works could have in terms of exacerbating the flooding experienced in other areas not protected by the works.</p> <p>This would be important to Snodgrass Road submitters if it were ultimately decided the Westport flood and coastal protection works were to not offer any active protection to their properties.</p> | <p>Include an additional matter of control on Rule CE-R12:</p> <p><i>h. Effects on the flood hazard at properties not protected by the works.</i></p> |

| PROVISION  | POSITION       | REASONS  | RELIEF SOUGHT (or other such similar outcome that has the same or similar effect as the relief sought)   |
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| <b>EARTHWORKS</b>  |                |  |  |
| <b>Objectives and Policies</b>   | Support        | The earthworks objectives and policies are supported insofar as they apply to the Snodgrass Road submitters' properties.   | Retain Objective EW-O1 and Policies EW P1 – P4   |
| <b>RULES</b>   | Support        | The earthworks rules are supported insofar as they apply to the Snodgrass Road submitters' properties subject to the changes sought to EW-R1 and EW-R2.  | Retain Rules EW-R1 to EW-R8 subject to the changes sought to EW-R1 and EW-R2 below.  |
| <p><b>EW-R1 Earthworks General Standards</b></p> <p>All Permitted activities must comply with the following relevant standards.</p> <ol style="list-style-type: none"> <li>1. Earthworks must not exceed a maximum depth or height above ground level of 1.5m measured vertically within 1.5m of a boundary except where these are undertaken by a network utility operator for the purpose of: <ol style="list-style-type: none"> <li>a. Pole foundations;</li> <li>b. Backfilled trenches; or</li> <li>c. Installation of services by trenchless methods such as directional drilling;</li> </ol> </li> <li>2. All fill must consist of cleanfill material;</li> <li>3. Erosion and sediment control measures must be put in place to avoid sediment run-off from earthworks activities entering a Council reticulated network or into waterbodies;</li> <li>4. No diversion of stormwater and overland flow shall occur beyond the site boundary and water must not be diverted to adjacent properties or the road;</li> <li>5. Any earthworks within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:2001);</li> <li>6. No earthworks are to be undertaken on or within 10m of any public natural hazard defence structure unless under the written approval has been obtained from the relevant local government agency; and</li> <li>7. In the event of discovery of any sensitive or archaeological material that the Accidental Discovery Protocol outlined in Appendix Four must be followed.</li> </ol> | Oppose in part | <p>The standards should acknowledge that the purpose of flood hazard protection works is to divert overland flow and it will be impossible to demonstrate that some of the diverted water will not end up on a neighbouring property.</p> <p>The diversion of water in this manner will require a resource consent to divert water and the effect should be managed through that process not the earthworks rules.</p> | Exempt earthworks for flood hazard protection works from needing to comply with Rule EW-R1(4).   |
| <p><b>EW-R2 Earthworks – All Zones</b></p> <p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. All standards in Rule EW - R1 are complied with; and</li> <li>2. These earthworks are: <ol style="list-style-type: none"> <li>a. Associated with the construction of an approved building platform and access; or</li> <li>b. These are earthworks associated with an approved subdivision consent; or</li> <li>c. These are earthworks associated with an approved well or bore; or</li> <li>d. These are earthworks including stockpiles required for network utility or critical infrastructure maintenance, operation, repair, upgrade, or installation of new network utilities including public roads; or</li> <li>e. These are earthworks associated with installation of swimming pools; or</li> <li>f. The earthworks are for interments in a cemetery or urupā;</li> </ol> </li> </ol>   | Oppose in part | There is also no rationale provided as to why natural hazard mitigation structures constructed by a Statutory Agency or their authorized contractor can be a permitted activity whilst the equivalent work constructed by a third party cannot.  | Remove the requirement in Rule EW-R2(g) for natural hazard mitigation structures to be constructed by a statutory agency or authorized contractor. |

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| <p>g. The earthworks are for natural hazard mitigation structures constructed by a statutory agency or their authorised contractor; or</p> <p>h. The earthworks are test pits for geotechnical or contaminated land assessment where the land is reinstated within 48 hours; or</p> <p>i. They are earthworks within the National Grid Yard where:</p> <p>i. Any earthworks must not exceed a depth or fill from original ground level of 300mm, except for:</p> <p>A. Earthworks for a network utility or as part of a renewable electricity generation activity; and</p> <p>B. Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.</p> |  |  |   |
| <b>RURAL ZONES</b>   |  |  |   |
| <b>Objectives and Policies</b>   | <p>Support in part</p> <p>Oppose in part</p> | <p>The objectives and policies which apply to the Settlement Zone and General Rural Zone area are supported subject to the inclusion of new policy which is specific to the Snodgrass Road submitters properties and:</p> <p>a. Directs that the continued reasonable use and development of the properties be provided for in this area;</p> <p>b. Directs that the establishment of natural hazard mitigation works be provided for in this area, including dwellings with raised flooring and bunding; and</p> <p>c. Acknowledges that this type of natural hazard mitigation work forms part of the anticipated rural character of the area.</p> | <p>Retain Objective EW-O1 and Policies EW P1 – P4 subject to including new policy which is specific to the Snodgrass Road submitters properties which:</p> <p>a. Directs that the continued reasonable use and development of the properties be provided for in this area;</p> <p>b. Directs that the establishment of natural hazard mitigation works be provided for in this area, including dwellings with raised flooring and bunding; and</p> <p>c. Acknowledges that this type of natural hazard mitigation work forms part of the anticipated rural character of the area.</p> |
| <b>Rules</b>   | Support                                      | The rules which apply to the Settlement Zone, Rural Lifestyle Zone and General Rural Zone area supported.  | <p>Retain Rural General Zone Rules GRUZ R1 – GRUZ R35.</p> <p>Retain Settlement Zone Rules.</p>   |

