



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Hearing Commissioners - Te Tai o Poutini Plan

Prepared by: Lois Easton, Principal Planner

Date: 5 April 2024

Subject: **S42A Author Response to Minute 16 – Strategic Directions**

Purpose of Report

1. This report responds to Minute 16 from the Te Tai o Poutini Plan Hearings. This minute states:
 2. *The Hearings Panel considers there is merit in reviewing the approach to the Strategic Directions chapter. We also note that as drafted some of the present strategic objectives appear to be more akin to policies rather than objectives.*
 3. *The Hearing Panel considers consideration should be given to an overarching enabling economic development objective for all sectors of the economy along with provisions related to incompatible activities and reverse sensitivity effects for relevant activities. We consider an objective and policy approach along the lines proposed by Bathurst Resources Limited and BT Mining Limited may be more appropriate for some strategic objectives given they do not have specific chapters in the remainder of the TTPP.*
 4. *Further, consideration needs to be given as to whether there are overlaps between objectives and conversely whether there are any further gaps that need addressing within the Strategic Directions chapter, in addition to that identified by Ms Easton in relation to natural hazards.*
 5. *The Hearings Panel considers the review should consider both enabling and effects based provisions for each set of objectives with policies where appropriate. It should also consider whether there is a need for further climate change provisions and whether the apparent ‘hierarchy’ approach in the strategic directions chapter is appropriate.*
 6. *We therefore direct that the Reporting Officer review the above sections in light of the comments provided and provide a response to the above by Friday 5th of April 2024. The Panel intends to circulate the response for further comments from submitters to be provided by Monday 22nd of April 2024.*

What weight should be placed on strategic objectives?

2. I have reviewed the tabled further evidence and considered the Environment Court decision in relation to Queenstown Lakes District Plan. I concur with the supplementary legal submission of Bathurst Resources that strategic objectives should not have primacy over other objectives in the Plan and that there should be hierarchy between these provisions and other objectives and policies in the plan. On this basis I recommend the following statement be removed to each of the strategic objectives chapters and the strategic directions overview:

~~For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.~~

Are there gaps in the Strategic Directions Chapter?

3. Paragraph 4 of the minute seeks to understand whether there are gaps in the Strategic Directions chapter. The Strategic Directions chapter was developed following a consultation process undertaken across the West Coast with both a wide range of stakeholder groups and the wider community as well as with significant input from the four Councils involved in developing the Plan.

Climate Change

4. Through this consultation process, climate change was the only topic where there was a consistent view that this topic also needed to be addressed in the Strategic Objectives Chapter. I have already recommended that a Climate Change Strategic Direction be included in the Plan as part of the s42A report for this topic. However, in order to minimise the duplication with the Connections and Resilience Strategic Direction, I would suggest that climate change provisions be combined with this.

Natural Hazards

5. The natural hazards part of the Plan was developed very late in the Plan development process, with the coastal natural hazards layers finalised very close to the date of notification. As I advised in the hearing, I consider that in light of the large number of different natural hazards that face the West Coast, Strategic Direction around natural hazards could be a useful addition to the Plan.
6. Since the hearing, the Tai o Poutini Plan Committee has consulted the public on a Variation to the Coastal Natural Hazards mapping in the Plan. Based on the public feedback from this I can see that there is confused understanding in the community about natural hazards, the priority in addressing these and how to manage the combination of existing development subject to hazards and new development in hazard areas. Overall there is a poor understanding that we cannot build structures to protect our way out of every hazard – and that a risk based approach to hazard management, whereby in the first instance natural hazards should be avoided and development not located or expanded in hazardous areas is necessary.
7. There is also confusion about the issue of managed retreat – although under the current RMA framework, this is largely a matter that needs to be dealt with outside of the Plan. I also consider that this is an area where the strategic direction would more normally be driven from a regional planning lens – not a district plan lens.
8. I am aware that the West Coast Regional Council is preparing a Natural Hazards Strategy and considering a Change to the West Coast Regional Policy Statement to provide clearer and more focussed direction on the management of natural hazard risk on the West Coast.

9. The Government has also prepared a draft National Policy Statement on Natural Hazards, which has been consulted on and is, I understand being redrafted with view of its final introduction late 2024. I therefore consider that any development of a Strategic Direction for natural hazards would be best informed by these Regional and National level planning instruments.
10. I also note, that unlike other topics in the strategic direction chapter, there is a Natural Hazards Chapter, and given my updated view outlined above that Strategic Objectives should have no greater weight than other objectives in the Plan, I consider it may not be necessary to have a Natural Hazards Strategic Direction and this issue could be addressed through a recrafting of the existing Natural Hazards Objectives.

Regional Policy Statement Direction

11. The West Coast Regional Policy Statement identifies three key significant issues for the West Coast that do not relate to the core natural environment topics in the RPS, and has chapters within the RPS on these topics. These are:
 - a. Resilient and Sustainable Communities
 - b. Use and development of resources
 - c. Regionally significant infrastructure
12. The Objectives and Policies in the Resilient and Sustainable Communities Chapter are a combination of fairly general (eg Objective 1 Enable sustainable and resilient communities) or very specific (eg Policy 2 specifying detailed structural matters for regional and district plans) and I do not consider they address matters that could be considered a “gap” in the TTPP Strategic Directions.
13. The Use and Development of Resources Chapter of the RPS does contain a specific objective and policy around avoidance of incompatible use and development and managing activities to retain future potential uses for mineral extraction or regionally significant infrastructure as well as avoiding, remedying or mitigating reverse sensitivity effects on existing uses. While there are various policies and methods in TTPP which aim to implement this RPS direction, at a strategic level, reverse sensitivity is only specifically addressed in relation to mineral extraction. Specific Objectives and Policies to address reverse sensitivity are found in the Energy, Infrastructure and Transport, Hazardous Substances, Subdivision, Noise and Zone Chapters, but there is no overarching Strategic Direction on this matter.
14. The Regionally Significant Infrastructure chapter of the RPS provides substantial direction for TTPP, particularly as it relates to renewable electricity generation, electricity generation and electricity distribution networks. While this has had a very large influence on the provisions developed in TTPP, there is no overarching Strategic Direction on this matter.

Economic Development

15. Economic development is undoubtedly a significant strategic issue for the West Coast, and the approach of the TTPP Committee was to identify the main economic sectors on the West Coast (Mining, Agriculture, Tourism) and to have strategic directions for each of these. This reflected the feedback provided by the community and stakeholders through the Plan development process.
16. There have been a series of economic development action plans and strategies in place for the West Coast during the period of development of TTPP. The current West Coast economic development strategy is Te Whanaketanga. This sits more widely than the RMA

planning framework for TTPP. The main areas where TTPP intersects with this framework are as follows:

- Resilience – and vulnerability to extreme weather, sea level rise and natural disaster is identified as a key issue.
- Identification that the economy of the West Coast is not very diverse, and relies on natural resources for economic prosperity.
- That there is poor housing quality and a lag in supply of new housing.
- That the economy has a heavy reliance on transport infrastructure and with a large geographical area means that infrastructure is challenging to fund and deliver.

17. Broadly I would consider that the current strategic objectives largely capture this, particularly within the Connections and Resilience, Mineral Extraction, Agriculture and Tourism Strategic Directions. The poor housing quality issue is addressed in the Urban Development Strategic Direction, and the lag in supply of new housing has been addressed by the very large amount of rezoning of land for residential development, and provision of new medium density and mixed use zones in the Plan.

Should there be an Overarching Economic Development Objective with supporting policies and if so how could this be drafted?

18. In terms of whether an approach of having a broad economic development objective with supporting policies, rather than individual strategic directions for Mineral Extraction, Agriculture and Tourism, I do not recommend this approach. However as requested by the panel I have outlined how this could be done.

19. I also note that submitters have not specifically sought this, and many would consider this approach a dilution of the intent of the strategic direction which highlights specific economic areas as being strategically important to the West Coast. However, I acknowledge that there are aspects of the West Coast economy not currently addressed in the strategic directions.

20. In terms of how such a set of economic development objectives and policies could be structured I make the following suggestion for a draft Objective

Objective ED -O1

Te Tai o Poutini/the West Coast supports a prosperous, diverse and resilient economy recognising the current contributions of agriculture, mineral extraction and tourism.

Objective ED-O2

Existing economic activities and businesses, or areas with significant mineral resources or regionally significant infrastructure are protected from incompatible activities that may result in reverse sensitivity effects.

21. In terms of redrafting the existing AG, MIN and TR Strategic Objectives, I consider that a combination of retaining some of these objectives and redrafting others as policies to sit under these objectives could be undertaken follows:

Policy ED – P1

Maintain the productive value of versatile soils and agricultural land for current and future agricultural and horticultural uses by restricting the fragmentation of land parcels and use of land for other than primary production purposes.

Policy ED – P2

Agricultural viability within rural areas is maintained through enabling support industries and services and supporting agriculture development and innovation.

Policy ED – P3

Mineral extraction and ancillary activities are enabled and provided for, including specifically through zoning within the Buller Coalfield Zone, Mineral Extraction Zone, Rural Zones and Open Space Zone where the adverse effects can be appropriately managed.

Policy ED – P4

Recognise that mineral resources are widespread but fixed in location throughout Te Tai o Poutini/the West Coast and providing adverse effects are managed, mineral extraction activities may be appropriate in a range of locations outside of specified zones.

Policy ED – P5.

New subdivision, use and development is managed so that it does not compromise existing mineral extraction activities, including through reverse sensitivity to effects such as noise, dust and traffic generation.

Objective ED – 03

The pounamu and aotea stone resources of Poutini Ngāi Tahu are managed through the use of Pounamu and Aotea Management Area Overlays.

Policy ED – P6

Manage the adverse effects of mineral extraction on Te Tai o Poutini/the West Coast's environment through the use of the effects management hierarchy.

Objective ED – 04

The significance of tourism to the West Coast/Te Tai o Poutini economy is recognised and sustainable tourism development is provided for where the adverse effects on the environment, communities and infrastructure are managed.

Objective ED – 05

The strategic importance of Fox Glacier/Weheka, Franz Josef/Waiiau and Punakaiki townships for the tourism industry is recognised.

Policy ED – P7

Sustainable tourism development is promoted through:

1. Supporting the development of visitor facilities and accommodation within and near existing settlements and communities and on public conservation land where appropriate;
2. Supporting the development of cycling and walking connections between tourism sites;
3. Providing for the development, maintenance and upgrading of supporting infrastructure;
4. Ensuring that visitor facilities are connected to existing services and infrastructure;
5. Managing the development and expansion of visitor activities and services so that the natural and cultural values, amenity and character of the West Coast/Te Tai o Poutini and its communities are maintained;
6. Promoting a sustainable approach to tourism and minimising the adverse effects, and in particular cumulative adverse effects, of visitor activities and services on cultural values and wāhi tapu, natural values, amenity and landscape;

7. Supporting Ngāti Waewae and Ngāti Māhaki o Makaawhio to exercise kaitiakitanga, and provide education about the cultural importance of maunga, other landforms, taonga and wāhi tapu to Poutini Ngāi Tahu and how to treat these areas with respect; and
8. Supporting Poutini Ngāi Tahu in expansion of their tourism and visitor activities to deliver better economic outcomes for the hapū.

How would this Objective/Policy approach be used for other Strategic Directions?

22. I consider that the Urban Form and Development Strategic Objective, Connections and Resilience (combined with climate change) and Natural Environment Strategic Objectives could be redrafted as Objectives and Policies in a similar manner – and provide a draft suggestion below. .

Climate Change and Resilience

CCR – O1

There is resilience to natural hazards and adverse events in Te Tai o Poutini/the West Coast communities and infrastructure, which supports adaptation to the effects of climate change.

CCR – O2

Greenhouse gas emissions are reduced and opportunities to transition to a low carbon emissions economy are provided, including as a result of new technology.

CCR – P1

Enable the continued function of critical infrastructure and connections and facilitate their quick recovery from the adverse effects of natural hazard events, although not necessarily in the same location (or you could say ‘which may include relocation’).

CCR – P2

Ensure that new locations for regionally significant infrastructure and connections are built away from natural hazards, unless there is a functional or operational need to be in that location.

CCR – P3

Enable the development of greater infrastructure self-sufficiency and backup of regionally significant infrastructure on Te Tai o Poutini/the West Coast

CCR – P4

Support communities to make good decisions around climate change exacerbated hazards by identifying and zoning these areas for managed retreat to safer locations.

CCR – P5

Support at a local level reduction in emissions of greenhouse gases, including through providing for low carbon transport options such as walking, cycling and electric vehicles.

CCR – P6

Provide for the further development and expansion of renewable electricity generation at a range of scales across Te Tai o Poutini/the West Coast, to support emissions reductions and a low carbon future.

Natural Environment

NENV – O1

Recognise, protect and enhance the outstanding natural character, landscapes and features, significant ecosystems and indigenous biodiversity that contribute to the West Coast's/Te Tai o Poutini character and identity and to Poutini Ngāi Tahu's cultural and spiritual values.

NENV – O2

The rights, interests, values and connection of Poutini Ngāi Tahu to the natural environment are protected and provided for and the ability to exercise kaitiakitanga and tino rangatiratanga is maintained and enhanced.

NENV – P1

In relation to the natural environment recognise:

- a. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land in protecting significant areas, habitats and features;
- b. The functional and operational need for infrastructure to sometimes be located in significant areas;
- c. There are lawfully established activities located in significant natural environment areas;
- d. The need to support the ethic of stewardship on private and public lands; and
- e. The need for weed and pest control to protect, maintain and enhance natural environment values.

NENV – P2

Within significant and/or outstanding natural environment areas and features:

- a. identify areas which must be protected from inappropriate subdivision use and development
- b. identify areas where subdivision, use and development can be sustainably managed, using the effects management hierarchy, to enable community economic, cultural and social wellbeing

Urban Form and Development

UFD – O1 Urban environments and built form support sustainable and resilient communities in Te Tai o Poutini/the West Coast.

UFD – P1 Urban and environments and built form are attractive to residents, businesses and visitors through:

- a. identifying and maintaining the values of areas of special character and amenity in urban areas and settlements
- b. Supporting the economic viability and function of town centres
- c. Recognising the risk of natural hazards whereby new development is located in less hazardous locations
- d. Promoting the re-use and re-development of buildings and land, including private and public land
- e. Supporting inclusivity and housing choice for diversity in the community now and into the future.
- f. Improving overall accessibility and connectivity (including walking and cycling) for people, transport and services; and

- g. Promoting the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure and protection of regionally significant infrastructure from reverse sensitivity effects
- h. maintaining the health and wellbeing of waterbodies, freshwater ecosystems and receiving environments
- i. Promoting the identification, recognition and protection of heritage resources which are significant to the character and identity of Te Tai o Poutini/the West Coast
- j. Supporting low environmental impact practices, materials and design during urban development
- k. Recognising Poutini Ngāi Tahu values as part of the urban environment.