

Te Tai o Poutini Plan
Section 42A Officer's Report
Special Purpose Zones – Airport Zone,
Future Urban Zone – Hospital Zone -
Māori Purpose Zone – Port Zone –
Stadium Zone and Scenic Visitor Zone
/ Ngā Takiwa mō Kaupapa kē



Te Tai o Poutini

P L A N

A combined district plan for the West Coast

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List of Submitters and Further Submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
FS89	Bathurst Resources Limited and BT Mining Limited	
S504	Bert Hofmans	
FS237	Brian Anderson	
S552	Buller Conservation Group	
S538	Buller District Council	
FS149		
S251	Charles Elley	
S558	Chris & Jan Coll	
S566	Chris J Coll Surveying Limited	
FS151		
S465	Davis Ogilvie & Partners Ltd	
S602	Department of Conservation	
FS42	Erin Stagg	
S478	Frank and Jo Dooley	
S553	Frida Inta	
S407	Gail Dickson	

S608 FS1	Grey District Council	
FS111	Heritage New Zealand Pouhere Taonga	HNZPT
S540	Inchbonnie Hydro Limited	
S467	Jane Whyte & Jeff Page	
S439	Karen Lippiatt	
S41	Kelsey Mundy	
S442	KiwiRail Holdings Limited	
S421	Lara Kelly	
S574	Laura Coll McLaughlin	
S458	Laurence McGuire	
S505	Lindy Millar	
S42	Lyndal Watson	
S446	Margaret Montgomery	
S569	Minerals West Coast	
S456	Ministry of Education Te Tāhuhu o Te Mātauranga	Ministry of Education
S535 FS54	Neil Mouat	
S139	Neil Hateley	
S463	New Zealand Energy Limited	
S616	New Zealand Heavy Haulage Association Inc	
FS83	New Zealand Helicopter Association	
S605	Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd	Paparoa Track Services
FS88	PE Property Trust	
S417	Peter Haddock	
S560	Royal Forest and Bird Protection Society of New Zealand Inc.	Forest & Bird
S483	Scenic Hotel Group	
S617	Scoped Planning and Design Limited	
FS101	Silver Fern Farms Limited	
S250	Skyline Enterprises Limited	
S190	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	Te Mana Ora
S620 FS41	Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio	Ngāi Tahu
S440	Te Tumu Paeroa - The office of the Māori Trustee	

S466 FS137	The O’Conor Institute Trust Board	
S621	The Proprietors of Māwhera Tiamana Māwhera Incorporation	Māwhera Incorporation
S612	Toka Tū Ake EQC	EQC
S449	Totally Tourism Limited	
S450	Waka Kotahi NZ Transport Agency	Waka Kotahi
S1	West Coast Wildlife Centre - Franz Josef - Teewah Holdings Ltd	West Coast Wildlife Centre
S181	Westland District Council	
S336	Westport Pistol Club	
S457	Westport Rifle Club Incorporated	
S547	Westpower Limited	
S567	William McLaughlin	
S599	WMS Group (HQ) Limited and WMS Land Co. Limited	WMS Group

Abbreviations

Abbreviation	Meaning
NPS	National Policy Statement
NPSIB	National Policy Statement for Indigenous Biodiversity
NPSFM	National Policy Statement for Freshwater Management
NESF	National Environmental Standard for Freshwater
NZCPS	New Zealand Coastal Policy Statement
Planning standards	National Planning Standards
RMA	Resource Management Act
TTPP	Te Tai o Poutini Plan
WCRC	West Coast Regional Council
WCRCP	West Coast Regional Coastal Plan
WCRLWP	West Coast Regional Land and Water Plan
WCRPS	West Coast Regional Policy Statement

1.0 Purpose of Report

1. This report has been prepared in accordance with Section 42A of the RMA to:
 - assist the Hearings Panel in making their decisions on the submissions and further submissions on the Te Tai o Poutini Plan (TTPP); and
 - provide submitters with an opportunity to see how their submissions have been evaluated and the recommendations being made by officers, prior to the hearing.
2. This report responds to submissions on Special Purpose Zones – Airport Zone, Future Urban Zone – Māori Purpose Zone – Port Zone – Stadium Zone and Scenic Visitor Zone. The report provides the Hearing Panel with a summary and analysis of the submissions received on the Zone Chapters in Part 3, the relevant definitions in Part 1, Appendix Nine in Part 4 and the Zone maps in the planning maps. It makes recommendations on either retaining the TTPP provisions without amendment or making amendments to the TTPP in response to those submissions.
3. The recommendations are informed by evaluation undertaken by me as the planning author. In preparing this report I have had regard to the following reports:
 - Introduction and General Provisions report that addresses the higher order statutory planning and legal context s42A report prepared by myself
 - Strategic Directions report that addresses the wider strategic direction of the Plan s42A report prepared by myself
 - General District Wide Matters s42A report prepared by Briar Belgrave
 - Historic Heritage s42A report prepared by myself
 - Natural Features and Landscape s42A report prepared by myself
 - Sites and Areas of Significance to Māori s42A report prepared by myself
 - Subdivisions, Public Access and Financial Contributions s42A report prepared by Briar Belgrave and Ruth Evans
 - Mineral Extraction s42A report prepared by David Badham
 - Commercial and Industrial Zones s42A report prepared by Briar Belgrave
 - Residential Zones s42A report prepared by myself
4. The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

2.0 Qualifications and experience.

5. My full name is Lois Margaret Easton, and I am Principal Consultant for Kereru Consultants, an environmental science and planning consultancy engaged by the West Coast Regional Council to support the development of Te Tai o Poutini Plan (TTPP).
6. I hold a Master of Science (Environmental Science and Botany) with first class honours from Auckland University, Auckland which I obtained in 1995.
7. I have 25 years' experience in planning and resource management including 10 years at the Waitakere City Council and five years at the Gisborne District Council. The remaining time I have worked as an environmental and planning consultant primarily providing policy advice to local government and not for profit organisations.
8. My experience involves policy development, writing district plans and regional plans. I have written Section 32 and 42A reports and appeared at hearings for the development of several plans involving matters principally around the natural environment, Māori

issues and rezoning of land. I have represented the Waitakere District Council and Gisborne District Council in mediation on appeals and have presented planning evidence to the Environment Court.

9. In recent years I have been involved in the development of TTPP. I have either led or been a member of the planning team who developed the provisions of TTPP and s32 reports in relation to all parts of the plan. In relation to the Special Purpose Zones topic I was the team lead.

2.1 Code of Conduct

10. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
11. I am authorized to give this evidence on behalf of the Tai o Poutini Plan Committee to the TTPP hearings commissioners (Hearings Panel).

2.2 Conflict of Interest

12. To the best of my knowledge, I have no real or perceived conflict of interest.

3.0 Scope of Report and Topic Overview

3.1 Scope of Report

13. This report considers the submissions and further submissions that were received in relation Special Purpose Zones – Airport Zone, Future Urban Zone – Māori Purpose Zone – Port Zone – Stadium Zone and Scenic Visitor Zone, the relevant definitions, Appendix Nine and the planning maps in relation to these zones.
14. Recommendations are made to either retain provisions without amendment, or delete, add to or amend the provisions. All recommended amendments are shown by way of strikeout and underlining in Appendix 1 of this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where it is considered that an amendment may be appropriate, but it would be beneficial to hear further evidence before making a final recommendation, this is made clear within the report. Where no amendments are recommended to a provision, submission points that sought the retention of the provision without amendment are not footnoted.
15. Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. A number of alterations have already been made to the TTPP using cl.16(2) and these are documented on the TTPP website. Where a submitter has requested the same or similar changes to the TTPP that fall within the ambit of cl.16(2), then such amendments will continue to be made and documented as cl.16(2) amendments in this s42A report. The assessment of submissions generally follows the following format:
 - Submission Information
 - Analysis
 - Recommendation and Amendments

3.2 Topic Overview

16. The Special Purpose Zones section contains nine chapters, however this report does not address the Mineral Extraction Zone or Buller Coalfield Zone, as these are covered within the Mineral Extraction s42A topic. Each chapter is specific to the relevant zone, containing the objectives, policies and rules for that zone. The seven zones covered in this s42A report are:
 - Airport Zone – which applies to Hokitika and Westport Airports, Karamea and Greymouth Aerodromes and Franz Josef Glacier Country Heliport
 - Future Urban Zone - locations on the periphery of Greymouth and at Franz Josef
 - Hospital Zone – Hospitals at Greymouth, Westport and Reefton as well as medical centres and retirement homes across the West Coast.
 - Māori Purpose Zone – land within the Westland District as follows: Arahura Marae and urupa, Tauraka Waka a Maui Marae, land at Arahura Valley, Arahura pa, land at Arthurstown, land at Manakaiaua River and Hunts Beach, land at Makaawhio River, land at Mahitahi River/Bruce Bay, land at Waiatoto
 - Port Zone – Greymouth and Westport Ports
 - Stadium Zone - Westland Recreation Centre at Greymouth, Pulse Energy Recreation Centre at Westport.
 - Scenic Visitor Zone – land at Punakaiki, Franz Josef and Fox Glacier townships
17. Prior to the TTPP, the Grey District Plans did not utilize Special Purpose Zones. The Buller District Plan had a Port Zone, and a Scenically Sensitive Commercial Zone. The Westland District Plan had a Tourist Commercial Zone.
18. The inclusion of the range of Special Purpose Zones included in the National Planning Standards provided the opportunity for regionally significant infrastructure (Airport – Port - Stadia) to be in special purpose zones that support these important activities.
19. The requirements in the NPSUD to provide for adequate future urban land, and the need for future planning for managed retreat for Westport, resulted in the need for a Future Urban Zone. Implementing Te Tiriti/the Treaty of Waitangi drove the desire for a Māori Purpose Zone for Poutini Ngāi Tahu owned lands, and the amalgamation of the Tourist Commercial Zone and Scenically Sensitive Commercial Zone led to the Scenic Visitor Zone.
20. The objectives and policies for each of the special purpose zones are very specific to the zone and in the case of the Airport, Port, Hospital, Māori Purpose and Stadium zones relate to specific definitions and rules around the types of activities that can occur in these areas.
21. The Scenic Visitor Zone sits within the outstanding natural landscapes of Punakaiki, Franz Josef and Fox Glacier and is a zone that recognises the specific natural values, combined with the substantial visitor activity that occurs in those areas.
22. Across the Special Purpose Zones the rules generally:
 - Allow as Permitted Activities the expected activities that are specific to that zone and its special purpose
 - Provide for ancillary uses and some other activities through resource consent requirements.

3.3 Strategic Direction

23. These zones recognise areas of specific strategic importance to the West Coast.
24. In the case of the Airport and Port Zones this particularly relates to the Connections and Resilience Strategic Direction, recognising the key function these important lifelines hold for the West Coast Community.
25. In the case of the Māori Purposes Zone this is a key part of supporting tino rangātiratanga by Poutini Ngāi Tahu on their own lands, as outlined in the Poutini Ngāi Tahu strategic direction.
26. The Future Urban Zone is part of delivering on the Urban Form and Development Strategic Direction and in the case of the Scenic Visitor Zone this links strongly to the Tourism and Natural Environment strategic objectives.

4.0 Statutory Requirements.

27. TTPP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32 of the RMA, any further evaluation required by section 32AA of the RMA; any national policy statement, the New Zealand Coastal Policy Statement (NZCPS), national planning standards; and any regulations¹. Regard is also to be given to the West Coast Regional Policy Statement (WCRPS), any regional plan, district plans of adjacent territorial authorities, and the Iwi Management Plans.
28. As set out in the Section 32 and Section 42A Overview Reports, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of TTPP. These documents are discussed in more detail within this report where relevant to the assessment of submission points.
29. The assessment of submission points is made in the context of the Section 32 reports already undertaken with respect to this topic, being:
 - Special Purposes Zones

4.1 Resource Management Act

30. TTPP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32 of the RMA, any further evaluation required by section 32AA of the RMA. It must also give effect to any national policy statement, the New Zealand Coastal Policy Statement (NZCPS), national planning standards, any regulations and the West Coast Regional Policy Statement (WCRPS). Regard is also to be given to any regional plan, district plans of adjacent territorial authorities, and the Iwi Management Plans.
31. In addition there is a Mana Whakahono a Rohe agreement between West Coast Regional Council and Poutini Ngāi Tahu which must be implemented.

4.2 National Planning Standards

32. The planning standards were introduced to improve the consistency of plans and policy statements. The planning standards were gazetted and came into effect on 5 April 2019. Standard 8 is the Zone Framework Standard. This sets out the zones allowed for use in the Plan and provides the following information for the Special Purpose Zones.

Zone name	Description
Airport Zone	Areas used predominantly for the operation and development of airports and other aerodromes as well as operational areas and facilities, administrative, commercial and industrial activities associated with airports and other aerodromes.
Future Urban Zone	Areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use.
Hospital Zone	Areas used predominantly for the operation and development of locally or regionally important medical, surgical or psychiatric care facilities, as well as health care services and facilities, administrative and commercial activities associated with these facilities.
Māori Purpose Zone	Areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities.
Port Zone	Areas used predominantly for the operation and development of ports as well as operational areas and facilities, administrative, commercial and industrial activities associated with ports.
Stadium Zone	Areas used predominantly for the operation and development of large-scale sports and recreation facilities, buildings and structures. It may accommodate a range of large-scale sports, leisure, entertainment, art, recreation, and/or event and cultural activities.

33. The Scenic Visitor Zone is an additional special purpose zone that is unique to the West Coast. The National Planning Standards state that an additional special purpose zone must only be created when the proposed land use activities or anticipated environment outcomes of the additional zone meet all of the following criteria:

- a. are significant to the district, region or country
- b. are impractical to be managed through another zone
- c. are impractical to be managed through a combination of spatial layers.

34. In deciding to include the Scenic Visitor Zone the TTPP Committee determined that these criteria were met.

4.3 Procedural Matters

35. At the time of writing this s42A report there has not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

5.0 Consideration of Submissions Received

5.1 Overview of Submissions Received

36. A total of 680 submissions points and 61 further submissions were received on the Special Purpose Zones chapter, associated zoning maps and relevant definitions. This can be broken down further as follows:
- Almost all submissions on the Airport Zone were in support, the key issues raised in submissions were around seeking stronger restrictions on visitor accommodation in the zone, issues with the Westport Airport Flight Path Overlay and submissions seeking the inclusion of Haast Airport within the zone.
 - Submissions supported the principle of the Future Urban Zone, but there are detailed submissions on the rules and what activities are allowed as Permitted, also rezoning requests in various locations.
 - Almost all submissions on the Hospital Zone were in support, with some relatively minor changes sought to the policies and rules to make these clearer and more consistent.
 - Submissions supported the Māori Purpose Zone provisions, but there are some detailed submissions on the rules and what activities are allowed as permitted, principally to make this chapter more consistent and workable;
 - Submissions supported the Port Zone provisions, with a small number of detailed submissions on the policy and rules to make these clearer and more consistent.
 - Submissions supported the Stadium Zone provisions, with a small number of detailed submissions on the rules around the management of light.
 - Submissions supported the Scenic Visitor Zone provisions, but there are some detailed submissions on the rules and what activities are allowed as permitted, principally to make this chapter more consistent and workable;

5.2 Structure of this Report

37. This report is structured to deal with all the submissions for each zone, in alphabetic order by zone. Within the zone submissions, firstly, the submissions on the definitions relevant to the topic are dealt with. Then general submissions on the whole zone, where a submission has raised an issue that does not relate to a proposed objective, policy or rule, or overarching submissions and those on the overview statements are dealt with. Following this the submissions on Objectives and Policies are addressed. Then the submissions on each of the specific zone rules are addressed, then the submissions on any relevant appendices. Finally the submissions on the zoning maps are addressed.

6.0 Airport Zone

6.1 Submissions on the AIRPZ Chapter as a Whole

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Totally Tourism Limited (S449)	S449.003	Support	Retain definition of Airport Activities as notified.
Buller District Council (S538)	S538.580	Support	The objectives, policies and rules for the Airport Zone are supported.
Westland District Council (S181)	S181.047	Support	Westland District Council supports these Objectives and Policies but opposes parts of the rules as outlined
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1060	Support	We support well designed critical infrastructure assets associated with airports and helipads on the West Coast that are essential for strong communities maintaining strong social connections which increase social and emotional well-being to ensure good health outcomes for people and resilient communities.
Totally Tourism Limited (S449)	S449.001	Support	Retain the Franz Josef Heliport Airport Zone.
Grey District Council (S608)	S608.121	Amend	Remove all references to "Site or Area of Significance to Māori" in the Chapter
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.034</i>	<i>Oppose</i>	<i>Disallow</i>
Totally Tourism Limited (S449)	S449.004	Amend	Amend Airport Noise Boundary at Franz Josef to reflect the maximum air movements - either from the 2018 or 2019 if these are greater than the 2017 year.
Bert Hofmans (S504)	S504.011	Amend	Remove airport noise contours from the property at Lots 1-3 DP 395733 Block iX Oparara SD Flagstaff Road Karamea and other properties in the same situation
Lindy Millar (S505)	S505.011	Amend	Remove airport noise contours from the property at Lots 1-3 DP 395733 Block iX Oparara SD Flagstaff Road Karamea and other properties in the same situation

Analysis

38. Totally Tourism Limited (S449.003) support the definition of Airport Activities. Buller District Council (S538.580) and Te Mana Ora (S190.1060) support the chapter. Totally Tourism Limited (S449.001) support the Franz Josef Heliport being located in the Airport

Zone. Westland District Council (S181.047) support the objectives and policies. This support is noted.

39. Grey District Council (S608.121) seek that all references to "Site or Area of Significance to Māori" in the Chapter are removed. I do not support this submission and discuss the substantive matter in the s42A report for Sites and Areas of Significance to Māori.
40. Totally Tourism Limited (S449.004) seek that the Airport Noise Boundary at Franz Josef be amended to reflect the maximum air movements - either from the 2018 or 2019 if these are greater than the 2017 year. I support this submission in that the noise contours were based on the pre covid air movements, based on the busiest year with data on movements provided by the Franz Josef Heliport numbers. The intention is that the contours reflect that peak use, but do not provide for further expansion of heliport use beyond the pre-Covid peak.
41. Bert Hofmans (S504.011) and Lindy Millar (S505.011) seek to have the airport noise contours removed from their property at Flagstaff Road Karamea and other properties in the same situation. I do not support these submissions.
42. Prior to the TTPP there were no airport noise contours in place for any of the airports on the West Coast. However, these are critical pieces of community and lifeline infrastructure, and increasingly nationally airports are being affected by reverse sensitivity issues around noise. The decision to include noise contours is to protect the ongoing use of this critical infrastructure. They do not impact on existing uses, but do require that new development is built with sufficient acoustic insulation to ensure that people are comfortable and have a good degree of noise amenity in their homes.
43. The Karamea Airport noise contours affect 10 General Rural Zone land titles. Five of these properties have existing dwellings constructed on them.
44. Rule NOISE – R3 in the Noise Rules of the General District Wide Matters Section outlines the acoustic requirements. At the time of writing this report the hearing for this matter has not occurred. However, I note that the rule as currently drafted:
 - Only applies to new development of sensitive activities (e.g. residential and visitor accommodation)
 - Requires habitable rooms to be designed and constructed so that they achieve a minimum indoor design noise of 40dBA.
45. My understanding from Marshall Day, who undertook the modelling and advised the Plan preparation, is that this acoustic requirement is easily achieved in a modern home designed to the current building code, providing mechanical ventilation is included – as it will not be achieved when the windows are open.
46. I therefore consider that the inclusion of the noise contours, as shown in the proposed Plan is appropriate as a method to both ensure that future sensitive development is protected from the adverse effects of noise, and the airport is protected from reverse sensitivity effects of new sensitive activities establishing alongside it.

Recommendations

47. That no changes to the Plan are made as a result of these submissions.
48. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

6.2 Submissions on the AIRPZ Objectives

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Objectives as a Whole			
Grey District Council (S608)	S608.122	Amend	Insert Temporary activity objective to support Greymouth's aerodrome as an outdoor entertainment facility
<i>PE Property Trust</i>	<i>FS88.2</i>	<i>Support</i>	<i>Allow</i>
AIRPZ – O1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1061	Support	Retain objective.
Grey District Council (S608)	S608.778	Support	Retain as proposed
AIRPZ – O2			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1062	Support	Retain objective.
AIRPZ – O3			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1063	Support	Retain objective.
Grey District Council (S608)	S608.779	Support	Retain as proposed
AIRPZ – O4			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1064	Support	Retain objective.
Bert Hofmans (S504)	S504.015	Support	Retain as notified
Lindy Millar (S505)	S505.015	Support	Retain as notified
Grey District Council (S608)	S608.780	Support	Retain as proposed

Analysis

49. The majority of submissions support all or individual objectives. I do not list these submissions here or discuss them further, but this support is noted.
50. Grey District Council (S608.122) seek that an additional objective be added to the zone that supports Greymouth's aerodrome as an outdoor entertainment facility. While I support and acknowledge the need for the Plan to provide for Greymouth's aerodrome for other uses, I do not consider that this needs a separate objective. I consider this activity fits within the outcomes anticipated in Objective AIRPZ – O1.

Recommendations

51. That no amendments are made to the Plan as a result of these submissions.
52. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

6.3 Submissions on the AIRPZ Policies

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Policies as a Whole			
Grey District Council (S608)	S608.123	Amend	Insert Temporary activity policy to support Greymouth aerodrome as an outdoor entertainment facility
AIRPZ - P1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1065	Support	Retain policy.
Grey District Council (S608)	S608.781	Support	Retain as proposed
AIRPZ - P2			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1066	Support	Retain policy.
Grey District Council (S608)	S608.782	Support	Retain as proposed
AIRPZ - P3			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1067	Support	Retain policy.
Grey District Council (S608)	S608.783	Support	Retain as proposed
AIRPZ - P4			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1068	Support	Retain policy.
Grey District Council (S608)	S608.784	Support	Retain as proposed
AIRPZ - P5			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1069	Support	Retain policy.

<i>Silver Fern Farms Limited</i>	<i>FS101.040</i>	<i>Support</i>	<i>Allow</i>
AIRPZ - P6			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1070	Support	Retain policy.
AIRPZ - P7			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1071	Support	Retain policy.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.251	Amend	To allow for the future expansion of the Hokitika and Westport Airports aviation activities including a lengthened runway, aircraft hangers and expanded terminal whilst: ...c. Recognising natural features and landforms, waterbodies, coastal environment, indigenous vegetation, historic heritage, sites and areas of significance to Poutini Ngāi Tahu, archaeological sites or scheduled features, d. including by using best practice industry requirements and technology to ensure efficient use of land and to reduce effects.
AIRPZ - P8			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1072	Support	Retain policy.
Grey District Council (S608)	S608.785	Support	Retain as proposed
AIRPZ - P9			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1073	Support	Retain policy.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.252	Support	Retain notified version
AIRPZ - P10			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1074	Support	Retain policy.

Grey District Council (S608)	S608.786	Support	Retain as proposed
AIRPZ - P11			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1075	Support	Retain policy.
Grey District Council (S608)	S608.787	Support	Retain as proposed
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S608.782	Amend	To minimise the development or location of large areas of <u>artificial</u> open water, or other land disturbance which could act as a significant bird attractant near to the airports and heliports in the AIRPZ - Airport Zone.

Analysis

53. The majority of submissions support all or individual policies. I do not list these submissions here or discuss them further, but this support is noted.
54. Grey District Council (S608.123) seek that an additional policy be added to the zone that supports Greymouth's aerodrome as an outdoor entertainment facility. I support this submission as I consider that none of the other policies recognise the important role of the Greymouth aerodrome in terms of its use as an outdoor events area.
55. I recommend that an additional policy, AIRPZ – P12 be added as follows:
To allow the use of the Greymouth Aerodrome as an outdoor events and entertainment facility, where this will not compromise its primary use as an aerodrome.
56. In relation to AIRPZ – P7 Ngāi Tahu (S620.251) seek that the part c of the policy be split into two clauses and states:
- c. Recognising natural features and landforms, waterbodies, coastal environment, indigenous vegetation, historic heritage, sites and areas of significance to Poutini Ngāi Tahu, archaeological sites or scheduled features;
 - d. ~~including by~~ using best practice industry requirements and technology to ensure efficient use of land and to reduce effects.
57. I support this submission. I agree the current wording of clause c is very clunky and that splitting the two parts out into separate clauses improves the readability and clarity of the policy.
58. In relation to AIRPZ – P11, Ngāi Tahu (S620.410) seeks that the policy refer to “artificial” open water – they are concerned that otherwise this policy could restrict the restoration of natural waterbodies. I support this submission. I consider that it is important to recognise the requirements of other national direction such as the NPSFM and NPSIB which seek to restore water quality and biodiversity values where they are degraded, and that provided safety is not affected, restoration of natural waterbodies around airports should be encouraged.

Recommendations

59. That the following amendments be made to the policies of the Airport Zone Chapter:

AIRPZ - P7

To allow for the future expansion of the Hokitika and Westport Airports aviation activities including a lengthened runway, aircraft hangers and expanded terminal whilst:

- a. Minimising effects on amenity values and traffic effects on the land transport network;
- b. Ensuring noise and light emissions remain at an acceptable level, particularly in relation to sensitive activities; ~~and~~
- c. Recognising natural features and landforms, waterbodies, coastal environment, indigenous vegetation, historic heritage, sites and areas of significance to Poutini Ngāi Tahu, archaeological sites or scheduled features; ~~and~~
- d. ~~including by~~ using best practice industry requirements and technology to ensure efficient use of land and to reduce effects.

AIRPZ - P11

To minimise the development or location of large artificial areas of open water, or other land disturbance which could act as a significant bird attractant near to the airports and heliports in the AIRPZ - Airport Zone.

AIRPZ – P12

To allow the use of the Greymouth Aerodrome as an outdoor events and entertainment facility, where this will not compromise its primary use as an aerodrome.

60. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

6.4 Submissions on the AIRPZ Rules

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Rules as a Whole			
Grey District Council (S608)	S608.124	Amend	Insert permitted temporary activity rules to support Greymouth’s aerodrome as an outdoor entertainment facility
AIRPZ – R1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1076	Support	Retain rule.
Totally Tourism Limited (S449)	S449.002	Support	Retain definition of Airport Activities and Rule AIRPZ - R1 as notified.
Grey District Council (S608)	S608.788	Support	Retain as proposed.
AIRPZ – R2			
Westland District Council (S181)	S181.048	Amend	Allow cropping to be considered a permitted activity but introduce a permitted standard stating that Council shall be provided proof of Airport management approval no less than 10 days in advance of ploughing.

Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.253	Support	It is recommended that new measurements are given from the site boundaries and uses a standard height recession plan formula or diagram for ease of understanding and implementation.
<i>Grey District Council</i>	<i>FS1.327</i>	<i>Support</i>	<i>Allow</i>
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1077	Support	Retain rule.
AIRPZ – R3			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1078	Support	Retain rule.
Grey District Council (S608)	S608.789	Support	Retain as proposed.
AIRPZ – R4			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1079	Support	Retain rule.
Grey District Council (S608)	S608.790	Support	Retain as proposed.
AIRPZ – R5			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1080	Support	Retain rule.
AIRPZ – R6			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.254	Support	Retain notified version
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1081	Support	Retain rule.
Grey District Council (S608)	S608.791	Amend	Amend matters of discretion to include wastewater, water supply and stormwater management, design compliance with NZS4404:2010.
AIRPZ – R7			

Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.255	Support	Retain notified version
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1082	Support	Retain rule.
Grey District Council (S608)	S608.792	Amend	Amend matters of discretion to include wastewater, water supply and stormwater management, design compliance with NZS4404:2010.
AIRPZ – R8			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1083	Support	Retain rule.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.256	Amend	Discretion is restricted to: a. Bulk, design and location of buildings; b. Management of access, traffic and parking; c. Landscape measures; d. Any impacts on the amenity or production value of surrounding rural land; e. Effects on visual amenity; f. Any impacts on the amenity of adjacent residential land; g. <u>Incorporating Poutini Ngāi Tahu design principles into buildings</u> ; and h. Any impacts on the efficiency or function of the main Airport Activity in the Zone.
<i>Grey District Council</i>	<i>FS1.328</i>	<i>Oppose in part</i>	<i>Disallow in part</i>
Grey District Council (S608)	S608.793	Amend	Amend matters of discretion to include wastewater, water supply and stormwater management, design compliance with NZS4404:2010.
AIRPZ – R9			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.257	Support	Retain notified version
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1084	Support	Retain rule.
Westland District Council (S181)	S181.049	Amend	Exclude Hokitika from AIRPZ-R9 making it Discretionary.

Grey District Council (S608)	S608.794	Amend	Amend matters of discretion to include wastewater, water supply and stormwater management, design compliance with NZS4404:2010.
AIRPZ – R10			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1085	Support	Retain rule.
AIRPZ – R11			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1086	Support	Retain rule.

Analysis

61. The majority of submissions support all or individual rules. I do not list these submissions here or discuss them further, but this support is noted.
62. Grey District Council (S608.124) seek that an additional rule be added to the zone that supports Greymouth's aerodrome as an outdoor entertainment facility. I support this submission as otherwise the temporary activities Rule Temp – R6 would apply and this area could be used for outdoor events a maximum of 3 times per year. Because of the large area around Greymouth aerodrome, and its location between the industrial areas of Greymouth and the sea, it is ideally located as an outdoor events venue. It is currently used for events such as markets, car rallies and the annual agricultural show. I propose a new Rule AIRPZ – R3 as follows:

AIRPZ – RXXX Outdoor events and entertainment activities at Greymouth Aerodrome

Activity Status Permitted:

Where:

1. No building or structure, including temporary buildings and structures, shall protrude into the Airport Approach Path for Greymouth Aerodrome identified on the planning maps and as described in Appendix Nine.

AIRPZ – R2

63. Westland District Council (S181.048) seek that this rule be amended to allow for cropping as a permitted activity – provided there is proof of Airport management approval no less than 10 days in advance of ploughing. I support this submission– in that the rule already provides for cropping as a Permitted Activity.
64. Ngāi Tahu (S620.253) seeks that the rule be amended so that new measurements are given from the site boundaries and that a standard recession plan formula or diagram is used for ease of understanding and implementation. I support this submission in part, in that I agree with the issue identified by the submitter.
65. However, I have no additional information that I can use to develop an alternative approach to managing the height restrictions at these airports. The airports were consulted with regard to this matter during the development of the Plan and were not able to provide any further information or advice around appropriate height restrictions and whether the operative Plan provisions were fit for purpose. Accordingly the airport flight path overlays in relation to Hokitika Airport and Greymouth Aerodrome are a direct rollover of the requirements in the Westland and Grey District Plans. The provisions in

relation to Westport and Karamea airports are discussed further in this report in section 6.1 of this report.

66. In terms of the setbacks for buildings, I agree these are large but again I have no particular basis to be able to amend these.

AIRPZ – R6 – R7, R8 and R9

67. Grey District Council (S608.791, S608.792, S608.793 and S608.794) seek that an additional matter of discretion is added to these rules – to include wastewater, water supply and stormwater management, design compliance with NZS4404:2010. I support these submissions as these rules provide for a wide range of activities that under the operative plans would not be able to locate at these airports. This expansion in types of buildings and activities therefore is unlikely to be anticipated in the current wastewater, water supply or stormwater systems to the airport and therefore is an important additional matter of discretion to be included.
68. Ngāi Tahu (S620.256) seek an additional matter of discretion to Rule AIRPZ – R8 – “incorporating Poutini Ngāi Tahu design principles into buildings”. I support this submission as it is consistent with the intention and direction provided in Policy AIRPZ – P9 and I consider its omission from this rule is a drafting error.
69. Westland District Council (S181.049) seeks that Hokitika Airport is excluded from AIRPZ – R9 – and that visitor accommodation at that airport be a Discretionary Activity. This submitter is concerned about the potential negative impacts of providing for visitor accommodation on the Hokitika Town Centre, and notes that provision for new visitor accommodation is specifically made along Fitzherbert Street. I support this submission. The airport is fairly disconnected from the Hokitika Town Centre, and the development of visitor accommodation in this location does not fit with the overall planning approach that Westland District Council has taken to the expansion of commercial activities and visitor accommodation in Hokitika. Given this, it is important that any resource consent applications for this type of activity are able to be assessed against all relevant policies of the Plan.

Recommendations

70. That a new rule is added to the Airport Zone as follows:

AIRPZ – RXXX Outdoor events and entertainment activities at Greymouth

Aerodrome

Activity Status Permitted:

Where:

1. No building or structure, including temporary buildings and structures, shall protrude into the Airport Approach Path for Greymouth Aerodrome identified on the planning maps and as described in Appendix Nine

71. That the following amendments are made to the rules in the Airport Zone:

AIRPZ - R6 Industrial Activities and Buildings at Hokitika or Westport Airport or Greymouth Aerodrome

Activity Status Restricted Discretionary

Where:

1. All performance standards for Rule AIRPZ - R1 are complied with.

Matters of discretion are:

- a. Bulk, design and location of buildings;
- b. Incorporating Poutini Ngāi Tahu design principles into buildings;
- c. Management of access, traffic and parking;
- d. Management of odour and dust;
- e. Landscape measures;
- f. Any impacts on the amenity or production value of surrounding rural land;
- g. Effects on visual amenity;
- h. Any impacts on the amenity of adjacent residential land; and

- i. Any impacts on the efficiency or function of the main Airport Activity in the Zone; and
- j. Management of wastewater, stormwater and water supply in accordance with relevant requirements of NZS 4044: 2010

AIRPZ - R7 Commercial Activities and Buildings other than Visitor Accommodation at Hokitika and Westport Airports and Greymouth Aerodrome
Activity Status Restricted Discretionary

Where:

1. All performance standards for Rule AIRPZ - R1 are complied with.

Discretion is restricted to:

- a. Bulk, design and location of buildings;
- b. Management of access, traffic and parking;
- c. Landscape measures;
- d. Incorporating Poutini Ngāi Tahu design principles into buildings;
- e. Any impacts on the amenity or production value of surrounding rural land;
- f. Effects on visual amenity;
- g. Any impacts on the amenity of adjacent residential land; and
- h. Any impacts of retail activities on the viability of the Hokitika, Westport or Greymouth town centres; ~~and~~
- i. Any impacts on the efficiency or function of the main Airport Activity in the Zone; and
- j. Management of wastewater, stormwater and water supply in accordance with relevant requirements of NZS 4044: 2010

AIRPZ - R8 Airport Activities and Fences, Walls and Retaining Walls not meeting Permitted Activity Standards

Activity Status Restricted Discretionary

Where:

1. No building, structure or tree shall protrude into the Airport Approach Path of any airport or aerodrome identified on the planning maps and as described in Appendix Nine.

Discretion is restricted to:

- a. Bulk, design and location of buildings;
- b. Management of access, traffic and parking;
- c. Landscape measures;
- d. Any impacts on the amenity or production value of surrounding rural land;
- e. Effects on visual amenity;
- f. Any impacts on the amenity of adjacent residential land; and
- g. Any impacts on the efficiency or function of the main Airport Activity in the Zone;
- h. Management of wastewater, stormwater and water supply in accordance with relevant requirements of NZS 4044: 2010; and
- i. Incorporating Poutini Ngāi Tahu design principles into buildings

AIRPZ - R9 Visitor Accommodation at ~~Hokitika and Westport Airport or Greymouth or Karamea Aerodrome~~

Activity Status Restricted Discretionary

Where:

1. No building, structure or tree shall protrude into the Airport Approach Path of any airport or aerodrome identified on the planning maps and as described in Appendix Nine; and
2. Visitor accommodation buildings shall meet the standards specified in Rule NOISE - R3.

Discretion is restricted to:

- a. Bulk, design and location of buildings;
- b. Management of access, traffic and parking;
- c. Landscape measures;
- d. Incorporating Poutini Ngāi Tahu design principles into buildings;
- e. Any impacts on the amenity or production value of surrounding rural land;
- f. Effects on visual amenity;

- g. Any impacts on the amenity of adjacent residential land; and
- h. Any impacts on the efficiency or function of the main Airport Activity in the Zone; and
- i. Management of wastewater, stormwater and water supply in accordance with the relevant requirements of NZS 4044: 2010

Advice Note: Visitor Accommodation Activities at Hokitika Airport are regulated under Rule AIRPZ – R10

**AIRPZ - R10 Industrial and Commercial Activities and Buildings not meeting Restricted Discretionary Activity Standards
Activity Status Discretionary**

Where:

1. This does not include Visitor Accommodation except where this is located at Hokitika Airport; and
 2. No building, structure or tree shall protrude into the Airport Approach Path of any airport or aerodrome identified on the planning maps and as described in Appendix Nine.
72. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

6.5 Submissions on Appendix Nine

Submissions

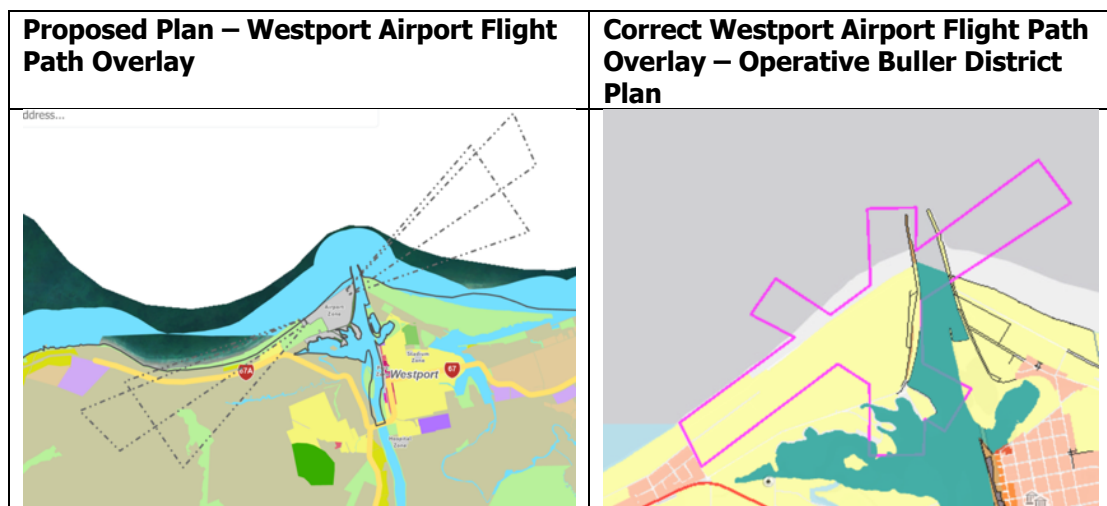
Submitter Name /ID	Submission Point	Position	Decision Requested
William McLaughlin (S567)	S567.550	Amend	Airport Approach Path overlay is too extensive near Westport Airport.
Chris & Jan Coll (S558)	S558.506	Amend	Reduce overlay extent
Chris J Coll Surveying Limited (S566)	S566.506	Amend	Reduce overlay extent
Laura Coll McLaughlin (S574)	S574.506	Amend	Reduce overlay extent
William McLaughlin (S567)	S567.740	Amend	Amend Westport Airport Approach Paths Overlay to be the same as provisions and extent as in the operative Buller District Plan.
Chris & Jan Coll (S558)	S558.715	Amend	Amend Westport Airport Approach Paths Overlay to be the same as provisions and extent as in the operative Buller District Plan.
Chris J Coll Surveying Limited (S566)	S566.715	Amend	Amend Westport Airport Approach Paths Overlay to be the same as provisions and extent as in the operative Buller District Plan.
Laura Coll McLaughlin (S574)	S574.715	Amend	Amend Westport Airport Approach Paths Overlay to be the same as provisions and extent as in the operative Buller District Plan.

Buller District Council (S538)	S558.715	Oppose	Amend the Airport Approach Path overlay to accord with that shown in the operative BDP maps.
Kelsey Mundy (S41)	S41.001	Oppose	Remove the restriction on heights for any building, structure or tree that extends into the Westport Airport flight path OR increase the height to something more reasonable.
Lyndal Watson (S42)	S42.001	Oppose	Height Restrictions - 1.2m height for any building, structure or tree that extends into the Westport Airport or Karamea Aerodrome Airport Flight Path as shown on the planning maps.
Neil Hateley (S139)	S139.001	Oppose in part	Adjust the height for Westport and Karamea flight paths to be a realistic value. Recommend limit equal to or greater than 20 metres rather than the current 1.2m.
Gail Dickson (S407)	S407.007	Neutral	Consider making alterations to this zone, the airport approach path in particular for Westport, for permitted activities and to lessen restrictions.

Analysis

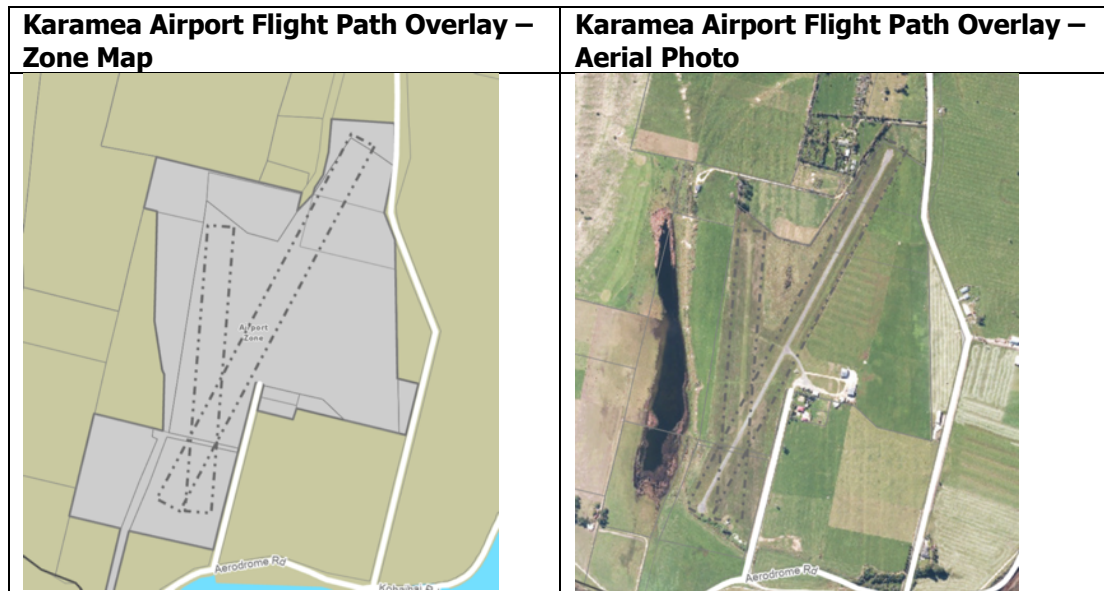
73. William McLaughlin (S567.550, S567.740) , Chris & Jan Coll (S558.506, S558.715), Chris J Coll Surveying Limited (S566.506, S566.715), Laura Coll McLaughlin (S574.506, S574.715) and Buller District Council (S538.581) seek that the Airport Flight Path overlays for Westport Airport be amended to reflect the overlay as currently set out in the Buller District Plan. I support these submissions as they are correcting an error in the Plan - the incorrect shape file was supplied to the TTPP GIS team and hence the proposed Plan overlay is incorrect.

74. The maps below show the proposed Plan and correct flight path overlay for Westport.



75. Kelsey Mundy (S41.001), Lyndal Watson (S42.001) and Neil Hateley (S139.001) seek that the height for Westport and Karamea Airport flight paths be amended and increased in height. I do not support these submissions. Gail Dickson (S407.007) seeks that alterations are made to the airport approach path for Westport to allow for more permitted activities and lessen restrictions. I support this submission in part.

76. With the correct overlay for Westport Airport, the height restrictions are the same as the operative Buller District Plan, and are necessary to support safety of the use of the airport. In the case of the Karamea Airport, the overlay affects the runway area only and is entirely appropriate to protect aircraft safety. The map below shows the Karamea Airport flight path overlay.



Recommendations

77. That the Airport Flight Path overlay for Westport Airport is amended to be the same as is currently set out in the Buller District Plan
78. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

6.6 Submissions on the Zoning Maps

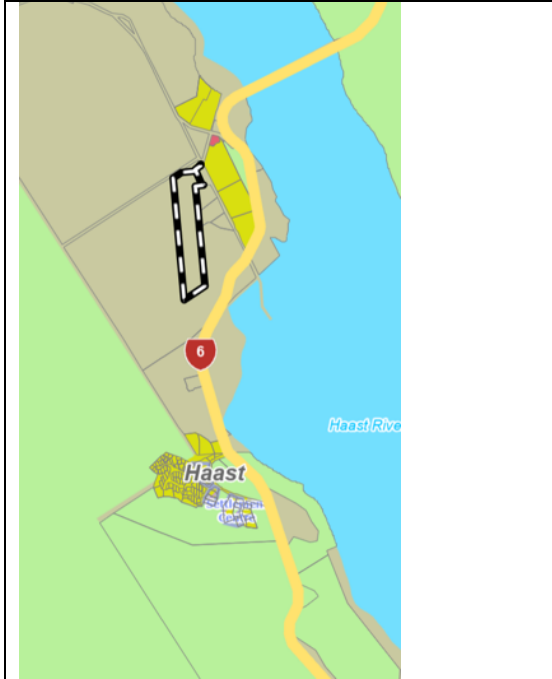

Submissions

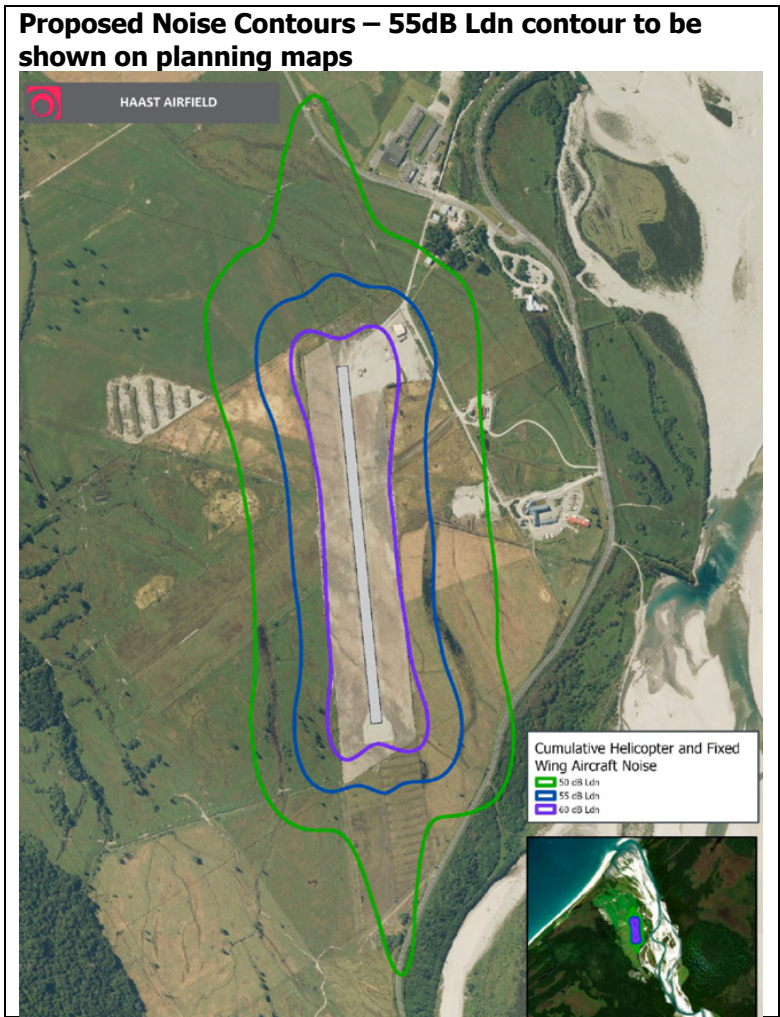
Submitter Name /ID	Submission Point	Position	Decision Requested
Laurence McGuire (S458)	S458.001	Amend	Include Haast Airport (the land legally described as Lot 4 DP 3407 and Lot 1 DP 2832) within the Airport Zone.
<i>Erin Stagg</i>	<i>FS42.1</i>	<i>Support</i>	<i>Allow</i>
<i>PE Property Trust</i>	<i>FS88.1</i>	<i>Support in part</i>	<i>Allow in part</i>

Analysis

79. Laurence McGuire (S458.001) seeks that Haast Airfield is included within the Airport zone. He provides a range of information about the airfield, its use and significance to Haast, and the importance to the wider South Westland area. This submission is supported by Erin Stagg (FS 42.1) and P.E. Property Trust (FS 88.1) who seek that the area included in a Haast Airfield Airport Zone includes the helicopter operations area on their property.

80. I support this submission. At the time of drafting, the TTPP Committee did look at including the Haast Airfield in the zone, because of its importance to South Westland. Ultimately it was not included because the land was privately owned, and there was no indication that there was risk to the airfield activity continuing.
81. However I consider that the information provided by the submitter and further submitters helps provide a compelling case for the inclusion of the Airfield within the Airport Zone and this position is supported by the Westland District Council. Although the land is privately owned the airfield has a similar importance to that played by Karamea Aerodrome in the north of the West Coast.
82. Sufficient information is also provided by the submitter to identify an Airport Flight Path Overlay for the airfield and also include that on the Planning Maps.
83. The submitter has also provided as part of their technical planning information ahead of the hearing a noise report prepared by Marshall Day with their recommended noise contours for the Haast airfield which I also support and recommend should be included on the Planning Maps.
84. In terms of the application of rules, the noise contours do cover most of the property and I do not consider that it would be appropriate that AIRPZ – R9 apply to the Haast Airfield, and that visitor accommodation activities should be a Non - Complying Activity at that location.
85. Including the Haast Airfield in the Zone would therefore lead to consequential amendments to the following provisions:
- Overview
 - Objective AIRPZ – O2
 - Rule NOISE – R3
 - Appendix Nine (Airport Flight path overlays)
 - Planning Maps
86. In terms of the further submission of P.E. Property Trust, they seek the inclusion of their land within a Haast Airport Zone – but also are seeking a range of amendments to the provisions for the zone, including provision of residential dwellings as a permitted activity. I do not support this as residential activity is not an appropriate activity to include in an Airport Zone. They have also not provided sufficient information for an aircraft flight path overlay or noise contours in relation to the helicopter operations.
87. On this basis I therefore do not support the further submission of the P.E. Property Trust seeking that their land also be included in the Zone, and instead propose that only the land identified in Laurence McGuire’s submission be included. The proposed land to be included in the Airport Zone and the proposed Noise Contours are shown on the maps below.

Location of Haast Airfield – currently General Rural Zone	Area recommended for inclusion in the Airport Zone
	



Recommendations

88. That the Haast Airfield (Lot 4 DP 3407 and Lot 1 DP 2832) be included within the Airport Zone and shown on the planning maps as such.
89. That the airport flight path overlay for Haast Airfield be included in Appendix Nine and on the planning maps.
90. That the 55 dB Ldn Noise Contour Boundary for Haast Airfield be included on the planning maps.
91. That the following amendments be made to the Airport Zone Chapter to provide for Haast Airfield within the Airport Zone.

Overview

The Hokitika and Westport Airports, Greymouth and Karamea Aerodromes, Haast Airfield and Franz Josef Heliport are major strategic infrastructure assets and facilities for the West Coast/Te Tai o Poutini. Hokitika and Westport Airports are key entry points along with Greymouth and Karamea Aerodromes, Haast Airfield and Franz Josef Heliport play a significant role in facilitating access, trade, tourism and economic activity locally, regionally and nationally.

These facilities contain critical infrastructure assets such as runways, aprons, aircraft hangers and carparking areas. They contain operations including Air Ambulance services, refuelling services and navigational aids. They also have areas of land and buildings to serve commercial tenants. All of these facilities are included within the AIRPZ - Airport Zone. The purpose of the zone is to enable the efficient operation and development of the airports and associated land and facilities.

AIRPZ - O2 To ensure that Franz Josef (Glacier Country) Heliport, and Karamea Aerodrome and Haast Airfield continue to operate as significant tourism and industry infrastructure.

92. That NOISE – R3 standard 1d be amended as follows:
 - d. The 50 dBA Noise Contour boundary of Franz Josef Heliport or the 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome or Haast Airfield; where:
 - i. Any habitable room must be designed and constructed to achieve a minimum indoor design noise level of 40 dB Ldn
93. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

7.0 Future Urban Zone

7.1 Submissions on the FUZ Chapter as a Whole

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Grey District Council (S608)	S608.125	Amend	Remove all references to "Site or Area of Significance to Māori" in the Chapter
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.035</i>	<i>Oppose</i>	<i>Disallow</i>

Westland District Council (S181)	S181.051	Support	Retain objectives, policies and rules
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1102	Support	Retain approach
Toka Tū Ake EQC (S612)	S612.110	Support	Retain
Peter Haddock (S417)	S417.005	Support	Retain the Future Urban Zone over land at valuation 2548017102 Assessment 846592 Part 249 Main South Road
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.393	Oppose in part	Amend Overview as follows: The zone is a holding zone where land can continue to be used for a range of rural activities and subdivision and urban development are discouraged until a structure Plan is prepared, or <u>and the land is rezoned.</u>
Charles Elley (S251)	S251.002	Amend	Change zoning of land block contained in DP 543155 from General Rural to Future Urban Zone

Analysis

94. Grey District Council (S608.125) seeks that all references to the Sites or Areas of Significance to Māori in the chapter are deleted. This is a submission point that has been made through all parts of the plan. I do not support this submission for the reasons I have outlined in detail in the other s42A reports.
95. Westland District Council (S181.051), Te Mana Ora (S190.1102) and Toka Tū Ake EQC (S612.110) support the chapter. Peter Haddock (S417.005) supports the Future Urban Zone over his property in Grey District. This support is noted.
96. Forest and Bird (S560.393) seek that the Overview be amended to state the land is required to be rezoned before any urban development can occur. I do not support this submission. The provisions of the zone have been specifically developed to recognise that the costs to prepare a plan change to rezone an area are significant to the West Coast Councils and that provided a structure plan is developed which identifies the appropriate zoning for the overall site, this is sufficient to unlock the development of the land.
97. Charles Elley (S251.002) seeks that the land block contained in DP 543155 is rezoned from General Rural to Future Urban Zone. This submitter seeks that the plan needs to recognise the extensive existing infrastructure, which was required to be installed, as part of a recent subdivision consent, at Beach Drive Westport. The infrastructure connected 4 lots to the wastewater and water supply networks and the submitter considers this provides capacity for further more intensive development.
98. I do not support this submission. The land in question is with the Flood Susceptibility, Coastal Hazard Alert and Coastal Tsunami Hazard Overlays. It is seaward of the main Westport town and is not identified on land that will be protected by the proposed Westport flood and coastal hazard mitigation works. In light of the multiple hazards that affect the land, I consider it is not suitable for identification as Future Urban Zone. It is also not an area that Buller District Council has identified as suitable for future urban development. While it is unfortunate that there has been investment in infrastructure for

the site, this is the case for many parts of Westport where the hazard status now means that it should not be further developed.

Recommendations

99. That no amendments are made to the Plan as result of these submissions.
100. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

7.2 Submissions on the FUZ Objectives and Objective SUB – 04

Submissions

Submitter Name / ID	Submission Point	Position	Decision Requested
Objectives as a Whole			
William McLaughlin (S567)	S567.666	Support	Retain
Chris & Jan Coll (S558)	S558.633	Support	Retain
Chris J Coll Surveying Limited (S566)	S566.633	Support	Retain
Laura Coll McLaughlin (S574)	S574.633	Support	Retain
FUZ -01			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1103	Support	Retain objective
FUZ – 02			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1104	Support	Retain objective
Toka Tū Ake EQC (S612)	S612.111	Support	Retain
FUZ – 03			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1105	Support	Retain objective
FUZ – 04			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1106	Support	Retain objective
Scoped Planning and Design Limited (S617)	S617.002	Support	Retain
Waka Kotahi NZ Transport Agency (S450)	S450.292	Support	Retain as proposed.

Toka Tū Ake EQC (S612)	S612.112	Amend	Amend to include the process that will be used to identify risk levels regarding natural hazard risk, identification of levels of risk tolerance/risk thresholds and whether risk tolerance levels have been met, an opportunity for engagement or for external agencies and individuals to submit on the plan. The opportunity/ possibility of considering and including area-wide land stability mitigation prior to development as part of defining the infrastructure requirements for the FUZ
SUB – O4			
William McLaughlin (S567)	S567.254	Support	Retain
Chris & Jan Coll (S558)	S558.180	Support	Retain
Chris J Coll Surveying Limited (S566)	S566.180	Support	Retain
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.404	Support	We support this objective.
Buller Conservation Group (S552)	S552.107	Support	Amend to support P 05(e) <u>protects valuable horticulture land from urban sprawl</u>
Frida Inta (S553)	S553.107	Support	Amend to support P 05(e) <u>protects valuable horticulture land from urban sprawl</u>

Analysis

101. The majority of submissions support all or individual objectives. I do not list these submissions here or discuss them further, but this support is noted.
102. Toka Tū Ake EQC (S612.112) seeks that FUZ – O4 be amended to include the process that will be used to identify risk levels regarding natural hazard risk, identification of levels of risk tolerance/risk thresholds and whether risk tolerance levels have been met, and whether there has been the opportunity for engagement or for external agencies and individuals to submit on the plan. I support this submission in part in that I consider this objective needs amendment. The natural hazard thresholds referred to are where managed retreat is required, not that the Future Urban Zone land meets some sort of natural hazard threshold. This is because this objective was development when the main purpose of Future Urban Zones was to hold land for managed retreat. However, this has changed through the Plan development process and the areas that this objective related to had their zoning changed from Future Urban following draft Plan feedback. Due to an error, the objective was not also amended. The Future Urban Zone now only occurs in two locations – at Franz Josef and at Greymouth, and in neither case is this to support future managed retreat. I therefore consider that the Objective should be amended to delete the words “where Council resolution identifies that natural hazard risk thresholds have been met”.

103. Buller Conservation Group (S552.107) and Frida Inta (S552.107) seek that the objective be amended to refer to protecting valuable horticultural land from urban sprawl. I do not support this issue. While this matter is the subject of the NPS Highly Productive Land, the areas which meet the NPS criteria (Land Use Classes 1-3) are not in locations that are currently or likely to be zoned Future Urban Zone. These locations are adjacent to Westport and Karamea – in areas subject to significant flood hazards, and in the upper Grey Valley where there is no urban development. It is not a relevant consideration for this objective.

Recommendations

104. That Objective FUZ – O4 be amended as follows:

Urbanisation on sites zoned FUZ - Future Urban Zone occurs in a planned manner either by Plan Change, or by implementation of a Structure Plan where Council resolution identifies that natural hazard risk thresholds have been met.

105. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

7.3 Submissions on the FUZ Policies

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Policies as a Whole			
William McLaughlin (S567)	S567.667	Support	Retain
Chris & Jan Coll (S558)	S558.634	Support	Retain
Chris J Coll Surveying Limited (S566)	S566.634	Support	Retain
Laura Coll McLaughlin (S574)	S574.634	Support	Retain
Buller Conservation Group (S552)	S552.191	Amend	Add: 6. <u>Avoid FUZ development in areas of indigenous biodiversity and natural character.</u>
Frida Inta (S553)	S553.191	Amend	Add: 6. <u>Avoid FUZ development in areas of indigenous biodiversity and natural character.</u>
FUZ – P1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1107	Support	Retain policy
FUZ – P2			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1108	Support	Retain policy
FUZ – P3			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1109	Support	Retain policy
Waka Kotahi NZ Transport Agency (S450)	S450.293	Support in part	Amend the policy as follows: b. Compromise the <u>safe</u> , efficient and effective operation of a future urban transport and infrastructure networks."
FUZ – P4			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1110	Support	Retain policy
Scoped Planning and Design Limited (S617)	S617.003	Support	Retain
FUZ – P5			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1111	Support	Retain policy
Scoped Planning and Design Limited (S617)	S617.004	Support	Retain

Analysis

106. The majority of submissions support all or individual policies. I do not list these submissions here or discuss them further, but this support is noted.
107. Buller Conservation Group (S552.191) and Frida Inta (S553.191) seek that there be an additional policy Avoid FUZ development in areas of indigenous biodiversity and natural character. I do not support these submissions – the purpose of these policies is to support resource consent processes within land already zoned Future Urban. I note that both locations – at Franz Josef and Greymouth are outside of Outstanding Natural Landscapes and do not include areas identified as SNAs.
108. Waka Kotahi (S450.293) seeks that FUZ – P3 be amended to include the word "safe" in relation to transport networks. I support this submission as I consider safety to be an important component of any transport system.

Recommendations

109. That the following amendment be made to FUZ – P3:

FUZ - P3

Avoid subdivision, use and development of land that may result in one or more of the following:

- a. Structures and buildings of a scale and form that will hinder or prevent future urban development;
- b. Compromise the safe, efficient and effective operation of a future urban transport and infrastructure networks;

....

110. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

7.4 Submissions on the FUZ Rules including SUB – R12

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Rules as a Whole			
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.394	Amend	The rules should make clear that any vegetation clearance associated with the activities is governed by the ECO and/or NC chapters.
Toka Tū Ake EQC (S612)	S612.109	Support in part	Amend rule framework for future urban zones in areas subject to land instability to include provision for requiring/encouraging/ enabling- or even leading/implementing area-wide/global land stability mitigation measures prior to development rather than allowing an ad-hoc development of potentially unstable slopes.
<i>Grey District Council</i>	<i>FS1.333</i>	<i>Support in Part</i>	<i>Allow in Part</i>
FUZ – R1 Agricultural, Pastoral and Horticulture Activities and Buildings			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1112	Support	Retain rule.
William McLaughlin (S567)	S567.668	Amend	Add an advice note explaining that pre-existing non-compliance should be recognised as being acceptable for the application of the rule.
Chris J Coll Surveying Limited (S566)	S566.635	Amend	Add an advice note explaining that pre-existing non-compliance should be recognised as being acceptable for the application of the rule.
Chris & Jan Coll (S558)	S558.635	Amend	Add an advice note explaining that pre-existing non-compliance should be recognised as being acceptable for the application of the rule.
William McLaughlin (S567)	S567.669	Support	Activity status when compliance not achieved should be Controlled Activities.
Chris & Jan Coll (S558)	S558.636	Support	Activity status when compliance not achieved should be Controlled Activities.
Chris J Coll Surveying Limited (S566)	S566.636	Support	Activity status when compliance not achieved should be Controlled Activities.
FUZ – R2 Conservation and Recreation Activities			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1113	Support	Retain rule.
William McLaughlin (S567)	S567.670	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule
Chris & Jan Coll (S558)	S558.638	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule
Chris J Coll Surveying Limited (S566)	S566.638	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule
FUZ – R3 Residential Activities and Residential Units			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1114	Support	Retain rule.
Waka Kotahi NZ Transport Agency (S450)	S450.294	Support	Waka Kotahi supports the reference to reverse sensitivity for noise if a residential building is located in the specified proximities to the state highway.
William McLaughlin (S567)	S567.671	Amend	Amend to be more enabling of residential activities.
Chris & Jan Coll (S558)	S558.639	Amend	Amend to be more enabling of residential activities.
Chris J Coll Surveying Limited (S566)	S566.639	Amend	Amend to be more enabling of residential activities.
FUZ – R4 Minor Structures			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1115	Support	Retain rule.
William McLaughlin (S567)	S567.672	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule.
Chris & Jan Coll (S558)	S558.640	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule.
Chris J Coll Surveying Limited (S566)	S566.640	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule.

FUZ – R5 Fences, Walls and Retaining Walls			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1116	Support	Retain rule.
William McLaughlin (S567)	S567.673	Support	Retain.
Chris & Jan Coll (S558)	S558.641	Support	Retain.
Chris J Coll Surveying Limited (S566)	S566.641	Support	Retain.
FUZ – R6 Relocated Buildings			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1117	Support	Retain rule.
New Zealand Heavy Haulage Association Inc (S616)	S616.010	Amend	Amend permitted activity status to read: ...2. Any relocated building intended for use as a dwelling must have previously been designed, and built to be and used as a dwelling. 3. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within a <u>the specified</u> [12] month period. 4. The building shall be located on permanent foundations approved by building consent, no later than [2] months of the building being moved to the site. 5. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within [12] months of the building being delivered to the site. <u>Without limiting (c) (above)</u> Thisreinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
<i>Grey District Council</i>	<i>FS1.333</i>	<i>Support</i>	<i>Allow</i>
William McLaughlin (S567)	S567.028, S567.674	Oppose	Delete
Chris & Jan Coll (S558)	S558.208, S558.642	Oppose	Delete

Chris J Coll Surveying Limited (S566)	S566.208, S566.642	Oppose	Delete
FUZ – R7 Home Business			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1118	Support	Retain rule.
William McLaughlin (S567)	S567.675	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule.
Chris & Jan Coll (S558)	S558.643	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule.
Chris J Coll Surveying Limited (S566)	S566.643	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule.
FUZ – R8 Visitor Accommodation			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1119	Support	Retain rule.
Grey District Council (S608)	S608.126	Amend	Amend rule 8.5 to change records of letting to be provided annually. Rule to read: 5 "Records of letting activity must be provided to the District Council <u>annually on request</u>
William McLaughlin (S567)	S567.676	Amend	Delete advice note regarding NOISE – R3 requirements
Chris & Jan Coll (S558)	S558.644	Amend	Delete advice note regarding NOISE – R3 requirements
Chris J Coll Surveying Limited (S566)	S566.644	Amend	Delete advice note regarding NOISE – R3 requirements
William McLaughlin (S567)	S567.677	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule.
Chris & Jan Coll (S558)	S558.645	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule.
Chris J Coll Surveying Limited (S566)	S566.645	Amend	Amend so that existing non-compliance with noted performance standards does not preclude the application of this rule.
FUZ – R9 Mineral Prospecting and Exploration			

Buller Conservation Group (S552)	S552.192	Amend	Delete
Frida Inta (S553)	S553.192	Amend	Delete
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1120	Support in part	Amend FUZ-R9 as follows: Activity Status Permitted Where: <u>5. The site is not within a Drinking Water Source Protection Zone (SPZ).</u>
Minerals West Coast (S569)	S569.027	Amend	Amend to include mineral extraction.
William McLaughlin (S567)	S567.678	Amend	Amend point 1 as follows: This is authorised under a prospecting or exploration permit from NZPAM <u>where legally required</u> ;
Chris & Jan Coll (S558)	S558.646	Amend	Amend point 1 as follows: This is authorised under a prospecting or exploration permit from NZPAM <u>where legally required</u> ;
Chris J Coll Surveying Limited (S566)	S566.646	Amend	Amend point 1 as follows: This is authorised under a prospecting or exploration permit from NZPAM <u>where legally required</u> ;
William McLaughlin (S567)	S567.679	Amend	Delete point 3 or extend the timeframe until a period after cessation of mining activity.
Chris & Jan Coll (S558)	S558.647	Amend	Delete point 3 or extend the timeframe until a period after cessation of mining activity.
Chris J Coll Surveying Limited (S566)	S566.647	Amend	Delete point 3 or extend the timeframe until a period after cessation of mining activity.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.0542	Amend	Amend all mining activities require consent (except NOSZ where they should be prohibited), and an ecological assessment in accordance with Appendix 1 of WCRPS is required for all mining activity consent applications.
<i>Bathurst Resources Limited and BT Mining Limited</i>	<i>FS89.056</i>	<i>Oppose</i>	<i>Disallow</i>
<i>Grey District Council</i>	<i>FS1.403</i>	<i>Oppose</i>	<i>Disallow</i>
<i>Brian Anderson</i>	<i>FS237.005</i>	<i>Support</i>	<i>Allow</i>
FUZ – R10 Any Activity provided for as a Permitted Activity within the relevant Urban Zone			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1121	Support	Retain rule.

Scoped Planning and Design Limited (S617)	S617.005	Support	Retain
William McLaughlin (S567)	S567.680	Amend	Amend the rule to give a clearer idea of what a Structure Plan is and to ensure that it's formulation involves community consultation.
Chris & Jan Coll (S558)	S558.649	Amend	Amend the rule to give a clearer idea of what a Structure Plan is and to ensure that it's formulation involves community consultation.
Chris J Coll Surveying Limited (S566)	S566.649	Amend	Amend the rule to give a clearer idea of what a Structure Plan is and to ensure that it's formulation involves community consultation.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.395	Oppose	Delete
FUZ – R11 Relocated Buildings not meeting Permitted Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1122	Support	Retain rule.
William McLaughlin (S567)	S567.029, S567.681	Oppose	Delete
Chris & Jan Coll (S558)	S558.219, S558.650	Oppose	Delete
Chris J Coll Surveying Limited (S566)	S566.219, S566.650	Oppose	Delete
FUZ – R12 Minor Structures not meeting Permitted Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1123	Support	Retain rule.
William McLaughlin (S567)	S567.682	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris & Jan Coll (S558)	S558.651	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris J Coll Surveying Limited (S566)	S566.651	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.

FUZ – R13 Home Business not meeting Permitted Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1124	Support	Retain rule.
William McLaughlin (S567)	S567.683	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris & Jan Coll (S558)	S558.652	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris J Coll Surveying Limited (S566)	S566.652	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
FUZ – R14 Visitor Accommodation and Temporary Worker Accommodation not meeting Permitted Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1125	Support	Retain rule.
William McLaughlin (S567)	S567.684	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris & Jan Coll (S558)	S558.653	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris J Coll Surveying Limited (S566)	S566.653	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
FUZ – R15 Mineral Extraction, Mineral Prospecting, Mineral Exploration not meeting Permitted Activity Standards			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1126	Support in part	We support this rule in part but recommend an amendment. As stated in INF-P7, we recommend that an overlay layer for drinking water infrastructure be developed for West Coast community networked drinking water supply sources in accordance with Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007. We also recommend that Drinking Water Source Protection Zones (SPZs) are excluded from mineral prospecting activities to ensure that incidents similar to those that affected the Ross water supply do not happen again on the West Coast.
William McLaughlin (S567)	S567.685	Amend	We support the rule in principle though point a. and b. do not provide sufficient certainty.
Chris & Jan Coll (S558)	S558.654	Amend	We support the rule in principle though point a. and b. do not provide sufficient certainty.
Chris J Coll Surveying Limited (S566)	S566.654	Amend	We support the rule in principle though point a. and b. do not provide sufficient certainty.
FUZ – R16 Community Facilities			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1127	Support	Retain rule.
William McLaughlin (S567)	S567.686	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris & Jan Coll (S558)	S558.655	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris J Coll Surveying Limited (S566)	S566.655	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
FUZ – R17 Camping Grounds			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1128	Support	Retain rule.

William McLaughlin (S567)	S567.687	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris & Jan Coll (S558)	S558.656	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
Chris J Coll Surveying Limited (S566)	S566.656	Amend	Amend so that existing non-compliance with performance standards in Rule FUZ – R1 and R3 does not preclude the application of this rule.
FUZ – R18 Relocated Buildings, Minor Structures, Fences, Walls and Retaining Walls, Community Facilities and Camping Grounds not meeting Permitted, Controlled or Restricted Discretionary Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1129	Support	Retain rule.
William McLaughlin (S567)	S567.030, S567.688	Amend	Delete rules related to relocated buildings and/or the references to relocated buildings.
Chris & Jan Coll (S558)	S558.230, S558.657	Amend	Delete rules related to relocated buildings and/or the references to relocated buildings.
Chris J Coll Surveying Limited (S566)	S566.230, S566.657	Amend	Delete rules related to relocated buildings and/or the references to relocated buildings.
William McLaughlin (S567)	S567.689	Amend	Delete point 1.
Chris & Jan Coll (S558)	S558.658	Amend	Delete point 1.
Chris J Coll Surveying Limited (S566)	S566.658	Amend	Delete point 1.
William McLaughlin (S567)	S567.690	Amend	Amend "Non-complying" to "N/A" under "Activity status where compliance not achieved".
Chris & Jan Coll (S558)	S558.660	Amend	Amend "Non-complying" to "N/A" under "Activity status where compliance not achieved".
Chris J Coll Surveying Limited (S566)	S566.660	Amend	Amend "Non-complying" to "N/A" under "Activity status where compliance not achieved".
FUZ -R19 Agricultural, Pastoral and Horticultural Activities not meeting Rule FUZ - R1			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1130	Support	Retain rule.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.396	Support	Support that Intensive indoor primary production is a non-complying activity
William McLaughlin (S567)	S567.691	Amend	Delete point 1.
Chris & Jan Coll (S558)	S558.661	Amend	Delete point 1.
Chris J Coll Surveying Limited (S566)	S566.661	Amend	Delete point 1.
William McLaughlin (S567)	S567.692	Amend	Amend "Non-complying" to "N/A" under "Activity status where compliance not achieved".
Chris & Jan Coll (S558)	S558.662	Amend	Amend "Non-complying" to "N/A" under "Activity status where compliance not achieved".
Chris J Coll Surveying Limited (S566)	S566.662	Amend	Amend "Non-complying" to "N/A" under "Activity status where compliance not achieved".
FUZ – R20 – FUZ -R24 Non complying activities			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1131	Support	FUZ -R20 Retain rule.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1132	Support	FUZ -R21 Retain rule
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1133	Support	FUZ -R22 Retain rule
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1134	Support	FUZ -R23 Retain rule
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.397	Support	FUZ – R23 Retain rule
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1135	Support	FUZ – R24 Retain rule
William McLaughlin (S567)	S567.693	Oppose	Delete FUZ – R20, FUZ – R21, FUZ -R22, FUZ -R23 and FUZ – R24

Chris & Jan Coll (S558)	S558.663	Oppose	Delete FUZ – R20, FUZ – R21, FUZ - R22, FUZ -R23 and FUZ – R24
Chris J Coll Surveying Limited (S566)	S566.663	Oppose	Delete FUZ – R20, FUZ – R21, FUZ - R22, FUZ -R23 and FUZ – R24
Laura Coll McLaughlin (S574)	S574.663	Oppose	Delete FUZ – R20, FUZ – R21, FUZ - R22, FUZ -R23 and FUZ – R24
SUB – R12 Subdivision of land to create allotments within the Future Urban Zone			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.427	Support	Retain rule.
Buller Conservation Group (S552)	S552.120	Amend	g Effects on Poutini Ngāi Tahu values, <u>existing amenity values, the quality of the environment, natural character , notable trees or historic heritage</u> within or adjacent to the site;
Frida Inta (S553)	S553.120	Amend	g Effects on Poutini Ngāi Tahu values, <u>existing amenity values, the quality of the environment, natural character, notable trees or historic heritage</u> within or adjacent to the site;
<i>Chris J Coll Surveying ltd</i>	<i>FS151.019</i>	<i>Oppose</i>	<i>Disallow</i>
Toka Tū Ake EQC (S612)	S612.100	Amend	Include natural hazards and geotechnical constraints in matters of discretion
Buller District Council (S538)	S538.259	Support in part	To add: Natural Hazards or geotechnical considerations.
Margaret Montgomery (S446)	S446.056	Not Stated	Greater direction should be provided by the plan.
Chris & Jan Coll (S558)	S558.234	Amend	Amend so that the rule does not apply until a robust development or concept plan is approved.
William McLaughlin (S567)	S567.303	Amend	Amend so that the rule does not apply until a robust development or concept plan is approved.
Chris J Coll Surveying Limited (S566)	S566.234	Amend	Amend so that the rule does not apply until a robust development or concept plan is approved.
Lara Kelly (S421)	S421.008	Support	Amend the rule so that the activity status where there is non-compliance is Discretionary not Non-complying.
William McLaughlin (S567)	S567.306	Support	Activity status where there is non-compliance should be Discretionary not Non-Complying status.
Chris & Jan Coll (S558)	S558.237	Support	Activity status where there is non-compliance should be Discretionary not Non-Complying status.

Chris J Coll Surveying Limited (S566)	S566.237	Support	Activity status where there is non-compliance should be Discretionary not Non-Complying status.
William McLaughlin (S567)	S567.304	Amend	Delete "and the need for access to be provided to any esplanade reserve or strip created" from point h.
Chris & Jan Coll (S558)	S558.235	Amend	Delete "and the need for access to be provided to any esplanade reserve or strip created" from point h.
Chris J Coll Surveying Limited (S566)	S566.235	Amend	Delete "and the need for access to be provided to any esplanade reserve or strip created" from point h.
William McLaughlin (S567)	S567.305	Amend	Delete point i.
Chris & Jan Coll (S558)	S558.236	Amend	Delete point i.
Chris J Coll Surveying Limited (S566)	S566.236	Amend	Delete point i.
Westpower Limited (S547)	S547.382	Amend	Amend j. Management of potential ..., including network utilities and <u>critical infrastructure (including energy activities)</u> ,
Westpower Limited (S547)	S547.383	Amend	Add k. <u>The provision of easements, including for both existing and proposed energy activities and associated infrastructure.</u>
Waka Kotahi NZ Transport Agency (S450)	S450.127	Support in part	Amend rule as follows: ...d. The provision of infrastructure and services for <u>transport</u> , drinking water, wastewater and stormwater, telecommunications and energy; <u>x. adverse effects on existing infrastructure.</u>
Buller District Council (S538)	S538.265	Support	Discretion is restricted to: g. Effects on Poutini Ngāi Tahu values or notable trees within or adjacent to the site <u>identified in Schedule 2.</u>

Analysis

111. The majority of the submissions support the rules as drafted. I will not list these submissions or discuss them further, but this support is noted.

Permitted Activities FUZ – R1 – FUZ – R10

112. Forest and Bird (S560.394) seek that the rules should make clear that any vegetation clearance associated with the activities is governed by the ECO and/or NC chapters. I support this submission in part, in that I consider that, as with other chapters, the appropriate location for this clarity is the "Other relevant Te Tai o Poutini Plan provisions" section of the Overview. I therefore recommend that this is amended, to expand the "Overlay Chapters" clause to identify the specific chapters, including Ecosystems and Biodiversity and Natural Character of Waterbodies, that are relevant.

113. Toka Tū Ake EQC (S612.109) seek that the rule framework for future urban zones in areas subject to land instability include provision for requiring/encouraging/enabling - or

even leading/implementing area-wide/global land stability mitigation measures prior to development rather than allowing an ad-hoc development of potentially unstable slopes. I support this submission in part. I consider the appropriate location to address this matter is in the subdivision provisions – as this would be a precursor to land development. Rule SUB – R12 is the relevant rule in relation to Future Urban Zones and I consider it appropriate to include an additional matter of discretion “the extent to which area-wide land stability measures are undertaken on potentially unstable slopes prior to development”.

114. William McLaughlin (S567.668, S567.670, S567.672) Chris J Coll Surveying Limited (S566.635, S566.638, S566.640) and Chris & Jan Coll (S558.635, S558.638S566.640,) seek that Rules FUZ – R1, FUZ – R2, FUZ –R4, FUZ – R7 and FUZ – R8 are amended so that pre-existing non-compliance with noted performance standards do not preclude the application of these rules. I do not support these submissions as I do not consider that, outside of a resource consent process, existing non-compliance should be accommodated specifically within the rules as this could have impacts on amenity of neighbouring properties, or if the non-compliances related to infrastructure, then impacts on the effectiveness or safety of the infrastructure or impacts on the environment. For example, if non-compliance related to road setbacks, then this could create issues with future upgrades of roads to urban safety standards.
115. William McLaughlin (S567.669), Chris & Jan Coll (S558.636) and Chris J Coll Surveying Limited (S566.636) seek that where compliance is not achieved, Rule FUZ – R1 should escalate to a Controlled Activity – not Discretionary, making FUZ – R1 a Controlled Activity. I do not support these submissions. The intent of the Future Urban Zone is that this is a “holding pattern” zone – and the rules are deliberately strict to avoid compromising future urban form and development. A Controlled Activity – where consent must be granted would have the opposite effect within this zone, effectively building in the potential for development that would be incompatible with future urban use.
116. William McLaughlin (S567.671), Chris & Jan Coll (S558.639) and Chris J Coll Surveying Limited (S566.639) seek that FUZ – R3 be amended to be more enabling of residential activities. I do not support these submissions. As I discuss above, the intent of the Future Urban Zone is that this is a “holding pattern” zone – and the rules are deliberately strict to avoid compromising future urban form and development. This particularly relates to residential development which the rules aim to discourage until such time as the land is urbanised.
117. New Zealand Heavy Haulage Association Inc (S616.010) seeks amendment to the standard for relocated buildings in Rule FUZ – R6 consistent with submissions they have made on equivalent rules in other zones. I do not support this submission as I consider it would result in new pre-built residential housing moved onto a site potentially requiring a resource consent as it will not have been previously used as a dwelling. I do not support the other changes proposed as I do not consider they improve the clarity or enforceability of the rule.
118. William McLaughlin (S567.028, S567.674), Chris & Jan Coll (S558.208, S558.642) and Chris J Coll Surveying Limited (S566.208, S556.642) seek that this rule be deleted. I have carefully considered the issue of relocated buildings across all zones and discussed this matter with the Planning staff at the three district councils. Since the principal issue that the TTPP seeks to manage in relation to relocated buildings is amenity issues for adjacent neighbours I agree that there are some zones where regulation of relocated buildings is unnecessary. I consider the Future Urban Zone (which is essentially a Rural Zone with additional restrictions) is one such zone. I therefore support these submissions and the deletion of the rule.
119. In relation to Rule FUZ – R8 Grey District Council (S608.126) seeks that the rule be amended to require records of letting of visitor accommodation to be provided annually – instead of on request. I support this submission as it creates a much clearer Permitted Activity standard. It will also enable the Councils to be better able to manage compliance

monitoring of this rule and is consistent with my responses in relation to similar submissions in other zones.

120. William McLaughlin (S567.676), Chris & Jan Coll (S558.644) and Chris J Coll Surveying Limited (S566.644) seek that the advice note regarding NOISE - R3 requirements is deleted. These submitters do not support that the rule requires compliance with NOISE – R3. I do not support these submissions. An advice note has no legal status – therefore it is not an actual rule. In this case the advice note is intended to help Plan users by drawing other provisions to the Plan user’s attention that also require compliance. The requirements of NOISE – R3 are a District Wide provision and apply regardless of the Advice Note.
121. There are a number of submissions in relation to FUZ – R9 Mineral Prospecting and Exploration. Te Mana Ora (S190.1120) seeks that this activity not occur within a Drinking Water Source Protection Zone. Minerals West Coast (S569.027) seeks that mineral extraction be added to this rule. William McLaughlin (S567.678), Chris & Jan Coll (S558.646) and Chris J Coll Surveying Limited (S566.646) seek that clause 1 of the rule be amended to refer to authorisations from NZPAM only where these are legally required. William McLaughlin (S567.679), Chris & Jan Coll (S558.647) and Chris J Coll Surveying Limited (S566.647) also seek that point 3 in relation to topsoil disturbance have the timeframe extended until a period after cessation of mining activity.
122. In relation to rule Mineral Exploration and Prospecting, I consider the most appropriate approach is to be consistent with the recommendations of the Mineral Extraction s42A report, as these issues were canvassed within that report. I therefore do not support the submission of Te Mana Ora – as no drinking water source protection zones have been identified on the West Coast. In relation to the submission of Minerals West Coast to expand the Permitted Activity to include mineral extraction I do not support this submission. Minerals extraction can involve the use of hazardous substances and affect hydrology and may not leave the land in a state suitable for urban development. In terms of the submissions around adding in a requirement that the activity be authorised under a prospecting or exploration permit from NZPAM I support these submissions. In terms of the timeframes for land disturbance stabilisation and the reference to NZPAM, the Mineral Extraction s42A report recommended no change to the timeframe and I do not support these submissions.
123. Forest and Bird (S560.0542) seek that all mining activities require consent and that an ecological assessment is required for all resource consent applications. I do not support this submission. As discussed in the s42A report for mineral extraction there are circumstances where ecological assessment is not required, particularly where this is in relation to prospecting and exploration.
124. In relation to Rule MUZ – R10, William McLaughlin (S567.680), Chris & Jan Coll (S558.649) and Chris J Coll Surveying Limited William McLaughlin (S567.680), Chris & Jan Coll (S558.649) and Chris J Coll Surveying Limited (S566.649) (S566.649) seek that this rule be amended to provide a clearer idea of what a Structure Plan is and to ensure that its formulation involves community consultation. I support these submissions and consider that the most appropriate way to do this is through the inclusion of an Appendix to the Plan which spells out the process by which such a structure plan should be developed. I propose this be based on the Quality Planning best practice as outlined in <https://www.qualityplanning.org.nz/node/1139>. I also recommend that consequently Rule MUZ – R10 is amended to refer to the requirement that the structure plan be prepared in accordance with the Appendix.
125. Forest and Bird (S560.395) seeks that this rule be deleted as it allows permitted activities to occur ahead of a rezoning plan change. They consider this is inappropriate as a rezoning Plan Change could make changes to a structure plan and there may be issues on the site that require specific management not achieved under the permitted zone rules. I do not support this submission. This rule was drafted knowing that the process of preparing a structure plan is itself significant and will be costly for the relevant district council in a community where there are substantial constraints on finances. The

estimated cost of a Plan Change is a minimum of \$50,000 and likely more, as well as a time estimate of 1 – 2 years. These are significant barriers for the West Coast community and therefore the approach of allowing the Council to approve the implementation of the structure plan ahead of any Plan Change is, I consider appropriate. It is likely that at some point the Plan Change will be required, but this rule creates a mechanism whereby the Council, having developed the structure plan, does not then face significant costs and time delays before it is able to be implemented.

**Activities Requiring Resource Consent:
FUZ – R11, FUZ – R18 Relocated Buildings**

126. William McLaughlin (S567.029, S567.681, S567.030, S567.688), Chris & Jan Coll (S558.219, S567.681, S558.230, S558.657) and Chris J Coll Surveying Limited (S566.219, S566.650, S566.230, S566.657) seek that Rule FUZ – R11 and references to relocated buildings in Rule FUZ – R18 be deleted. As discussed in relation to Rule FUZ – R6 I do not consider this rule is needed in this zone. I therefore support these submissions.
127. William McLaughlin (S567.689), Chris & Jan Coll (S558.658) and Chris J Coll Surveying Limited (S566.689) seek that point 1 of FUZ – R18 requiring compliance with FUZ – R3 be deleted. William McLaughlin (S567.690), Chris & Jan Coll (S558.660) and Chris J Coll Surveying Limited (S566.660) also seek that FUZ – R18 not escalate to non-complying. I support these submissions. I consider that the reference to Rule FUZ – R3 is unnecessary – it is a non-complying activity to establish residential activities lower than those set out in Rule FUZ – R3, therefore there is no necessity to refer to FUZ – R3 in a rule about relocated buildings and other minor structures.

FUZ – R12, FUZ – R13, FUZ -R14, FUZ – R16, FUZ -R17

128. William McLaughlin (S567.682, S567.683, S567.684, S567.686, S567.687) Chris & Jan Coll (S558.651, S558.652, S556.653, S588.655, S558.656) and Chris J Coll Surveying Limited (S566.651, S566.652, S566.653, S566.655, S566.656) seek that pre-existing non-compliance with the standards in Rule FUZ – R1 and FUZ -R3 not preclude the application of these rules. I do not support these submissions. As I have outlined above the Future Urban Zone is a “holding pattern” zone ahead of it being used for urban purposes. Allowing further development where there is pre-existing non-compliance needs careful consideration, as this could lead to perverse outcomes such as an increased difficulty to create a suitable urban form, or locate efficient urban infrastructure.

FUZ – R15 – Mineral Extraction, Mineral Prospecting, Mineral Exploration not meeting Permitted Activity Standards

129. Te Mana Ora (S190.1126) support this rule in part but seek an overlay for drinking water infrastructure is developed and that the drinking water source protection zones are excluded from mineral prospecting activities. I do not support this submission as there are no such drinking water source protection zones established. I also note that this is primarily a matter regulated through the NES – Drinking Water, which is administered at the regional level, not through district plans.
130. William McLaughlin (S567.685) Chris & Jan Coll (S558.654) and Chris J Coll Surveying Limited (S566.654) support the rule in principle but consider that point a. and b. do not provide sufficient certainty. I do not support these submissions. I consider that the objectives and policies for the zone provide good information to support the assessment of these activities.

FUZ – R19 Agricultural, Pastoral and Horticultural Activities

131. Te Mana Ora (S190.1130) and Forest and. Bird (S560.396) support this rule. This support is noted.
132. William McLaughlin (S567.6891, S567.692), Chris & Jan Coll (S558.661, S558.662) and Chris J Coll Surveying Limited (S566.661, S566.662) seek that the clause 1, that excludes intensive indoor primary production from this rule, be deleted. I do not support this submission. Intensive indoor primary production facilities generally involve significant capital development and are usually incompatible with residential urban use. Therefore,

allowing the establishment of an intensive indoor primary production facility could preclude future urban uses establishing on nearby sites, or lead to significant reverse sensitivity issues.

FUZ – R20 – FUZ -R24 Non complying activities

133. Te Mana Ora (S190.1131, S190.1132, S190.1133, S190.1134, S190.1135) supports these rules. Forest and Bird (S560.397) support FUZ – R23. This support is noted.
134. William McLaughlin (S567.693), Chris & Jan Coll (S558.663), Chris J Coll Surveying Limited (S566.663) and Laura Coll McLaughlin (S574.663) seek that these rules be deleted. I do not support these submissions. The submitters provide no reasons for the deletion other than "the rules are not appropriate and are too restrictive". As is discussed above, the rules are deliberately restrictive in order to avoid inappropriate activities being located in what will be future urban land. This will reduce the likelihood, for example, of the land being contaminated, or a large scale facility being established which is incompatible with residential use.

SUB – R12 Subdivision of land to create allotment(s) within the FUZ - Future Urban Zone

135. Te Mana Ora (S190.427) supports the rule. This support is noted.
136. Buller Conservation Group (S552.120) and Frida Inta (S552.120) seek that clause g be amended to include effects on "existing amenity values, the quality of the environment and natural character". They also seek that the clause be amended to refer to historic heritage. I support these submissions in part. In terms of existing amenity and natural character values, the Future Urban Zone is intended to be urbanised. Therefore, there will be significant change in both the type of amenity provided (from a rural character to an urban character) and inevitably the area will become less natural as urban uses and infrastructure are developed. Natural character of waterbodies remains an important consideration in areas zoned Future Urban Zone, however, and I support the addition of a reference to this. Similarly, I do not support this inclusion of the existing quality of the environment within the assessment criterion. This is an unclear matter to assess in an environment where significant change is expected. However, I do support the inclusion of historic heritage as this is a relevant matter alongside notable trees and Poutini Ngāi Tahu values.
137. Toka Tū Ake EQC (S612.100) and Buller District Council (S538.259) seek that natural hazards and geotechnical constraints be included in the matters of discretion. I support this and consider it particularly important as one area of Future Urban Zone is located within a land instability hazards overlay, and that as land instability hazards are mapped on the West Coast, other Future Urban Zone areas may also be identified as subject to land instability hazards.
138. Margaret Montgomery (S446.056) seeks that greater direction be provided by the Plan in relation to subdivision in the Future Urban Zone. Chris & Jan Coll (S558.234), William McLaughlin (S567.303) and Chris J Coll Surveying Limited (S566.234) seek that the rule is amended so that it does not apply until a robust development or concept plan is approved. I support these submissions in part. The rule currently allows only for subdivision to 4 ha (the key performance standard) but is silent on subdivision where this is in accordance with the structure plan developed. Therefore, I consider that the rule needs to be modified so it includes a requirement that any subdivision be in accordance with a structure plan developed for the site. I therefore consider that this should be a performance standard.
139. William McLaughlin (S567.306), Chris & Jan Coll (S558.237) and Chris J Coll Surveying Limited (S566.237) seek that the activity status where there is non-compliance should be Discretionary not Non-complying. I do not support these submissions. I consider that in order to achieve the intent of the zone, a very clear requirement that development must be consistent with the objectives and policies of the zone is required and that a non-complying activity status is necessary to achieve this.

140. Chris & Jan Coll (S558.235) and Chris J Coll Surveying Limited (S566.235) seek that the reference in clause h to “the need for access to be provided to any esplanade reserve or strip created” be deleted. The submitters provide no reasons for this and I do not support these submissions. As public access is a key reason to establish esplanade reserves and strips I consider that the reference is entirely appropriate.
141. William McLaughlin (S567.305), Chris & Jan Coll (S558.236) and Chris J Coll Surveying Limited (S566.236) see that point i – “Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control” is deleted. I do not support these submissions which do not provide any reasons as to why this clause is opposed. I consider that it is reasonable that, particularly if large scale subdivision in accordance with the structure plan is undertaken, that these construction effects are appropriately managed through consent conditions.
142. Westpower Limited (S547.382) seek that clause j be amended to refer to “critical infrastructure (including energy activities)”. I support this submission in part in that I consider reverse sensitivity impacts on regionally significant infrastructure is an important issue. I do not support the term “including energy activities” as these are a subset of network utilities and/or regionally significant infrastructure.
143. Westpower Limited (S547.383) seek an additional matter of discretion be added to the rule in relation to “the provision of easements, including for both existing and proposed energy activities and associated infrastructure”. I do not support this submission as I consider that this matter is adequately dealt with in standard SUB – S10 which is a compliance requirement in the rule.
144. Waka Kotahi (S450.127) seek that clause d be amended to include transport infrastructure and that a new clause be added around adverse effects on existing infrastructure. I support this submission as I consider these are important and relevant matters of consideration for subdivision in the future urban zone.
145. Buller District Council (S538.265) seek that the reference to notable trees in clause g include that these are identified in schedule 2. I support this submission as it clarifies which trees are notable. As a consequential amendment to my recommendation that historic heritage be included in this clause, I recommend that it be amended to “historic heritage identified in Schedule One and notable trees identified in Schedule Two”.

Recommendations

146. That the following amendments be made to the Plan:

~~FUZ—R6 Relocated Buildings~~

~~Activity Status Permitted~~

~~Where:-~~

- ~~a. All performance standards for Rule FUZ—R1 and FUZ—R3 are complied with;~~
- ~~b. Any relocated building intended for use as a dwelling must have been designed and built to be used as a dwelling;~~
- ~~c. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within a 12-month period;~~
- ~~d. The building shall be located on permanent foundations approved by building consent no later than 2 months of the building being moved to the site; and~~
- ~~e. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. This reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.~~

~~Activity status where compliance not achieved:~~ Controlled

FUZ - R9 Mineral Prospecting and Exploration

Activity Status Permitted

Where:

- a. This is authorised under a prospecting or exploration permit from NZPAM where legally required
- b. Notice is provided to the relevant District Council Consent Authority 5 working days ahead of work being undertaken;
- c. Where areas are to be disturbed, topsoil shall be stripped and stockpiled and then replaced over the area of land disturbed as soon as possible and no later than 3 months after the disturbance has occurred;
- d. The site shall be rehabilitated generally to its original condition; and
- e. All stripped material (including vegetation, soil and debris) is deposited or contained in such a manner that it does not enter any waterbody or cause the destruction of habitat.

Activity status where compliance not achieved: Restricted Discretionary

FUZ - R10 Any Activity provided for as a Permitted Activity within the relevant Urban Zone

Activity Status Permitted

Where:

1. The relevant District Council has made a Resolution to activate the Future Urban Zone for urban uses; and
2. A Structure Plan has been prepared in accordance with Appendix XXX for the site and adopted by the relevant District Council; and
3. The activity, use and development are in accordance with the Permitted Activities in the Zone(s) identified in the adopted Structure Plan.

Activity status where compliance not achieved: Refer to relevant Zone rules

~~**FUZ - R11 Relocated Buildings not meeting Permitted Activity Standards**~~

~~**Activity Status Controlled**~~

Where:

- ~~j. All performance standards for Rule FUZ - R1 and FUZ - R3 are complied with.~~

~~**Matters of control are:-**~~

- ~~3. Design and location of structures;~~
- ~~4. Methods of wastewater and stormwater treatment and disposal;~~
- ~~5. Methods of ensuring safe drinking water supply;~~
- ~~6. Landscape measures; and~~
- ~~7. Appearance of buildings.~~

~~**Activity status where compliance not achieved:** Discretionary~~

~~**FUZ - R18 Relocated Buildings, Minor Structures, Fences, Walls and Retaining Walls, Community Facilities and Camping Grounds not meeting Permitted, Controlled or Restricted Discretionary Activity Standards**~~

~~**Activity Status Discretionary**~~

Where:

- ~~1. The performance standards for Rule FUZ - R3 are complied with.~~

~~**Activity status where compliance not achieved:** Non-complying~~

SUB - R12 Subdivision of land to create allotment(s) within the FUZ - Future Urban Zone

Activity Status Restricted Discretionary

Where:

1. All Subdivision Standards are complied with; except that
2. Compliance with SUB -S1 is not required when the subdivision is in accordance with any structure plan that has been adopted by the relevant district council for the Future Urban Zone area

Discretion is restricted to:

- a. The size, design, shape, location and layout of allotments;

- b. The extent to which the subdivision will be consistent with the Objectives and Policies for the Future Urban Zone and Policy SUB - P5
- c. Where relevant consistency with the NZS 4404 Code of Practice for Land Development and Subdivision infrastructure;
- d. The provision of infrastructure and services for transport drinking water, wastewater and stormwater, telecommunications and energy;
- e. The adequacy of water supply for firefighting;
- f. The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12;
- g. Effects on Poutini Ngāi Tahu values, historic heritage identified in Schedule One, natural character of waterbodies or notable trees identified in Schedule Two within or adjacent to the site;
- h. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created;
- i. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control; ~~and~~
- j. Management of potential reverse sensitivity effects on existing land uses, including network utilities, rural activities, regionally significant infrastructure or significant hazardous facilities;
- k. Management of adverse effects on existing infrastructure
- l. Management of natural hazards and any geotechnical constraints; and
- m. The extent to which area - wide land stability measures are undertaken on potentially unstable slopes prior to development"

147. That the following amendment be made to the Appendices.

Insert new Appendix XXX

Appendix XXX Structure Plan Requirements

In order to meet the requirements of Rule MUZ – R10 the structure plan shall be prepared using the following process.

Process

1. SCOPING AND PROJECT PLANNING

The scoping and project planning phase of structure planning shall include the following considerations:

- a. Defining the area of the structure plan
- b. An initial review of existing information on the area
- c. Constraints identification and analysis
- d. The overall outcomes desired of the structure plan;
- e. Development and implementation timeframes including infrastructure sequencing
- f. Identification of key stakeholders
- g. The resources required for the structure planning process and implementation:
- h. Risk assessment

2. COMMUNITY AND STAKEHOLDER CONSULTATION

Consultation will be undertaken with the following stakeholders as a minimum

- a. stormwater, wastewater and roading engineer at the relevant district council
- b. parks, and community facilities staff at the relevant district council
- c. those who will be responsible for budgeting and finance in the planning and implementation phases of the structure plan
- d. landowners and occupiers of the area affected by the structure plan;
- e. landowners adjoining the area being structure planned
- f. the New Zealand Transport Agency
- g. public agencies responsible for social/community infrastructure (Ministry of Education, Ministry of Health and other health service providers etc.)
- h. Network utility providers

A well-defined consultation process similar to Schedule 1 of the RMA and section 82 of the LGA should be followed for the structure plan, so that the plan can be given some weight in any subsequent RMA consent processes. A structured submission and hearing processes is required for the draft structure plan, prior to its adoption.

3. ENGAGEMENT WITH POUTINI NGĀI TAHU

Poutini Ngāi Tahu should be engaged with at the commencement of the structure planning process to gauge their level of interest and role that they wish to play in the process.

Depending on the nature of the structure plan, Poutini Ngāi Tahu involvement could include:

- a. representation on a steering group that will guide the structure plan process
- b. preparation of a cultural impact assessment or other reports and analysis documents
- c. examining ways to facilitate Māori development opportunities, including development of Māori land
- d. projects involving the identification of places and areas of significance
- e. being consulted, receiving regular updates or being kept informed.

4. RESEARCH AND INFORMATION ANALYSIS

The research and analysis phase is a core component of the structure plan process. This research and analysis should build on the work carried out in the scoping phase and may run parallel to consultation, with each helping inform the other. Research and analysis should therefore be ongoing and detailed information obtained during this phase can be used to refine the final design.

Research and analysis should include a review of all available relevant existing information on the area being structure planned. Further research and investigation may need to be undertaken where critical information gaps are identified. Depending on the issues identified, the outcomes desired and the information already available, research and investigation may need to be carried out into:

- a. Existing and desired urban form:
- b. Natural resources and environmental constraints:
- c. Open space and recreational opportunities:
- d. Landscape and visual amenity:
- e. Natural hazards and land suitability:
- f. Māori culture and heritage:
- g. Infrastructure (roading and transport, stormwater management, energy supply, telecommunications, roading and transport):

5. URBAN DESIGN REQUIREMENTS

Structure plans can play an important part in achieving good urban design and promoting quality outcomes. As a starting point for promoting good urban design the New Zealand Urban Design Protocol identifies seven essential design qualities that should also act as guiding considerations in the structure planning process. These are referred to as the seven Cs: Context, Character, Choice, Connections, Creativity, Custodianship and Collaboration.

6. GENERATION AND EVALUATION OF ALTERNATIVES

The alternatives need not be developed to a highly detailed level, and could take the form of concept drawings or sketches (and an accompanying statement or explanation) until such time as they are either discarded or selected for further work or refinement.

7. FINALISING THE STRUCTURE PLAN

A formal consultation and adoption process is required with the opportunity for written submissions and a hearing of these by decision makers. This could be integrated with consultation processes under the LGA for the LTP or annual plan which may be beneficial to provide efficiencies and alignment given the direct relationship between these plans, especially in relation to infrastructure provision.

148. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

8.0 Hospital Zone

8.1 Submissions on the HOSPZ Zone as a Whole

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Westland District Council (S181)	S181.052	Support	Retain objectives, policies and rules
The O'Connor Institute Trust Board (S466)	S466.001	Support	Retain Hospital Zone over property at 190 Queen Street, Westport
<i>Heritage New Zealand Pouhere Taonga (HNZPT)</i>	<i>FS111.002</i>	<i>Oppose</i>	<i>Disallow</i>
Frank and Jo Dooley (S478)	S478.044	Support	Retain Hospital Zone over property at 190 Queen Street, Westport
Buller District Council (S538)	S538.606	Oppose in part	Change the zoning for 1B Main Road, Hector from Settlement to Hospital.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1136	Support in part	Amend the overview as follows: There are also medical centres at Fox Glacier/Weheka, Franz Josef/ Waiau. Haast, Harihari, Hokitika, <u>Ngakawau</u> , <u>Moana</u> , <u>Whataroa</u> and Karamea and aged care facilities in Westport/ Kawatiri, Greymouth/ Māwhera and Hokitika included within the zone.
<i>Grey District Council</i>	<i>FS1.351</i>	<i>Support</i>	<i>Allow</i>

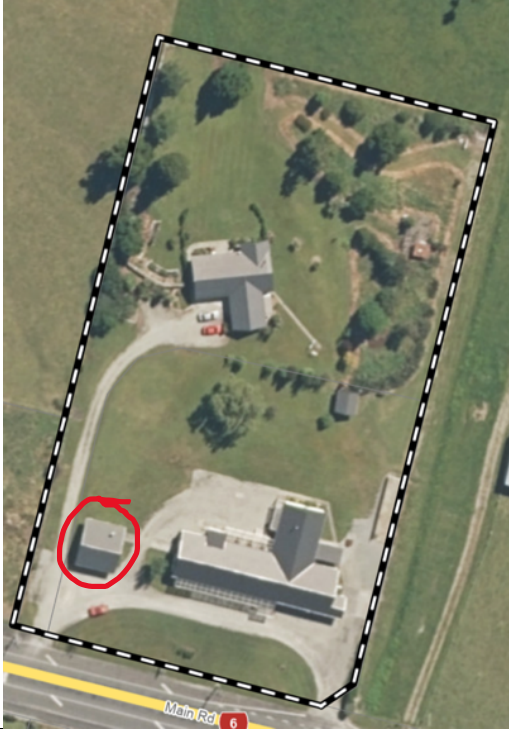
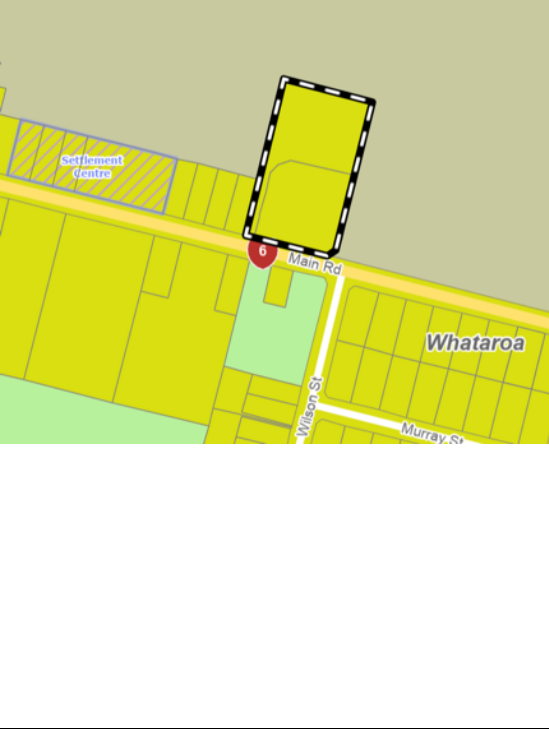

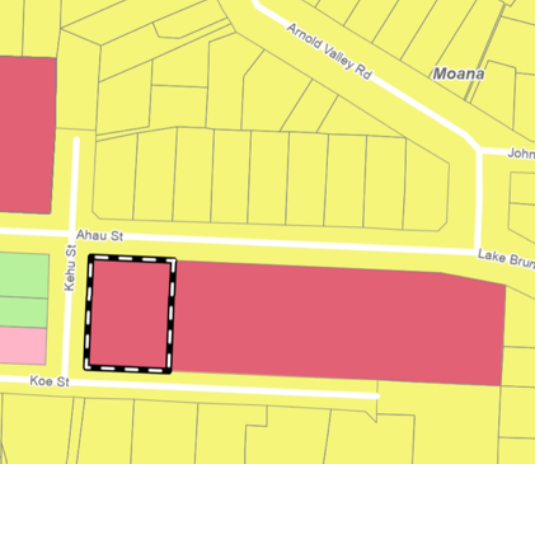
Analysis

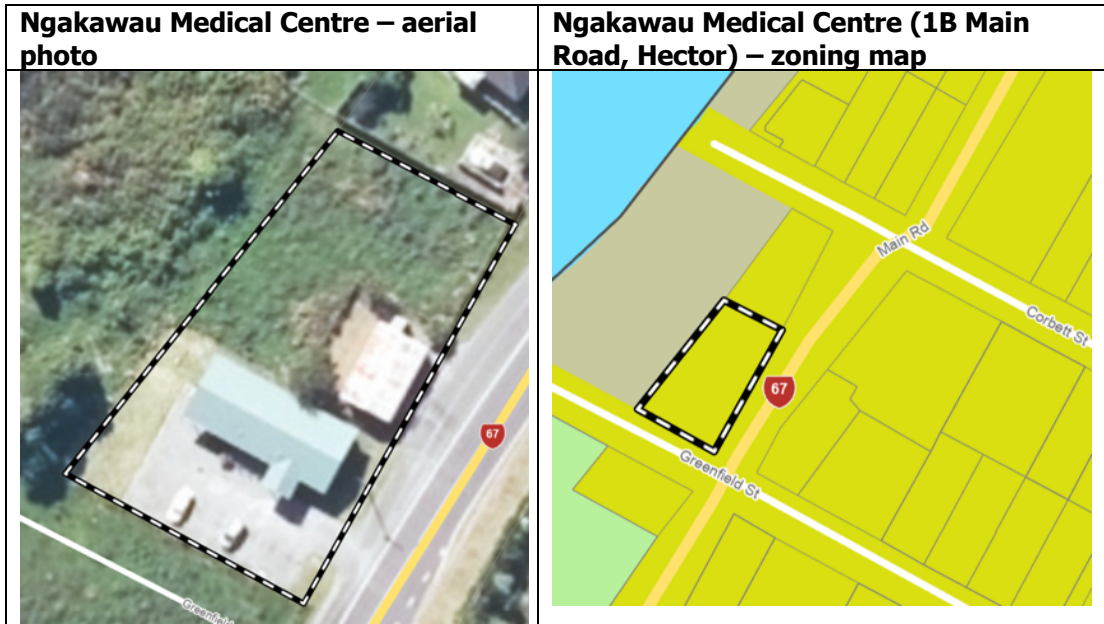
149. Westland District Council (S181.052) supports the objectives, policies and rules of this chapter. The O'Connor Institute Trust Board (S466.001) and Frank and Jo Dooley (S478.044) support the Hospital Zone identification over the property at 190 Queen Street, Westport (O'Connor Home). This support is noted.
150. Te Mana Ora (S190.1136) seek that the overview is amended to identify that medical centres of Ngākawau, Moana and Whataroa are included within the zone. As these areas are not currently identified as Hospital Zone, a consequential amendment from this submission would be the rezoning of these sites to Hospital Zone. I support this submission in part.
151. When identifying the sites for the Hospital Zone, these three medical centres were considered. With the Moana Medical Centre and the Whataroa Medical Centre the problem arises that these are buildings located on larger sites with other facilities. In the case of the Moana Medical Centre this is a site shared with the Lake Brunner School, which occupies the bulk of the title. The whole property, including the medical centre, is currently zone Commercial Zone. In the case of the Whataroa Medical Centre this is a very small building that occupies less than 10% of a large property with other buildings and activities on it. The whole title is zoned Settlement Zone. To identify these two medical centres as Hospital Zone requires a decision on how to split zone these sites and

the submission does not provide sufficient information to enable me to recommend a split zoning. I do not consider it appropriate to rezone the whole title – as this would mean that in the case of Moana, part of a school would be zoned Hospital Zone, and in the case of Whataroa, unrelated residential and commercial development would be zoned Hospital Zone. I invite Te Mana Ora to provide more information on these sites to the hearing and how they envisage they should be split zoned.

152. In the case of the Ngakawau Medical Centre, this occupies the entirety of a site currently zoned Settlement Zone in the proposed Plan. Buller District Council (S538.606) also seek this be rezoned as Hospital Zone and I support this.

153. These three sites are shown in the maps below.

<p>Whataroa Medical Centre – aerial photo showing other development on the title. The medical centre is circled in red</p>	<p>Whataroa Medical Centre – current zone map</p>
	
<p>Moana Medical Centre – aerial photo</p>	<p>Moana Medical Centre -current zones</p>
	



Recommendations

154. That the Overview be amended as follows:

There are also medical centres at Fox Glacier/Weheka, Franz Josef/ Waiiau. Haast, Harihari, Hokitika, Ngakawau, and Karamea and aged care facilities in Westport/ Kawatiri, Greymouth/ Māwhera and Hokitika included within the zone.

155. That the Ngakawau Medical Centre property at 1B Main Road Hector is rezoned Hospital Zone from Settlement Zone as shown in the map below:



156. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

8.2 Submissions on the HOSPZ Zone Objectives

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1137	Support	We strongly support this Objective HOSZ – O1 as it ensures safe and efficient operation, maintenance, upgrading and expansion of hospitals, medical centres and aged care facilities, enabling good health outcomes for people and resilient communities.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1138	Support	We support objective HOSZ – O2
Buller District Council (S538)	S538.592	Support	The objectives and policies for the Hospital zone are supported.

Analysis

157. All submitters support the objectives. This support is noted.

Recommendations

158. That no changes are made to the Plan as a result of these submissions.

159. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

8.3 Submissions on the HOSPZ Zone Policies

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1139	Support	We support policy HOSZ – P1.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1140	Support	We strongly support Policy HOSZ – P2 as it recognises the importance of managing potential reverse sensitivity effects by designing sufficient buffers between hospitals, medical centres and aged care facilities and sensitive land uses (e.g. residential) for good public health outcomes and community resilience.
Buller District Council (S538)	S538.593	Support	The objectives and policies for the Hospital zone are supported.

The O'Connor Institute Trust Board (S466)	S466.003	Amend	Although the O'Connor Home is within the proposed Hospital Zone, aged care is only mentioned in the overview and objectives, but not specifically in the policies.
Frank and Jo Dooley (S478)	S478.046	Amend	Although the O'Connor Home is within the proposed Hospital Zone, aged care is only mentioned in the overview and objectives, but not specifically in the policies.

Analysis

160. Te Mana Ora (S190.1139 and S190.1140) and Buller District Council (S538.593) support the policies. This support is noted.
161. The O'Connor Institute Trust Board (S466.003) and Frank and Jo Dooley (S478.046) are concerned that the policies does not specifically address aged care facilities within the zones. I support these submissions. I consider that Policy HOSZ – P1 which identifies the types of facilities expected within the zone should also specifically include aged care facilities.

Recommendations

162. That Policy HOSZ – P1 be amended as follows:

Allow activities that are compatible with the role, function and predominant character of the HOSZ - Hospital Zone, including:

- a. Major healthcare activities;
- b. Medical and health services;
- c. Helicopter facilities, including helicopter take-off and associated fuelling and service facilities at Te Nikau Grey Hospital, Buller Integrated Health Facility and Reefton Hospital sites;
- d. Building activities;
- e. Carparking;
- f. Emergency response services;
- g. Temporary accommodation;
- h. Ancillary retail, café and service facilities; ~~and~~
- i. Ancillary community facilities; and
- j. Aged care facilities.

163. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

8.1 Submissions on the HOSPZ Zone Definitions and Rules

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
HEALTHCARE AND MEDICAL ACTIVITIES DEFINITION			
The O'Connor Institute Trust Board (S466)	S466.004	Support	The board requests that 'aged care facilities and associated residential activity, including independent living' be incorporated into clause (k) of this definition as a part of ensuring the activities long established at 190 Queen Street, Westport are provided for.
<i>The O'Conor Institute Trust Board</i>	<i>FS137.002</i>	<i>Support</i>	<i>Allow</i>
Frank and Jo Dooley (S478)	S478.047	Support	The board requests that 'aged care facilities and associated residential activity, including independent living' be incorporated into clause (k) of this definition as a part of ensuring the activities long established at 190 Queen Street, Westport are provided for.
HOSZ – R1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1141	Support	We support this rule.
Buller District Council (S538)	S538.594	Oppose in part	Rule 1 is supported, but it is noted that there are performance standards for screening of waste storage areas (Clause 4) and recession planes (Clause 6) and if the submission points are accepted for the equivalent provisions in other chapters, these should be amended for consistency across the plan.
The O'Connor Institute Trust Board (S466)	S466.005	Amend	Amend rules R1.3 and R1.5 so they don't contradict each other.
Frank and Jo Dooley (S478)	S478.048	Amend	Amend rules R1.3 and R1.5 so they don't contradict each other.
The O'Connor Institute Trust Board (S466)	S466.006	Amend	Consider whether a 2m setback from a General Residential Zone boundary may be appropriate.
Frank and Jo Dooley (S478)	S478.049	Amend	Consider whether a 2m setback from a General Residential Zone boundary may be appropriate.
HOSZ – R2			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1142	Support	Retain rule.
Buller District Council (S538)	S538.595	Oppose in part	Amend Rule 2 as follows: Helicopter facilities including helicopter pads and associated fueling and servicing facilities Activity Status Permitted Where: These are located at the Te Nikau Grey Hospital, Reefton Hospital, or Buller Integrated Health Facility <u>or</u> <u>Medical Centre</u> sites only; and All performance standards for Rule HOSZ-R1 are complied with.
<i>The O'Connor Institute Trust Board</i>	<i>FS137.001</i>	<i>Support</i>	<i>Allow</i>
<i>New Zealand Helicopter Association</i>	<i>FS83.25</i>	<i>Support</i>	<i>Allow</i>
HOSZ – R3			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1143	Support	Retain rule.
Buller District Council (S538)	S538.596	Oppose in part	Amend Rule 3 as follows: Community Facilities and Emergency Service Facilities Activity Status Permitted Where: 1. All performance standards for Rule HOSZ-R1 are complied with except that hose drying towers associated with Emergency Service Facilities are exempt from height standards; and 2. Any community facility is ancillary to and/or supports healthcare and medical activity.
HOSZ – R4			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1144	Support	Retain rule.
Buller District Council (S538)	S538.597	Support	Retain as notified.
HOSZ – R5			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1145	Support	Retain rule.
Buller District Council (S538)	S538.598	Support	Retain rule.
HOSZ – R6			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1146	Support	Retain rule.
Grey District Council (S608)	S608.795	Support	Retain as proposed.
Buller District Council (S538)	S538.599	Oppose	Delete Rule 6
New Zealand Heavy Haulage Association Inc (S616)	S616.011	Amend	Amend permitted activity status to read: ...2. Any relocated building intended for use as a dwelling must have previously been designed, and built to be and used as a dwelling. 3. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within a <u>the specified</u> [12] month period. 4. The building shall be located on permanent foundations approved by building consent, no later than [2] months of the building being moved to the site. 5. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within [12] months of the building being delivered to the site. <u>Without limiting (c) (above)</u> This reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
HOSZ – R7			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1147	Support	Retain rule.
Buller District Council (S538)	S538.600	Support	Retain as notified.
Grey District Council (S608)	S608.796	Support in part	Amend matters of discretion to include wastewater, water supply and stormwater management, design compliance with NZS4404:2010 and design and location of accesses<
HOSZ – R8			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1148	Support	Retain as notified.
Buller District Council (S538)	S538.601	Support	Rules 7-12 are supported.
HOSZ – R9			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1149	Support	Retain rule
Buller District Council (S538)	S538.602	Support	Retain as notified.
HOSZ – R10			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1150	Support	Retain rule
Buller District Council (S538)	S538.603	Support	Retain as notified.
The O'Connor Institute Trust Board (S466)	S466.007	Support in part	HOSZ – R10 – Residential Activity not provided for as a Permitted Activity. This is supported, so long as 'aged care facilities and associated residential activity, including independent living' is provided for in HOSZ – R1. Aged care and associated residential activity including independent living, is necessary to ensure the O'Connor Home can continue to serve and provide for a vital community need.
Frank and Jo Dooley (S478)	S478.050	Support in part	HOSZ – R10 – Residential Activity not provided for as a Permitted Activity. This is supported, so long as 'aged care facilities and associated residential activity, including independent living' is provided for in HOSZ – R1. Aged care and associated residential activity including independent living, is necessary to ensure the O'Connor Home can continue to serve and provide for a vital community need.
HOSZ – R11			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1151	Support	Retain rule

Buller District Council (S538)	S538.604	Support	Retain as notified.
HOSZ – R12			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1152	Support	Retain rule
Buller District Council (S538)	S538.605	Support	Retain as notified.

Analysis

164. The O'Connor Institute Trust Board (S466.004) and Frank and Jo Dooley (S478.047) seek that the definition of "*Healthcare and Medical Activities*" be amended to include "aged care facilities and associated residential activity, including independent living" be incorporated into clause (k) of the definition. I support this submission in part as I consider that the omission of a specific reference to aged care facilities is a drafting error. However, I do not support the extended wording proposed as I consider this is adequately and appropriately covered by the phrase "residential care services and facilities". I do not consider that the intent of the Hospital Zone is to provide for general residential accommodation – and indeed this could be inappropriate from an amenity perspective if these activities are included within the zone. In particular I note that the zone allows for helicopter facilities as a Permitted Activity and that this, and other aspects of the zone provide for a range of more "commercial" type activities. Therefore I do not support including the phrase "associated residential activity, including independent living".
165. Te Mana Ora (S190.1141) and Buller District Council (S538.594) support Rule HOSZ – R1. This support is noted. Buller District Council also seeks that performance standard amendments that they have sought in relation to screening of waste storage areas (Clause 4) and recession planes (Clause 6), if they are accepted for the equivalent provisions in other chapters be applied here. I support this submission in part in that the performance standards for recession planes have been submitted on by Buller District Council across a range of chapters and I have recommended that these submissions be accepted, and I support those changes to this chapter also. In terms of screening of waste storage areas, this issue is addressed in submissions on the Commercial Zones Chapter, however the rule provisions are different to those of the Hospital Zone, therefore the submission points are not directly comparable.
166. The O'Connor Institute Trust Board (S466.005) and Frank and Jo Dooley (S478.005) seek that rules R 1.3 and R1.5 are amended so they don't contradict each other. I support these submissions in part. Standard R1.3 relates to maximum building length against a residential boundary and is intended to restrict bulky large buildings close to the boundary of residential areas. R1.5 is the setbacks from the zone boundary. In both instances there is a 5m setback from a residential zone. This is not a contradiction, though Standard R1.3 is effectively pointless as the requirement to comply with standard 1.5 means R1.3 is unnecessary. I therefore recommend deleting standard R1.3.
167. The O'Connor Institute Trust Board (S466.006) and Frank and Jo Dooley (S478.049) seek that the setback from the General Residential Zone boundary should be 2m rather than 5m. I do not support these submissions. The Hospital Zone is very enabling of a wide range of activities that could have adverse effects on the amenity of adjacent residential properties if these occur too close to the boundary. A 5m setback ensures that large buildings, and potentially noisy activities, do not impinge on the amenity values of adjacent residential property.

168. Te Mana Ora (S190.1142) support Rule HOSZ – R2. Buller District Council (S538.595) seek that the Medical Centres be included within the rule. I support this submission as this was the intention of the rule.
169. Te Mana Ora (S190.1143) support Rule HOSZ – R3. This support is noted.
170. Buller District Council (S538.596) seeks that the exception for hose drying towers in relation to the height standards be removed in HOSZ – R3. They consider that these facilities are unlikely to be located within the Hospital Zone therefore the exception is unnecessary. I support this submission and note that there are no fire station activities located with sites identified within this zone.
171. Te Mana Ora (S190.1144) and Buller District Council (S538.597) support HOSZ – R4. This support is noted.
172. Te Mana Ora (S190.1145) and Buller District Council (S538.598) support HOSZ – R5. This support is noted.
173. Te Mana Ora (S190.1146) and Grey District Council (S608.795) support HOSZ – R6. This support is noted.
174. Buller District Council (S616.011) seek that Rule HOSZ - R6 – relocated buildings be deleted. They consider that as these buildings are regulated under the Building Act, the need for specific provisions in the TTPP are unnecessary. I support this submission, as I consider the main reason that there are provisions in TTPP around relocated buildings is to address amenity provisions. Building consents are also required for all relocated buildings and within the Hospital Zone I consider that further regulation under the district plan is unnecessary.
175. New Zealand Heavy Haulage Association Inc (S616.011) seek amendments to Rule HOSZ – R6. I do not support this submission as I recommend that the rule is deleted.
176. Te Mana Ora (S190.11447, S190.11448, S190.11449, S190.1150, S190.1151, S190.1152) and Buller District Council (S538.600, S538.601, S538.602, S538.603, S538.604, S538.605) support HOSZ – R7 – R12. This support is noted.
177. Grey District Council (S608.796) seek that HOSZ – R7 be amended to include an additional matter of discretion around the wastewater, water supply and stormwater management design compliance with NZS 4404: 2010. I support this submission as ensuring that hospitals are served by appropriately designed and located water services infrastructure is an important requirement for managing adverse effects on the environment.
178. The O'Connor Institute Trust Board (S466.007) and Frank and Jo Dooley (S478.050) support HOSZ – R10 provided that the definition of Healthcare and Medical Activities is amended as per their other submission points. I note that I have not supported all the amendments sought by these submitters to the definition. While there is some provision for some types of supported residential care in the definition, the Hospital Zone is not intended to be a zone that is predominantly used for residential activities. The zone is very enabling of activities that would not be acceptable in a residential area and are generally located in commercial zones. It may be that if the O'Connor Home does not consider that it can operate within the Permitted Activity standards of the Hospital Zone that it could be incorrectly zoned – and another Zone may be more appropriate. I invite the O'Connor Institute Trust Board and Frank and Jo Dooley to address this matter at the hearing.
179. Te Mana Ora (S190.1151 and S190.1152) and Buller District Council (S538.604 and S538.605) support HOSZ – R11 and HOSZ – R12. This support is noted.

Recommendations

180. That the definition of Healthcare and Medical Activities be amended as follows:

Healthcare and Medical Activities

means

- a. medical and psychiatric assessment, diagnosis, treatment, rehabilitation and in-patient services, including operating theatres;
- b. dispensaries;
- c. outpatient departments and clinics;
- d. medical research and testing facilities, including diagnostic laboratories;
- e. medical training and education;
- f. ambulance facilities;
- g. first aid and other health-related training facilities;
- h. rehabilitation facilities, including gymnasiums and pools;
- i. palliative facilities;
- j. hospice facilities;
- k. aged care facilities;
- kl. residential care services and facilities;
- lm. temporary living accommodation;
- mn. secure facilities;
- no. mortuaries; and
- op. operations and maintenance support services, including laundries, kitchens, cafeterias, refreshment facilities, generators, substation, storage facilities, ancillary offices, ancillary retail, ancillary childcare and ancillary business services and workshops.

181. That the following amendments be made to the Hospital Zone Rules:

HOSZ – R1
Healthcare and Medical Activities and Buildings
Activity Status Permitted

Where:

1. Any ancillary commercial activity does not exceed 200m² gross floor area or 10% of the hospital building footprint per commercial activity per site, whichever is the lesser;
2. The maximum building height above ground level is:
 - a. 12 metres at the Te Nikau Grey Hospital, Reefton Hospital and Buller Integrated Health Centre Site; and
 - b. 10m at all other locations in the zone; and
 - c. This does not include solar water heating components, antennas, aerials, flues, chimneys, satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) that do not exceed the height by more than 1m.
3. ~~The maximum building length is 20m where this is within 5m of an adjoining RESZ – Residential Zone;~~
4. All outdoor rubbish and collection areas must be fully screened with a fence that is 1.8m in height measured from ground level;
5. Any building or structure including car parking areas, outdoor storage and rubbish collection areas must be setback:
 - a. 5m from any RESZ - Residential Zone or OSRZ - Open Space and Recreation Zone; and
 - b. 5m from the road boundary; and
6. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary ~~except where neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing.~~ This standard does not apply to:
 - a. Road boundaries;
 - b. Buildings on adjoining sites that have a common wall along the boundary;
 - c. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard;

- d. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; and
- e. Solar panels and solar water heaters, provided these do not exceed the height in relation to boundary plane by more than 0.5m vertically.

Advice Note:

1. Where Healthcare and Medical Facilities are located within one of the Natural Hazard Overlays, the relevant rules for sensitive activities and critical response facilities of the Natural Hazards Chapter will apply.
2. Where Healthcare and Medical Facilities are located within the Airport Noise Contour boundary, the acoustic insulation requirements of Rule NOISE - R3 will apply.
3. Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to the relevant district council.

Activity status where compliance not achieved: Restricted Discretionary

HOSZ – R2 Helicopter facilities including helicopter pads and associated fuelling and servicing facilities.

Activity Status Permitted.

Where:

1. These are located at the Te Nikau Grey Hospital, Reefton Hospital or Buller Integrated Health Facility or Medical Centre sites only;
2. All performance standards for Rule HOSZ – R1 are complied with.

HOSZ - R3 Community Facilities and Emergency Service Facilities

Activity Status Permitted

Where:

1. All performance standards for Rule HOSZ -R1 are complied with ~~except that hose drying towers associated with Emergency Service Facilities are exempt from height standards~~; and
2. Any community facility is ancillary to and/or supports healthcare and medical activity.

~~**HOSZ – R6 Relocated Buildings**~~

~~**Activity Status Permitted**~~

~~Where:~~

- ~~1. All performance standards for Rule HOSZ –R1 are complied with;~~
- ~~2. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within a 12-month period;~~
- ~~3. The building shall be located on permanent foundations approved by building consent no later than 2 months of the building being moved to the site; and~~
- ~~4. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. This reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.~~

~~**Activity status where compliance not achieved:** Restricted Discretionary~~

HOSZ - R7 Activities, Buildings, Facilities, Minor Structures, Fences, Walls and Retaining Walls Provided for as Permitted Activities but not meeting the Permitted Activity Standards

Activity Status Restricted Discretionary

Discretion is restricted to:

- a. Design, size and location of buildings, structures and facilities;

- b. Screening, planting and landscape measures;
- c. Shading and privacy impacts on neighbouring properties;
- d. Any adverse effects on the streetscape;
- e. Any adverse effects on the amenity of neighbouring properties;
- f. The extent to which the infringement is necessary due to the shape, natural or physical features of the site; ~~and~~
- g. The extent to which any helicopter facilities are ancillary to and necessary for effective Healthcare and Medical Activities in the zone; and
- h. Management of wastewater, stormwater and water supply in accordance with the relevant requirements of NZS 4044: 2010.

182. That the Ngakawau Medical Centre site at 1B Main Road Hector is rezoned Hospital Zone.

183. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

9.0 Māori Purpose Zone

9.1 Submissions on the MPZ as a Whole and the Relevant Definitions

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
IWI/PAPATIPU RŪNANGA MANAGEMENT PLAN			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.034	Amend	Retain the definition with the following amendments: IWI/PAPATIPU RŪNANGA MANAGEMENT PLAN: means a plan developed by Poutini Ngāi Tahu and is either: (1) a. Endorsed by the relevant Poutini Ngāi Tahu papatipu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio; or b. In areas where the takiwā of the two rūnanga overlaps endorsed by both rūnanga; c. Which includes the following information for any site it applies to: i. a description of activities, buildings and structures, existing or proposed to be established within any development area; ii. the bulk and location of any buildings and structures; iii. how any adverse effects resulting from proposed activities, particularly at zone boundaries, will be avoided, remedied or mitigated; iv. the provision of sufficient infrastructure to service the needs of all activities proposed to be established; and v. the protection of mauri of any identified features potentially affected by any activities, buildings or structures proposed to be established. <u>Or (2) A relevant planning document recognised by Te Rūnanga o Ngāi</u>

			<u>Tahu as the iwi authority as an Iwi Management Plan.</u>
Māori Land			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.035	Oppose	Delete the definition
Māori Purpose Activities			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.036	Support	Retain as notified.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.069	Amend	Clarify the intended meaning of 'and/or integrated Māori development' and amend if appropriate.
<i>Buller District Council</i>	<i>FS149.064</i>	<i>Support in part</i>	<i>Allow in part</i>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.425	Amend	Clarify difference between this and 'Poutini Ngāi Tahu activities' – both in the definitions and the various Plan provisions and amalgamate if appropriate.
Poutini Ngāi Tahu Activities			
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.074	Amend	Clarify difference between this and 'Māori Purpose activities' – both in the definitions and the various Plan provisions and amalgamate if appropriate.
Papakāinga			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.037	Support	Retain as notified
Te Tumu Paeroa - The office of the Māori Trustee (S440)	S440.001	Amend	Amend definition to include Māori landowners who whakapapa but may not be registered members of Poutini Ngāi Tahu as follows: Papakāinga means a development for Poutini Ngāi Tahu residing on the West Coast <u>and/or other Māori landowners</u> providing residential accommodation for members, <u>underlying owners</u> and their whānau and includes communal buildings and facilities.

<i>Te Rūnanga o Ngāi Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.457</i>	<i>Oppose</i>	<i>Disallow</i>
Papatipu Rūnanga			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.038	Amend	Amend as follows: has the same meaning as in the Ngāi Tahu Claims Settlement Act 1998 (as set out below) means the Papatipu Rūnanga of Ngāi Tahu Whānui referred to in section 9 of Te Rūnanga o Ngāi Tahu Act 1996.
Overview			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.268	Amend	Amend as follows: The MPZ—Māori Purpose Zone incorporates a variety of land types, but it is only Māori Land that should benefit from these provisions and enjoy the additional activities that can be undertaken within the Zone. When land is no longer Māori Land in this zone, other zone provisions should apply and a Plan Change will be required to amend the zone. Other relevant Te Tai o Poutini Plan provisions It is important to note that in addition to the provisions in this chapter, a number of Part 2: District-wide Matters chapters also contain provisions that may be relevant for activities in the GRUZ—General Rural Zone <u>Māori Purpose Zone</u> , including: Overlay Chapters - the Overlay Chapters have provisions in relation to historic heritage; notable trees; sites and areas of significance to Māori; biodiversity; landscape ; riparian areas; natural hazards; and the coastal environment. Where an activity is located within an overlay area (as identified in the planning maps) then the relevant overlay provisions apply. General District Wide Matters - provisions in relation to <u>subdivision, financial contributions, earthworks, signs and activities on the surface of water</u> in particular may be relevant to many activities.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.399	Amend	Make clear in the Overview, and in the rules for this zone, that the provisions of the ECO chapter (as amended by the F&B submission) also apply. Also specify the other chapters that are relevant, including CE, EW, NC, NFL.
Chapter as a Whole			
Westland District Council (S181)	S181.055	Support	Retain the objectives, policies and rules.

Buller District Council (S538)	S538.579	Support	Retain as notified.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.267	Support	Retain notified version, except where specified below.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1175	Support	Retain support for Tino rangātiratanga
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.305	Amend	Change the zoning for the cultural redress land known as Lake Moeraki Reserve (Lot 1 Deposited Plan 3772), SASM 185 within this plan, from General Rural Zone to Māori Purpose Zone.
The Proprietors of Māwhera Tiamana Māwhera Incorporation (S621)	S621.030	Oppose	Oppose zoning OSREZ – P6' CMUZ – P1, CMUZ -PREC 1, P1, P3, P5 c, GRUZ -18 e, GRUZ – R25 e, RLZ – R15 e, BCZ 4 e, MINZ -P6, MPZ, SVZ- P5 & P6 and R5 d over Māwhera Inc property
Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)	S620.278	Support	Consequential amendments following from relief sought above regarding the identification of which specific overlays apply

Analysis

Definitions

184. Ngāi Tahu (S620.034) support the definition of Iwi/Papatipu Rūnanga Management Plan with an amendment to refer to a relevant planning document recognised by Te Rūnanga o Ngāi Tahu as the iwi authority as an Iwi management plan. I do not support the addition of the alternative that any relevant Iwi Management Plan proposed. The purpose of the Iwi/Papatipu Rūnanga Management Plan is to give confidence to the Councils that matters of amenity and infrastructure and in particular neighbour impacts of development are appropriately identified and managed while allowing for a wide range of activities on Māori Purpose Zone land that is substantially more than other, comparable, rural zoned land.
185. Ngāi Tahu (S620.035) seek that the definition of Māori Land be deleted. I do not support this submission. Since this submission was made Ngāi Tahu and Te Tumu Paeroa have released a joint statement in relation to the definition of papakāinga which relies on the definition of Māori Land (with some amendment) and therefore I consider in light of this that the definition should remain in the plan, with that agreed amendment.
186. Ngāi Tahu (S620.036) support the definition of Māori Purpose Activities. This support is noted. Forest and Bird (S560.425, S560.074) seek that the difference between the definition of Māori Purpose Activities and Poutini Ngāi Tahu Activities be clarified. I support these submissions in part. Both terms are already defined. Māori Purpose Activities specifically relates to activities undertaken in the Māori Purpose Zone – and is a wider list of activities than Poutini Ngāi Tahu Activities which are undertaken across the West Coast and outside of Māori Purpose Zones. I note that other recommended changes to the Plan in other s42A reports help provide this clarification.

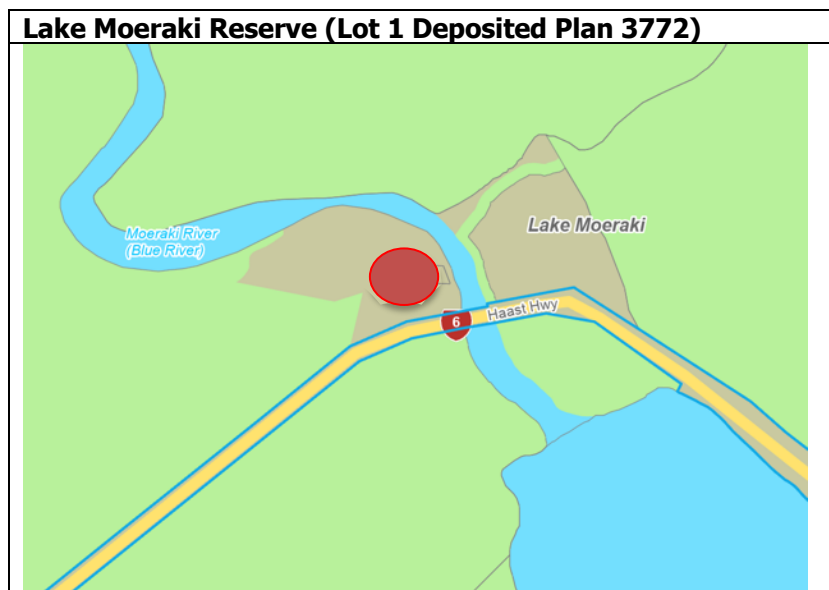
187. Forest and Bird (S560.069) seek that the intended meaning of “integrated Māori development” within the definition of Māori Purpose Activities be clarified. I do not support this submission as I consider that the fairly exhaustive list (a – t) in the definition makes it clear the types of development that may be involved in an “integrated Māori development”.
188. Ngāi Tahu (S620.037) supports the definition of papakāinga. Te Tumu Paeroa (S440.001) seek that this be amended. As is discussed above, since these submissions were made Ngāi Tahu and Te Tumu Paeroa have released a joint statement in relation to the definition of papakāinga. I therefore support these submissions in part, and the inclusion of the agreed definition.
189. Ngāi Tahu (S620.038) seek that the definition of Papatipu Rūnanga be amended to be consistent with how other definitions which are taken from legislation are set out. I support this submission as it improves Plan consistency.

Overview

190. Ngāi Tahu (S620.268) seeks that the overview be amended to delete the paragraph that relates to what might happen if land ceases to be Māori Land, correct an incorrect reference to the General Rural Zone, delete the reference to landscape in the overlay provisions description and add subdivision and financial contributions into the description of the district wide matters chapter. I support this submission in part in that I consider the deletion of the paragraph about what happens if the land ceases to be Māori Land is appropriate.
191. I do not support the amendments to the “Other relevant Te Tai o Poutini Plan provisions” as I have, in the Introduction and General Provisions recommended that a Forest and Bird submission be accepted which standardises how this section of the Overview for each zone is drafted. I also do not support the deletion of the reference to the landscape chapter as there are provisions which relate to Māori Purpose Zone land within that chapter.
192. Forest and Bird (S560.399) seek that it is made clear in the Overview, and in the rules for this zone, that the provisions of the ECO chapter (as amended by the F&B submission) also apply. They also seek that the other chapters that are relevant, including CE, EW, NC, NFL are referenced. I support this submission in part. I consider that the “Other relevant Te Tai o Poutini Plan provisions” section of the Overview is the appropriate location for this information, as per the standard format I have recommended in relation to the other submissions on this matter discussed in other s42A reports. I do not support widespread addition of advice notes to rules referring readers to the ECO chapter provisions, as I consider this is unnecessary duplication.

Chapter as a Whole

193. Westland District Council (S181.055) and Buller District Council (S538.579) support the chapter. Te Mana Ora (S190.1175) support tino rangatiratanga. This support is noted.
194. Ngāi Tahu (S620.305) seek that cultural redress land known as Lake Moeraki Reserve (Lot 1 Deposited Plan 3772), SASM 185 within this plan, be rezoned from General Rural Zone to Māori Purpose Zone. The Lake Moeraki Reserve was vested back to Te Rūnanga o Ngāi Tahu through the Ngāi Tahu Claims Settlement Act, however the current zoning (General Rural Zone) would limit the cultural activities that can occur on the land. I support this submission as the land is consistent with the criteria for Māori Purpose Zone. The location of this property is shown on the map below:



195. Māwhera Incorporation (S621.030) oppose the zoning of some of their lands as Māori Purpose Zone. However, their submission states that the reasons are that they oppose any sort of zoning being placed across their land. They also oppose other zoning of their other properties across the West Coast. I do not support this submission. All land on the West Coast is required to be zoned, and this includes all Māwhera Incorporation land. I am not able to determine from the submission whether there is a specific objection to the Māori Purpose Zone – which I note is considerably more enabling of development than if the land was zoned General Rural, which would be the alternative zone. I invite Māwhera Incorporation to provide their views on appropriate zoning of their lands at the hearing.
196. Ngāi Tahu (S620.278) seek that this chapter is amended to reflect relief sought in their submissions on overlay provisions, as they consider that in some cases the zone provisions should have primacy over the overlays. I do not support this submission. The structure of the Plan is clear and provides that overlay provisions in the District Wide Matters section of the plan sit over the zones. These provisions generally address matters provided for in Section 6 of the RMA. There are circumstances where these provisions do “talk to” the zone provisions, but this is most appropriately detailed within the District Wide Matters section of the plan.

Recommendations

197. That the Overview of the Māori Purpose Zone Chapter be amended as follows:

....

Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to the provisions in this chapter, a number of Part 2: District-wide Matters chapters also contain provisions that may be relevant for activities in the GRUZ—General Rural Zone MPZ – Māori Purpose Zone, including:

- a. ~~**Overlay Chapters**—the Overlay Chapters have provisions in relation to historic heritage; notable trees; sites and areas of significance to Māori; biodiversity; landscape; riparian areas; natural hazards; and the coastal environment. Where an activity is located within an overlay area (as identified in the planning maps) then the relevant overlay provisions apply.~~

Sites and Areas of Significance to Māori, Historic Heritage and Notable Tree Chapters - there may be sites and areas of significance to Māori, historic heritage or notable trees identified on individual sites within the Māori Purpose Zone. Specific information on the provisions that apply to these can be found in

the Sites and Areas of Significance to Māori, Historic Heritage, and Notable Trees Chapters.

Natural Hazards - natural hazards are widespread on the coast and in some locations natural hazard overlays may affect areas in the Māori Purpose Zone. Information on natural hazard overlays and provisions can be found in the Natural Hazards chapter.

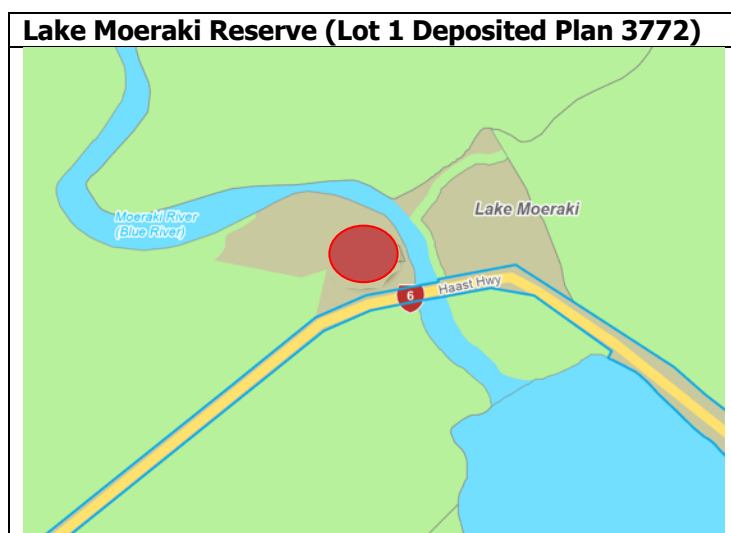
Natural Character and Margins of Waterbodies -in some locations areas of Māori Purpose Zone may extend into the riparian margins of waterbodies. The Natural Character and Margins of Waterbodies Chapter contains provisions on how these areas must be managed.

Ecosystems and Biodiversity – The Ecosystems and Biodiversity chapter contains the provisions around the management of indigenous vegetation, including within the Māori Purpose Zone.

Coastal Environment - where activities occur within the coastal environment, including areas of high or outstanding coastal natural character, the Coastal Environment chapter contains provisions for activities within these areas

General District Wide Matters - provisions in relation to earthworks, signs, subdivision and activities on the surface of water in particular may be relevant to many activities.

198. That the land known as Lake Moeraki Reserve (Lot 1 Deposited Plan 3772), SASM 185 within this plan, be rezoned from General Rural Zone to Māori Purpose Zone. This land is shown in the map below:



199. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

9.2 Submissions on the MPZ Objectives

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
MPZ – O1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1176	Support	Retain objective

Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.269	Amend	Amend as follows: The use and possession of ancestral land by Poutini Ngāi Tahu and Te Rūnanga o Ngāi Tahu is recognised and provided for within the MPZ - Māori Purpose Zone, within which Ngāi Tahu are able to exercise Tino raNgātiratanga.
Te Tumu Paeroa - The office of the Māori Trustee (S440)	S440.048	Support in part	The Māori Trustee considers that 'ancestral lands', 'Poutini Ngāi Tahu land' and 'Te Rūnanga o Ngāi Tahu land' should be defined in the definitions chapter of the Proposed Plan. The Māori Trustee considers that the following amendment needs to be made to objective MPZ O1. Amendments O1. The use and possession of ancestral land by Poutini Ngāi Tahu, Te Rūnanga o Ngāi Tahu <u>and Māori landowners</u> is recognised and provided for within the MPZ - Māori Purpose Zone, within which Ngāi Tahu <u>and Māori landowners</u> are able to exercise tino raNgātiratanga.
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.444</i>	<i>Oppose</i>	<i>Disallow</i>
MPZ – O2			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.270	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1177	Support	Retain objective
Te Tumu Paeroa - The office of the Māori Trustee (S440)	S440.049	Support in part	The Māori Trustee considers that the following amendment needs to be made to objective MPZ O2. Amendments O2. The MPZ - Māori Purpose Zone specifically provides for Poutini Ngāi Tahu <u>and Māori landowners'</u> needs and activities, including residential, social, cultural, environmental and economic use and development to:...
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.445</i>	<i>Oppose</i>	<i>Disallow</i>
MPZ – O3			

WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.139	Support	Retain
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1178	Support	Retain objective
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.271	Amend	The use and development significant coverage of identified natural environment overlays across some parts of the MPZ— Māori Purpose Zone and the contribution their values make to the wider community is recognised, and the appropriate use and development of the Zone is provided for while recognising identified natural environment overlays and the contributions their values make to the wider community.

Analysis

MPZ – O1

200. Te Mana Ora (S190.1176) support this objective. This support is noted.
201. Ngāi Tahu (S620.269) seek that the objective be amended to delete the word “ancestral” in relation to land and delete the reference to Te Rūnanga o Ngāi Tahu. I support this submission. I agree the term “ancestral land” is confusing and unnecessary in this context. I agree the reference to Te Rūnanga o Ngāi Tahu should be deleted as it is included within the definition of Poutini Ngāi Tahu.
202. Te Tumu Paeroa (S440.048) seeks that the objective be amended to refer to Māori Landowners alongside Poutini Ngāi Tahu. I do not support this submission.
203. As I have outlined in previous s42A reports, the statutory relationship with Poutini Ngāi Tahu is completely different to that with Māori Landowners. TTPP has been drafted to recognise that statutory relationship, the law as set out in the Ngāi Tahu Claims Settlement Act and the Te Rūnanga o Ngāi Tahu Act. West Coast Regional Council has also entered into a Mana Whakahono a Rohe relationship with Poutini Ngāi Tahu. This, and other objectives and policies give effect to those legal directions and agreements. Māori landowners do not have this statutory relationship or legal directions.
204. This submission also seeks a definition for ancestral land and Poutini Ngāi Tahu land. I do not support this as I consider they are unnecessary definitions. “Ancestral land” has been recommended to be removed from the plan in the s42A reports that cover provisions that use this term, and Poutini Ngāi Tahu land is used once, in one strategic direction policy.

MPZ – O2

205. Ngāi Tahu (S620.270) and Te Mana Ora (S190.1177) support this objective. This support is noted.
206. Te Tumu Paeroa (S440.049) seeks that the objective be amended to refer to Māori Landowners alongside Poutini Ngāi Tahu. I do not support this submission for the same reasons as are outlined in relation to MPZ – O1 above.

MPZ – O3

207. WMS Group (S599.139) and Te Mana Ora (S190.1178) support this objective. This support is noted.

208. Ngāi Tahu (S620.271) seek a rewording of the objective to make it clearer and less clunky. I support this submission as I consider it makes the objective clearer and simpler, although I have made some changes to improve the grammar of the final wording

Recommendations

209. That the following amendments be made to the Māori Purpose Zone Objectives:

MPZ - O1 The use and possession of ~~ancestral~~ land by Poutini Ngāi Tahu ~~and Te Rūnanga o Ngāi Tahu~~ is recognised and provided for within the MPZ - Māori Purpose Zone, within which Ngāi Tahu are able to exercise tino rangatiratanga.

MPZ - O3 The use and development of the MPZ - Māori Purpose Zone is provided for while recognising identified natural environment overlays and the contribution their values make to the wider community is recognised, ~~and the appropriate use and development of the Zone is provided for.~~

210. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

9.3 Submissions on the MPZ Policies

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
MPZ – P1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1179	Support	Retain policy.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.272	Amend	Amend as follows: Enable the incorporation of <u>whanaungatanga</u> [include link], <u>mātauranga</u> [include link] and tikanga in relation to the use, design and layout of development within the MPZ - Māori Purpose Zone. Retain link for tikanga
MPZ -P2			
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.140	Support	Retain
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1180	Support	Retain policy.

Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.273	Amend	Amend as follows: Enable the use and development of the land in the MPZ - Māori Purpose Zone for a wide range of activities to support the Poutini Ngāi Tahu community, including: a. ...e...While i. Ensuring any significant adverse effects from these activities on adjoining landowners beyond the zone and wider environment are mitigated or remedied; and
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.406	Amend	...ii. Requiring that the above activities are adequately serviced with on-site or community scale facilities <u>for water supply, wastewater and stormwater.</u>
Te Tumu Paeroa - The office of the Māori Trustee (S440)	S440.050	Support in part	The Māori Trustee considers the following amendments need to be made to policy MPZ P2. Amendments P2. Enable the use and development of the land in the MPZ - Māori Purpose Zone for a wide range of activities to support the Poutini Ngāi Tahu <u>community and Māori landowners,</u> including:
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.446</i>	<i>Oppose</i>	<i>Disallow</i>
Buller Conservation Group (S552)	S552.198	Amend	Amend to read "Ensuring any significant adverse effects from these activities on adjoining landowners beyond the zone and the wider environment are <u>avoided</u> mitigated ;
Frida Inta (S553)	S553.198	Amend	Amend to read "Ensuring any significant adverse effects from these activities on adjoining landowners beyond the zone and the wider environment are <u>avoided</u> mitigated ;
MPZ – P3			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1181	Support	Retain policy.
Buller Conservation Group (S552)	S552.199	Amend	Add <u>e. Indigenous biodiversity is protected.</u>
Frida Inta (S553)	S553.199	Amend	Add <u>e. Indigenous biodiversity is protected.</u>
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.274	Oppose	Delete the policy as it duplicates P2:

MPZ – P4			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.275	Support	Retain notified version
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1182	Support	Retain policy.
MPZ – P5			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.276	Support	Retain notified version
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1183	Support	Retain policy.
MPZ – P6			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.277	Support	Retain as notified
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1184	Support	Retain policy.
Te Tumu Paeroa - The office of the Māori Trustee (S440)	S440.051	Support in part	The Māori Trustee considers the following amendment needs to be made to policy MPZ P6. Amendments P6. Support the future application of the MPZ - Māori Purpose Zone to locations where it will enable the use and development of land in accordance with tikanga Māori and to meet Poutini Ngāi Tahu <u>and Māori landowners'</u> needs.
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.447</i>	<i>Oppose</i>	<i>Disallow</i>

Analysis

MPZ – P1

211. Te Mana Ora (S190.1179) supports this policy. This support is noted.
212. Ngāi Tahu (S620.272) seeks that links to the glossary for the terms whanaungatanga and mātauranga be included in the e-plan version of the Plan. I support this submission as it corrects an error in the plan whereby the electronic links were not included.

MPZ – P2

213. Te Mana Ora (S599.140) and WMS Group (S599.140) support policy MPZ – P2. This support is noted.
214. Ngāi Tahu (S620.273) seek that clause i. is amended to add "or remedied" alongside "are mitigated" in relation to significant adverse effects on adjoining landowners. I support this submission as I recognise that these effects could be remedied rather than mitigated. They also seek (S620.406) that it is made clear that the on-site or community scale facilities are those "for water supply, wastewater and stormwater". I support this submission also as it clarifies the intent of the policy.
215. Te Tumu Paeroa (S440.050) seek that this policy refer to Māori Landowners. I do not support this submission for the same reasons as outlined under Objective 1.
216. Buller Conservation Group (S552.198) and Frida Inta (S553.198) seeks that this policy be amended to delete the word "significant" in relation to adverse effects and to replace "mitigated" with "avoided". I do not support these submissions. In relation to the term "avoid" this is generally associated with non-complying activities and this policy supports Permitted Activities. In relation to deletion of the word "significant" I consider this is also inappropriate.

MPZ – P3

217. Te Mana Ora (S190.1181) support this policy. This support is noted.
218. Buller Conservation Group (S552.199) and Frida Inta (S553.199) seek an additional clause "e. Indigenous biodiversity is protected". I do not support this submission. I consider that matters around indigenous biodiversity are subject to the ecosystems and biodiversity chapter which is cross referenced in the overview to this chapter.
219. Ngāi Tahu (S620.274) seek that this policy be deleted as they consider it duplicates MPZ – P2. I do not support this submission. Policy MPZ – P2 focuses on the types of activities that are provided for in the zone, Policy MPZ – P3 is focussed on the outcomes that should be achieved as those activities are undertaken.

MPZ – P4/ MPZ – P5

220. Te Mana Ora (S190.1182 S620.1183) and Ngāi Tahu (S620.275, S620.276) support these policies. This support is noted.

MPZ – P6

221. Te Mana Ora (S190.1184) and (S620.277) support this policy. This support is noted.
222. Te Tumu Paeroa (S440.051) seek that this policy refer to Māori Landowners. I do not support this submission for the same reasons as outlined under Objective 1.

Recommendations

223. That links to the glossary for the terms whanaungatanga and mātauranga be included in the e-plan version of the Plan.
224. That the following amendments be made to the Māori Purpose Zone Policies:

MPZ - P2

Enable the use and development of the land in the MPZ - Māori Purpose Zone for a wide range of activities to support the Poutini Ngāi Tahu community, including:

- a. Single dwellings, multiple dwellings, and papakāinga housing;
- b. Marae complexes;
- c. Cultural uses including harvest of mahinga kai;
- d. Social, recreational, educational and community facilities; and
- e. Farming and other economic activities.

While

- i. Ensuring any significant adverse effects from these activities on adjoining landowners beyond the zone and the wider environment are remedied or mitigated; and

Requiring that the above activities are adequately serviced with on-site or community scale facilities for water supply, wastewater or stormwater.

225. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

9.4 Submissions on the MPZ Rules

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Permitted Activities			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.279	Support	Include "emergency services facility" and "public amenities" as permitted activities in the Māori Purpose Zone and develop appropriate activity standards.
MPZ – R1 Māori Purpose Activities			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1185	Support	Retain rule.
Waka Kotahi NZ Transport Agency (S450)	S450.300	Support	Retain as proposed.
Grey District Council (S608)	S608.800	Support	Amend wording of standards 5 and 6 to require connection to reticulated services in areas fully serviced, and in areas not serviced systems to be designed and constructed in compliance with NZS4404:2010.
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.743</i>	<i>Oppose</i>	<i>Disallow</i>

Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.280	Amend	Amend as follows: Māori Purpose Activities: Activity Status Permitted Where: 1. The maximum gross ground floor area of a single building is 500m ² ; 2. Maximum building height above ground levels is 10m; 3. Maximum <u>building site</u> coverage is 450%; 4. Buildings are setback a minimum of 10 4.5m from the road boundary, 20m from the State Highway Boundary, and 5 1m from internal boundaries, except that: a. In the Arahura Pā settlement buildings are set back 5m from the road and any GRUZ - General Rural Zone or INZ - Industrial Zone boundary and 1m from internal boundaries; 5. The average residential density is no more than 1 unit per 5 300m ² net site area in areas fully serviced by a network utility operator with wastewater, water supply and stormwater systems; and 6. In areas not serviced by network utility operated wastewater, stormwater and water supply the average dwelling/papakāinga building density is no more than one unit and one minor residential unit per 1000m ² net site area <u>or the density is proportionate to the carrying capacity of the land and infrastructure to manage wastewater and stormwater on-site.</u>
MPZ – R2 Agricultural, Pastoral or Horticultural Activities or Buildings			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.281	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1186	Support	Retain rule.
MPZ – R3 Conservation and Recreation Activities			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.282	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1187	Support	Retain rule.

MPZ – R4 Residential Activities			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.283	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1188	Support	Retain rule.
Waka Kotahi NZ Transport Agency (S450)	S450.301	Support	Retain as proposed.
Grey District Council (S608)	S608.801	Support	Not stated
Westport Rifle Club Incorporated (S457)	S457.012	Amend	add a point: vi. to read 250m of a Rifle Range Protection Area identified in the Rifle Range Protection Area overlay then the acoustic insulation requirements as set out in Rule NOISE - R3 will apply.
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.134</i>	<i>Oppose</i>	<i>Disallow</i>
MPZ – R5 Minor Structures			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.284	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1189	Support	Retain rule.
MPZ – R6 Fences, Walls and Retaining Walls			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1190	Support	Retain rule.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.285	Amend	Amend as follows: MPZ-R6 Fences, Walls and Retaining Wall - Activity Status Permitted Where: 1. Fences, walls and retaining walls are a maximum 2m height above ground level; and 2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.
MPZ – R7 Relocated Buildings			

Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.286	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1191	Support	Retain rule.
Grey District Council (S608)	S608.802	Support	Retain as proposed.
New Zealand Heavy Haulage Association Inc (S616)	S616.013	Amend	Amend permitted activity status to read: ...2. Any relocated building intended for use as a dwelling must have previously been designed, and built to be and used as a dwelling. 3. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within a <u>the specified</u> [12] month period4. The building shall be located on permanent foundations approved by building consent, no later than [2] months of the building being moved to the site. 5. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within [12] months of the building being delivered to the site. <u>Without limiting (c) (above)</u> This reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
MPZ – R8 Visitor Accommodation that is not in a Marae Complex			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.287	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1192	Support	Retain rule.

Waka Kotahi NZ Transport Agency (S450)	S450.302	Support	Retain as proposed.
Westport Rifle Club Incorporated (S457)	S457.013	Amend	Point vi. Should be redrafted to read 250m of a Rifle Range Protection Area identified in the Rifle Range Protection Area overlay.
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.136</i>	<i>Oppose</i>	<i>Disallow</i>
Westport Pistol Club (S336)	S336.015	Amend	Point vi. Should be redrafted to read 250m of a Rifle Range Protection Area identified in the Rifle Range Protection Area overlay.
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.135</i>	<i>Oppose</i>	<i>Disallow</i>
Grey District Council (S608)	S608.127	Amend	Amend rule to read: 5 "Records of letting activity must be provided to the District Council <u>annually on request</u>
MPZ – R9 Community Facilities			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.288	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1193	Support	Retain rule.
MPZ – R10 Buildings and Other Activities in Accordance with an Iwi/Papatipu Rūnanga Management Plan not Provided for in another Permitted Activity Rule			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.289	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1194	Support	Retain rule.
Restricted Discretionary Activities			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.290	Amend	Insert the follow statement: <u>Any application for a restricted discretionary activity shall not be publicly notified, and may be limited notified only to directly abutting landowners (where the consent</u>

			authority considers this is required, and absent of written approval).
MPZ – R11 Māori Purpose Activities not meeting Permitted Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1195	Support	Retain rule.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.291	Amend	Amend as follows: Discretion is restricted to: a. The extent to which the proposal complies with any Iwi/Papatipu Rūnanga management plan in place for the site; or b. <u>If there is no Iwi/Papatipu Rūnanga management plan in place:</u> . i. Size, height, design and location of any buildings and structures; e ii landscape measures;-diii <u>Density of any residential buildings;</u> and e-iv. <u>Methods of water supply, wastewater and stormwater treatment and disposal.</u>
Grey District Council (S608)	S608.803	Support	Amend the matters of discretion to include provisions for the design and location of an access.
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.743</i>	<i>Oppose in part</i>	<i>Disallow in part</i>
MPZ – R12			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1196	Support	Retain rule.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.292	Amend	Amend as follows: Discretion is restricted to: 1. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site; <u>or 2. If there is no Iwi/Papatipu Rūnanga management plan in place:</u> i. Design and location of structures; and 3 ii. Landscape measures.
MPZ – R13 Relocated buildings not meeting Permitted Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1197	Support	Retain rule.

Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.293	Amend	Amend as follows: Discretion is restricted to: a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site; <u>or If there is no Iwi/Papatipu Rūnanga management plan in place</u> ; j. Design and location of structures; € ii Appearance of buildings; and đ iii.Landscape measures.
MPZ – R14			
Grey District Council (S608)	S608.804	Support	Retain as proposed.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1198	Support	Amend MPZ-R14 as follows: Activity Status Restricted Discretionary Where: <u>3. The activity does not occur within a Drinking Water Source Protection Zone (SPZ).</u>
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.294	Amend	Amend as follows: Discretion is restricted to: a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site; <u>or b. If there is no Iwi/Papatipu Rūnanga management plan in place</u> : Bulk and location of buildings; € ii . Management of traffic and parking; and đ iii. Management of odour; eiv. Landscape..
MPZ – R15			
Grey District Council (S608)	S608.805	Support	Retain as proposed.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1199	Support	Retain rule.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.295	Amend	Amend as follows: Visitor and temporary worker accommodation not meeting Permitted Activity Standards...Discretion is restricted to:1. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site; <u>or 2. If there is no Iwi/Papatipu Rūnanga management plan in place</u> :i. Number of visitors/workers staying on site; ...
MPZ – R16 Community Facilities not meeting Rule MPZ - R9			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1200	Support	Retain rule.

Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.296	Amend	Amend as follows: Discretion is restricted to:1. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site; <u>or 2. If there is no Iwi/Papatipu Rūnanga management plan in place</u> : i. Management of access ...
MPZ – R17 Non - rural Activities not meeting Permitted Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1201	Support	Retain rule.
Grey District Council (S608)	S608.806	Support	Retain as proposed.
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.141	Oppose	Delete
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.297	Oppose	Delete the rule.
MPZ – R18			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1202	Support	Retain rule.
Grey District Council (S608)	S608.807	Support	Retain as proposed.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.298	Amend	Amend as follows: Discretion is restricted to: a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site; <u>or b. If there is no Iwi/Papatipu Rūnanga management plan in place</u> The extent to which the activity could be undertaken more appropriately in another zone...
MPZ – R19 Agricultural, Pastoral and Horticultural Activities, Conservation and Recreation Activities not meeting Permitted, Controlled or Restricted Discretionary Activity Rules			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1203	Support	Retain rule.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.299	Amend	Amend as follows: Agricultural, Pastoral and Horticultural Activities, Conservation and Recreation Activities not meeting Permitted, Controlled or Restricted Discretionary Activity Rules

MPZ – R20 Rural Industry or Intensive Indoor Primary Production not meeting Permitted or Restricted Discretionary Activity Rules			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.300	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1204	Support	Retain rule.
MPZ – R21			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1205	Support	Retain rule.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.302	Oppose	Amend as follows: <u>Conservation and recreation</u> Non-rural Activities not meeting Permitted Activity Standards
MPZ – R22 Minor structures, Fences, Walls and Retaining Walls, and Relocated buildings not meeting Permitted or Restricted Discretionary Rules			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.303	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1206	Support	Retain rule.
MPZ – R23 Residential activities and visitor accommodation activities not meeting Permitted or Restricted Discretionary Rules			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.301	Support	Retain notified version.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1207	Support	Retain rule.
MPZ – R24 Any Activity not provided for in another Rule in the Zone			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.304	Support	Retain notified version.

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1208	Support	Retain rule.
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.142	Amend	Provide for minerals extraction as a discretionary activity

Analysis

Permitted Activities

226. Ngāi Tahu (S620.279) seek that “emergency services facility” and “public amenities” are provided for as a permitted activity. I support this submission in part in that I consider that emergency services facilities are appropriate within this zone and could be accommodated through an amendment to Rule MPZ – R9 (Community Facilities). I am however not clear what would be included as “public amenities” as this is not a term currently used in the Plan and do not support this part of the submission.

MPZ – R1 Māori Purpose Activities

227. Te Mana Ora (S190.1185) and Waka Kotahi (S450.300) support this rule. This support is noted.

228. Grey District Council (S608.800) seek that standards 5 and 6 be amended to require connection to reticulated services in areas fully serviced, and in areas not serviced systems to be designed and constructed in compliance with NZS4404:2010. I support this as it is consistent with the recommendations I have made in relation to other zones and the wider approach to these matters in the Plan.

229. Ngāi Tahu (S620.280) seek a number of amendments to the performance standards of this rule as follow:

- Changing site coverage to building coverage. I do not support this. Site coverage is the term used throughout the plan as it relates to impermeable surfaces and stormwater generation.
- Changing the area of maximum site coverage to 50% of the site from 40% of the site. I do not support this. The site coverage in this zone is the same as the General Rural Zone, reflecting the wider environment. These areas generally do not have reticulated stormwater systems and the submitter has not provided information about why a larger site coverage is appropriate.
- Reduction in setbacks from the road of 10m to 4.5m and reduction in setbacks from internal boundaries from 5m to 1m. I do not support this. The setbacks in this zone are the same as the General Rural Zone, reflecting the wider environment.
- Reduction in residential density to from no more than 1 unit per 500m² net site area in areas fully service by a network utility operator to 1 unit per 300m² net site area. I do not support this. These sites are likely to be located within small settlements and areas where urban densities are not in keeping with the wider character and amenity of the area.
- Reduction in residential density in areas unserved by wastewater, stormwater and water supply to an unspecified density consistent with the carrying capacity of the land and infrastructure. I do not support this. The advice I received from the Regional Council is that given rainfall levels across the West Coast, and soil types it is difficult to manage on site wastewater with less than 1000m² sites, and often larger areas are needed. I consider that reducing the density in these circumstances could result in adverse effects on the environment and is

inappropriate. I also consider the standard by the submitter is too vague for a Permitted Activity standard.

MPZ – R2/PZ – R3

230. Ngāi Tahu (S620.281, S620.282) and Te Mana Ora (S190.1186, S190.1187) support these rules. This support is noted.

MPZ – R4 Residential Activities

231. Ngāi Tahu (S620.283), Te Mana Ora (S190.1188), Waka Kotahi (S450.301) and Grey District Council (S608.801) support this rule. This support is noted.

232. Westport Rifle Club (S457.012) seek that there be reference to the Rifle Range Protection Area in this rule. I do not support this submission. There are no Māori Purpose Zone areas in that part of the Buller District therefore this is unnecessary.

MPZ – R5 Minor Structures

233. Ngāi Tahu (S620.284) and Te Mana Ora (S190.1189) support this rule. This support is noted.

MPZ – R6 Fences, Walls and Retaining Walls

234. Te Mana Ora (S190.1190) support this rule. This support is noted.

235. Ngāi Tahu (S620.285) seek that standard 2 of this rule in relation to use of the fence, retaining wall or wall be deleted. They consider this duplicates matters in the signs chapter. I agree and support this submission.

MPZ – R7 Relocated Buildings

236. Te Mana Ora (S190.1191), Ngāi Tahu (S620.286) and Grey District Council (S608.802) support this rule. This support is noted.

237. New Zealand Heavy Haulage Association Inc (S616.013) seek amendments to the rule that are consistent with other submissions they have made in other zones. I do not support this submission as I consider it would result in new pre-built residential housing moved onto a site potentially requiring a resource consent as it will not have been previously used as a dwelling. I do not support the other changes proposed as I do not consider they improve the clarity or enforceability of the rule.

MPZ – R8 Visitor Accommodation that is not in a Marae Complex

238. Te Mana Ora (S190.1192), Ngāi Tahu (S620.287) and Waka Kotahi (S450.302) support this rule. This support is noted.

239. Westport Rifle Club Incorporated (S457.013) and Westport Pistol Club (S336.015) seek that the rule be amended to refer to the Rifle Range Protection Area. I do not support these submissions. There is no Māori Purpose Zoned land within that part of Buller District.

240. Grey District Council (S608.127) seek that the rule be amended to read: 5 "Records of letting activity must be provided to the District Council annually ~~on request~~. I support this submission and this is consistent with amendments I have recommended for other zones in relation to equivalent rules.

MPZ – R9 Community Facilities

241. Te Mana Ora (S190.1193) and Ngāi Tahu (S620.288) support this rule. This support is noted.

MPZ – R10 Buildings and Other Activities in Accordance with an Iwi/Papatipu Rūnanga Management Plan not Provided for in another Permitted Activity Rule

242. Te Mana Ora (S190.1194) and Ngāi Tahu (S620.289) support this rule. This support is noted.

Restricted Discretionary Activities

243. Ngāi Tahu (S620.290) seek that a non-notification clause be applied to all Restricted Discretionary Activity Rules specifying that they will not be publicly notified and only will be limited notified to directly abutting landowners. I support this submission in part. I agree that public notification of the types of activities covered by these rules is inappropriate as they are not expected to generate significant adverse effects. However, I do not consider that restricting limited notification to only immediately abutting landowners is appropriate. There may be effects on amenity or other concerns that extend beyond the directly abutting sites.

MPZ – R11 Māori Purpose Activities not meeting Permitted Activity Standards

244. Te Mana Ora (S190.1195) support this rule. This support is noted.
245. Ngāi Tahu (S620.291) seek that if there is an iwi/Papatipu rūnanga management plan in place matters of discretion b-e do not apply. I do not support this submission. I consider that these matters are those where there is a potential for adverse environmental effects or effects on neighbouring amenity and that these matters need to be assessed and managed through consent conditions if necessary.
246. Grey District Council (S608.803) seek that an additional matter of discretion be added around the design and location of vehicle access. I support this submission as this could be an important consideration where, for example road setbacks are reduced or the development will include significant traffic generating activities.

MPZ – R12 Minor structures not meeting Permitted Activity Standards

247. Te Mana Ora (S190.1196) support this rule. This support is noted.
248. Ngāi Tahu (S620.292) seek that if there is an iwi/Papatipu rūnanga management plan in place matters of discretion 2-3 do not apply. I support this submission as I consider that as this rule relates only to structures (i.e. that do not meet the definition of building) up to 10m high that the risk of adverse off site effects is low, and that these would be appropriately managed in an Iwi/Papatipu Rūnanga Management Plan.

MPZ – R13 Relocated buildings not meeting Permitted Activity Standards

249. Te Mana Ora (S190.1197) support this rule. This support is noted.
250. Ngāi Tahu (S620.293) seek that if there is an iwi/Papatipu rūnanga management plan in place matters of discretion b-d do not apply. I support this submission. Buildings subject to this rule still have to comply with the performance standards for bulk/setbacks etc and I consider that the risk of adverse off site effects is low, and that these would be appropriately managed in an Iwi/Papatipu Rūnanga Management Plan.

MPZ – R14 Intensive indoor primary production

251. Grey District Council (S608.804) support this rule. This support is noted.
252. Te Mana Ora (S190.1198) seek that this rule be amended to include a requirement that the activity does not occur within a Drinking Water Source Protection Zone. I do not support this submission at this time. I agree that such a provision is appropriate – if Drinking Water Source Protection Zones were defined. However on enquiry, Te Mana Ora were not able to assist in mapping such zones. I have also enquired with the district councils and regional councils. Drinking water sources are not mapped, although I was able to obtain latitude and longitude references for those in Westland District. I invite Te Mana Ora to work with the drinking water suppliers to develop maps of the drinking water source protection areas to present to the hearings so that these can be considered within TTPP provisions.
253. Ngāi Tahu (S620.294) seek that if there is an iwi/Papatipu rūnanga management plan in place matters of discretion b-h do not apply. I do not support this submission. I consider that these matters are those where there is a potential for adverse environmental

effects or effects on neighbouring amenity and that these matters need to be assessed and managed through consent conditions if necessary.

MPZ – R15 Visitor and temporary worker accommodation not meeting Permitted Activity Standards

254. Grey District Council (S608.1199) and Te Mana Ora (S190.1199) support this rule. This support is noted.
255. Ngāi Tahu (S620.295) seek that if there is an iwi/Papatipu rūnanga management plan in place matters of discretion 1-8 do not apply. I support this submission. Buildings subject to this rule still have to comply with the performance standards for bulk/setbacks etc and I consider that the risk of adverse off site effects is low, and that these would be appropriately managed in an Iwi/Papatipu Rūnanga Management Plan.

MPZ – R16 Community Facilities not meeting Rule MPZ - R9

256. Te Mana Ora (S190.1200) supports this rule. This support is noted.
257. Ngāi Tahu (S620.295) seek that if there is an iwi/Papatipu rūnanga management plan in place matters of discretion a-e do not apply. I support this submission. Buildings subject to this rule still have to comply with the performance standards for bulk/setbacks etc and I consider that the risk of adverse off site effects is low, and that these would be appropriately managed in an Iwi/Papatipu Rūnanga Management Plan.

MPZ – R17 Non - rural Activities not meeting Permitted Activity Standards

258. Te Mana Ora (S190.1201) and Grey District Council (S608.806) support this rule. This support is noted.
259. WMS Group (S599.141) and Ngāi Tahu (S620.297) oppose this rule and seek its deletion. I support these submissions. WMS Group are concerned that non-rural activities are not defined. Ngāi Tahu are concerned that there is no clear rule that this rule escalates from. I support these submissions and agree that this rule is unnecessary and can be deleted.

MPZ – R18 Buildings and Other Activities in Accordance with an Iwi/Papatipu Rūnanga Management Plan not meeting Rule MPZ - R10

260. Te Mana Ora (S190.1202) and Grey District Council (S608.807) support this rule. This support is noted.
261. Ngāi Tahu (S620.298) seek that if there is an iwi/Papatipu rūnanga management plan in place matters of discretion b-i do not apply. I do not support this submission. This rule is specifically for activities specified in an iwi/Papatipu rūnanga management plan, if there was no iwi/Papatipu rūnanga management plan or the activities were not identified in the plan, then this rule would not apply.

Discretionary Activities

MPZ – R19 Agricultural, Pastoral and Horticultural Activities, Conservation and Recreation Activities not meeting Permitted, Controlled or Restricted Discretionary Activity Rules

262. Te Mana Ora (S190.1203) support this rule. This support is noted.
263. Ngāi Tahu (S620.299) seek that the reference to Controlled activities in the rule title be deleted. I support this submission as it corrects an error – there are no Controlled Activities.

MPZ – R20 Rural Industry or Intensive Indoor Primary Production not meeting Permitted or Restricted Discretionary Activity Rules

264. Te Mana Ora (S190.1204) and Ngāi Tahu (S629.300) support this rule. This support is noted.

MPZ – R21 Non-rural activities not meeting Permitted or Restricted Discretionary Activity Rules.

265. Te Mana Ora (S190.1205) support this rule. This support is noted.
266. Ngāi Tahu (S620.302) seek to alter this rule from non-rural activities to Conservation and Recreation Activities. I support this submission as the deletion of MPZ – R17 means there is no rule that this escalates from, however as identified by Ngāi Tahu there is no escalation rule from MPZ – R3, therefore renaming this rule would address that issue.

MPZ – R22 Minor structures, Fences, Walls and Retaining Walls, and Relocated buildings not meeting Permitted or Restricted Discretionary Rules

267. Te Mana Ora (S190.1206) and Ngāi Tahu (S629.303) support this rule. This support is noted.

MPZ – R23 Residential activities and visitor accommodation activities not meeting Permitted or Restricted Discretionary Rules.

268. Te Mana Ora (S190.1207) and Ngāi Tahu (S629.301) support this rule. This support is noted.

MPZ – R24 Any Activity not provided for in another Rule in the Zone

269. Te Mana Ora (S190.1208) and Ngāi Tahu (S629.304) support this rule. This support is noted.
270. WMS Group (S599.142) oppose this rule and seek that minerals extraction be provided for as a discretionary activity. I support this submission in part in that providing for mineral extraction as a discretionary activity is consistent with the approach taken in the Sites and Areas of Significance to Māori chapter, Māori Purpose Zoned land is generally also identified as. I do note that the definition of Māori Purpose Activities includes some types of mineral extraction (for cultural resources) therefore propose wording that reflects there are some Permitted Activities.

Recommendations

271. That the following amendments be made to the Māori Purpose Zone Rules:

MPZ - R1 Māori Purpose Activities Activity Status Permitted

Where:

1. The maximum gross ground floor area of a single building is 500m²;
2. Maximum building height above ground level is 10m;
3. Maximum site coverage is 40%;
4. Buildings are setback a minimum of 10m from the road boundary, 20m from the State Highway Boundary, and 5m from internal boundaries, except that:
 - a. In the Arahura Pā settlement buildings are setback 5m from the road and any GRUZ - General Rural Zone or INZ - Industrial Zone boundary and 1m from internal boundaries;
5. The average residential density is no more than 1 unit per 500m² net site area in areas fully serviced by a network utility operator with wastewater, water supply and stormwater systems; ~~and~~
6. In areas not serviced by network utility operated wastewater, stormwater and water supply the average dwelling/papakāinga building density is no more than one unit and one minor residential unit per 1000m² net site area; ~~and~~
7. Where reticulated systems are available, buildings are connected to the reticulated wastewater, stormwater and water supply systems, and where these are not available wastewater, stormwater and water supply systems are designed to meet the relevant standards of NZS4404:2010.

MPZ - R6 Fences, Walls and Retaining Walls Activity Status Permitted

Where:

1. Fences, walls and retaining walls are a maximum 2m height above ground level. ~~and~~
2. ~~The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.~~

MPZ - R9 Community Facilities and Emergency Services Facilities

Activity Status Permitted

Where:

1. All performance standards for Rule MPZ - R1 are complied with.

Activity status where compliance not achieved: Restricted Discretionary

MPZ - R11 Māori Purpose Activities not meeting Permitted Activity Standards

Activity Status Restricted Discretionary

Discretion is restricted to:

- a. The extent to which the proposal complies with any Iwi/Papatipu Rūnanga management plan in place for the site;
- b. Size, height, design and location of any buildings and structures;
- c. Landscape measures;
- d. Density of any residential buildings; ~~and~~
- e. Methods of water supply, wastewater and stormwater treatment and disposal; and
- f. Design and location of vehicle access

Activity status where compliance not achieved: N/A

Notification: Applications for activities under this rule will not be Publicly Notified

MPZ -R12 Minor structures not meeting Permitted Activity Standards

Activity Status Restricted Discretionary

Where:

1. The minor structure does not exceed 10m in height; and
2. All other performance standards for Rule MPZ - R1 are complied with.

Discretion is restricted to:

- a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site;
or
- b. If there is no Iwi/Papatipu Rūnanga management plan in place for the site:
 - i. Design and location of structures; and
 - ii. Landscape measures.

Activity status where compliance not achieved: Discretionary

Notification: Applications for activities under this rule will not be Publicly Notified

MPZ - R13 Relocated buildings not meeting Permitted Activity Standards

Activity Status Restricted Discretionary

Where:

1. All performance standards for Rule MPZ - R1 are complied with.

Discretion is restricted to:

- a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site;
or
- b. If there is no Iwi/Papatipu Rūnanga management plan in place for the site
 - i. Design and location of structures;
 - ii. Appearance of buildings; and
 - iii. Landscape measures.

Activity status where compliance not achieved: Discretionary

Notification: Applications for activities under this rule will not be Publicly Notified

MPZ - R14 Intensive indoor primary production

Activity Status Restricted Discretionary

Where:

1. This is not within the Arahura Pā settlement area; and

2. All performance standards for Rule MPZ - R1 are complied with.

Discretion is restricted to:

- a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site;
- b. Bulk and location of buildings;
- c. Management of traffic and parking;
- d. Management of odour;
- e. Landscape measures;
- f. Any impacts on the production values of the surrounding land;
- g. Effects on visual amenity and rural character; and
- h. Methods of water supply and effluent and stormwater treatment and disposal.

Activity status where compliance not achieved: Discretionary

Notification: Applications for activities under this rule will not be Publicly Notified

MPZ - R15 Visitor and temporary worker accommodation not meeting Permitted

Activity Standards

Activity Status Restricted Discretionary

Where:

1. This is ancillary to a farming, conservation, residential or Māori purpose activity; and
2. All performance standards for Rule MPZ - R1 are complied with.

Discretion is restricted to:

- a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site;
or
- b. If there is no Iwi/Papatipu Rūnanga management plan in place for the site
 - i. Number of visitors/workers staying on site;
 - ii. Number of days of use for the accommodation;
 - iii. Management of traffic and parking;
 - iv. Landscape measures;
 - v. Any impacts on the production values of the surrounding land;
 - vi. Effects on visual amenity and rural character; and
 - vii. Methods of water supply and wastewater and stormwater treatment and disposal.

Activity status where compliance not achieved: Discretionary

Notification: Applications for activities under this rule will not be Publicly Notified

MPZ - R16 Community Facilities not meeting Rule MPZ - R9

Activity Status Restricted Discretionary

Discretion is restricted to:

- a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site;
or
- b. If there is no Iwi/Papatipu Rūnanga management plan in place for the site
 - i. Management of access, parking and traffic generation;
 - ii. Hours of operation;
 - iii. Noise management and lighting;
 - iv. Landscape measures.

Activity status where compliance not achieved: N/A

Notification: Applications for activities under this rule will not be Publicly Notified

~~**MPZ - R17 Non-rural Activities not meeting Permitted Activity Standards**~~

~~**Activity Status Restricted Discretionary**~~

~~Where:~~

- ~~1. The maximum floor and yard area for any non-rural activity shall be 100m²; and~~
- ~~2. All performance standards for Rule MPZ - R1 are complied with.~~

~~**Discretion is restricted to:**~~

- ~~a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site;~~
- ~~b. The extent to which the activity could be undertaken more appropriately in another zone;~~
- ~~c. Bulk and location of buildings;~~
- ~~d. Management of traffic and parking;~~

- e. Management of odour;
- f. Landscape measures;
- g. Any impacts on the production values of the surrounding land;
- h. Effects on visual amenity and rural character; and
- i. Methods of water supply, wastewater and stormwater treatment and disposal.

Activity status where compliance not achieved: Discretionary

MPZ - R18 Buildings and Other Activities in Accordance with an Iwi/Papatipu Rūnanga Management Plan not meeting Rule MPZ - R10

Activity Status Restricted Discretionary

Discretion is restricted to:

- a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site;
- b. The extent to which the activity could be undertaken more appropriately in another zone;
- c. Bulk and location of buildings;
- d. Management of traffic and parking;
- e. Management of odour;
- f. Landscape measures;
- g. Any impacts on the production values of the surrounding land;
- h. Effects on visual amenity and rural character; and
- i. Methods of water supply, wastewater and stormwater treatment and disposal.

Activity status where compliance not achieved: N/A

Notification: Applications for activities under this rule will not be Publicly Notified

MPZ - R19 Agricultural, Pastoral and Horticultural Activities, Conservation and Recreation Activities not meeting Permitted, Controlled or Restricted

Discretionary Activity Rules

Activity Status Discretionary

MPZ - R21 ~~Non-rural~~ Conservation and Recreation activities not meeting Permitted or Restricted Discretionary Activity Rules.

Activity Status Discretionary

MPZ – RXXX Mineral Extraction not meeting Permitted or Restricted Discretionary Rules

Activity Status: Discretionary

Notification:

Applications will always be limited notified to the relevant hapū rūnanga (Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio).

Activity status where compliance not achieved: N/A

272. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2

10.0 Port Zone

10.1 Submissions on the Port Zone as a Whole and the Relevant Definitions

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Port Activities			

WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.014	Support	Retain as notified.
KiwiRail Holdings Limited (S442)	S442.011	Support	Retain as proposed
Overview			
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.144	Amend	Amend as follows: <u>Westport, and Greymouth and Jackson Bay Ports</u> are the major ports on the West Coast/Te Tai o Poutini <u>and are considered critical infrastructure</u> . They are significant connections to the rest of New Zealand/Aotearoa me Te Waipounamu as well as providing the bases for the West Coast/Te Tai o Poutini fishing fleet. <u>The West Coast ports are critical infrastructure because they are essential for local industry, but also have the potential to be used for alternatives to land-based transport and may provide an important lifeline for emergency response to natural disasters.</u>
Chapter as a Whole			
Westland District Council (S181)	S181.056	Support	Retain the objectives, policies and rules.
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.172	Support	Amend the area around the Jackson Bay wharf currently used for port activities to Port Zone. Alternatively, demarcate the Jackson Bay Port Specific Control Area on the planning maps, and provide more enabling provisions within this area.
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.742</i>	<i>Oppose in part</i>	<i>Disallow</i>
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.163	Amend	Subject to discussions with the Council and landowners, rezone land at Jackson Bay surrounding the wharf area where port based industrial activities have operated and continue to operate, including the following land parcels: Section 209 Town of Arawata Section 8 Town of Arawata Section 9-10 Town of Arawata Section 208 Town of Arawata
Grey District Council (S608)	S608.128	Amend	Amend objectives and policies to be consistent with "regionally significant infrastructure" in the RPS

WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.143	Amend	Undertake necessary rezoning to ensure that the areas of the Westport and Greymouth Ports leased by West Coast Bulk Logistics Limited (or any other current or future subsidiary of WMS Group) are zoned Port Zone
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Analysis

273. WMS Group (S599.014) and KiwiRail (S442.011) support the definition of Port Activities. Westland District Council (S181.056) support the objectives, policies and rules. This support is noted.
274. WMS Group (S599.144) seek that the Overview is amended to both refer to Jackson Bay Port and provide an explanation that the ports are considered to be critical infrastructure. I support this submission in part. I do not support the reference to Jackson Bay Port. This is not within the Port Zone, the reasons for which are discussed further in relation to other submissions below. I do however support a reference in the overview to the Ports being considered critical (regionally significant) infrastructure, however I consider the extent of wording proposed by the submitter is unnecessary.
275. WMS Group (S599.172 and S599.163) seek that the area about Jackson Bay wharf currently used for port activities should be rezoned as Port Zone. Alternatively, they seek that there be a Jackson Bay Port Specific Control Area on the planning maps, and provide more enabling provisions within this area. I do not support these submissions.
276. When determining where the Port Zone should be located a careful analysis of the situation at Jackson Bay was made. There is a wharf and some limited landside facilities that principally support the fishing industry and recreational boating. There is no harbour master or other formal management of the marine area as a port.
277. The facilities are located in a small village of principally baches and are surrounded by national park and within the Te Waipounamu World Heritage Area.
278. The Port Zone is essentially a very enabling heavy industry zone and was considered inappropriate for use at Jackson Bay. The area is zoned Settlement Zone, Coastal Settlement Precinct. However, there are already specific provisions within this zone for the Jackson Bay marine facilities, specifically Rule SETZ – R16 Port Activities at Jackson Bay Port identifies the allotments associated with the Port and provides for a range of Port Activities that can occur at this location as a Permitted Activity, specifically:
- Cargo handling, including the loading, unloading, storage, processing and transit of cargo (including fish);
 - Passenger handling, including the loading, unloading and transit of passengers including passenger or cruise ship terminals;
 - Port administration;
 - Facilities for recreational boating;
 - Activities associated with maritime navigation; and
 - Ancillary buildings, structures, utilities, signs, parking, landscaping, offices and other facilities.
279. I consider that, as Jackson Bay Port is currently very lightly developed, this Permitted Activity rule will allow for the development of significant new facilities at the port to support the expansion of activity there, but within a framework that recognises the very undeveloped nature of the surrounding area and its location within a World Heritage Area.
280. Grey District Council (S608.128) seek that the objectives and policies be consistent with “regionally significant infrastructure” in the RPS. I support this submission in part, in that I propose a new objective in response to specific submissions which specifically identifies the ports as regionally significant infrastructure.

281. WMS Group (S599.143) seek that further land is zoned Port Zone at Greymouth and Westport Ports. I do not support this submission at this time. No information is provided with the submission about what land being used for port activities at Westport and Greymouth Ports is inappropriately zoned, therefore I am not able to assess the appropriateness or not of such a change.

Recommendations

282. That the Overview Section to the Port Zone be amended as follows:

Westport and Greymouth Ports are the major ports on the West Coast/Te Tai o Poutini and are considered regionally significant infrastructure. They are significant connections to the rest of New Zealand/Aotearoa me Te Waipounamu as well as providing the bases for the West Coast/Te Tai o Poutini fishing fleet...

283. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

10.2 Submissions on the Port Zone Objectives

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Objectives as a Whole			
Buller District Council (S538)	S538.619	Support	Retain as notified.
Grey District Council (S608)	S608.129	Amend	Add new objectives to read: <u>1. Recognise and provide for the importance of the regions Port's as regionally significant infrastructure and the contribution they make to the economic and social wellbeing of the Region 2. Regional Ports are protected from incompatible land use, subdivision and development that may result in reverse sensitivity effects to ensure their effective operation, maintenance and upgrading</u>
PORTZ – 01			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1210	Support	Retain objective.
Grey District Council (S608)	S608.808	Support	Retain as proposed.
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.145	Amend	<u>Manage Enable the safe and efficient operation of West Coast/Te Tai o Poutini ports to and sustain their current and future potential use and development.</u>
PORTZ – 02			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1211	Support	Retain objective.
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Analysis

284. Buller District Council (S538.619) and Te Mana Ora (S190.1210, S290.1211) support both objectives. Grey District Council (S60.808) support Objective 1. This support is noted.
285. WMS Group (S599.145) seek that objective 1 be amended to “enable” rather than “manage” and that the phrase the “safe and efficient operation” of the ports be added. I support this submission in part, as I consider a redrafting of the objective is appropriate and in particular the reference to the safe and efficient operation of the ports, and I consider that “enable” rather than “manage” is appropriate in this context. I however propose different wording in light of the submission of Grey District Council seeking additional objectives.
286. Grey District Council (S608.129) seek that a further two objectives are added to the Port Zone. The first of these relates to recognising and providing for these as regionally significant infrastructure and the second specifically focusses on reverse sensitivity effects. I support this submission in part, in that I agree the additional objectives are useful, but propose a slightly different wording.

Recommendations

287. That the Port Zone Objectives are amended as follows:

PORTZ - 01 ~~Manage~~ The safe and efficient maintenance, operation and upgrading of West Coast/Te Tai o Poutini ports is enabled and to sustain their current and future potential use and development is sustained.

PORTZ – 03 The West Coast/Te Tai o Poutini Ports are recognised and provided for as regionally significant infrastructure that contribute to the economic and social wellbeing of the region.

PORTZ – 04 The West Coast/Te Tai o Poutini Ports are protected from incompatible land use, subdivision and development that may result in reverse sensitivity effects.

288. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

10.2 Submissions on the Port Zone Policies

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Policies as a Whole			
Buller District Council (S538)	S538.620	Support	Retain as notified.

WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.146	Amend	Include a new policy as follows: <u>Recognise the functional and operational needs of activities within the Port Zone, while managing their adverse effects on the surrounding environment.</u>
<i>Grey District Council</i>	<i>FS1.247</i>	<i>Support</i>	<i>Allow</i>
Grey District Council (S608)	S608.130	Amend	Add a new policy to read: <u>Provide for other industrial activities within the Port Zone, where such activities do not adversely affect port activities.</u>
PORTZ – P1			
Grey District Council (S608)	S608.810, S608.811	Amend	Retain
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.147	Amend	Enable the efficient operation, use and development of West Coast/Te Tai o Poutini ports. by ensuring incompatible activities or developments do not compromise port operations or development of port and maritime facilities. Add new Port Zone policy as follows: <u>Ensure incompatible activities or developments do not compromise port operations or development of port and maritime facilities.</u>
<i>Grey District Council</i>	<i>FS1.249</i>	<i>Support</i>	<i>Allow</i>
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1212	Support	Enable the efficient operation, use and development of West Coast/Te Tai o Poutini ports. by ensuring incompatible activities or developments do not compromise port operations or development of port and maritime facilities. Add new Port Zone policy as follows: <u>Ensure incompatible activities or developments do not compromise port operations or development of port and maritime facilities.</u>
Grey District Council (S608)	S608.809, S608.131	Support	Policy to be rewritten to read: 1. Enable the efficient operation, use and development of West Coast/Te Tai o Poutini ports 2. Avoid incompatible activities or developments locating within the zone that would adversely effect the efficient operation of port activities, including those likely to result in reverse sensitivity effects.
PORTZ – P2			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1213	Support	Retain policy.
PORTZ – P3			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1214	Support	Retain policy.
Grey District Council (S608)	S608.810	Support	Retain as proposed.
PORTZ – P4			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1215	Support	Retain policy.
PORTZ – P5			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1216	Support	Retain policy.
PORTZ – P6			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1217	Support	Retain policy.
Grey District Council (S608)	S608.811	Support	Support the use of performance standards on development and land use in the PORTZ that protects the amenity values of the adjacent commercial, residential and rural areas as long as the ability of the port to function and develop isn't hindered.
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.148	Oppose	Delete

Analysis

289. Buller District Council (S538.620) support the policies as a whole. Grey District Council (S608.810, S608.811) support PORTZ – P1, PORTZ – P3 and PORTZ – P6. Te Mana Ora (S190.1213, S190.1214, S190.1215, S190.1216) support PORTZ – P2, PORTZ – P3, PORTZ – P4, PORTZ – P5 and PORTZ – P6. This support is noted.
290. WMS Group (S599.146) seek the addition of a new policy that seeks to recognise the functional and operational needs of activities within the Port Zone. I support this submission in part as I consider that it is the functional and operational needs of the Ports themselves, not necessarily all activities that occur within the Port Zone, that the functional needs are supported by in higher order documents. I propose an amendment to PORTZ – P1 as the best approach to address this matter, rather than a new policy.
291. Grey District Council (S608.130) seeks the addition of a new policy that supports other industrial activities occurring within the Port Zone. I do not support this submission. The Port Zone is actually a very limited area, with a specific port location. The rules in the

zone are very permissive in order to support Port function as regionally significant infrastructure. There are other industrial zones available for industrial activities not associated with the port.

292. WMS Group (S599.147), Te Mana Ora (S190.1212) and Grey District Council (S608.809, S608.131) seek that Policy 1 be split into two policies. WMS Group and Te Mana Ora propose essentially the same wording. Grey District Council seek amended wording for the second policy to more directly refer to avoiding development that might affect port operations and reverse sensitivity effects – reflecting the additional objective that they also have sought. I support these submissions in part. I agree the policy should be split. I consider that there is value in the addition of the references proposed by Grey District Council as this supports the non-complying activity status for activities such as residential use within the zone. I propose a slightly amended wording however.
293. WMS Group (S599.148) seek that PORTZ – P6 be deleted. I do not support this submission. This is the only policy that directly refers to the requirement for performance standards to be included in the zone that protect the amenity of adjacent areas. I consider its deletion highly inappropriate. Due to the age of the ports, there are significant residential areas in close proximity, particularly at Greymouth Port Zone which directly abuts residential properties. In Westport, the Port Zone area is immediately adjacent to the Town Centre. WMS Group argues this policy does not give effect to the WCRPS which seeks to provide for Regionally Significant Infrastructure. I do not agree. I consider that the WCRPS does not anticipate or direct that in providing for regionally significant infrastructure that basic levels of residential amenity and health and safety of adjacent properties should not also be provided for.

Recommendations

294. That the following amendments be made to the Port Zone Policies:

PORTZ - P1 Enable the efficient operation, use and development and recognise the functional and operational needs of West Coast/Te Tai o Poutini ports ~~by ensuring incompatible activities or developments do not compromise port operations or development of port and maritime~~

PORTZ – P7 Avoid incompatible activities or developments locating in the Port Zone where these could adversely affect the efficient operation or development of the port or result in reverse sensitivity effects arising.

295. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

10.3 Submissions on the Port Zone Rules

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Rules as a Whole			
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.149	Amend	require significant revision to adequately provide for port activities, and remove drafting errors and ultra vires provisions
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.306	Support	That the rules of this chapter are amended to reflect Poutini Ngāi Tahu continuing cultural significance to the water and wider ocean as identified within this policy
PORTZ – R1 Port and Industrial Activities and Buildings			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1218	Support	Retain rule.
Grey District Council (S608)	S608.132	Amend	Amend rule to remove conditions 5, 6, 7, 8, 10
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.150	Amend	Amend PORTZ - R1 to remove standards 4, 7 and 10, and delete Advice Note 2 relating to stormwater. Amend standard 11. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any <u>site RESZ - Residential Zone</u> boundary. except where neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:...

Buller District Council (S538)	S538.621	Support in part	<p>Amend rule 1 as follows Buildings are setback a minimum: a. 5 <u>10</u>m from road boundaries, the rail corridor and any RESZ – Residential Zone or MUZ – Mixed Use Zone boundary; b. 10m from State Highways. 4. All external storage and car parking areas shall be screened by a <u>minimum 1.8m high solid</u> fence or landscaping so that 6. Airblast overpressure from blasting shall not exceed a peak sound pressure level of 120dBC at the notional boundary of any noise sensitive activity; 7. There shall be no offensive or objectional dust nuisance at or beyond the PORT – Port Zone boundary as a result of the acidity; 8. No Noxious or offensive odour shall be detected beyond the PORTZ – Port Zone boundary that the activity occurs in;.... 10 Stormwater run-off associated with any Port, industrial or commercial activity or building, including earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality. 11. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where neighbouring property owners written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to: Advice Notes:..... <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner’s written approval is provided to Council.</u></p>
Grey District Council (S608)	S608.812	Support in part	<p>That R1 – 9 be amended to include that landscaping does not restrict visibility to or from vehicle access to the site; add a performance standard that requires buildings to connect to available network utility services where available, or for water supply, wastewater and stormwater systems to be designed and constructed in compliance with NZS4404:2010</p>
PORT - R2 Minor Structures			

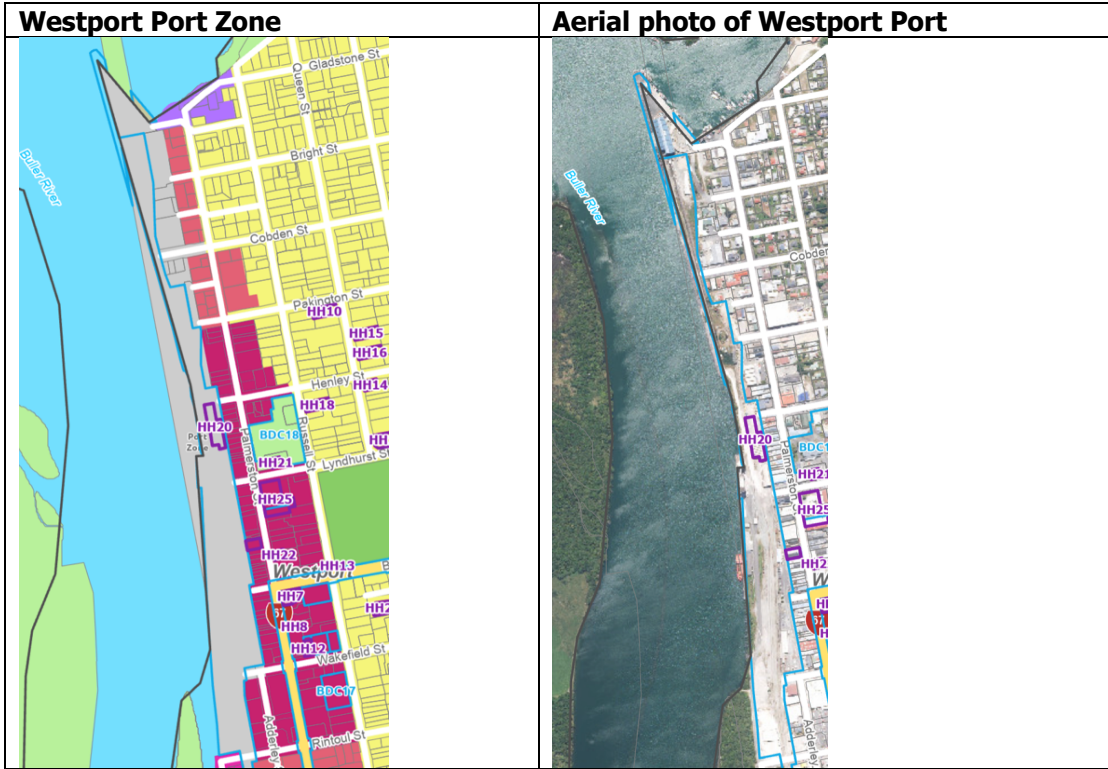
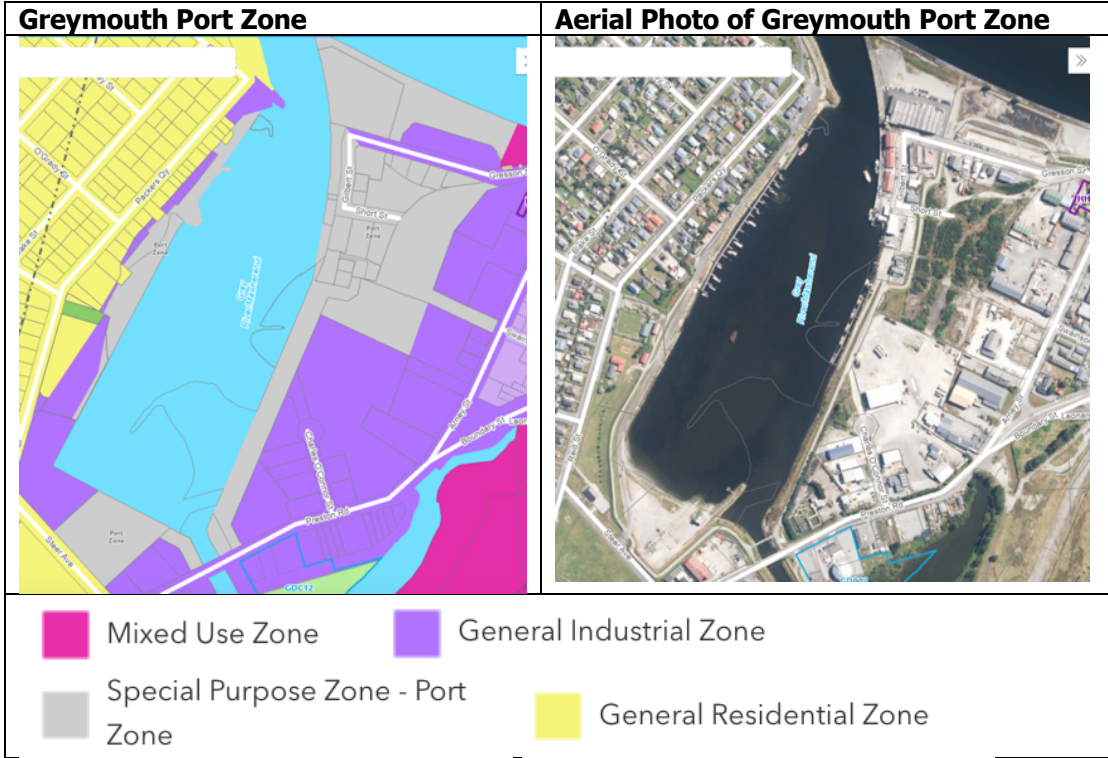
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1219	Support	Retain rule.
Grey District Council (S608)	S608.133	Oppose	Remove rule
Buller District Council (S538)	S538.622	Oppose in part	Amend Rule 2 as follows: 2. All performance standards for Rule G1Z-R1 are complied with except that compliance with standard 3 (setbacks) is not required...
PORT – R3 Fences, Walls and Retaining Walls			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1220	Support	Retain rule.
Buller District Council (S538)	S538.623	Support	Retain as notified.
Grey District Council (S608)	S608.134	Oppose	Remove rule
PORTZ – R4 Commercial Activities			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1221	Support	Retain rule.
Buller District Council (S538)	S538.624	Support	Retain as notified.
PORTZ – R5 Extension of the Coastal Cycleway			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1222	Support	Retain rule
Grey District Council (S608)	S608.135	Support	Retain rule as notified.
Buller District Council (S538)	S538.625	Support	Retain as notified.
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.151	Oppose	delete
PORTZ – R6 Ancillary Residential Activities			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1223	Support	Retain rule.

Buller District Council (S538)	S538.626	Support in part	Amend Rule 6 as follows: 1. One single residential unit per site is provided; and... 3. The residential activity is located at the rear of the site or above ground level. Matters of control are: a. Residential unit design; b. Residential unit location; c. Noise insulation requirements; d. Internal air quality requirements Removal of the Advice Note as per the changes sought to the Noise rules.
Grey District Council (S608)	S608.813	Support in part	Support subject to amendment to the wording at PORTZ – R1
PORTZ – R7 Port and Industrial Activities and Buildings not meeting PORTZ - R1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1224	Support	Retain rule.
Buller District Council (S538)	S538.627	Oppose	Delete Rule
WMS Group (HQ) Limited and WMS Land Co. Limited (S599)	S599.152	Amend	Amend PORTZ - R7 as follows: Activity Status Restricted Discretionary Where: 1. The building <u>does not comply with a recession plane as defined in Appendix Two to commence 2.5m above any boundary with a RESZ - Residential Zone projects into the 35 degree recession plane</u> ; 2. All other performance standards for Rule PORTZ - R1 are complied with; and 3. Rules NOISE - R8 and LIGHT - R2 are complied with. Discretion is restricted to: a. Design, height, bulk and location of buildings; b. <u>Whether the activity has a functional or operational need to be located within the recession plane</u> ; Design and location of parking and access; c. Management of hazardous substances in accordance with the objectives and policies of the Hazardous Substances chapter; and ...
PORTZ – R8 Minor Structures not meeting Rule PORTZ - R2			
Buller District Council (S538)	S538.628	Support	Retain as notified.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1225	Support	Retain rule.
Grey District Council (S608)	S608.136	Oppose	Remove rule
PORTZ – R9 Fences, Walls and Retaining Walls not meeting Rule PORTZ - R3			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1226	Support	Retain rule.
Buller District Council (S538)	S538.629	Support	Retain as notified.
Grey District Council (S608)	S608.137	Oppose	Remove rule
PORTZ – R10 Minor Structures, Fences and Walls not meeting Permitted, Controlled or Restricted Discretionary Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1227	Support	Retain rule.
Buller District Council (S538)	S538.630	Support	Retain as notified.
Grey District Council (S608)	S608.138	Oppose	Remove rule
PORTZ – R11 Port and Industrial Activities and Buildings not meeting Permitted, Controlled or Restricted Discretionary Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1228	Support	Retain rule.
Buller District Council (S538)	S538.631	Support	Retain as notified.
PORTZ – R12 Any Activity Not Provided for in Another Rule in the Zone			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1229	Support	Retain rule.
Buller District Council (S538)	S538.632	Support	Retain as notified.

Context for the Analysis of Submissions

296. The Port Zone applies to two ports – Greymouth Port and Westport Port. In the operative plans Westport Port is within a Port Zone, and Greymouth Port is within an Industrial Zone.
297. Both ports are river ports – although the physical layout is quite different as shown in the maps below. Westport Port Zone is a linear area sandwiched between the Buller River and Westport town with the railway line running through part of the area. Greymouth Port Zone is wrapped around Erua Moana Lagoon with Industrial and Mixed Use Zone on the eastern side of the Port, and the Blaketown Residential Zone on the western side of the Port.
298. The ports are operated and managed by the respective district councils, however much of the land zoned Port Zone is privately owned.



299. During the period of development of Te Tai o Poutini Plan provisions, both ports were operating principally as fishing ports, and the West Coast Wilderness Trail cycleway was being developed with the Port areas forming part of the cycleway routes. A large amount of the Port Zone area at that time was brownfields industrial area, with poor utilisation of land, and remnant facilities such as cement silos from Holcim Cement.

300. Since the Plan was notified there is renewed development in the areas, some derelict industrial structures have been demolished and new facilities developed. There is now a focus on the ports being used as major points for export of mineral aggregate from a recently consented mineral aggregate mine at Cape Foulwind, and other mines planned at Barrytown and Hokitika. WMS Group, who alongside the two Councils is the predominant submitter, is undertaking significant development work at both ports to support their mineral extraction and export operations.

Analysis

301. WMS Group (S599.149) seek significant revision of the Port Zone Rules. I support this submission in part in that I do recommend some changes to the provisions.

302. Ngāi Tahu (S620.306) seek that the rules of this chapter are amended to reflect Poutini Ngāi Tahu continuing cultural significance to the water and wider ocean. I support this submission in part, in that I acknowledge as currently drafted, they do not implement PORTZ – P4, however the submission has identified no specific changes that are sought. I invite Ngāi Tahu to identify at the hearing what changes they consider are appropriate to the provisions.

PORTZ – R1 Port and Industrial Activities and Buildings

303. Te Mana Ora (S190.1218) support the rule. This support is noted.

304. Grey District Council (S608.132, S608.812), WMS Group (S599.150) and Buller District Council (S538.621) all seek amendments to the performance standards in this rule, however I note that the views of Grey District Council and Buller District Council in relation to how the zone should be managed are quite different. This is reflected not only in the submissions on this rule, but also in relation to the other rules in this zone.

305. The standards and changes sought to these are summarised in the table below:

Standard	Grey DC View	Buller DC View	WMS Group View
3. Buildings are setback a minimum: <ul style="list-style-type: none"> • 5m from road boundaries, the rail corridor and any RESZ - Residential Zone or MUZ - Mixed Use Zone boundary; and • 10m from State Highways 		Amend to increase setbacks from roads	
4. All external storage and car parking areas shall be screened by a 1.8m fence or landscaping so that it is not visible from any adjoining RESZ - Residential Zone boundary or adjoining public place outside of the PORTZ - Port Zone;	Amend to specify landscaping does not restrict visibility to or from vehicle access to the site	Amend to specify fence height is a minimum	Delete
5. Vibration from any site due to blasting shall not exceed a peak particle velocity of 5mm/sec measured in the frequency range 3-12 Hz at	Delete	Retain	

Standard	Grey DC View	Buller DC View	WMS Group View
the notional boundary of any noise sensitive activity;			
6. Airblast overpressure from blasting shall not exceed a peak sound pressure level of 120 dBC at the notional boundary of any noise sensitive activity;	Delete	Delete	
7. There shall be no offensive or objectionable dust nuisance at or beyond the PORTZ - Port Zone boundary as a result of the activity;	Delete	Delete	Delete
8. No noxious or offensive odour shall be detected beyond the PORTZ - Port Zone boundary that the activity occurs in;	Delete	Delete	
9. The area adjoining the road frontage of all sites, and the side boundary of a site that adjoins a RESZ - Residential, OSRZ - Open Space and Recreation Zone or MUZ - Mixed Use Zone, shall contain landscaping with a minimum width of 2 metres which includes planting that will, within two years of being planted, reach a height of 1m, except that this does not apply to any emergency services facility or vehicle access to the site;	Amend to specify landscaping does not restrict visibility to or from vehicle access to the site	Retain	
10. Stormwater run-off associated with any Port, industrial or commercial activity or building, including earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality;	Delete	Delete	Delete
11. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where neighbouring		Amend to clarify – same changes sought in all zones	Amend to only apply to Residential Zone boundaries

Standard	Grey DC View	Buller DC View	WMS Group View
property owner's written approval is provided to the Council at least 10 working days prior to the works commencing.			
New performance standard	Require buildings to connect to network utility services where available or for water supply, wastewater and stormwater systems to be designed and constructed in compliance with NZS4404:2010		

306. In terms of rationale from each of these submitters, Grey District Council states that they are concerned that rules that are overly restrictive will impinge on the operation and development of the port. Buller District Council seeks that the provisions they want amended are effective at protecting adjacent residential and other land use amenity, and that the standards opposed are regional council responsibilities and therefore shouldn't be included in the Plan. WMS Group considers the provisions they oppose are unnecessary as they do not recognise the regional significance of the Port.

307. Generally my view is that I support all these submissions in part.

Setbacks

308. I do not support an increase in setbacks from roads as sought by Buller District as I am mindful of both the efficient use of land and the existing buildings that exist within the zone. Buller District Council are concerned about impacts on residential amenity, but there are no residential zones adjacent to Westport Port, and the impact of this change would be felt at Greymouth Port. In particular it would impact on setbacks required from a road that is entirely internal to the Port Zone, and therefore there would be no amenity benefits. It would also increase the setback requirement adjacent to Steer Ave to the south of Greymouth Port. While this abuts a Residential Zoned area – this is a park and covered by a Flood Hazard Overlay so the likelihood of residential development would seem to be low. Therefore increasing the setbacks from roads would create additional restriction for little or no amenity benefit.

External storage, carparking screening and landscaping

309. I support the amendments proposed by both Buller District Council and Grey District Council in relation to this – that the fencing standard refer to a minimum 1.8m fence and that this be solid and that landscaping not restrict the visibility at vehicle access points.

Vibration, Blasting, Dust, Odour

310. I support the deletion of these standards. I consider that Vibration and blasting issues should be managed through the noise chapter if required. I agree that dust and odour are matters that are regulated by the Regional Council and do not need to be included in the Plan.

Stormwater, Wastewater and Water Supply

311. While I acknowledge that water quality is primarily managed by the regional council, I do not agree that a standard is not necessary. I am very mindful of the direction in the NPS Freshwater which specifically states in Clause 3.5 (4)

"Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments "

312. Given that the ports are effectively heavy industry locations immediately adjacent to freshwater bodies in the form of the Grey and Buller Rivers, I consider that stormwater management is required in order to avoid remedy or mitigate adverse effects on the health and wellbeing of these waterbodies, freshwater ecosystems and receiving environments. I support the submission point of Grey District Council that reference to NZS 4404:2010 (which includes formal provision for Low Impact Design (LID) for stormwater and stormwater treatment is appropriate and I consider the appropriate approach would be to amend this performance standard to refer to NZS4404:2010.
313. I also support the wider point of Grey District Council that buildings should connect to network utility services where available or otherwise be designed and constructed to meet NZ4404:2010 and that an additional performance standard to address this should be included.

Recession Planes

314. WMS Group seek that this standard only apply to Residential Zone boundaries. I support this, as I consider this is the main amenity concern that needs to be managed for in relation to this standard.
315. Buller District Council seek that this standard be amended to better reflect the legal framework around Deemed Permitted Activities. I support this amendment.

PORTZ – R2 Minor Structures

316. Te Mana Ora (S190.1219) support the rule. This support is noted.
317. Grey District Council (S608.133) seek that the rule be deleted. Buller District Council (S538.622) seek that Performance Standard 1 be deleted. Grey District Council consider that the rule is unnecessary given the zoning, however I note that without this rule, these types of structures would not be a Permitted Activity unless another Rule is modified to provide for these as a Permitted Activity. However I agree that many of the performance standards are unnecessary, and suggest that only standards 2 and 3 are retained.

PORTZ – R3 Fences, Walls and Retaining Walls

318. Te Mana Ora (S190.1220) and Buller District Council (S538.623) support the rule. This support is noted.
319. Grey District Council (S608.134) seek that the rule be deleted. I do not support this submission. These structures are not covered by setbacks or recession place requirements and an excessively large fence or wall could have negative adverse effects on the amenity of adjacent areas within other zones.

PORTZ – R4 Commercial Activities

320. Te Mana Ora (S190.1221) and Buller District Council (S538.624) support the rule. This support is noted.

PORTZ – R5 Extension of the Coastal Cycleway

321. Te Mana Ora (S190.1222), Buller District Council (S538.625) and Grey District Council (S608.135) support the rule. This support is noted. These submitters note that the West Coast Wilderness Trail runs through the Port Zone at both Ports.
322. WMS Group (S599.151) seek that the rule be deleted. I do not support this submission. They consider that the rule contains an ultra vires requirement for confirmation from the Council. I consider that this can be relatively easily addressed by amending "approval" to "certification" within the performance standard, and recommend this amendment.

PORTZ – R6 Ancillary Residential Activities

323. Te Mana Ora (S190.1223) support this rule. Grey District Council (S608.813) support the rule, subject to amendments being made to PORTZ – R1. This support is noted.

324. Buller District Council (S538.626) seek an amendment to standard 1 for clarity. They do not support standard 3 as they do not consider it relevant to the Westport Port Zone. They also seek the deletion of standard d as this is a Building Act matter. I support the amendments proposed. This submitter also seeks the deletion of the Advice Note as a consequential amendment to the changes they seek to the Noise Rules. I do not support this at this time. The Noise s42A report has not yet been drafted, however if there are amendments to the rules then the necessary changes to the advice note can be made as a consequential amendment.

PORTZ – R7 Port and Industrial Activities and Buildings not meeting PORTZ - R1

325. Te Mana Ora (S190.1224) support this rule. Grey District Council (S608.814) support the rule subject to the amendments they sought to PORTZ – R1 which I have largely supported. This support is noted.

326. Buller District Council (S538.627) seek that this rule is deleted, as they consider that this matter should be a Discretionary Activity. I do not support this submission. I consider that a Restricted Discretionary Activity, with appropriate matters of discretion is a sufficient level of oversight to regulate activities that infringe recession planes.

327. WMS Group (S599.152) seek the amendment of this rule so that the performance standard in relation to the recession plane is only in relation to a Residential Zone boundary, that the performance standard requiring compliance with NOISE - R8 and LIGHT - R2, and that matters of discretion in relation to design and location of parking and access and management of hazardous substances are deleted. They seek the addition of a new matter of discretion "whether the activity has a functional or operational need to be located within the recession plane". I support this submission. The changes to the performance standard are consistent with my recommendations in relation to PORTZ – R1. I also agree that as this rule only applies where a recession plane is infringed, therefore matters of discretion should be limited to those that are relevant. I also support the proposed new matter of discretion.

PORTZ – R8 Minor Structures not meeting Rule PORTZ - R2

328. Te Mana Ora (S190.1225) and Buller District Council (S538.628) support this rule. This support is noted.

329. Grey District Council (S608.136) seek that this rule be removed as a consequential amendment to their submission on Rule PORTZ – R2. I support this submission in part in that I consider that these activities can be dealt with in their entirety as a Restricted Discretionary Activity and that the performance standard can be deleted.

PORTZ – R9 Fences, Walls and Retaining Walls not meeting Rule PORTZ - R3

330. Te Mana Ora (S190.1226) and Buller District Council (S538.629) support this rule. This support is noted.

331. Grey District Council (S608.137) seek that this rule be removed as a consequential amendment to their submission on Rule PORTZ – R3. I do not support this submission for the reasons I outline in relation to Rule PORTZ – R3.

PORTZ – R10 Minor Structures, Fences and Walls not meeting Permitted, Controlled or Restricted Discretionary Activity Standards

332. Te Mana Ora (S190.1227) and Buller District Council (S538.630) support this rule. This support is noted.

333. Grey District Council (S608.138) seek that this rule be removed. I support this submission as I consider these matters are best dealt with as a Restricted Discretionary Activity as discussed under PORTZ – R8.

PORTZ – R11 Port and Industrial Activities and Buildings not meeting Permitted, Controlled or Restricted Discretionary Activity Standards

334. Te Mana Ora (S190.1228) and Buller District Council (S538.631) support this rule. This support is noted.

PORTZ – R12 Any Activity Not Provided for in Another Rule in the Zone

335. Te Mana Ora (S190.1229) and Buller District Council (S538.632) support this rule. This support is noted.

Recommendations

336. That the following amendments are made to the Port Zone Rules:

PORTZ - R1

Port and Industrial Activities and Buildings

Activity Status Permitted

Where:

1. The maximum building height above ground level is 20m;
2. Maximum site coverage is 80%;
3. Buildings are setback a minimum:
 - a. 5m from road boundaries, the rail corridor and any RESZ - Residential Zone or MUZ - Mixed Use Zone boundary; and
 - b. 10m from State Highways;
4. All external storage and car parking areas shall be screened by a minimum 1.8m high solid fence or landscaping so that it is not visible from any adjoining RESZ - Residential Zone boundary or adjoining public place outside of the PORTZ - Port Zone except that landscaping shall not restrict the visibility of vehicle access;
5. ~~Vibration from any site due to blasting shall not exceed a peak particle velocity of 5mm/sec measured in the frequency range 3-12 Hz at the notional boundary of any noise sensitive activity;~~
6. ~~Airblast overpressure from blasting shall not exceed a peak sound pressure level of 120 dBC at the notional boundary of any noise sensitive activity;~~
7. ~~There shall be no offensive or objectionable dust nuisance at or beyond the PORTZ - Port Zone boundary as a result of the activity;~~
8. ~~No noxious or offensive odour shall be detected beyond the PORTZ - Port Zone boundary that the activity occurs in;~~
9. The area adjoining the road frontage of all sites, and the side boundary of a site that adjoins a RESZ - Residential, OSRZ - Open Space and Recreation Zone or MUZ - Mixed Use Zone, shall contain landscaping with a minimum width of 2 metres which includes planting that will, within two years of being planted, reach a height of 1m, except that this does not apply to any emergency services facility or vehicle access to the site;
10. Stormwater run-off associated with any Port, industrial or commercial activity or building, including earthworks, shall be collected and treated prior to discharge ~~to ensure there are no significant adverse effects on water quality~~ in accordance with the relevant standards of NZS4404:2010;
11. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any ~~site~~ RESZ – Residential Zone boundary ~~except where neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to:~~
 - i. Road boundaries;
 - ii. Buildings on adjoining sites that have a common wall along the boundary;
 - iii. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard;
 - iv. Antennas, aerials, satellite dishes (less than 1.2m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; and
 - v. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically.
12. All buildings are connected to network utility services where they are available for water supply, wastewater and stormwater disposal. Where water supply, wastewater or stormwater services are not available then these systems shall be

designed and constructed in accordance with the relevant standards of NZS4404:2010.

Advice Notes:

1. Any landscaping required by this rule may be located in common areas, where the development comprises land and/or buildings in separate unit titles.
2. Stormwater facilities that support multiple functions such as water quality treatment, biodiversity enhancement and landscape amenity, should be incorporated into landscaped areas, where practicable, to achieve effective stormwater management in an integrated manner.
3. Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council.

PORTZ - R2 Minor Structures

Activity Status Permitted

Where:

- ~~1. All performance standards for Rule PORTZ - R1 are complied with except that compliance with standard 3 (setbacks) is not required;~~
2. Masts, poles, aerials and pou whenua must not exceed 7m in height;
3. Any antenna dish must be less than 1m in diameter and not project more than 3.5m above the highest point of any building they are attached to;
- ~~4. Any ornamental structure must not exceed 2.4 m in height; and~~
- ~~5. Any other structure must not exceed 10m² and 2m in height.~~

PORTZ - R5 Extension of the Coastal Cycleway

Activity Status Permitted

Where:

1. This is undertaken in accordance with a cycleway extension plan ~~approved~~ certified by the relevant District Council as not impeding the function of the Port.

PORTZ - R6 Ancillary Residential Activities

Activity Status Controlled

Where:

1. One single residential unit per site is provided;
2. The residential activity is ancillary to the port, commercial or industrial activity on the site;
- ~~3. The residential activity is located at the rear of the site or above ground level;~~
4. All performance standards for Rule PORTZ - R1 are complied with.

Matters of control are:

- a. Residential unit design;
- b. Residential unit location;
- c. Noise insulation requirements; and
- ~~d. Internal air quality requirements.~~

PORTZ - R7 Port and Industrial Activities and Buildings not meeting PORTZ - R1

Activity Status Restricted Discretionary

Where:

1. The building does not comply with a recession plane as defined in Appendix Two to commence 2.5m above any boundary with a RESZ - Residential Zone projects into the 35 degree recession plane;
2. All other performance standards for Rule PORTZ - R1 are complied with; and
- ~~3. Rules NOISE - R8 and LIGHT - R2 are complied with.~~

Discretion is restricted to:

- a. Design, height, bulk and location of buildings;

- b. ~~Design and location of parking and access; Whether the activity has a functional or operational need to be located within the recession plane; and~~
- c. ~~Management of hazardous substances in accordance with the objectives and policies of the Hazardous Substances chapter; and~~
- d. Landscape measures.

PORTZ - R8 Minor Structures not meeting Rule PORTZ - R2

Activity Status Restricted Discretionary

Where:

- 1. ~~Performance standards 1-10 for Rule PORTZ - R1 are complied with.~~

Discretion is restricted to:

- a. Design and location of structures; and
- b. Landscape measures.

Activity status where compliance not achieved: ~~Discretionary~~ N/A

~~**PORTZ - R10 Minor Structures, Fences and Walls not meeting Permitted, Controlled or Restricted Discretionary Activity Standards**~~

~~**Activity Status Discretionary**~~

~~**Activity status where compliance not achieved:** N/A~~

337. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

11.0 Stadium Zone

11.1 Submissions on the Stadium Zone as a Whole and Relevant Definitions

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Definition of Stadium Activity			
Ministry of Education Te Tāhuhu o Te Mātauranga (S456)	S456.004	Support in part	Amend as follows: the use of land and/or buildings where the principal activities relate to the function of the facilities in the Stadium Zone. These include, but are not limited to: Sport and recreation activity and events ... Childcare facilities educational facilities ...
Chapter as a Whole			
Westland District Council (S181)	S181.057	Support	Retain the objectives, policies and rules.

Analysis

338. Ministry of Education (S456.004) seeks that childcare facilities be removed from the definition of Stadium Activity and replaced with educational facilities. Educational Facilities is a defined term and means "land or buildings used for teaching or training by childcare services, schools, and tertiary education services, including any ancillary activities". They seek this change because part of Greymouth High School is included within the Stadium Zone at Greymouth. I support this submission which recognises the current activities within the zone.

339. Westland District Council (S181.057) support the chapter as a whole, this support is noted.

Recommendations

340. That the definition of Stadium Activity be amended as follows:

means the use of land and/or buildings where the principal activities relate to the function of the facilities in the Stadium Zone. These include, but are not limited to:

- Sport and recreation activity and events
- Cultural, entertainment and exhibition activities including music festivals, concerts and performances
- Trade fairs, market days and displays
- Conference, meetings and functions including weddings
- Sports and cultural activity related education
- Museum facilities
- After school/holiday programmes
- Childcare Educational facilities
- Physiotherapy and massage
- Retail activities including café or retail sales that are ancillary to other activities on the site
- Any ancillary activities necessary for the functioning of the facility, including ancillary office activity and ticket sales.

341. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

11.2 Submissions on the Stadium Zone Objectives

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1231, S190.1232, S190.1233	Support	Retain objectives
Grey District Council (S608)	S608.815	Support	Fix spelling of stadium

Analysis

342. Te Mana Ora (S190.1231, S190.1232, S190.1233) support the objectives. This support is noted.

343. Grey District Council (S608.815) seek that a spelling error be corrected. I support this correction.

Recommendations

344. That the following amendments be made to the stadium zone objectives:

STADZ- 01 To enable efficient and effective operation of the ~~stadia~~ stadiums in the STADZ - Stadium Zone.

345. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

11.3 Submissions on the Stadium Zone Policies

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
STADZ – P1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1234	Support	Retain policy
STADZ – P2			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1235	Support	Retain policy
Grey District Council (S608)	S608.816	Support	Fix spelling of stadium
STADZ – P3			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1236	Support	Retain policy.
Buller Conservation Group (S552)	S552.200	Amend	Require land use activities and development to be designed and operated to ensure that adverse effects of noise <u>and light</u> on the amenity of adjacent residential areas are minimised. <u>Any lighting must have adequate hooding to ensure no upwards light spill.</u>
Frida Inta (S553)	S553.200	Amend	Require land use activities and development to be designed and operated to ensure that adverse effects of noise <u>and light on the amenity of adjacent residential areas</u> are minimised. <u>Any lighting must have adequate hooding to ensure no upwards light spill.</u>

Analysis

346. Te Mana Ora (S190.1234, S190.1235, S190.1236) support the policies. This support is noted.
347. Grey District Council (S608.816) seek that a spelling error in STADZ – P2 be corrected. I support this correction.
348. Buller Conservation Group (S552.200) and Frida Inta (S553.200) seek that Policy STADZ – P3 be amended to refer to adverse effects of light as well as noise and to require hooding of upwards light spill. I support these submissions in part in that I consider it appropriate that light also be included in the policy. However I do not support the addition of text around upward hooding. The detailed management of light sits within the LIGHT chapter of the Plan and there are standards for light spill in this chapter.

Recommendations

349. That the following amendments are made to the Policies in the Stadium Zone chapter:

STADZ - P2 Provide for flexibility of use of the ~~stadia~~ stadiums, recognising a range of uses are likely to be needed to support financial viability but avoiding residential and industrial activities.

STADZ - P3 Require land use activities and development to be designed and operated to ensure that adverse effects of noise and light on the amenity of adjacent residential areas are minimised.

350. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

11.4 Submissions on the Stadium Zone Rules

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
STADZ – R1 Stadium Activities			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1237	Support	Retain rule.
Buller Conservation Group (S552)	S552.201	Amend	<u>6. All effects of noise and light on the amenity of adjacent residential areas are minimised. Any lighting must have adequate hooding to ensure no upwards light spill.</u>
Frida Inta (S553)	S553.201	Amend	<u>6. All effects of noise and light on the amenity of adjacent residential areas are minimised. Any lighting must have adequate hooding to ensure no upwards light spill.</u>
STADZ – R2			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1238	Support	Retain rule.
STADZ – R3			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1239	Support	Retain rule.
STADZ – R4 Relocated buildings			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1240	Support	Retain rule.
Grey District Council (S608)	S608.817	Support	Retain as proposed.
New Zealand Heavy Haulage Association Inc (S616)	S616.012	Amend	Amend permitted activity status to read: ...2. Any relocated building intended for use as a dwelling must have previously been designed, and built to be and used as a dwelling.3. A building pre-inspection report shall

			accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within at <u>the specified</u> [12] month period.4. The building shall be located on permanent foundations approved by building consent, no later than [2] months of the building being moved to the site. 5. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within [12] months of the building being delivered to the site. <u>Without limiting (c) (above)</u> This reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
STADZ – R5 – R8			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1241	Support	Retain STADZ – R5 as proposed.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1242	Support	Retain STADZ – R6 as proposed.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1243	Support	Retain STADZ – R7 as proposed.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1244	Support	Retain STADZ – R8 as proposed.

Analysis

351. Te Mana Ora (S190.1237, S190.1238, S190.1239, S190.1240, S190.1241, S190.1242, S190.1243, S190.1244) support the rules. Grey District Council (S608.817) support Rule STADZ – R4. This support is noted.
352. Buller Conservation Group (S552.201) and Frida Inta (S553) seek that an additional Permitted Activity standard in relation to noise and light is included. I do not support these submissions. The National Planning Standards require that Noise and Light matters are managed in the District Wide Chapters, and TTPP does this. It includes appropriate noise and light performance standards for the Stadium Zone.

353. New Zealand Heavy Haulage Association Inc (S616.012) seeks amendments to the relocated buildings rule STADZ – R4 which are the same they have sought to other similar rules in other zones. I do not support this submission as I do not consider that the wording proposed is an improvement over the current wording.

Recommendations

354. That no amendments are made to the Plan as a result of these submissions.

355. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

12.0 Scenic Visitor Zone

12.1 Submissions on the Scenic Visitor Zone as a Whole and Relevant Definitions

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Department of Conservation (S602)	S602.234	Support	Retain all Scenic Visitor Zone provisions as notified.
Westland District Council (S181)	S181.065	Support	Retain the objectives, policies and rules
Karen Lippiatt (S439)	S439.001	Oppose	Delete Scenic Visitor Zone. Use Settlement Zone instead.
<i>Brian Anderson</i>	<i>FS237.028</i>	<i>Support</i>	<i>Not stated</i>
Jane Whyte & Jeff Page (S467)	S467.002	Amend	That the Plan enable the continuation of the mixed of uses of Punakaiki Village, and if necessary, the upgrade and replacement of the various buildings and structures associated with this
Scenic Hotel Group (S483)	S483.002	Oppose	Oppose Scenic Visitor Zoning for the following properties: Te Waionui Forest Retreat 3 Wallace St Franz Josef Glacier Scenic Hotel Franz Josef Glacier 45 SH6 Franz Josef Glacier Kea Staff Village 93 Cron Street, Franz Josef Glacier Heartland Hotel Glacier Country, 11 Cook Flat Road, Fox Glacier Ocean View Resort, 4327 State Highway 6, Punakaiki 27-31 Sullivan Road Fox Glacier Seek compensation for any restrictions from rezoning.
Scenic Hotel Group (S483)	S483.005	Oppose	No rezoning of properties from Tourist Commercial to General Rural Zone (Franz Josef).

West Coast Wildlife Centre - Franz Josef - Teewah Holdings Ltd (S1)	S1.001	Amend	Amend zoning of land adjacent to 31 Cron Street so that it is within the Scenic Visitor Zone rather than the proposed zoning of General Rural Zone.
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Analysis

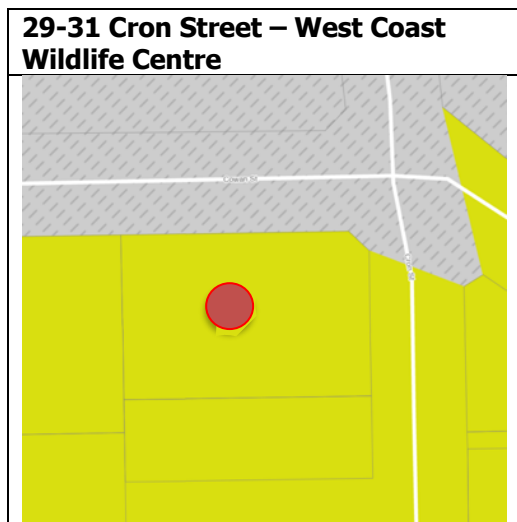
356. Department of Conservation (S602.234) and Westland District Council (S181.065) support the provisions of this zone as notified. This support is noted.
357. Karen Lippiatt (S439.001) seeks the deletion of the zone and the use of Settlement Zone instead. I do not support this submission. Settlement Zone is essentially a residential zone, and the Scenic Visitor Zone is a bespoke commercial zone reflecting the scenic and tourist nature of the commercial areas of the Punakaiki, Fox Glacier and Franz Josef Glacier townships.
358. Jane Whyte & Jeff Page (S467.002) seek that the Plan enable the continuation of the mixed of uses of Punakaiki Village, and if necessary, the upgrade and replacement of the various buildings and structures associated with this. I support this submission in part, and consider the amendments that I propose to the specific rules within the zone recognise the issues raised in the submission.
359. Scenic Hotel Group (S483.002) oppose the Scenic Visitor Zoning for their properties at:
- Te Waionui Forest Retreat 3 Wallace St Franz Josef Glacier
 - Scenic Hotel Franz Josef Glacier 45 SH6 Franz Josef Glacier
 - Kea Staff Village 93 Cron Street, Franz Josef Glacier
 - Heartland Hotel Glacier Country, 11 Cook Flat Road, Fox Glacier
 - Ocean View Resort, 4327 State Highway 6, Punakaiki
 - 27-31 Sullivan Road Fox Glacier
360. They seek compensation for any restrictions from rezoning. I do not support this submission. This submitter seeks to retain the Tourist Commercial Zone from the operative Westland District Plan. This zone is not included in TTPP but the provisions of the Tourist Commercial Zone have been rolled over and updated into the Scenic Visitor Zone that replaces it. In terms of compensation, the RMA specifically provides that no compensation is payable as a result of land use rules. I also note that the existing uses on these sites are subject to existing use rights.
361. Scenic Hotel Group (S483.005) seek no rezoning from Tourist Commercial (Westland Operative Plan zone) to General Rural Zone. I do not support this submission. When considering the zoning at Franz Josef the TTPP team worked closely with the Westland District Council considering the proposed future development approach for Franz Josef – which recognises the multiple hazards faced in this location and the need to not locate new development directly on the Alpine Fault, or within locations at very severe risk of flooding. This meant some “down zoning” of land as a consequence, however I consider this is appropriate in order to meet Section 6 of the RMA and manage the future risks of natural hazards.
362. West Coast Wildlife Centre (S1.001) seek that their facility on land adjacent to 32 Cron Street is rezoned Scenic Visitor Zone. I support this submission, as I consider that the exclusion of this land from the zone is an error, as the property meets the criteria used to identify properties to include in the zone. The property is currently zoned Settlement Zone (not General Rural) and is shown in the map below:

29-31 Cron Street – West Coast Wildlife Centre Aerial Photo	29-31 Cron Street – West Coast Wildlife Centre Current Zoning
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Recommendations

363. That the property at 29-31 Cron Street – West Coast Wildlife Centre, be rezoned Scenic Visitor Zone as shown on the map below:



364. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

12.2 Submissions on the Scenic Visitor Zone Objectives

Submitter Name /ID	Submission Point	Position	Decision Requested
William McLaughlin (S567)	S567.711	Support	Retain Objectives
Chris & Jan Coll (S558)	S558.683	Support	Retain Objectives
Chris J Coll Surveying Limited (S566)	S566.683	Support	Retain Objectives
Laura Coll McLaughlin (S574)	S574.683	Support	Retain Objectives

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1246	Support	Retain Objective SVZ – O1.
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.033	Support	Retain Objective SVZ – O1. as notified.
Jane Whyte & Jeff Page (S467)	S467.009	Support	Retain Objective SVZ – O1. as notified
Neil Mouat (S535)	S535.070	Support	Retain Objective SVZ – O1. as notified.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1247	Support	Retain Objective SVZ – O2..
Neil Mouat (S535)	S535.071	Support	Retain Objective SVZ – O2.. as notified.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.307	Amend	Amend Objective SVZ – O1 To provide for community and visitor needs in the Fox Glacier/Weheka, Franz Josef/Waiau and Punakaiki townships in a way that delivers protection of the unique values that attracts visitors and benefits the local and regional economies and communities. <u>and minimises adverse effects on the environment, the community and the relationship of Poutini Ngāi Tahu with their ancestral lands, sites and areas of significance, water, wāhi tapu and other taonga.</u>

Analysis

365. William McLaughlin (S567.711), Chris & Jan Coll (S558.683), Chris J Coll Surveying Limited (S566.683), Laura Coll McLaughlin (S574.683), Te Mana Ora (S190.1246, S190.1247), Paparoa Track Services (S605.033), Jane Whyte & Jeff Page (S467.009) and Neil Mouat (S535.070, S535.071) support the objectives. This support is noted
366. Ngāi Tahu (S620.307) seek a substantial amendment of Objective SVZ – O1 to refocus this to be about the relationship of Poutini Ngāi Tahu with their ancestral lands, sites and areas. I do not support this submission. As is discussed above the zone is a bespoke commercial zone reflecting the scenic and tourist nature of the commercial areas of the three townships and I consider the objective should focus on the outcomes for these areas within that context.

Recommendations

367. That no amendments to the Plan are made as a result of these submissions.
368. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

12.3 Submissions on the Scenic Visitor Zone Policies

Submitter Name /ID	Submission Point	Position	Decision Requested
SVZ – P1			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1248	Support	Retain policy.
William McLaughlin (S567)	S567.712	Support	Retain
Chris & Jan Coll (S558)	S558.684	Support	Retain
Chris J Coll Surveying Limited (S566)	S566.684	Support	Retain
Laura Coll McLaughlin (S574)	S574.684	Support	Retain
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.034	Support in part	Amend by adding as follows: <u>d. Recognises the existing mixed character of commercial and residential uses of Punakaiki Township</u>
Jane Whyte & Jeff Page (S467)	S467.010	Amend	Amend by adding as follows: <u>d. Recognises the existing mixed character of commercial and residential uses of Punakaiki Township</u>
Neil Mouat (S535)	S535.072	Support in part	Not stated
<i>Neil Mouat</i>	<i>FS54.2, FS54.24</i>	<i>Support in part</i>	<i>Allow in part</i>
SVZ – P2			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1249	Support	Retain policy.
William McLaughlin (S567)	S567.713	Support	Retain
Chris & Jan Coll (S558)	S558.685	Support	Retain
Chris J Coll Surveying Limited (S566)	S566.685	Support	Retain
Laura Coll McLaughlin (S574)	S574.685	Support	Retain
Neil Mouat (S535)	S535.073	Oppose in part	Not stated
SVZ - P3			

Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1250	Support	Retain policy.
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.035	Support	Retain as notified.
William McLaughlin (S567)	S567.714	Support	Retain
Jane Whyte & Jeff Page (S467)	S467.011	Support	Retain as notified
Chris & Jan Coll (S558)	S558.686	Support	Retain
Chris J Coll Surveying Limited (S566)	S566.686	Support	Retain
Laura Coll McLaughlin (S574)	S574.686	Support	Retain
Neil Mouat (S535)	S535.074	Support	Retain as notified.
SVZ – P4			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1251	Support	Retain policy.
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.036	Amend	Amend to recognise development is to be sympathetic to existing built environments as follows...scenic <u>and</u> <u>built</u> environment ...
Jane Whyte & Jeff Page (S467)	S467.012	Amend	Amend to recognise development is to be sympathetic to existing built environments as follows...scenic <u>and</u> <u>built</u> environment ...
William McLaughlin (S567)	S567.715	Amend	Amend to: Support the development of appropriate tourism and visitor businesses such as <u>visitor accommodation</u> , visitor attractions, <u>worker</u> accommodation and tourism support facilities that relate to the scenic environment in which they are located.
Chris & Jan Coll (S558)	S558.687	Amend	Amend to: Support the development of appropriate tourism and visitor businesses such as <u>visitor accommodation</u> , visitor attractions, <u>worker</u> accommodation and tourism support facilities that relate to the scenic environment in which they are located.

Chris J Coll Surveying Limited (S566)	S566.687	Amend	Amend to: Support the development of appropriate tourism and visitor businesses such as <u>visitor accommodation</u> , visitor attractions, <u>worker</u> accommodation and tourism support facilities that relate to the scenic environment in which they are located.
Laura Coll McLaughlin (S574)	S574.687	Amend	Amend to: Support the development of appropriate tourism and visitor businesses such as <u>visitor accommodation</u> , visitor attractions, <u>worker</u> accommodation and tourism support facilities that relate to the scenic environment in which they are located.
Neil Mouat (S535)	S535.075	Support in part	Amend to: Support the development of appropriate tourism and visitor businesses such as <u>visitor accommodation</u> , visitor attractions, <u>worker</u> accommodation and tourism support facilities that relate to the scenic environment in which they are located.
SVZ – P5			
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.308	Support	Retain notified version
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1252	Support	Retain policy.
William McLaughlin (S567)	S567.716	Support	Retain
Chris & Jan Coll (S558)	S558.688	Support	Retain
Chris J Coll Surveying Limited (S566)	S566.688	Support	Retain
Laura Coll McLaughlin (S574)	S574.688	Support	Retain
Waka Kotahi NZ Transport Agency (S450)	S450.303	Support	Retain as proposed.
Neil Mouat (S535)	S535.076	Support	Retain as notified.
<i>Neil Mouat</i>	<i>FS54.21, FS54.22, FS 54.23</i>	<i>Support</i>	<i>Allow</i>
SVZ – P6			

Chris & Jan Coll (S558)	S558.689	Support	Retain.
Chris J Coll Surveying Limited (S566)	S566.689	Support	Retain.
Laura Coll McLaughlin (S574)	S574.689, S574.701	Support	Retain.
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1253	Support	Retain policy.
William McLaughlin (S567)	S567.717	Support	Retain.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.309	Support	Require high quality design outcomes within the SVZ - Scenic Visitor Zone that: ...d. Recognise and provide for Poutini Ngāi Tahu cultural values; ...
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.037	Amend	Amend to recognise development is to be sympathetic to existing built environments as follows: <u>f. Reflect the character of the existing built environment</u>
Jane Whyte & Jeff Page (S467)	S467.013	Oppose in part	Amend to recognise development is to be sympathetic to existing built environments as follows: <u>f. Reflect the character of the existing built environment</u>
SVZ -P7			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1254	Support	Retain.
William McLaughlin (S567)	S567.718	Support	Retain.
Chris & Jan Coll (S558)	S558.690	Support	Retain.
Chris J Coll Surveying Limited (S566)	S566.690	Support	Retain.
Laura Coll McLaughlin (S574)	S574.690	Support	Retain.

Analysis

369. Most submissions on the policies are in support. I note this, and will not specifically list the submitters and submission points here or discuss these further in the report.
370. Paparoa Track Services (S605.034) and Jane Whyte & Jeff Page (S467.010) seek that SVZ – P1 include an additional clause that recognises the existing mixed character of commercial and residential uses of Punakaiki Township. I do not support these submissions as I note that all the land zoned Scenic Visitor Zone in Punakaiki (to which this policy applies) is in fact used for commercial purposes (or not yet developed) and that the intent of the Plan is protect existing and potential commercial use recognising the very limited private land undeveloped at Punakaiki. Commercial uses include visitor

accommodation and I agree could also include staff accommodation which I discuss further in relation to the rules below.

371. In relation to Policy SVZ – P4 Paparoa Track Services (S605.036) and Jane Whyte & Jeff Page (S467.012) seek that this be amended to refer to recognise development is to be sympathetic to existing built environments as follows...scenic and built environments. I support these submissions and consider this is an appropriate addition to the policy.
372. William McLaughlin (S567.715), Chris & Jan Coll (S558.687), Chris J Coll Surveying Limited (S566.687), Laura Coll McLaughlin (S574.687) and Neil Mouat (S535.075) seek that SVZ – P4 be amended to include specific references to both visitor accommodation and worker accommodation. I support these submissions as I agree that these are essential components for these locations, and are activities appropriately located within the Scenic Visitor Zone.
373. Ngāi Tahu (S620.309) seek that SVZ – P6 be amended to delete the word “cultural” and just refer to Poutini Ngāi Tahu values. I support this as it is consistent with other changes in the Plan.
374. Paparoa Track Services (S605.037) and Jane Whyte & Jeff Page (S467.013) seek that SVZ – P6 to amended to add an additional clause f Reflect the character of the existing built environment. I support these submissions in part, I consider that rather than having a stand alone clause, this matter could be added to clause b.

Recommendations

375. That the following amendments are made to the Scenic Visitor Zone Policies:

SVZ - P4 Support the development of appropriate tourism and visitor businesses such as visitor accommodation, visitor attractions, worker accommodation and tourism support facilities that relate to the scenic and built environment in which they are located.

SVZ - P6 Require high quality design outcomes within the SVZ - Scenic Visitor Zone that:

- Recognise and respond to the natural character and scenic landscape values of the area;
- Have appropriate controls on design and height to protect the landscape, existing built environment and natural character values;
- Create a safe and vibrant pedestrian environment with continuous verandah coverage in the Main Street Frontage of Fox Glacier/Weheka and Franz Josef/Waiiau;
- Recognise and provide for Poutini Ngāi Tahu ~~cultural~~ values; and
- Avoid the significant risks of natural hazards.

376. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

12.4 Submissions on the Scenic Visitor Zone Rules

Submitter Name /ID	Submission Point	Position	Decision Requested
SVZ – R1 Commercial, Visitor Accommodation, Residential, Recreational and Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1255	Support	Retain rule.
William McLaughlin (S567)	S567.719	Amend	Delete advice note regarding NOISE – R3 requirements
Chris & Jan Coll (S558)	S558.691	Amend	Delete advice note regarding NOISE – R3 requirements

Chris J Coll Surveying Limited (S566)	S566.691	Amend	Delete advice note regarding NOISE – R3 requirements
Laura Coll McLaughlin (S574)	S574.691	Amend	Delete advice note regarding NOISE – R3 requirements
William McLaughlin (S567)	S567.720	Amend	Delete SVZ – R1 2. or, if compliance not achieved, this should default to a RDA not a DA.
Chris & Jan Coll (S558)	S558.693	Amend	Delete SVZ – R1 2. or, if compliance not achieved, this should default to a RDA not a DA.
Chris J Coll Surveying Limited (S566)	S566.693	Amend	Delete SVZ – R1 2. or, if compliance not achieved, this should default to a RDA not a DA.
Laura Coll McLaughlin (S574)	S574.693	Amend	Delete SVZ – R1 2. or, if compliance not achieved, this should default to a RDA not a DA.
Neil Mouat (S535)	S535.077	Oppose in part	Delete SVZ – R1 2. or, if compliance not achieved, this should default to a RDA not a DA. Delete SVZ – R1 4.
Davis Ogilvie & Partners Ltd (S465)	S465.037	Amend	That the rules for outdoor living spaces in the SVZ - Scenic Visitor Zone include a minimum dimension or shape factor to ensure that living spaces are practical and contribute to residential amenity.
William McLaughlin (S567)	S567.721	Amend	Delete SVZ – R1 4.
Chris & Jan Coll (S558)	S558.694	Amend	Delete SVZ – R1 4.
Laura Coll McLaughlin (S574)	S574.694	Amend	Delete SVZ – R1 4.
Chris J Coll Surveying Limited (S566)	S566.694	Amend	Delete SVZ – R1 4.
Jane Whyte & Jeff Page (S467)	S467.014	Oppose in part	Delete SVZ-R1 4iv and replace to allow residential buildings of no more than 200 m ² in Gross Ground Floor Area per site with any new building not exceeding 100 m ² Gross Ground Floor Area per site.
Laura Coll McLaughlin (S574)	S574.695	Amend	Point 8 should be amended to accommodate projection beyond the recession plane building envelope if this is due to satisfying natural hazard related provisions.
Chris J Coll Surveying Limited (S566)	S566.695	Amend	Point 8 should be amended to accommodate projection beyond the recession plane building envelope if this is due to satisfying natural hazard related provisions.

Chris & Jan Coll (S558)	S558.695	Amend	Point 8 should be amended to accommodate projection beyond the recession plane building envelope if this is due to satisfying natural hazard related provisions.
William McLaughlin (S567)	S567.722	Amend	Point 8 should be amended to accommodate projection beyond the recession plane building envelope if this is due to satisfying natural hazard related provisions.
William McLaughlin (S567)	S567.723	Amend	Non-compliance should be lead to a Controlled Activity.
Chris & Jan Coll (S558)	S558.696	Amend	Non-compliance should be lead to a Controlled Activity.
Chris J Coll Surveying Limited (S566)	S566.696	Amend	Non-compliance should be lead to a Controlled Activity.
Neil Mouat (S535)	S535.058	Oppose in part	Amend to be more enabling of development.
SVZ – R2 Minor Structures			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1256	Support	Retain rule.
William McLaughlin (S567)	S567.724	Support	Retain
Chris & Jan Coll (S558)	S558.697	Support	Retain
Chris J Coll Surveying Limited (S566)	S566.697	Support	Retain
Laura Coll McLaughlin (S574)	S574.697	Support	Retain
Neil Mouat (S535)	S535.059	Oppose in part	Amend to be more enabling of development.
<i>Neil Mouat</i>	<i>FS54.8, FS 54.9, FS54.20</i>	<i>Support in part</i>	<i>Allow in part</i>
SVZ – R3 Fences, Walls and Retaining Walls			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1257	Support	Retain rule.
William McLaughlin (S567)	S567.725	Support	Retain
Chris & Jan Coll (S558)	S558.698	Support	Retain
Chris J Coll Surveying Limited (S566)	S566.698	Support	Retain
Laura Coll McLaughlin (S574)	S574.698	Support	Retain

Neil Mouat (S535)	S535.060	Oppose in part	Amend to be more enabling of development.
<i>Neil Mouat</i>	<i>FS54.10</i>	<i>Support in part</i>	<i>Allow in part</i>
SVZ – R4 Relocated Buildings			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1258	Support	Retain rule
New Zealand Heavy Haulage Association Inc (S616)	S616.014	Support	Amend permitted activity status to read: ...2. Any relocated building intended for use as a dwelling must have previously been designed, and built to be and used as a dwelling.3. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within <u>at the specified</u> [12] month period.4. The building shall be located on permanent foundations approved by building consent, no later than [2] months of the building being moved to the site. 5. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within [12] months of the building being delivered to the site. <u>Without limiting (c) (above) This</u> reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
William McLaughlin (S567)	S567.031, S567.726	Oppose	Delete
Chris & Jan Coll (S558)	S558.241, S558.699	Oppose	Delete
Chris J Coll Surveying Limited (S566)	S566.241, S566.699	Oppose	Delete
Laura Coll McLaughlin (S574)	S574.241, S574.699	Oppose	Delete
Neil Mouat (S535)	S535.061	Oppose in part	Delete
<i>Neil Mouat</i>	<i>FS54.11, FS54.12</i>	<i>Support in part</i>	<i>Allow in part</i>

SVZ – R5 Commercial, Visitor Accommodation, Residential, Recreational, Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities not Meeting Permitted Activity Standards			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1259	Support	Retain rule.
Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (S620)	S620.310	Amend	Discretion is restricted to: d. Effects on Poutini Ngāi Tahu Cultural values;
William McLaughlin (S567)	S567.727	Amend	Amend so that existing non-compliance with performance standards in Rule SVZ – R1 does not preclude the application of this rule.
Chris & Jan Coll (S558)	S558.700	Amend	Amend so that existing non-compliance with performance standards in Rule SVZ – R1 does not preclude the application of this rule
Chris J Coll Surveying Limited (S566)	S566.700	Amend	Amend so that existing non-compliance with performance standards in Rule SVZ – R1 does not preclude the application of this rule
Laura Coll McLaughlin (S574)	S574.700	Amend	Amend so that existing non-compliance with performance standards in Rule SVZ – R1 does not preclude the application of this rule
Neil Mouat (S535)	S535.062	Oppose in part	Amend to be more enabling of development.
<i>Neil Mouat</i>	<i>FS54.13</i>	<i>Support in part</i>	<i>Allow in part</i>
SVZ – R6 Commercial, Visitor Accommodation, Residential, Recreational, Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities not meeting Permitted or Restricted Discretionary Activity Rules			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1260	Support	Retain rule.
Neil Mouat (S535)	S535.063	Oppose in part	Amend to be more enabling of development.
<i>Neil Mouat</i>	<i>FS54.14</i>	<i>Support in part</i>	<i>Allow in part</i>
Discretionary Activities			
Chris & Jan Coll (S558)	S558.701	Support	Retain
William McLaughlin (S567)	S567.728	Support	Retain

SVZ – R7 Minor Structures, Relocated Buildings, Fences, Walls and Retaining Walls not meeting Permitted Activity Rules			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1261	Support	Retain rule.
Laura Coll McLaughlin (S574)	S574.00743	Support	Retain
William McLaughlin (S567)	S567.032	Amend	Delete rules related to relocated buildings and/or the references to relocated buildings.
Chris & Jan Coll (S558)	S558.252	Amend	Delete rules related to relocated buildings and/or the references to relocated buildings.
Chris J Coll Surveying Limited (S566)	S566.252	Amend	Delete rules related to relocated buildings and/or the references to relocated buildings.
Laura Coll McLaughlin (S574)	S574.252	Amend	Delete rules related to relocated buildings and/or the references to relocated buildings.
Neil Mouat (S535)	S535.064	Oppose in part	Amend to be more enabling of development.
<i>Neil Mouat</i>	<i>FS54.14</i>	<i>Support in part</i>	<i>Allow in part</i>
SVZ – R8 Industrial Activities			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1262	Support	Retain rule.
Neil Mouat (S535)	S535.065	Oppose in part	Amend to be more enabling of development.
<i>Neil Mouat</i>	<i>FS54.16</i>	<i>Support in part</i>	<i>Allow in part</i>
SVZ – R9 Any Activity Not Provided for in Another Rule in the Zone			
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.1263	Support	Retain rule.
William McLaughlin (S567)	S567.729	Oppose	Delete
Chris & Jan Coll (S558)	S558.702	Oppose	Delete
Chris J Coll Surveying Limited (S566)	S566.702	Oppose	Delete
Laura Coll McLaughlin (S574)	S574.702	Oppose	Delete
Neil Mouat (S535)	S535.066	Oppose	Amend to be more enabling of development.

<i>Neil Mouat</i>	<i>FS54.17</i>	<i>Support in part</i>	<i>Allow in part</i>
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Analysis

SVZ – R1 Commercial, Visitor Accommodation, Residential, Recreational and Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities

377. Te Mana Ora (S190.1255) support this rule. This support is noted.
378. William McLaughlin (S567.719), Chris & Jan Coll (S558.691), Chris J Coll Surveying Limited (S566.691) and Laura Coll McLaughlin (S574.691) seek that the advice note regarding NOISE – R3 requirements is deleted. I do not support these submissions. These submitters oppose NOISE – R3, but those matters have not yet been considered by the panel. If the rule is deleted or no longer relevant, then this advice note can be removed as a consequential amendment.
379. William McLaughlin (S567.720), Chris & Jan Coll (S558.693), Chris J Coll Surveying Limited (S566.693) and Laura Coll McLaughlin (S574.693) seek that standard 2 of the rule be deleted. This standard relates to screening of storage and waste management space. I do not support its deletion as this is not consistent with the objectives for the zone around visual amenity, landscape and character. However, I support these submissions in part in that I agree that non-compliance with this standard should default to a restricted discretionary, rather than discretionary activity.
380. Davis Ogilvie & Partners Ltd (S465.037) seek that in relation to standard 3, the rules for outdoor living spaces in the SVZ - Scenic Visitor Zone include a minimum dimension or shape factor to ensure that living spaces are practical and contribute to residential amenity. I do not support this submission at this time, as the submitter does not provide any suggestions as to what would be an appropriate requirement. I invite the submitter to do so at the hearing.
381. William McLaughlin (S567.721), Chris & Jan Coll (S558.694), Chris J Coll Surveying Limited (S566.694), Laura Coll McLaughlin (S574.694) and Neil Mouat (S535.077) seek that standard 4 be deleted. Jane Whyte & Jeff Page (S467.014) also seek that it be deleted and replaced with a provision allowing residential buildings of no more than 200m² in gross ground floor area per site with any new building not exceeding 100m² gross ground floor area per site. This standard specifically relates to Punakaiki and are "rolled over" from the operative Buller District Plan. I do not support these submissions.
382. Standard 4 covers four issues – setting a maximum 50m² indigenous vegetation clearance, a roof colour reflectance value, a maximum 60% site coverage and a requirement that any residential activity is ancillary to a commercial or community activity. Neil Mouat states that the external waste management space requirements (standard 1) and colour controls are too onerous, but no other information is provided. The other submitters do not provide reasons why they oppose the provisions.
383. In the case of the submission of Jane Whyte and Jeff Page they seem to be seeking that this zone become a residential area which is not the purpose of the zone. There is only a very small area of land zoned Scenic Visitor Zone in Punakaiki and I understand from the Buller District Council staff that the current provisions, that have been rolled over into this Plan, have worked well in terms of providing for commercial development within a very visually sensitive environment.
384. Laura Coll McLaughlin (S574.695), Chris J Coll Surveying Limited (S566.695), Chris & Jan Coll (S558.695) and William McLaughlin (S567.722) seek that standard 8 is amended to accommodate projection beyond the recession plane building envelope if this is due to satisfying natural hazard related provisions. At Punakaiki, some of this zone is within the Coastal Alert Hazard Overlay, while at Franz Josef the entire area is within the Flood Susceptibility Hazard Overlay. There are no hazard overlays affecting this zone at Fox Glacier township. I do not support these submissions. I note that the free board

requirements for commercial development are significantly less stringent than for residential development and that due to the natural hazard overlays resource consents will often already be required for these buildings, even if they do not infringe the recession plane requirements.

385. William McLaughlin (S567.723), Chris & Jan Coll (S558.696) and Chris J Coll Surveying Limited (S566.696) seek that non-compliance should escalate to a Controlled rather than Restricted Discretionary or Discretionary. I do not support these submissions. The submissions provide no reasons for such a change, and I consider that within what are very sensitive environments with significant natural, built and amenity values, that this could allow for inappropriate activities to be required to be approved, with limited ability to require consent conditions to address adverse effects.
386. Neil Mouat (S535.058) seeks that the rule be amended to be more enabling of development. I do not support this submission. The areas where this zone applies are located immediately adjacent – or in the case of Punakaiki, surrounded by, a National Park, and areas of Outstanding Coastal Natural Character and Outstanding Natural Landscapes. The current operative Plans recognise the visual sensitivity in particular of these locations, which are also the most visited tourism sites on the West Coast. The rules aim to strike a balance between providing the opportunity for development to support the tourism industry, while retaining the natural and aesthetic values that attract tourists. All three townships have been the subject of a range of masterplanning exercises by the relevant district councils which are focussed on improving in particular amenity values and infrastructure provision in these areas. This work recognises that improvement is needed in relation to visual amenity. I consider the rules proposed strike an appropriate balance in aiming to achieve this, while providing for further development of these areas.

SVZ – R2 Minor Structures

387. Te Mana Ora (S190.1256), William McLaughlin (S567.724), Chris & Jan Coll (S558.697), Chris J Coll Surveying Limited (S566.697) and Laura Coll McLaughlin (S574.697) support this rule. This support is noted.
388. Neil Mouat (S535.059) seeks that this rule be more enabling of development. This submitter is concerned that the provisions will not relate to efficient utilisation of land. No specific amendments are suggested, or issues raised around the specifics of this rule for me to respond to, therefore I do not support this submission.

SVZ – R3 Fences, Walls and Retaining Walls

389. Te Mana Ora (S190.1257), William McLaughlin (S567.725), Chris & Jan Coll (S558.698), Chris J Coll Surveying Limited (S566.698) and Laura Coll McLaughlin (S574.698) support this rule. This support is noted.
390. Neil Mouat (S535.060) seeks that this rule be more enabling of development. This submitter is concerned that the provisions will not relate to efficient utilisation of land. No specific amendments are suggested, or issues raised around the specifics of this rule for me to respond to, therefore I do not support this submission.

SVZ – R4 Relocated Buildings

391. Te Mana Ora (S190.1258) support this rule. This support is noted.
392. New Zealand Heavy Haulage Association Inc (S616.014) seek amendments to the rule that are consistent with other submissions they have made in other zones. I do not support this submission as I consider it would result in new pre-built residential housing moved onto a site potentially requiring a resource consent as it will not have been previously used as a dwelling. I do not support the other changes proposed as I do not consider they improve the clarity or enforceability of the rule.
393. William McLaughlin (S567.031, S567.726), Chris & Jan Coll (S558.241, S558.699), Chris J Coll Surveying Limited (S566.241, S566.699), Laura Coll McLaughlin (S574.241, S574.699) and Neil Mouat (S535.061) seek that this rule be deleted. I do not support these submissions. The areas where this zone applies are located immediately adjacent

– or in the case of Punakaiki, surrounded by, a National Park, and areas of Outstanding Coastal Natural Character and Outstanding Natural Landscapes. The current operative Plans recognise the visual sensitivity in particular of these locations, which are also the most visited tourism sites on the West Coast. The rules aim to strike a balance between providing the opportunity for development to support the tourism industry, while retaining the natural and aesthetic values that attract tourists.

SVZ – R5 Commercial, Visitor Accommodation, Residential, Recreational, Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities not Meeting Permitted Activity Standards

394. Te Mana Ora (S190.1259) support this rule. This support is noted.
395. Ngāi Tahu (S620.310) seek an amendment to refer to Poutini Ngāi Tahu cultural values. I support this submission as this is consistent with the recommendations I have made throughout s42A reports on this issue.
396. William McLaughlin (S567.727), Chris & Jan Coll (S558.700), Chris J Coll Surveying Limited (S566.700) and Laura Coll McLaughlin (S574.700) seek that this rule be amended so that existing non-compliance with performance standards in Rule SVZ – R1 does not preclude the application of this rule. I do not support these submissions. Existing lawfully established activities have existing use rights, but outside of a resource consent process, I consider that existing non-compliance should not be accommodated specifically within the rules as this could have impacts on amenity of neighbouring properties, or if the non-compliances related to infrastructure, then impacts on the effectiveness or safety of the infrastructure or impacts on the environment.
397. Neil Mouat (S535.062) seeks that the rule be more enabling of development. This submitter is concerned that the provisions will not relate to efficient utilisation of land. I do not support this submission. No specific amendments are suggested, or issues raised around the specifics of this rule for me to respond to.

SVZ – R6 Commercial, Visitor Accommodation, Residential, Recreational, Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities not meeting Permitted or Restricted Discretionary Activity Rules

398. Te Mana Ora (S190.1260) supports this rule. This support is noted.
399. Neil Mouat (S535.063) seeks that the rule be more enabling of development. This submitter is concerned that the provisions will not relate to efficient utilisation of land. No specific amendments are suggested, or issues raised around the specifics of this rule for me to respond to, therefore I do not support this submission.

Discretionary Activities

400. William McLaughlin (S567.728), Chris & Jan Coll (S558.701) support the Discretionary Activities. This support is noted.

SVZ – R7 Minor Structures, Relocated Buildings, Fences, Walls and Retaining Walls not meeting Permitted Activity Rules

401. Te Mana Ora (S190.1261) and Laura Coll McLaughlin (S574.00743) support this rule. This support is noted.
402. William McLaughlin (S567.732), Chris & Jan Coll (S558.252), Chris J Coll Surveying Limited (S566.252) and Laura Coll McLaughlin (S574.252) seek that the references/rules in relation to relocated buildings be deleted. I do not support these submissions. The areas where this zone applies are located immediately adjacent – or in the case of Punakaiki, surrounded by, a National Park, and areas of Outstanding Coastal Natural Character and Outstanding Natural Landscapes. The current operative Plans recognise the visual sensitivity in particular of these locations, which are also the most visited tourism sites on the West Coast. The rules aim to strike a balance between providing the opportunity for development to support the tourism industry, while retaining the natural and aesthetic values that attract tourists.

403. Neil Mouat (S535.064) seeks that the rule be more enabling of development. This submitter is concerned that the provisions will not provide efficient utilisation of land. No specific amendments are suggested, or issues raised around the specifics of this rule for me to respond to, therefore I do not support this submission.

SVZ – R8 Industrial Activities

404. Te Mana Ora (S190.1262) support this rule. This support is noted

405. Neil Mouat (S535.064) seeks that the rule be more enabling of development. This submitter is concerned that the provisions will not provide efficient utilisation of land. I do not consider that Industrial Activities are appropriately located within this zone, which is anticipated to be a high amenity commercial dominated zone. I do not support this submission.

SVZ – R9 Any Activity Not Provided for in Another Rule in the Zone

406. Te Mana Ora (S190.1263) support this rule.

407. William McLaughlin (S567.729), Chris & Jan Coll (S558.702), Chris J Coll Surveying Limited (S566.702) and Laura Coll McLaughlin (S574.702) seek that this rule be deleted. Neil Mouat (S535.066) seeks that this rule be more enabling of development. I do not support these submissions and note no reasons are given. I do however note that this type of “catch all” rule is more commonly a Discretionary Activity in other parts of New Zealand and invite the submitters to provide information at the hearing about their view on whether that is alternative relief they would support.

Recommendations

408. That the following amendments be made to the Scenic Visitor Zone Rules:

SVZ - R1 Commercial, Visitor Accommodation, Residential, Recreational and Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities

Activity Status Permitted

Where:

1...

...8. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary ~~except where neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing...~~

Advice Note:

1. Much of Franz Josef/Waiiau is within the Flood Susceptibility Hazard Overlay and/or the Earthquake Hazard Overlay. Refer to the Natural Hazards Chapter for relevant rules that also apply.
2. Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to Council
3. ...

409. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

13.0 Submissions Across All Special Purpose Zones or Seeking New Zones

Submissions

Submitter Name /ID	Submission Point	Position	Decision Requested
Skyline Enterprises Limited (S250)	S250.005	Amend	Provide for a New Special Purpose Zone for the Amenities Area to support the Franz Josef Aerial Cableway. It is considered that an Aerial Cableway and ancillary access and parking within the Amenities Area Zone should be a Discretionary Activity supported by the Objectives and Policies outlined in the submission.
<i>Brian Anderson</i>	<i>FS237.001</i>	<i>Oppose</i>	<i>Disallow</i>
Skyline Enterprises Limited (S250)	S250.006	Amend	Amend zoning from rural to sought new Special Purpose zone "Amenities Area"
New Zealand Energy Limited (S463)	S463.002	Amend	Include a new special purpose zone for existing hydroelectric infrastructure in the Plan. This could be modelled on the Queenstown Lakes or Otago District Plan special zones.
<i>Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu</i>	<i>FS41.244</i>	<i>Support in Part</i>	<i>Allow in part</i>
<i>Brian Anderson</i>	<i>FS237.002</i>	<i>Oppose</i>	<i>Disallow</i>
Inchbonnie Hydro Limited (S540)	S540.002	Amend	Include a new special purpose zone for existing hydroelectric infrastructure in the Plan. This could be modelled on the Queenstown Lakes or Otago District Plan special zones.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.391	Amend	Amend to include a section "Other relevant Te Tai o Poutini Plan provisions" and list all relevant chapters with an explanation. Include all Natural Environment Chapters and District Wide Chapters.
<i>Brian Anderson</i>	<i>FS237.003</i>	<i>Support</i>	<i>Allow</i>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) (S560)	S560.0541	Amend	Amend to make clear that all vegetation clearance is dealt with by the ECO (and NC) chapter, in both the zone overviews and amend any relevant provisions within each chapter to that effect, and further that the ECO objectives and policies may be relevant to other activities

<i>Bathurst Resources Limited and BT Mining Limited</i>	<i>FS89.055</i>	<i>Oppose</i>	<i>Disallow</i>
<i>Brian Anderson</i>	<i>FS237.004</i>	<i>Support</i>	<i>Allow</i>

Analysis

Special Purpose Zone for Skyline Enterprises Proposed Amenity Area

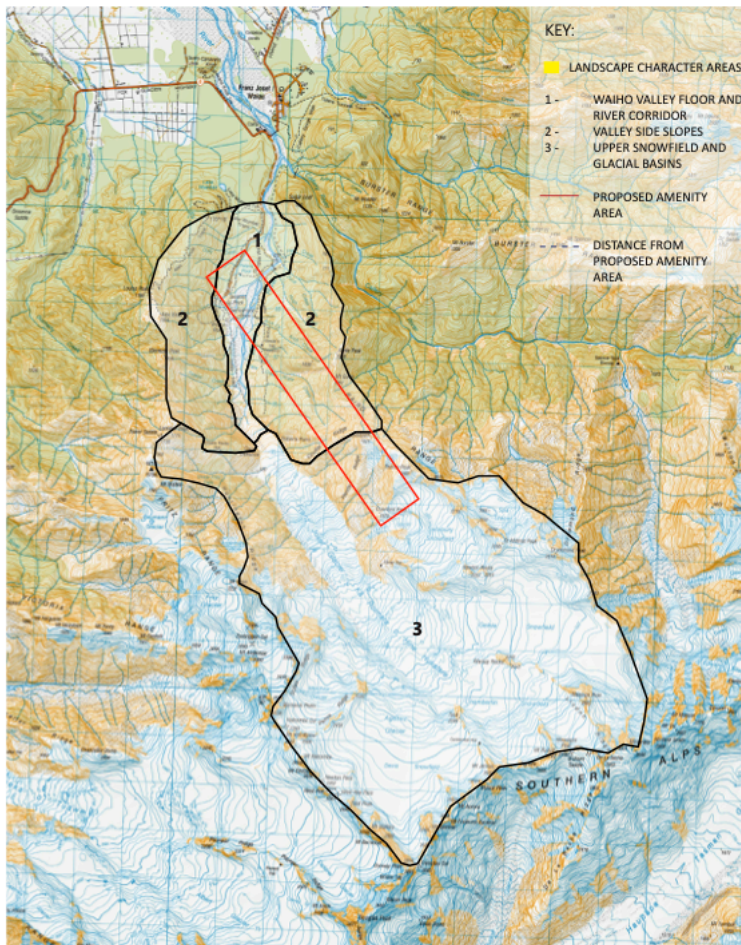
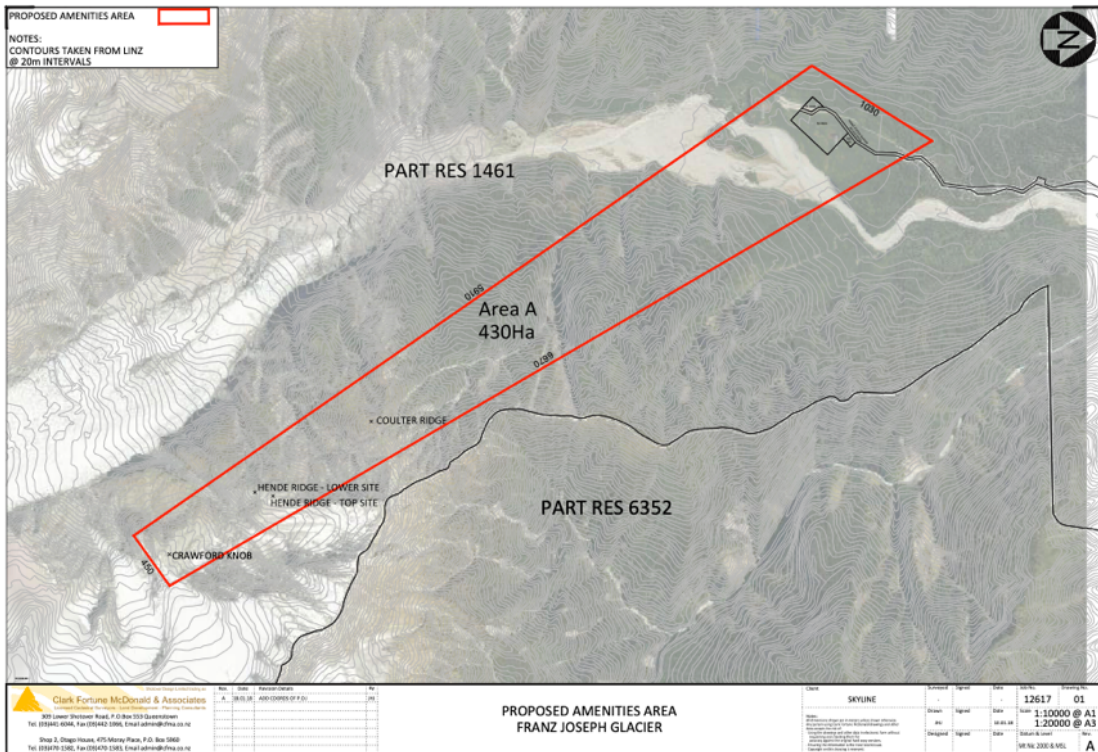
410. Skyline Enterprises Limited (S250.005, S250.006) seek that a new special purpose zone for the amenities area to support the proposed Franz Josef Aerial Cableway is included in the Plan. They provide significant detail about the proposed aerial cableway in their submission. The proposal is currently being considered as part of the review of the Westland National Park Management Plan. They seek that the new special purpose zone provide for the cableway, and ancillary access and parking within the zone as a Discretionary Activity, supported by the Objectives and Policies outlined in the submission.
411. The area in question would cover a 430 ha area, from the valley floor up 5.7km to Crawford Knob. The submission information states:

"Depending on the final design, a base station, or loading structure is likely to be located on the close to the visitor's car park in proximity to the Waiho River. A base station may include visitor facilities, a ticketing office, open-air boarding and alighting areas. The location of other stations or built structures is not finalised at this time and will be determined by the operational requirements and environmental constraints. However it is likely that the uppermost structure/s, will be located in the vicinity of Crawford Knob.

Although the exact building locations, size and form have not been finalised at this time, based on exemplars of AC's, the building materials are likely to comprise a mix of steel and timber and be finished in neutral low reflectance colours. Such a requirement would be enforced through the proposed Objective and Policy structure recommended by Mr Dent in the primary submission text and in particular Objective 3(a) and supporting Policy 3.3.

Depending on the design, the type of support structures, heights and spacing over 5.7 km will be determined as part of a detailed design. Similarly, the number, size / capacity and travel speed of any cabins is not yet determined.

412. Maps from the submission, showing the relevant area, are below.



413. I have discussed this proposal with the Westland District Council staff and considered the information provided by the submitter. Currently the land the submitter seeks to be zoned for the amenities area is within Westland National Park and is zoned Natural Open

Space Zone. With the detail given it is my view that the activity would probably be a Non-complying Activity in this zone

414. Alongside this the proposed location is within an Outstanding Natural Landscape and Site of Significance to Māori which the submitter has also sought to be removed from the site and I think would require a Discretionary Activity consent under those provisions. There would probably also be Discretionary Activity resource consents for clearance of indigenous vegetation to establish the carparking and maintenance access to the cableway structures.
415. The submitter is correct in that I consider a non-complying activity resource consent in the natural open space zone would be difficult to gain for the proposed operation.
416. However if the proposal is to be accommodated within TTPP, I am not convinced that the creation of another special zone is necessary. For example, if the area was zoned Open Space Zone it would probably be a Restricted Discretionary Activity – under Rules OSZ – R15 (Recreational Activities), OSZ – R16 (Retail activities) OSZ – R17 (for the carparking) alongside the Discretionary Activity for the landscape/SASM/vegetation clearance matters. If it was included in the National Park Management Plan, then some parts of the development (the base station and carpark) could be a Permitted Activity.
417. Another alternative would be to include the area within the Scenic Visitor Zone, with some additional policies and a rule to cover the development of the facility, although I consider the Open Space Zone approach is a better option.
418. Given that there is a zone already available that could accommodate the activity it is my current recommendation that this would be the best approach. I do note however that there are submissions (including from the Department of Conservation) that all public conservation land be Natural Open Space Zone, though this is not something I have supported.
419. I am also unclear on the level or otherwise of support for this proposal by the landowner, or the wider community and therefore what weight should be given to it. There is one further submission opposing the submission, but many stakeholders may be unaware of the submitter's proposal for a Special Purpose Zone. In that respect creating a Special Purpose Zone would effectively ensure the proposal could go ahead, without a public process around its appropriateness or not having occurred.
420. I therefore do not support this submission.

Special Purpose Zone for Hydroelectricity

421. New Zealand Energy Limited (S463.002) and Inchbonnie Hydro Limited (S540.002) seek that a new special purpose zone for existing hydroelectric infrastructure be included in the Plan. They consider that could be modelled on the Queenstown Lakes or Otago District Plan special zones.
422. These submitters have existing operations on public conservation land, as do Manawa Energy. These lands will currently be zoned either Open Space Zone, or Natural Open Space Zone.
423. I note however that the Zone provisions do not apply for energy activities – instead they are governed by the Energy Chapter. However, because the activities occur within the Open Space and Recreation Zones, assessment of the policies of that chapter would apply to any Discretionary or Non-complying Resource Consent under the Energy Chapter rules. However in reviewing those rules, only new large scale renewable electricity generation would trigger a Discretionary Activity. The maintenance, repair, upgrading and expansion of existing hydroelectricity generation is likely to be either a Permitted or Restricted Discretionary Activity, although District Wide rules for landscape or vegetation clearance could also be triggered.
424. Given this, I do not consider that there is a need for a special purpose zone. I note the Queenstown District Plan was prepared prior to the National Planning Standards, so this may be why a Special Purpose Zone has been used here.

Other Relevant Te Tai o Poutini Plan Provisions

425. Forest and Bird (S560.391, S560.0541) seek that it be made clear that vegetation clearance is dealt with in the district wide chapters, and that a consistent "Other relevant Te Tai o Poutini Plan provisions" section is included within the overview and that this includes all relevant chapters with an explanation. They seek that all I Natural Environment Chapters and District Wide Chapters be included in this section.
426. I support S560.391 and the inclusion of the more standardised and expanded "Other relevant Te Tai o Poutini Plan provisions" section in the Overview, and I have consistently done so in other reports.
427. I support S560.0541 in part. I do consider it necessary to annotate every rule – that is the purpose of including information in the overview. The exception however is that I consider Rules SVZ – R1 and SVZ – R5 should be annotated. This is because these rules contain vegetation clearance provisions that are more stringent than the Ecosystems and Biodiversity rules in order to protect the amenity and scenic nature of the Punakaiki Scenic Visitor Zone area. These more stringent rules apply on top of the provisions in the Ecosystems and Biodiversity chapter.

Recommendations

428. That the following amendments are made to the Special Zones Chapters.

Airport Zone

Other relevant Te Tai o Poutini Plan provisions

There are two key overlays which affect the Airport Zones - the Airport Approach Path Overlay which applies to the flight paths into the airports and the runways themselves, and the Airport Noise Contour Overlay.

These overlays can be viewed on the planning maps.

Rules in relation to the Airport Approach Path Overlay as it relates to areas outside of the AIRPZ - Airport Zone can be found in the Zone Chapters.

The Rules in relation to the Airport Noise Contour Overlays can be found in the NOISE Chapter at Rule NOISE - R10.

It is important to note that in addition to the provisions in this chapter, a number of Part 2: District - wide Matters chapters also contain provisions that may be relevant for Airport Zone activities, including

Sites and Areas of Significance to Māori Chapter - there may be sites and areas of significance to Māori, identified at individual sites within the Airport Zone. Specific information on the provisions that apply to these can be found in the Sites and Areas of Significance to Māori Chapter.

Natural Hazards - natural hazards are widespread on the coast and in some locations natural hazard overlays may affect areas in the Airport Zone. Information on natural hazard overlays and provisions can be found in the Natural Hazards chapter.

Natural Character and Margins of Waterbodies -in some locations areas of Airport Zone may extend into the riparian margins of waterbodies. The Natural Character and Margins of Waterbodies Chapter contains provisions on how these areas must be managed.

Coastal Environment - in some locations areas of Airport Zone may be within the Coastal Environment. The Coastal Environment Chapter contains additional provisions on how these areas must be managed.

Ecosystems and Biodiversity – The Ecosystems and Biodiversity chapter contains the provisions around the management of indigenous vegetation, including within the Airport Zone.

Hospital Zone

Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to the provisions in this chapter, a number of Part 2: District - wide Matters chapters also contain provisions that may be relevant for hospital activities, including:

- a. ~~**Overlay Chapters** – the Overlay Chapters have provisions in relation to historic heritage; notable trees; sites and areas of significance to Māori; biodiversity; landscape; riparian areas; natural hazards; and the coastal environment. Where an activity is located within an overlay area (as identified in the planning maps) then the relevant overlay provisions apply.~~
- b. **Sites and Areas of Significance to Māori, Historic Heritage and Notable Tree Chapters** - there may be sites and areas of significance to Māori, historic heritage or notable trees identified on individual sites within the Hospital Zone. Specific information on the provisions that apply to these can be found in the Sites and Areas of Significance to Māori, Historic Heritage, and Notable Trees Chapters.
- c. **Natural Hazards** - natural hazards are widespread on the coast and in some locations natural hazard overlays may affect areas in the Hospital Zone. Information on natural hazard overlays and provisions can be found in the Natural Hazards chapter.
- d. **Coastal Environment** - in some locations areas of Hospital Zone may be within the Coastal Environment. The Coastal Environment Chapter contains additional provisions on how these areas must be managed.
- e. **Ecosystems and Biodiversity** – The Ecosystems and Biodiversity chapter contains the provisions around the management of indigenous vegetation, including within the Hospital Zone.
- f. **Noise** - The Noise Chapter contains the provisions for managing noise effects from sites in the HOSZ - Hospital Zone.
- g. **Signs** - The Signs Chapter contains the provisions for signs, including those within the HOSZ - Hospital Zone.
- h. **Light** - The Light Chapter contains the provisions for artificial outdoor light, including lighting within the HOSZ - Hospital Zone.

Port Zone

Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to the provisions in this chapter, a number of Part 2: District - wide Matters chapters also contain provisions that may be relevant for port activities, including:

- a. **Sites and Areas of Significance to Māori, Historic Heritage and Notable Tree Chapters** - there may be sites and areas of significance to Māori, historic heritage or notable trees identified on individual sites within the Port Zone. Specific information on the provisions that apply to these can be found in the Sites and Areas of Significance to Māori, Historic Heritage, and Notable Trees Chapters.
- b. **Natural Hazards** - natural hazards are widespread on the coast and in some locations natural hazard overlays may affect areas in the Port Zone. Information on natural hazard overlays and provisions can be found in the Natural Hazards chapter.
- c. **Ecosystems and Biodiversity** – The Ecosystems and Biodiversity chapter contains the provisions around the management of indigenous vegetation, including within the Port Zone.
- d. **Noise** - The Noise Chapter contains noise provisions for activities in the PORTZ - Port Zone.
- e. **Signs** - The Signs Chapter contains the provisions for signs for activities in the PORTZ - Port Zone.

- f. **Light** - The Light Chapter contains the provisions for artificial outdoor light, for activities in the PORTZ - Port Zone.
- g. **Subdivision** - The Subdivisions chapter sets out the requirements for subdivision.
- h. **Financial Contributions** - The Financial Contributions chapter sets out the requirements for contributions of costs for activities which impact on local network utility infrastructure

Stadium Zone

Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to the provisions in this chapter, a number of Part 2: District - wide Matters chapters also contain provisions that may be relevant for stadium activities, including:

- a. **Noise** - The Noise Chapter contains noise provisions for activities in the STADZ - Stadium Zone.
- b. **Signs** - The Signs Chapter contains the provisions for signs for activities in the STADZ - Stadium Zone.
- c. **Light** - The Light Chapter contains the provisions for artificial outdoor light, for activities in the STADZ - Stadium Zone.
- d. **Natural Hazards** - The Natural Hazards Chapter contains provisions in relation to flood susceptibility which may be relevant in particular to the Pulse Energy Events Centre
- e. **Ecosystems and Biodiversity** - The Ecosystems and Biodiversity chapter contains the provisions around the management of indigenous vegetation, including within the Stadium Zone.

Scenic Visitor Zone

Other relevant Te Tai o Poutini Plan provisions

It is important to note that in addition to the provisions in this chapter, a number of Part 2: District-wide Matters chapters also contain provisions that may be relevant for activities in the SVZ - Special Visitor Zone, including:

- ~~a. **Overlay Chapters** - the Overlay Chapters have provisions in relation to historic heritage; notable trees; sites and areas of significance to Māori; biodiversity; landscape; riparian areas; natural hazards; and the coastal environment. Where an activity is located within an overlay area (as identified in the planning maps) then the relevant overlay provisions apply.~~
- b. Sites and Areas of Significance to Māori, Historic Heritage and Notable Tree Chapters** - there may be sites and areas of significance to Māori, historic heritage or notable trees identified on individual sites within the Scenic Visitor Zone. Specific information on the provisions that apply to these can be found in the Sites and Areas of Significance to Māori, Historic Heritage, and Notable Trees Chapters.
- c. Natural Hazards** - natural hazards are widespread on the coast and in some locations natural hazard overlays may affect areas in the Scenic Visitor Zone. Information on natural hazard overlays and provisions can be found in the Natural Hazards chapter.
- d. Natural Character and Margins of Waterbodies** - in some locations areas of Scenic Visitor Zone may extend into the riparian margins of waterbodies. The Natural Character and Margins of Waterbodies Chapter contains provisions on how these areas must be managed.
- e. Ecosystems and Biodiversity** - The Ecosystems and Biodiversity chapter contains the provisions around the management of indigenous vegetation, including within the Māori Purpose Zone. These are in addition to the specific provisions in Rules SVZ – R1 and SVZ – R5 in relation to vegetation clearance in the Punakaiki Scenic Visitor Zone.
- f. **Coastal Environment** - where activities occur within the coastal environment, including areas of high or outstanding coastal natural character, the Coastal Environment chapter contains provisions for activities within these areas
- g. **Subdivision** - The Subdivision chapter sets out the requirements for subdivision activities in the SVZ - Scenic Visitor Zone.

h. **Financial Contributions** - The Financial Contributions chapter sets out the requirements for contributions of costs for activities which impact on the local network utility operators.

SVZ - R1 Commercial, Visitor Accommodation, Residential, Recreational and Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities

Activity Status Permitted

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Advice Note:

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...4. The provisions in this rule in relation to indigenous vegetation clearance in the Punakaiki Scenic Visitor Zone are in addition to the requirements in the Ecosystems and Biodiversity Chapter.

SVZ - R5 Commercial, Visitor Accommodation, Residential, Recreational, Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities not Meeting Permitted Activity Standards

Activity Status Restricted Discretionary

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Advice Note: The provisions in this rule in relation to indigenous vegetation clearance in the Punakaiki Scenic Visitor Zone are in addition to the requirements in the Ecosystems and Biodiversity Chapter.

429. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

14.0 S32AA Evaluation for all Recommended Amendments

430. Section 32AA of the RMA requires a further evaluation to be undertaken in accordance with s32(1)-(4) if any amendment has been made to the proposal (in this case TTPP) since the original s32 evaluation report was completed. Section 32AA requires that the evaluation is undertaken in a level of detail that corresponds to the scale and significance of the changes. Minor changes to correct errors or improve the readability of TTPP have not been individually evaluated. In terms of s32AA, these minor amendments are efficient and effective in improving the administration of TTPP provisions, being primarily matters of clarification rather than substance.

431. I consider the recommended changes are of a minor nature and are intended to improve the workability of TTPP, and therefore further evaluation under s32AA is not required.

15.0 Conclusion

432. This report has provided an assessment of submissions received in relation to the Special Purpose Zones Chapters in Part 3, relevant definitions in Part 1 and the Special Purpose Zones as identified on the Planning Maps.

433. This report considers and provides recommendations on the decisions requested in submissions. I consider that the submissions on the Special Purpose Zones should be accepted, accepted in part, rejected or rejected in part, as set out in my recommendations of this report and contained in Appendix 2 of this report.

434. I recommend that provisions for the Special Purpose Zones be amended for the reasons set out in this report.

435. I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA (especially for changes to objectives), the relevant objectives of this plan and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken.