

NOTES FOR HEARING

Residential Zones Special Purpose Zones

Frida Inta S553 Buller Conservation Group S552

Representing myself and Buller Conservation Group, I have read the s42A report of Lois Easton.

16.07.2024

RESIDENTIAL AREAS

RESZ

My submission said:

P5 Industrial Activities, and non-residential activities which involve noxious, offensive and dangerous activities and those with a significant negative impact on amenity shall not be located in RESZ - Residential Zones, **and will require a buffer zone.**

P18 a 20 metre buffer zone around the periphery of residential zones should separate residential from non-residential activities.

All residential (including settlement) zones should have this rule added in.

S42A Report Analysis

S42A@63 S552, S553.231

Need a 20m buffer to other zones for e.g. cowraces

Frida Inta (S553.231) and Buller Conservation Group (S552.231) seek the addition of a new policy setting out that a 20m buffer zone should be provided around the periphery

of residential zones to separate these from non-residential activities. I do not support this submission as it relates to non-residential activities within the zone. I consider that provided the non-residential activities meet the required Permitted Activity standards of the Zone they should be able to establish without the need for a buffer. These standards and specifications for non-residential activities have been developed in order to ensure that a good level of residential amenity is maintained within these areas. I also note that the average residential section would have a width of less than 20m so such a buffer would be impractical. It may be that these submitters are seeking that there be a 20m buffer between a residential and non-residential zone. However I would not support this approach either. I note that all zones other than residential zones are “non-residential” therefore this would effectively restrict any activity within such a buffer. I consider that this matter is already dealt with within the non-residential zones through the requirement for setbacks from boundaries.

MUZ R1 Buildings and structures setback 3 m from RESZ, OSRZ, INZ, PORTZ boundaries

NCZ R5 buildings setback of 1m from boundaries

TCZ R1 buildings 3m from boundaries

GIZ R1 buildings 5m from boundaries

GRZ R1 buildings 1m from boundaries

etc

RLZ R1, SETZ R5 i. For poultry setbacks of 10m from any residential building on another site and 2m from the site boundary;

ii. For pig keeping setbacks of 50m from any residential building on another site and 100m for any shelter holding 4 or more pigs;

I haven't seen things such as cowraces addressed.

RESZ P2

S42A@66 S552, S553.228

S42A says

air pollution is not managed through district plans but is subject to the provisions of Section 15 of the RMA which delegate this function to regional councils. The appropriate location for this matter is the West Coast Regional Air Plan.

P2 should include air quality and odour - where else in any West Coast plan do residential properties and communities have protection from bad/ toxic air quality and bad/ toxic odours? There is little to no protection provided, except for the extant BDC Plan and it is therefore important that that item is transferred into this plan. There is also the issue of air pollution other than dust and odour. Toxic chemicals can have dire health effects and sometimes are not detected by odour. There is little protection in a neighbourhood if someone is emitting noxious fumes, it is very hard to detect except with expensive equipment; not enough protection is given with respect to such issues.

P4

Contrarily to S42A@66, **P4** includes 'dust and odour'.

I consider the inclusion of 'dust and odour' as appropriate. It needs to be included in P2 if my suggestion to include, 'air pollution' is rejected.

S42A@70 S552, S553.229

'These submitters also seek that the policy refer to vibration. I am aware that the issue of whether TTPP should regulate vibration is a subject to be considered in the Noise s42A report which has not yet been drafted. If TTPP is to continue to regulate vibration then I would support the addition of the term to this policy.'

Vibration has not been included in the updated P4
There is reference to 'vibration' in other chapters.

GRZ

R1

'site', 'net site area', 'allotment' - there needs to be consistency around the descriptive wording of property titles.

R4

Relocated buildings

2. The amendment makes less sense than the original and is bad grammar.

R4.2 Any relocated building intended for use as a dwelling must have been designed, and built ~~to be~~ and used as a dwelling;

The original needs to be reinstated.

R5 Home Business

S42A@116 S552, S553.169 S553.233

R5 4 heavy vehicles, 20 light vehicles per day or 120 per week is a lot of vehicle disturbance in a residential area, and will also be disturbing to domestic animals and wildlife. A business that needs that much vehicle movement should be subject to neighbours' and/ or community approval.

This needs to be applied to all light business in RESZ and SESZ.

The S42 planner does not approve.

Permitted vehicular traffic numbers need to be reduced in number.

R5.7. *No external generation of dust, odour or smoke occurs as part of the activity.*

A good inclusion and this should be applied to all parts of the Plan.

LLRZ

R1

R1.6 Grammar

Stormwater is managed on site with any off-site discharge managed

R1.7

S42A@184 S552, S553.171

All residential units and buildings used for a residential activity must be connected to the community water supply and wastewater networks if these services are provided;

The planner disagrees, saying the situation where these services are not supplied becomes discretionary,

I acknowledge that the overview says it is expected that such services will be supplied to all properties but if there is an anomaly this rule does not cater for it and may then require an expensive resource consent.

Residents should be allowed to choose composting toilets, which do not require a network connection.

Composting toilets:

There is no reference at all in this Plan to composting toilets. The Plan should probably address what types of toilets are allowed where. I asked that composting toilets be considered in SUB P2(I), where a connection to water and waste services is required if those services are in place, but my request was rejected, where the planner (SUB S42A@123, S552, S553.110) said that composting toilets are not restricted. But if connection to reticulated services is required, it would be doubly expensive to instal a composting toilet instead.

(I did not address SUB P2(I) at the SUB hearing)

MRZ

Zone chapters need to be tidied up to list their rules in chronological order according to the rule structure/ sequential order of the general zone e.g. GRZ, rule order. As they stand the rule sequencing of the different zones' rules are disarrayed.

Chapters such as MRZ are superflous in the way they are constructed, just taking up space and readers' time.

Major differences between GRZ and MRZ:

Rule	GRZ	MRZ
R1	.7 1 heavy vehicle	.6 no heavy vehicles
R5	.3 There is no more than one full – time -equivalent person engaged in the home business that resides off-site	
		.4 A maximum of 4 heavy vehicle movements per day and whichever is the greater of 20 light vehicle movements per day or and 140 light vehicle movements per week;
R6.5	Records of letting activity	Records of letting activity must be kept and

	<p>must be kept and provided to the District Council annually (this is an amendment that may have been overlooked for MRZ. Reasoning in S42A@131 would support overlooked)</p>	<p>provided to the Council on request;</p>
Advice note	<p>2 In the Buller and Westland Districts, where residential visitor accommodation has been lawfully established under the Buller or Westland District Plan provisions, then existing use rights apply.</p>	<p>Not included - may be an oversight.</p>
R7	<p>Not included - may be an oversight.</p>	<p>.3 Any buildings must be connected to the community water supply and wastewater networks and stormwater from the site used for the activity must not drain to any public road except for secondary flow purposes;</p>
R8	<p>.2 maximum of 10 residents</p>	<p>.2 maximum of 6 residents living on site</p>
R9	<p>Papakainga developments permitted</p>	<p>No equivalent rule</p>
R10	<p>Accommodation within Hokitika VAC</p>	<p>No equivalent rule</p>
	<p>GRZ R13 Buildings not meeting R1</p>	<p>No equivalent rule</p>

GRZ R16 MRZ R11		MRZ R11 Development of Medium Density Developments The first part of the rule in GRZ (where: 1-6) is missing from MRZ - perhaps it should not be.
GRZ R15, MRZ R12	same except for additional amendments	Additional amendments not included (may be an oversight?)
GRZ R18	Papakainga developments	No equivalent rule
GRZ R19 MRZ R15	a. is missing	a. This is ancillary to a Residential Activity
GRZ R21 MRZ R17	heading includes Commercial visitor accommodation	Commercial visitor accommodation not included
GRZ R22	Commercial Activities and Emergency Service Activities	No equivalent rule
MRZ R18	no equivalent rule	Visitor Accommodation not meeting the Permitted, Restricted Discretionary or Discretionary Activity Standards
MRZ R19	no equivalent rule	Any Commercial Activity not meeting another Rule in the Zone

Some differences are likely oversights, other differences are so trivial they are not needed.

Rules for MRZ, and all similar zones stemming from and under an umbrella zone ruling chapter e.g. GRZ, should be:

1. put in chronological order according to the linked umbrella zone ruling chapter e.g. umbrella GRZ,
2. eliminate any rules that are a repeat of the linked umbrella zone ruling chapter
3. The appropriate umbrella zone ruling chapter overview should say that its rules apply to all its consequential, downstream zones.

Note that FUZ - P1 says:

Provide for use and development that is consistent with the policies of the GRUZ - General Rural Zone

Special zones

FUZ

FUZ **protect valuable horticulture land from urban sprawl** (from submission re SUB - O4)

or

Avoid FUZ in valuable horticultural land.

I consider that this needs to be an objective.

Policies

S42A@107 S552, S553.191

P6 Avoid FUZ development in areas of indigenous biodiversity and natural character.

Although it is stated in FUZ - P1, that general rules and regulations of GRUZ must be followed, this proposed policy needs to be included. It could be added to P1. I think it needs to be included as general guidance, especially as SNA has not completed in the Buller.

Noted that the overview refers to the ECO chapter, but I consider that BD needs to be referred to in a policy because the FUZ is, and will be, large areas which will no doubt incorporate BD, and a future urban zone will require substantial clearing of land.

STADZ

P3

S42A@348 S552, S553.200

My suggestion to include light is supported.

Appendix (page 18) SORTED!

Note - Quality planning website down. check S42@124, p48

MUZ R10, which that paragraph refers to concerns retaining walls etc. Is it FUZ R9 or 10 that is meant? If so then, Appendix XXX refers erroneously to MUZ R10