

Oral evidence – Coastal Environment & Natural Hazards – proposed Te Tai o Poutini Plan

Rachael Elizabeth Pull (planner) on behalf of Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu (Poutini Ngāi Tahu)

23 October 2024

Tēnā koutou, ko Rachael Pull tōku ingoa and I am providing an oral support of my planning statement on behalf of Poutini Ngāi Tahu for the Coastal Environment & Natural Hazards hearing for the proposed Te Tai o Poutini Plan.

I have over 15 years' experience in planning in New Zealand. Most of this experience has been for Whanganui and the Thames- Coromandel District Councils. These two Councils are noted for their dynamic coastlines as well as being the two Councils that declare the most States of Emergency. While employed by these Councils as a planner I have also been a part of the Civil Defence headquarters for various declared events (including the 2015 Whanganui Flood event), working in the Planning and Intelligence team preparing Situation Reports. In 2020 I completed the Foundation and Intermediate Assessments of the Integrated Training Framework for the National Emergency Management Agency – a certification focused on Civil Defence work.

I have drawn on this experience when preparing this statement. I am available to assist you with any questions.

[Natural Hazards Portal: Natural hazards in your area](#) – confirms scale and location of hazards within the West Coast: Faultline, Landslides & Tsunami.

NH-04 – Natural Systems (p276)

Goals:

- Use NPS term 'green infrastructure' over 'natural systems' – this will provide for the creation the s42A officer thought was lacking.
- Infrastructure is also managed by the objectives in the Infrastructure Chapter and does not require additional objectives in the natural hazard chapter, apart from the recognition of natural systems' role in hazard management.
- Use 'recognise and protect' over 'create, retain or enhance' (s6 wording)

green infrastructure ([NPS definition](#))

means a natural or semi-natural area, feature or process, including engineered systems that mimic natural processes, which are planned or managed to: (a) provide for aspects of ecosystem health or resilience, such as maintaining or improving the quality of water, air or soil, and habitats to promote biodiversity; and (b) provide services to people and communities, such as stormwater or flood management or climate change adaptation.

NH-R12 –This is a restricted discretionary rule for additions and new buildings for hazard sensitive activities in land instability overlays. I requested two changes.

Firstly, that the rule had as a matter of discretion the ability to consider the buildings function as a welfare centre or other disaster relief structure. The rebuttal evidence states that this would lesson

or weaken the framework. I disagree. While in an ideal world I agree that critical response facilities should not be in natural hazard areas, the fact is New Zealand does not have many areas that are not subject to any natural hazards. I would even argue there is less land available that is not prone to natural hazards in the West Coast compared to the rest of the country.

Furthermore, welfare centres need to be accessible during an emergency. This means they need to be located/sited in or at the edge of these areas given that displaced people need to be able to access them even during events when roads and bridges are not safe to use. If welfare centres are only established in areas without hazards, the people who need them, might not be able to access them when needed.

What adding this matter of discretion would achieve is that these critical facilities can be established where needed. It won't take away from the geotechnical assessment and certification which is also a matter of discretion and reason to decline the consent if the hazards cannot be managed.

The 4 R's of emergency management are: reduction, readiness, response and recovery. These rules lean heavily on reduction at the potential expense of the other 'r's. Section 6 focuses on management of risk, not avoidance of risk. I am open to working with West Coast Civil Defence to review these rules and if they impact emergency preparations and report back to the Panel if this would help.

The second issue I raised with this rule is the potential impacts on SASM. My statement recommended a matter of discretion similar to other chapters by referring to adverse effects on overlays identified in schedules 1-8. I disagree with the rebuttal that this reference is too broad as it is site specific and limited to values identified in the schedules, however I agree that it is wider than the submission that only referred to SASM.

I disagree that it is a double up of the existing matters of discretion as stated at paragraph 20 of the rebuttal as the damage to adjoining or downslope property is assessed by geotechnical certification – a geotechnical engineer is not suitably qualified to assess the effects on SASM.

CE-R3 Māori Purpose Activities and Buildings in the Coastal Environment

This rule has been recommended to change from providing a permitted framework within these areas to excluding them from the Outstanding Coastal Environment Area. The definition of Outstanding Coastal Environment is made up of:

- outstanding natural character overlay (Schedule 8);
- outstanding natural landscape overlay (Schedule 5); and
- outstanding natural feature overlay (Schedule 6).

These overlays are highly valued partly because of the - Poutini Ngai Tahu associations as stated in CE-P1. Restricting the ongoing associations and relationships with these areas does not protect these values, but instead reduces them by preventing the associations that give these areas value. Enabling Māori Purpose Activities in the zoning and then restricting it in the overlays does not achieve the settlement, s6, s8 the NZCPS or the WCRPS.

Scope/considering other s42A report recommendations

The s42A report has amended rule SUB-R6 which relates to subdivision in the Māori Purpose Zone and Rural Zones. This rule has already been heard during the subdivision hearing. Given this s42A report does not refer to the subdivision hearing it is unclear whether this s42A report considered the impacts and issues of that hearing. Ngāi Tahu submitted on S620.185 at the Subdivision Hearing and was not prepared to argue the same submission point again in this hearing. I ask that any recommendations to the subdivision rules in this hearing are weighed against the recommendations of the subdivision hearing.

Scope – definitions

Many definitions exist within the report for the same thing – can this be simplified? I have highlighted below the main areas where there seems to be duplication.

Definition	Status	TTP references
<p>Community facility means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.</p>	National Planning Standards	Sensitive Activity provisions Most zones Natural Hazards
<p>COMMUNITY FACILITIES, EDUCATION FACILITIES and HEALTH FACILITIES means in relation to natural hazards. all community buildings where people congregate including places of worship, Marae, daycare, primary, secondary and tertiary education facilities, medical facilities excluding hospitals and medical centres with surgery facilities.</p>	Recommended to delete or remove community facilities	NH-R23 Hazards hearing
<p>CRITICAL RESPONSE FACILITIES means, in relation to natural hazards, hospitals, fire, rescue, police stations, buildings intended to be used in an emergency for shelter, operations or response, hazardous or explosive material storage, aviation control towers, air traffic control centres, emergency aircraft hangars, fuel storage, major dams, community scale potable water treatment facilities and wastewater treatment facilities.</p>	Recommended to remove hazard materials and dams	NH-P6, P8 NH-R8, R11, R15, R16, R18, R20, R24, R27, R30, R32, R40, R42, R47, R48, R49, R52 SUB-R13 (deleted)
<p>EMERGENCY SERVICE FACILITY means the facilities of authorities that are responsible for the safety and welfare of people and property in the community. It includes fire stations, ambulance stations, police stations and emergency co-ordination facilities.</p>	Supported by all submissions in Whole Plan Hearing	TCZ-R2 GIZ-R6, R13 LIZ-R4 GRUZ-R10
<p>HAZARD SENSITIVE ACTIVITY - means buildings accommodating: a. Residential Activity, including residential units, respite care, and rehabilitation housing. b. Visitor Accommodation c. Retirement Home d. Healthcare Facility e. Community Facility f. Educational Facility g. Marae h. Critical Response Facility i. Visitor Accommodation j. Sleep Outs k. Childcare services, including kohanga reo</p>	Recommended new definition	NH-P5, P7 NH-R1, R4-16 SUB-R6, R8, RX, R13, R20, R21

Post Hearing notes:

Costal Environment rule CE-R3.

Does there need to be a restriction on Māori Purpose activities on Māori Purpose Zone within the Outstanding Coastal Environment?

Evidence 1: How much land is affected by this:

Just Outstanding Natural Character and no other Outstanding Coastal Environment overlays:
141.52ha

All affected land protected by Outstanding Natural Character and other overlays: **144.63ha**



Site 1: Outstanding Natural Character on half the site, but also protected by Outstanding Natural Landscape overlay. Map 104.

SASM162: Heretaniwha - Silent File (Wāhi tapu)

SASM168: No. 4 Heretaniwha Native Reserve - Silent File (Wāhi tapu)

SASM167: Mahitahi Mussel & Pipi Bed (Mahinga kai)

SASM170: Porangirangi to Mahitahi (Kāinga)





Sites around the Makawhio River with Outstanding Natural Character but not Outstanding Natural Landscape. Map 105

SASM183: Makāwhio River Catchment (Jacobs River) (Ancestors embedded in the landscape, Wāhi taonga, Wāhi tapu, Mahinga kai)

SASM157: No. 10 Makāwhio Native Reserve (Māori Reserve, Pā site, Urupā)

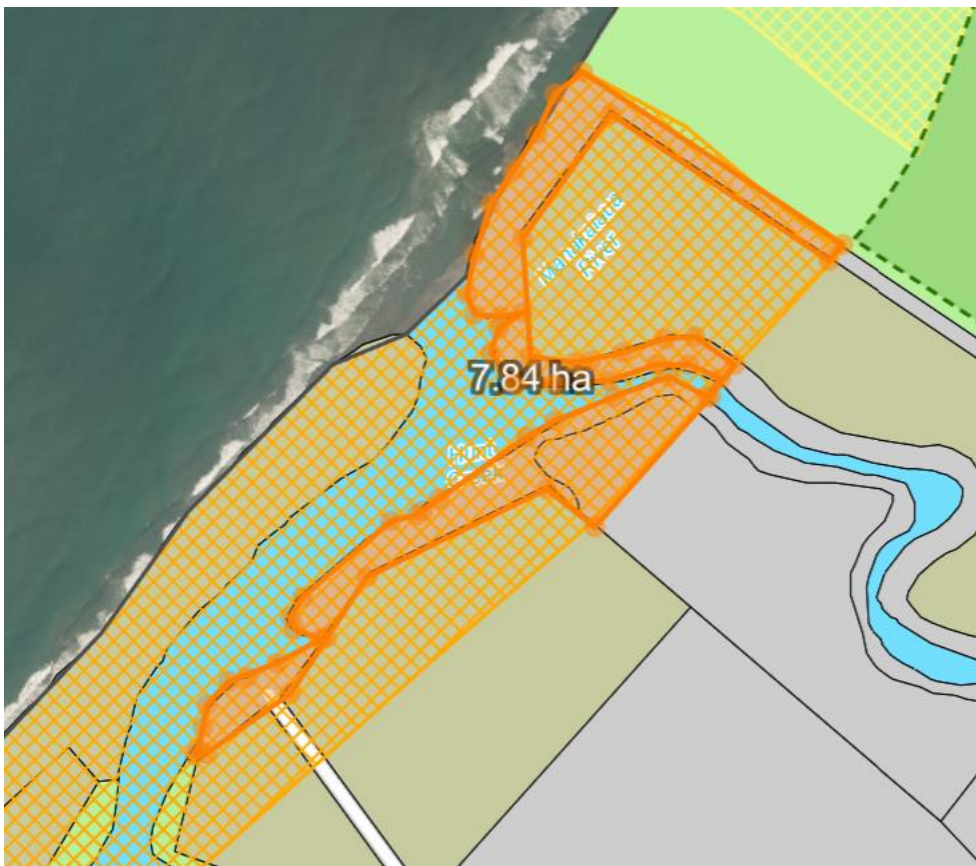
SASM166: Makāwhio River (Jacobs River) (Statutory Acknowledgement, Ancestors embedded in the landscape, Wāhi taonga, Wāhi tapu, Mahinga kai)

SASM156: Te Puku o te Wairapa (Maunga, Ancestors embedded in the landscape)

SASM158: No. 8 Makāwhio and No. 9 Makāwhio (Māori Reserve, Pā site, Urupā, Mahinga kai)

SASM155: Hunts Beach Māori Reserve - Silent File (Wāhi tapu)

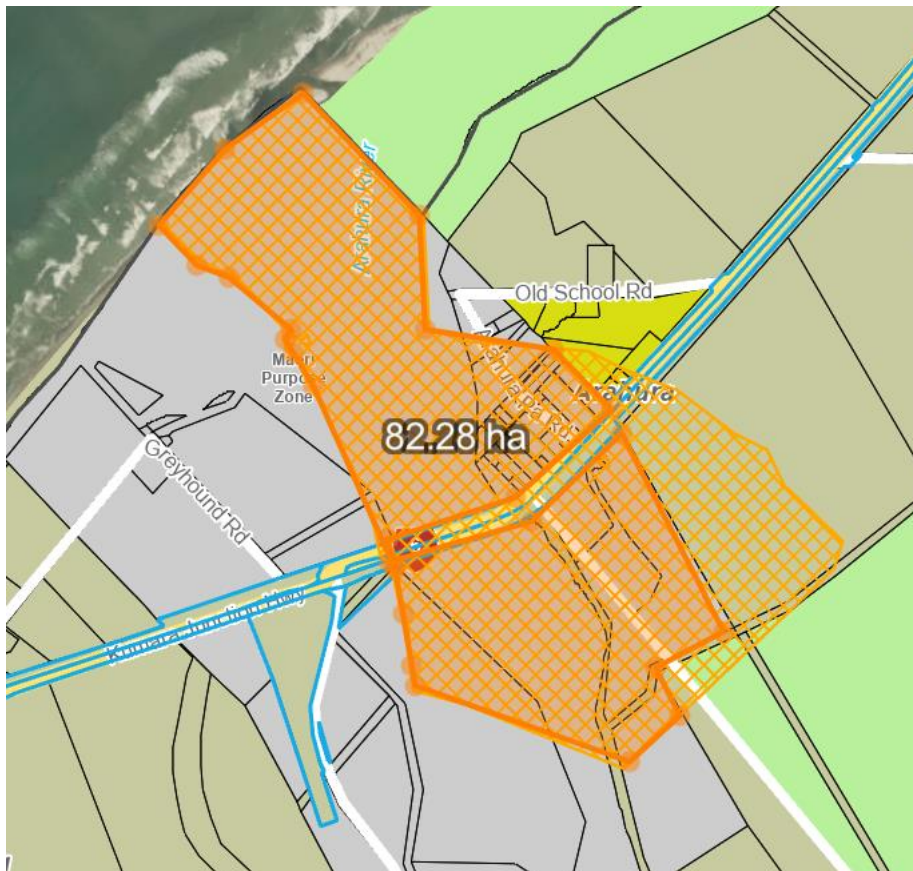
SASM154: Hunts Beach Mussel & Pāua Bed (Mahinga kai)



Sites around Manakaiaua River: High Natural Character. Map 105

SASM150: Hunts Beach [Kāinga](#) ([Kāinga](#), Cultivations, Mahinga kai)

SASM149: No.12 Manakaiaua Native Reserve (Māori reserve, Mahinga kai)



Site near the Arahura River: High Natural Character. Map 63.

SASM89 Arahura Pā South Bank (Pā site, Cultivations)

SASM94 No. 30 Arahura Native Reserve (Māori Reserve, Ancestors embedded in the landscape)

SASM93 Arahura Marae (Marae)

SASM92 Arahura Urupā (Urupā) SASM91 Arahura Pā (Pā site)

SASM88 Timuaki Pā (Pā site)

Evidence 2: Was this considered during Plan development?

Yes in the following ways:

[S32 report](#) for Special Zones establishing the Māori Purpose Zone notes that parts of the MPZ is within the coastal environment (Pg52).

“In light of this, the identification of land to include within a Māori Purpose Zone was undertaken in conjunction with Poutini Ngāi Tahu Kaiwhakahaere and planning staff. The idea of a Māori Purpose Zone is that it should enable Poutini Ngāi Tahu to provide for environmental, economic, social and cultural wellbeing and look to the future in relation to this. Therefore when looking at the types of activities which could occur in the Māori Purpose Zone, it is important to recognise that such activities should not just be restricted to cultural activities undertaken in the recent past.” (Pg56)

[S32 report](#) for Coastal Environment confirms that the benefits of the notified rules included the enablement of Poutini Ngāi Tahu to undertake cultural uses and develop land according to tikanga (Pg104).

Section 12.2.3 notes that exercising tino rangatiratanga on Māori Land was a goal of the approach to the Coastal Environment Chapter. (Pg90):

“The responsibility of kaitiakitanga is something that Poutini Ngāi Tahu take very seriously and this is reflected in the high natural values that are found in many Poutini Ngāi Tahu lands. Poutini Ngāi Tahu have and will continue to be excellent kaitiaki of these areas and the many values that they hold.

Many of these lands were returned to Poutini Ngāi Tahu under the Ngāi Tahu Settlement Act. Poutini Ngāi Tahu seeks that Te Tai o Poutini Plan include mechanisms that allow Poutini Ngāi Tahu to exercise tino rangatiratanga across their lands. They have identified that an approach which leaves these matters to be managed through the use of an iwi/papatipu rūnanga management plan is preferred for these areas.”

Does there need to be a restriction on Māori Purpose activities on Māori Purpose Zone within the Outstanding Coastal Environment?

Based on the above, there is under 150ha of land impacted by this rule, which is not insignificant and worth considering. This issue was considered during Plan development and is reflected in both the zoning and coastal section 32 reports with the outcome of providing for Māori Purpose Activities. What I have noted in the maps is that all the sites subject to this rule are also Sites and Areas of Significance to Māori (SASM). This means that although the zoning could potentially enable development and modification, these sites are also of high cultural value which would restrict a high level of modification.

After reviewing the values of the SASM for these locations, I would not expect significant loss of naturalness for the sites that contain silent files nor the ones that are protected due to high mahinga kai values creating the listing. This leaves the Arahura River site as the location most likely to be enabled by the notified version of this rule, however it also contains a urupā and ancestors embedded within the landscape. Therefore, I would reasonably expect that development would be around the marae and likely of a low density.

I note that the NZCPS objective 2 does state the preserve the natural character of the coastal environment, however it also states to identify areas where development would be inappropriate and to protect them. This means that the Plan can also identify areas where development would be appropriate and encourage activities in those areas.