

Presentation of Jane Whyte on behalf of Jane Whyte and Jeff Page (submitter 467 and Variation 2)

Context

We own a property at 11 Owen Street, Punakaiki.

In the notified plan, our property had several different natural hazard overlays, including:

- Land instability overlay (addressed as part of Natural Hazards Part A at the 8 October hearing – S42A recommendation to be deleted from our property)
- Part of our land had a Coastal Hazard Severe Overlay (Objectives and Policies being heard now and mapping and rules now later due to Variation 2 process)
- Part of our land had a Coastal Hazard Alert Overlay (Objectives and Policies being heard now and mapping and rules now later due to Variation 2 process).

While this hearing is focused on the policies, we can't easily separate out the objectives and policies from the rules and mapping. The true effect of the Plan is a result of all these matters working in combination.

Our submission opposed the Coastal Hazard Severe Overlay on our property (Map 34) and sought its removal. We supported in part the Coastal Hazard Alert Overlay and sought this be the overlay that applied to our whole property. A key issue was that the mapping had no discernible features and was at a scale determining exactly which overlays applied where on our 868m² property was very difficult. This difficulty was compounded by the different objective and policy outcomes which applied to each overlay. This made it difficult for us to have any confidence in what the District Plan was seeking in relation to our property.

Variation 2 has amended the mapping of a number of properties, including ours. If the Variation 2 mapping ends up being what applies to our property, then it is only the objectives and policies related to the Coastal Hazard Alert that we need to be concerned about.

Variation 2

Before dealing with the straightforward matter of the policy that applies to the Coastal Hazard Alert, I want to comment on the process relating to Variation 2.

I appreciate the 'work around' that has been done so that the submissions we lodged on Variation 2 relating to the objectives and policies can be heard, albeit prior to the further submission process for Variation 2 being completed. However, I still think the process and approach are quite unfair.

Variation 2 purported to only change mapping; in reality, this is an unfair approach. The mapping determines what rules, policies, and objectives apply. It is unfair to 'switch on' a series of objectives, policies, and rules that apply to a property without providing that property owner the opportunity to submit on those provisions that have just been 'switched on'.

As someone who has worked in the planning and resource management field for over 30 years, I decided to submit on the objectives and policies that the Variation 2 mapping 'switched on' anyway, and I backed myself to be able to navigate through whatever process arose in response to that.

For us, the Variation 2 mapping has improved our situation (dependent on what happens through the completion of Variation 2), and I am here today able to talk about the policies that hopefully will apply to our property.

I recognize that for others, particularly those where the hazard overlays are new or different, may be disadvantaged.

Policy related to the Coastal Alert Overlay

Now turning to the relevant policy.

When I read the original Section 42a author report relating to the policies that would apply to the Coastal Alert Overlay, I was concerned that due to recommendations made there were no policies that addressed the Coastal Alert Overlay. This left a large void, particularly given the purported narrow focus of Variation 2, only being on mapping.

It was the Section 42A recommendation to remove any policies that applied to the Coastal Hazard Alert that reinforced my necessity to submit on the policies as part of Variation 2. I was concerned that the focus of mitigation as the appropriate way to manage natural hazard risk in the Coastal Alert areas was not evident in the Plan policies.

The rebuttal evidence dated 18 October 2024 has helped clarify what happened, with there being a misunderstanding that all of the coastal hazard provisions were being addressed in the Coastal Hazards Variation. This misunderstanding of someone involved in the process, does in part reinforce the concerns I have with the approach taken in Variation 2.

The recommendation in paragraph 7 of the rebuttal report is to insert the reference to the Coastal Alert overlay into Policy NH-7. This makes it clear that activities are to be provided for within the overlay, where mitigation measures are incorporated.

I consider this provides clear direction that it is a mitigation pathway that applies, not an avoid pathway.

I ask that the Panel accepts this recommendation change.

We remain hopeful that this will be the policy that applies to our property at the end of the Variation 2 process.

Jane Whyte

30 October 2024

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