

Te Tai o Poutini Plan  
Section 42A Officer's Report  
Variation 2 – Coastal Hazards



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## List of Submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
S97	Richard Wallis	
S132	Antony Burt	
S137	Tim Penlington, Katie Deans, Karl and Brenda Feyen, Catherine Woods, Richard Wallis	
S150	Ruth Henschel	
S157	Will Harvey	
S171	Te Tai o Poutini Plan Committee	TTPP Committee
S180	Antony Burt	
S181	Westland District Council	
S186	Forest Habitats Limited	
S187	Graeme Anderson	
S188	Alan Anderson	
S190	Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	Te Mana Ora / Te Whatu Ora
S205	Christine Sinclair	
S207	Sue Templeton	
S213	Joanne and Ken Dixon	
S222	Mary Stewart	
S253	Griffen & Smith Ltd	
S255	Graeme Quickfall	
S261	Gerard Nolan	
S285	Richard Henschel	
S307	Hamish Macbeth	
S314	Erin Stagg	
S327	Michael Robson	
S360	John Brazil	
S362	Chris Reynolds	
S364	Andrew Wright	
S378	Robert Burdekin	
S381	Laurence Rueter	
S419	Richard Arlidge	
S420	Raylene Black	

S439	Karen Lippiatt	
S440	Te Tumu Paeroa - The office of the Māori Trustee	
S446	Margaret Montgomery	
S447	Vance & Carol Boyd	
S450	Waka Kotahi NZ Transport Agency	
S467	Jane Whyte & Jeff Page	
S469	Lyn McIntosh	
S473	Katherine Gilbert	
S478	Frank and Jo Dooley	
S483	Scenic Hotel Group	
S488	West Coast Regional Council	
S492	Michael Snowden	
S495	Coastwide Surveys Limited	
S504	Bert Hofmans	
S505	Lindy Millar	
S507	Leonie Avery	
S508	Jared Avery	
S509	Kyle Avery	
S510	Avery Bros	
S511	Bradshaw Farms	
S512	Paul Avery	
S513	Brett Avery	
S514	Hapuka Landing Limited	
S516	Steve Croasdale	
S535	Neil Mouat	
S538	Buller District Council	
S543	Martin & Co Westport Ltd and Lumberland Building Market Westport	
S547	Westpower Limited	
S549	Mandy Deans	
S554	Lee Cummings	
S558	Chris & Jan Coll	
S563	Geoff Volckman	
S564	Catherine Smart-Simpson	
S566	Chris J Coll Surveying Limited	

S567	William McLaughlin	
S568	Cape Foulwind Staple 2 Ltd	
S570	Dean Van Mierlo	
S577	Koiterangi Lime Co Ltd	
S578	Anthony Eden	
S595	Frank O'Toole	
S602	Department of Conservation	
S605	Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd	
S608	Grey District Council	
S609	Avery Brothers	
S612	Toka Tū Ake EQC	
S614	Karamea Lime Company	
S615	Peter Langford	
S617	Scoped Planning and Design Limited	
S619	Snodgrass Road submitters	
S620	Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio	
S668	Anna Leary	
S667	Gary Clarke	
S669	Neils Beach Special Rating District Committee John Sutton	
S670	David & Janice McMillan	
S671	Brette & Irene-Sharel Kokshoorn	
S672	Allison Sutton	
S673	Barbara Clark	
S674	Helen & Tom Sawyers	
S675	Joshua Tranter	
S677	Mike MacMillan	
S678	Adriana James	
S679	Adrienne Fraser	
S680	Alexa Kliebenstein	
S681	Andrew Dempster	
S682	Andrew Lisseman	
S683	Andrew Wiffen	

S684	Ash Oldham	
S685	Biggles Limited	
S686	Brian McFarlane	
S687	Christine Carter	
S688	Colman Creagh	
S689	Craig Hipson	
S690	David Gourlay	
S691	Dee Deaker	
S692	Desna Bruce Walker	
S693	Elizabeth Duncan	
S694	Finn Lindqvist	
S695	Daniel Reynolds	
S696	George Field	
S697	Glen Kingan	
S698	Jason Jacobs	
S699	Jim & Anne Murray	
S700	Joelyn Billett	
S701	Joey Keen	
S702	John & Suzanne Willetts	
S703	John Phillips	
S704	John Sutton	
S705	Karamea Aerodrome Inc	
S706	Irene & Ken Tiller	
S707	Kevin Smith	
S708	Mark Vanstone	
S709	Michael Rogers	
S710	Mitchell Rogers	
S711	MTP Limited	
S712	Murray & Rachel Petrie	
S713	Murray Gibson	
S714	Nicholas Keen	
S715	P & A Horrell	
S716	Paul Drake	
S717	Paul Fraser	



S718	Paul Murray	
S719	Peter Scott	
S720	Prue & Daimon Schawalger	
S721	Punakaiki Farm Ltd	
S722	Rae Reynolds	
S723	Rebecca Blackhurst	
S724	Rod Thornton	
S725	Ros Bradley	
S726	Sam Carter	
S727	Pauline & Stephen Tranter	
S728	Steve Miller	
S729	Stuart Liddicoat	
S730	Tania Reynolds	
S731	Tom McGaveston	
S732	Trevor Reid	
S733	Vanessa Kingan	
S734	Vicki Stevenson	
S735	William Sage	
S736	Hans Gutenbrunner	
S737	Laurie & Marlene Collins	
S738	Susan Norgart	
S739	Alan Paxton	
S740	Ann Lamplough	
S741	Damer Farrell	
S742	Dave Henderson	
S743	David Hughes	
S744	Derek Roberts	
S745	Garry Duckett	
S746	Grant Rowberry	
S747	Jane Abraham	
S748	Janette Donaldson	
S749	Kenneth Wiltshire	
S750	Kerera Corbett-Manga	
S751	Les & Kathy McManaway	

S752	Lynda Reynolds	
S753	Marilyn McKinney	
S754	Maxmillion Donnelly	
S755	Patricia Paxton	
S756	Paul Reynolds	
S757	Piet & Alison Geldenhuys	
S758	Rachael Blick	
S759	Ray Karl	
S760	Ronald Williams	
S761	Wendy Sheenan	
S762	Charlotte May Treasurer	
S763	Rex & Anthea Keenan	
S765	Andrew & Shirley Nolan	
S766	Ballin Family	
S767	Michael & Vivian Nixon	
S768	James McElrea	
S769	Graham Sinclair	
S770	Neil Aldred	
S771	Kathryn Wall	
S772	Pam Birmingham	
S773	Barry Hughes	
S774	Okarito Kayaks Ltd	
S775	Natural Hazards Commission Toka Tū Ake	
S776	Pauline Te Rakau	
S777	Wendy Stuart	
S778	Penny & Mark Rounthwaite	
S779	Neu-Tec Mining Ltd	
S780	Christopher St Johanser	
S781	William and Glenda Karl	
S782	Grant Gear	
S783	Fiona Blair	
S784	Paul Truman	
S785	ADT Trust	
S786	Charlie Johnson	

S787	Kevin Boyd	
S788	Norma O'Dea	
S789	Michael Simon	
S790	Shelley Taylor	
S791	David Bloxham	
S792	Colin Reidy	
S793	Deborah Kirkwood	
S794	Gerrit Groeneveld	
S795	Robert Schouten	
S796	Jan Phillips	

### List of Further Submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
FS1	Grey District Council	
FS2	Alex Wood	
FS54	Neil Mouat	
FS222	Westpower Limited	
FS243	Andrew & Shirley Nolan	
FS244	Scenic Hotel Group Limited	
FS246	David & Janice McMillan	
FS247	Garry Duckett	
FS248	Grant Rowberry	
FS249	Stephen & Pauline Tranter	
FS250	Stuart Liddicoat	
FS251	Tracy McEwing	
FS252	Rex and Anthea Keenan	

### Abbreviations

Abbreviation	Meaning
AEP	Annual Exceedance Probability
ARI	Average Recurrence Interval
NPS	National Policy Statement
NZCPS	New Zealand Coastal Policy Statement
Planning standards	National Planning Standards

RMA	Resource Management Act
RPS	Regional Policy Statement
TTPP	Te Tai o Poutini Plan
WCRC	West Coast Regional Council
WCRPS	West Coast Regional Policy Statement

## 1. Purpose of Report

1. This report has been prepared in accordance with s42A 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 the Variation 2 - Coastal Hazards topic. The report provides the Hearing Panel with a summary and analysis of the submissions received on the coastal provisions of the Natural Hazards Chapter in Part 2, and relevant definitions in Part 1 and to make 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 us as the planning authors. In preparing this report we have had regard to the following reports:
  - Introduction and General Provisions s42A report that addresses the higher order statutory planning and legal context prepared by Lois Easton.
  - Strategic Directions s42A report that addresses the wider strategic direction of the Plan prepared by Lois Easton.
  - Natural Hazards s42A report that addresses all other natural hazards aside from coastal hazards prepared by James Beban and Sarah Gunnell.
  - Coastal Environment s42A report prepared by Lois Easton.
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. Qualifications and Experience.

5. This report has been co-authored by James Beban and Sarah Gunnell.

### *James Beban*

6. My full name is James Gary Beban, and I am a Director of Urban Edge Planning engaged by the West Coast Regional Council to support the development of the TTPP.
7. I hold a Bachelor of Science (Hons) from Victoria University, Wellington which I completed in 2002.
8. I have over 21 years experience as a Resource Management Planner. I have extensive experience with the preparation of plan changes, including a number within the Wellington Region. The majority of the plan changes that I have been involved in relate to natural hazards, though I have also prepared several private plan changes as well as prepared the subdivision and three waters District Plan chapters for a number of territorial authorities.
9. My experience includes:
  - I have been involved in numerous natural hazards plan changes including, Plan Change 42 for Upper Hutt City Council; the Natural and Coastal

Hazards Chapter for Wellington City Council and preparing the Natural and Coastal Hazards Chapters for Porirua City Council;

- I assisted Greater Wellington Regional Council with the hearings for the natural hazard provisions for Proposed Change 1 to the Regional Policy Statement;
- I have been involved in the initial development of the draft National Policy Statement on Natural Hazards; and
- I have been involved in the preparation of a number of non-statutory documents providing guidance on natural hazards including tsunamis, flooding, coastal hazards and how to undertake a risk-based approach to planning for natural hazards.

### **Sarah Gunnell**

10. My full name is Sarah Nerine Gunnell and I am a Senior Planner at Urban Edge Planning, an independent planning consultancy engaged by the West Coast Regional Council to prepare the s42A report for the Variation 2 Coastal Hazards topic.
11. I hold a Master of Resource and Environmental Planning with first class honours from Massey University and a Master of Science (Geography) from the University of Auckland. I am an Intermediate Member of the New Zealand Planning Institute.
12. I have over 15 years of experience in as a planner in New Zealand, including as a Natural Hazards Planner at GNS Science. I have experience in both the preparation and processing of resource consent applications as well as District Plan development including the preparation of s32 and s42A reports.

## **2.1 Code of Conduct**

13. We confirm that we have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that we have complied with it when preparing this report. Other than when we state that we are relying on the advice of another person, this evidence is within our area of expertise. We have not omitted to consider material facts known to us that might alter or detract from the opinions that we express.
14. We are authorised 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**

15. We would like to make the Commissioners aware that Urban Edge Planning, including Sarah and James have undertaken work with EQC (now the Natural Hazards Commission), including with the team that has prepared the submission on TTPP.
16. We can confirm that we were not involved in preparing this submission and have not been involved in any discussions around the content of this submission, or the recommendations in this s42A report. At the time of preparing this s42A report, we were not involved in any current projects with the Natural Hazards Commission.
17. To the best of our knowledge, we have no other no real or perceived conflict of interest.

## **2.3 Expert Advice**

18. In preparing this report we have relied on expert advice from Mr Cyprien Bosserelle of NIWA. Mr Bosserelle has provided advice on the science upon which the coastal hazard

overlays are based, the extent of the proposed overlays, and the appropriateness of the management response proposed.

### **3. Scope of Report and Topic Overview**

#### **3.1 Scope of Report**

19. This report considers the submissions and further submissions that were received in relation to Variation 2 as it relates to the Natural Hazards Chapter in Part 2 and relevant definitions in Part 1.
20. 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 underline in Appendix 1 of this report, with a track changes version also provided. References to a submitter number, submission point and sometimes 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.
21. 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; and
  - Recommendation and Amendments

#### **3.2 Topic Overview**

22. The West Coast is subject to a large range of natural hazards that have the potential to adversely affect people and property. The Natural Hazards Chapter contains the provisions related to the management of activities within areas identified as subject to natural hazards and coastal hazards, and in particular where they pose a significant risk, which is identified as a matter of national importance by the Resource Management Act (RMA).
23. On this basis, the proposed Natural Hazards Chapter is addressing the following hazards:
  - Flooding;
  - Fault rupture;
  - The interplay between river flooding and coastal inundation in Hokitika and Westport;
  - Slope stability; and
  - Coastal erosion and inundation.
24. This s42A report only considers the overlays and provisions that relate to coastal erosion and inundation, as the other natural hazards have been addressed as part of the Hearings

- held in October 2024 on the Natural Hazards Chapter. For completeness, those objectives and policies as notified that relate to both coastal hazards and natural hazards are reconsidered here insofar as they relate to coastal hazards.
25. Coastal hazards overlays are mapped on the Te Tai o Poutini Plan Maps with the objectives, policies and rules contained within the Natural Hazards section of Te Tai o Poutini Plan.
  26. Coastal hazards (coastal erosion and inundation) in the proposed TTPP were mapped using the most accurate data and modelling available at the time. High accuracy LiDAR data was available for the Hokitika and Westport township areas as it had already been carried out for the planning of coastal and river protection works for those towns. The rest of the coast was mapped using lower accuracy space shuttle data.
  27. More recently, improved LIDAR data like that used in Hokitika and Westport has become available for the remainder of the coast excluding the area north of Hector and south of Jackson Bay. This has meant the modelling work has been able to be updated to be more accurate and NIWA have been able to update the level of coastal hazard and the boundaries of these for the Coastal Hazard Severe, Coastal Hazard Alert and Coastal Setback overlays.
  28. The need for a Variation was identified because there are substantial differences between the updated maps and what was notified in the proposed TTPP. There are several hundred properties that currently are mapped within an overlay where the higher resolution data indicates they are not at risk, and there are several hundred properties that currently do not show any coastal hazard where the higher resolution data indicates that there is a significant risk of coastal hazards.
  29. The proposed Variation involves the replacement of the proposed Plan maps with the updated maps, as shown on the map viewer at: <https://tpp.nz/variation-2-coastal-hazards/>.
  30. The Variation alters three of the natural hazard overlays in TTPP – the Coastal Hazard Severe, Coastal Hazard Alert and Coastal Setback Overlays.
  31. The Coastal Hazard Severe Overlay only applies in the following seven priority Coastal Hazard Areas (CHAs):
    - CHA 3 – Hector, Ngakawau and Granity
    - CHA 4 - Orowaiti Lagoon
    - CHA 12 - Punakaiki Village
    - CHA 13 – Punakaiki River Beach
    - CHA 16 – Rapahoe
    - CHA 25 – Haast Beach to Waitoto
    - CHA 26 – Neils Beach to Jackson Bay
  32. The Coastal Hazard Severe Overlay identifies in these CHAs where the risk from coastal storm inundation and erosion both now and over the next 100 years is high. The coastal inundation scenario modelling used for the TTPP mapping is for a 1% annual exceedance probability (AEP) coastal storm event with 1 metre of sea level rise (SLR), while the coastal erosion modelling used identifies those areas at risk over the next 100 years. The most landward line from the storm inundation and erosion modelling in these areas is used to delineate the Coastal Hazard Severe Overlay.



33. The Coastal Hazard Alert Overlay identifies those areas that have been modelled to be at risk of inundation in a 1% AEP coastal storm event with 1m of SLR. While in the CHAs the Coastal Hazard Alert Overlay reflects areas that are not anticipated to be subject to coastal erosion over the next 100 years, as these are covered by the Coastal Hazard Severe Overlay, outside of the CHAs no detailed assessment of the coastal erosion hazard has been undertaken due to time and budget constraints.
34. Under the variation, the Coastal Setback Overlay is a 30m wide buffer from the edge of the active shoreline that extends further inland than the Coastal Hazard Alert Overlay to capture seasonal changes in the shoreline and corresponding inundation hazard.
35. For clarity, the updated mapping does not alter the proposed Westport Hazard Overlay or Hokitika Hazard Overlay, or the coastal hazard mapping as notified for Greymouth, which is intended to be subject to a future variation or plan change to incorporate updated information made available after the TTPP was notified. It also does not impact the coastal hazard mapping as notified for those areas south of Jackson Bay to Awarua Point and north of Hector (including Mokihinui, Little Wanganui, and Karamea) where LiDAR was not available in time to update the mapping in time for the variation.
36. Originally, Variation 2 only sought additional submissions on the amended mapping, as there is no change to the proposed objectives, policies and rules that apply to the coastal hazard mapping as notified, which are bundled with the wider objectives and policies for natural hazards in the Natural Hazards Chapter. Concerns were raised by submitters on Variation 2 that people should again have the opportunity to submit on the provisions associated with the mapping, particularly where the updated mapping impacts properties previously not affected by a coastal hazard overlay, and that the submissions on the provisions should be heard jointly with the submissions on the Variation 2 mapping.
37. As such, Variation 2 was re-notified to ensure that all people have had the opportunity to submit on both the amended mapping/overlays, and the associated objectives, policies and rules as originally notified.
38. No changes to any other part of the TTPP are proposed.
39. The timeline for the events relevant to Variation 2 is provided in the table below:

<b>Event</b>	<b>Date</b>
Public notification of the proposed TTPP	14 July 2022
Closing date for submissions	11 November 2022
Updated coastal mapping received	22 March 2023
Variation 2 (mapping only) publicly notified	27 June 2024
Closing date for submissions	Originally 16 August 2024, extended to 30 August 2024
Hearings on updated coastal mapping	October 2024
Decision to re-notify coastal hazard provisions (unchanged from the notification of the TTPP) to allow submissions on both the mapping and the associated provisions – referred to as Variation 2.1	12 November 2024
Public notification of Variation 2.1	21 November 2024

Closing date for submissions	19 December 2024
Public notification for further submissions	17 January 2025
Closing date for further submissions	31 January 2025

40. For completeness, we note that the West Coast is subject to other natural hazards that have not been addressed by the TTPP, including liquefaction, wildfire, drought, and ground shaking from earthquakes. While coastal tsunami and lake tsunami (also known as seiche) were addressed by the TTPP as notified, given the data available on these hazards it is currently considered that these and the other hazards not addressed are sufficiently managed under other legislation, such as the Building Act 2004 and the Civil Defence Emergency Management Act 2002.
41. There were a number of submissions on Variation 2, which were quite wide ranging in nature. The submissions sought a variety of outcomes including:
- Withdrawing the entire variation.
  - Removal of the overlays from specific sites and areas.
  - Further review of the science
  - Making the provisions more lenient to allow for more development and recognition of private property rights.
  - A tightening of the approach to allow for less development in the natural hazard overlays.
  - Technical changes on a number of objectives, policies and rules.
42. As a result of these submissions, there is a scope to assess the provisions that were notified, to ensure they take an appropriate balance between allowing for the growth and economic opportunities for the West Coast, while still also protecting people, buildings and regionally significant infrastructure from damage from natural hazards.
43. Urban Edge Planning became involved in this plan change following the completion of the initial notification period. As such, we were not involved in the development of the coastal hazard provisions as notified.
44. To better give effect to the RMA, and to align with best practice for planning for natural hazards, including coastal hazards, the s42A report for the Natural Hazards Chapter recommended changes to strengthen a risk-based approach within the provisions as notified, while also streamlining the provisions and addressing identified gaps in the framework.
45. To summarise, a risk-based planning approach considers both the likelihood and consequences of a natural hazard event. The approach set out here considers the sensitivity of different activities to the impact of natural hazards to determine the consequences, and seeks to:
- Avoid development for Hazard Sensitive Activities in High Hazard Areas;
  - Discourage development for Hazard Sensitive Activities in Medium Hazard Areas and Potentially Hazard Sensitive Activities in High Hazard Areas unless appropriate mitigation measures are incorporated into the proposal;
  - Generally allow, subject to mitigation measures, Hazard Sensitive Activities

in Low Hazard Areas and Potentially Hazard Sensitive Activities in Medium Hazard Areas; and

- Allow for Less Hazard Sensitive Activities in all Hazard Areas (Low, Medium and High) and Potentially Hazard Sensitive Activities in Low Hazard Areas.
46. This is the approach recommended that the TTPP take in the Natural Hazards Chapter, and within the scope of the submissions that was received. While decisions on the recommendations of the s42A report for the Natural Hazards Chapter have not yet been made, the recommendations in this s42A report for Variation 2 - Coastal Hazards take the same approach.
47. There have been a number of changes proposed to the coastal hazard provisions of the Natural Hazards Chapter as a result of the submissions received. The proposed changes can be broadly summarised as follows:
- Introducing a risk-based approach to the management of natural hazard risks, with more directive objectives and policies in this regard;
  - Aligning the activity status of rules, with the outcomes sought in the objectives and policies; and
  - Ensuring that there is consistent wording used in the objectives and policies to assist plan users.
48. To assist the Commissioners, submitters and the public with their understanding of what has been changed, this s42A report has the following appendices:
- Appendix 1 - compares the notified version of the proposed provisions with the version of the chapter recommended within this s42A assessment.
  - Appendix 2 - provides a summary of the recommended decision on each submission and further submission point.

### **3.3 Strategic Direction**

49. Strategic objective UFD-O1 seeks to have urban environments and built form on the West Coast that recognises the risk of natural hazards whereby new development is located in less hazardous locations. It also seeks to promote the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure and protection of critical infrastructure.

## **4. Statutory Requirements**

50. 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 (NPS), the New Zealand Coastal Policy Statement (NZCPS), national planning standards; and any regulations. 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.
51. In addition, there is a Mana Whakahono a Rohe agreement between West Coast Regional Council and Poutini Ngāi Tahu which must be implemented.
52. As set out in the s32 and s42A Overview and Natural Hazards 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.

53. The assessment of submission points is made in the context of the s32 reports already undertaken with respect to this topic, being:
- Section 32 Variation 2 – Coastal Natural Hazards Mapping 27 June 2024
  - Section 32 Report Three, Part One: Natural Hazards – Ngā Mōreareatanga Aotūroa – including Coastal Hazards

#### 4.1 Resource Management Act

54. Part 2 of the RMA contains the purpose and principles of the legislation. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use, development and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.
55. In achieving this purpose, authorities need to also recognize and provide for the matters of national importance identified in section 6, have particular regard to other matters referred to in section 7 and take into account the principles of the Treaty of Waitangi referred to in section 8.
56. Section 6 matters of importance relevant to Variation 2 – Coastal Hazards are:
- Section 6(h) – the management of significant risks from natural hazards.
57. Section 7 of the RMA requires that particular regard be given to the following matters which are relevant to the Natural Hazards Chapter:
- Section 7(i) - the effects of climate change
58. Section 8 and the principles of the Treaty of Waitangi are relevant to this proposal because natural hazards have the potential to impact Māori in a number of ways, including:
- Increasing risk to life and property
  - Loss of areas of cultural value (such as marae and urupā) due to erosion and other natural hazard processes
  - Loss of cultural practices (such as access to mahinga kai) due to erosion and other natural hazard processes.
59. Part 6 of the RMA contains the regulation relating to the resource consent process. Section 106 is of particular relevance to Variation 2 as it enables consent authorities to refuse subdivision consent if there is a significant risk from natural hazards.

##### 4.1.1 Section 32AA

60. Section 32AA states:

***32AA Requirements for undertaking and publishing further evaluations***

- 1. A further evaluation required under this Act—*

- a. *is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
- b. *must be undertaken in accordance with section 32(1) to (4); and*
- c. *must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*
- d. *must—*
  - i. *be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*
  - ii. *be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

2. *To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*

- 61. The required s32AA evaluation for changes proposed as a result of consideration of submissions with respect to this topic is included following the assessment and recommendations in relation to the relief sought in submissions of this report, as required by s32AA(1)(d)(ii).
- 62. In this s42A report, because there is overlap with the Natural Hazards Chapter s42A report, a s32AA evaluation has only been undertaken when additional substantial changes are recommended to those made in the Natural Hazards Chapter s42A report. Where no further changes are recommended, the reader is referred to that report for the required s32AA evaluation.
- 63. The s32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach have not been re-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. Additionally, further re-evaluation has not been undertaken if the amendments have not materially altered the policy approach.

## **4.2 Any other relevant National Planning Instruments**

### **4.2.1 New Zealand Coastal Policy Statement (NZCPS)**

- 64. The NZCPS is highly relevant to Variation 2. Under s75(3)(b) of the RMA, the District Plan must give effect to any NZCPS. Both s32 reports that apply to the Coastal Variation identify the key objective and policy of the NZCPS that must be assessed when considering the coastal hazard mapping and associated provisions. Due to their relevance to this topic, they are repeated below.
- 65. Objective 5 is the key objective relevant to Variation 2 and seeks the following:

To ensure that coastal hazard risks taking account of climate change, are managed by:

- Locating new development away from areas prone to such risks;
- Considering responses, including managed retreat, for existing development in this situation; and
- Protecting or restoring natural defences to coastal hazards.

66. The supporting policies (Policy 3 and 24 to 27) seek to manage the risk from coastal hazards including the effects of climate change by:

- Adopting a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown or little understood, but potentially significantly adverse. In particular, the precautionary approach should be adopted where coastal resources (including land) are potentially vulnerable to the effects of climate change so that avoidable social and economic loss and harm to communities does not occur.
- Identification of areas that are potentially affected by coastal hazards over at least the next 100 years with priority given to those areas at high risk of being affected. Risk is to be assessed having regard to the impacts of climate change over at least the next 100 years, taking into account national guidance and the best available information on the likely effects of climate change on the region or district.
- Avoid increasing risk of social, environmental and economic harm from coastal hazards in areas potentially affected over at least the next 100 years, including the discouragement of hard protection structures.
- Provide where appropriate for the protection, restoration or enhancement of natural defences.
- Providing a range of options for reducing coastal hazard risk in areas of significant existing development including:
- Promoting and identifying long-term sustainable risk reduction approaches including the relocation or removal of existing development or structures at risk.
- Identifying the consequences of potential strategic options relative to the option of 'do-nothing'.
- Recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance.
- Recognising and considering the environmental and social costs of permitting hard protection structures to protect private property; and
- Identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches.

#### **4.2.2 National Environmental Standards for Telecommunications Facilities (NES-TF)**

67. The National Environmental Standards for Telecommunications Facilities 2016 (NES-TF) are also relevant to this plan change. In particular Regulation 57 of the NES-TF prevents

the TTPP from making natural hazard rules that relate to a regulated activity under the NES-TF.

#### 4.2.3 Proposed National Policy Statement for Natural Hazard Decision-making (NPS-NHD)

68. In September 2023, the proposed National Policy Statement for Natural Hazard Decision-making (NPS-NHD) was released for submissions. At the time of this hearing, there has been no further progress on this NPS. As the version released in September 2023 was a draft, it has no statutory weight and therefore does not require assessment of the proposed provisions against it. Nevertheless, it does provide an indication of the policy direction that may be expected in future national direction, and in this regard may be helpful to consider the proposed provisions against.

#### 4.3 National Planning Standards

69. 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. There are 17 standards in total, of which three standards are relevant to this report:

- Standard 4 - District Plan Structure Standard
- Standard 7 – District-wide Matters Standard
- Standard 14 – Definitions Standard

70. In particular, Standard 7 requires that any provisions relating to natural hazards (except coastal hazards) are to be located in the Natural Hazards chapter. Provisions relating to coastal hazards are to be located in the Coastal Environment chapter, with cross references included in the Natural Hazards chapter.

71. As discussed in the s32 report, the TTPP as notified did not include provisions for coastal hazards in the Coastal Environment chapter, as during the plan development this separation of the natural hazards was found to hinder an integrated approach, and the number of intersecting overlays resulted in a degree of complexity that was difficult for the public to understand. This is because many West Coast settlements are located close to river mouths at the coast where there is a close interaction between flood hazards and coastal hazards. This has resulted in specific hazard overlays that combine both natural and coastal hazards for Westport and Hokitika, and a similar overlay is proposed to apply to Greymouth (subject to a future plan change).

72. Aside from this, provisions for subdivision and earthworks within the coastal hazard overlays are contained within the Subdivision and Earthworks chapters.

#### 4.4 Non-Statutory Guidance

73. The following national guidance documents are considered relevant to this topic:

Document	Date	Author	Summary
Risk management - Principles and guidelines AS/NZS ISO 31000:2009, and	2009	Standards Australia New Zealand	All Hazards - This is the national guidance around the management of risk.
SA/SNZ HB 436:2013 Risk management guidelines —	2013	Standards Australia Limited/ Standards New Zealand	

Document	Date	Author	Summary
Companion to AS/NZS 31000:2009			
Risk-based land use planning for natural hazard risk reduction	2013	GNS Science	All Hazards - This provides the basis for taking a risk-based approach to the management of natural hazards.
Coastal Hazards and Climate Change: A Guidance Manual for Local Government in New Zealand	2008 Updated 2017 Updated 2024	Ministry for the Environment	This document provides non-statutory guidance on addressing sea level rise as a result of climate change. This includes the differing sea level scenarios that should be considered and the need for detailed consultation with the community.
Climate change effects and impact assessment: A Guidance Manual for Local Government in New Zealand - 2nd Edition	2008	Ministry for the Environment	Coastal hazards / Flooding - This is a non-statutory guidance document that provides guidance on the natural hazards that arise or whose effects are worsened by climate change.

#### 4.5 Procedural Matters

74. 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.
75. Submissions that were made on the coastal hazard provisions during the initial submission period on the proposed TTPP in 2022 that have been carried over to Variation 2 are marked with an asterisk (\*). This distinction is particularly important when considering the site-specific submissions, as the extent of the overlays has changed under Variation 2 in many instances.
76. Decisions on the recommendations made for the objectives and policies by the s42A report for the Natural Hazards Chapter have not yet been made. This report repeats these recommended changes, shown as ~~strikethrough~~ for deletions and underline for additions, and identifies any additional recommendations as a result of submissions made on Variation 2 in **bold underline**.
77. In particular, within the Natural Hazards s42A, a recommendation was made to ensure that the consistent terms Hazard Sensitive Activity, Potentially Hazard Sensitive Activity and Less Hazard Sensitive Activity were used throughout the objective, policy and rule frameworks. Within this s42A report, we have recommended using these definitions for the same reasons as outlined in the paragraph 74 of the s42A report for the Natural Hazards Chapter.
78. The s42A report for the Natural Hazards Chapter should be referred to for any scope matters relating to the changes recommended as part of that topic. Scope for changes



provided by the submissions on Variation 2 are annotated in the summary of recommended changes in Appendix 1.

## 5. Consideration of Submissions Received

### 5.1 Overview of Submissions Received

79. A total of **208** submissions and **13** further submissions (**643** submission points and **91** further submission points) were received on the coastal provisions as originally notified and the mapping introduced by Variation 2.
80. The vast majority of submissions oppose the variation. The reasons for this have been generally grouped below as:
- General opposition to Variation 2 and the TTPP process generally.
  - Opposition to the extent of the overlays on a site specific or area wide basis.
  - Lack of credible science and the inclusion of climate change/ sea level rise.
  - Lack of public consultation and information provided.
  - The role of existing mitigation structures has not been sufficiently taken into account.
81. There were several submission points<sup>1</sup> in the submission received by Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio that fall outside of the scope of Variation 2, as the submissions were on the recommended changes contained in the s42A report for the Natural Hazards Chapter, not the provisions as notified. This was also noted by further submissions FS222.0374, FS222.0375, and FS222.0376 from Westpower Limited. We recommend that the Commissioners reject these submission points and accept the further submission points.

### 5.2 Structure of this Report

82. Given the number, nature and extent of the submissions and further submissions received, this s42A report addresses the key themes and issues raised generally, in accordance with Clause 10(2), as opposed to making specific recommendations on each submission point.
83. Given the process that the Variation has been through, with the mapping/overlays being notified twice, and the provisions three times, in some instances there is considerable overlap between submissions. While recognising this overlap, for ease of understanding the proposed changes to the overlays and the related provisions, the authors have structured this report such that submissions on the relevant definitions and overview are considered first. Next, those submissions that are generally on the variation as a whole, the mapping upon which the overlays are based, or raise an issue that does not relate to a specific provision are considered. Following on from these, site-specific submissions are

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<sup>1</sup> S620.432; S620.433; S620.434; S620.435; S620.436; S620.437; S620.438; S620.439; S620.440; S620.441

assessed. Submissions on the objectives and policies are addressed next, followed by submissions on the relevant rules. Finally, the provisions relating to subdivision in areas subject to the coastal hazard overlays are considered.

84. For each a summary of the submissions received has been provided. An assessment section then follows, which analyses the submissions, and the notified provisions relevant to these submissions and provides consideration of the decision sought. A recommendation is then made to the Hearing Panel on whether the key submissions should be accepted, accepted in part, or rejected. Any recommended amendments are then detailed, along with an associated section 32AA analysis of the proposed amendments.
85. A full list of submissions and further submissions are contained in Appendix 1, along with the recommendation that submissions and further submissions are either accepted, accepted in part, or rejected.
86. Recommended amendments to the provisions of the Natural Hazard and Subdivision Chapters as notified are contained in Appendix 2 of this report, with documents showing the objective, policy and rule linkages in Appendix 3.

## 6. Submissions on the Definitions

### *Submissions*

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)	S620.424	Amend	Amend definition as follows: 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, aviation control towers, air traffic control centres, emergency aircraft hangars, fuel storage, community scale potable water treatment facilities and wastewater treatment facilities. <b>Note: This definition does not apply to Community Emergency Centres when it is not the main purpose of the building.</b>
Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)	S620.425	Amend	Do not include marae in the definition for sensitive activity as it is captured by the definition for 'community facility'.

### *Analysis*

87. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.424) request that the definition for Critical Response Facilities be amended to include an advice note that clarifies that this definition does not apply to Community Emergency Centres when it is not the main purpose of the building. This would have the effect of excluding the buildings on a marae and schools from the definition. We consider that this is a reasonable request, as the use of these buildings in an emergency, while important, is ancillary to their normal use, and therefore the provisions that apply should be those that relate to their principal use. We recommend that this submission point be accepted, and an advice note be inserted below the definition for Critical Response Facility.
88. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.425) also request that marae is not included in the definition for 'sensitive activity' as it is already captured by the definition for 'community facility'. While noting that the definition for sensitive activity currently does not include marae, this is a recommended change of the Natural Hazards Chapter s42A report. For clarity, we agree with the submitter that 'marae' should not be included in the definition for 'sensitive activity' or in the same regard, 'hazard sensitive activity'.

### *Recommendations*

89. It is recommended that the definition for Critical Response Facilities be amended as follows:
- "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.
- Note: This definition does not apply to Community Emergency Centres when it is not the main purpose of the building."**
90. It is recommended that the definition for 'sensitive activities' or equivalent does not include marae.
91. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

### *Section 32AA Evaluation*

#### **Effectiveness and Efficiency**

92. We consider that the recommendations will reduce duplication, provide clarity on what activities are captured under each definition and ensure that marae in particular are not unnecessarily subjected to additional restrictions.

#### **Costs and Benefits**

93. There will be no costs, but benefits include that activities will not be unnecessarily captured, plan interpretation will be improved, and the change will result in more efficient plan administration.

#### **Risks of Acting or Not Acting**

94. There is considered to be no risk from acting, however the risk from not acting is that there will not be clarity about the activities that the provisions apply to, and some activities may be unnecessarily captured by more restrictive provisions.

#### **Decision About the Most Appropriate Option**

95. We are of the opinion that the amendments recommended are the most appropriate way to achieve the objectives of the plan compared to those notified.

## **7. Submissions on the Overview**

### *Submissions*

96. While there were no submissions on the Overview, consequential amendments are recommended as a result of Variation 2. These changes reverse some of the suggested changes that are proposed within the Natural Hazards Chapter s42A report.

### *Recommendations*

97. It is recommended that the wording of the overview is reverted to that as notified in relation to the coastal hazard overlays, with changes to the naming of the overlays (refer Section 8.1.1 below) and the descriptions to reflect the latest mapping as follows:

...A risk-based approach to natural hazards has been taken in Te Tai o Poutini Plan and means that the focus of the natural hazard provisions is in the areas where there is greatest risk.

- Coastal Hazard Overlays – “Coastal Severe” “Coastal Hazard Erosion and Inundation Overlay” where risk from coastal erosion and inundation over the next 100 years with 1m of sea level rise have been modelled and mapped, “Coastal Alert” “Coastal Hazard Inundation Overlay 1” where risk from coastal inundation in a 1% AEP coastal storm event with 1m of sea level rise has been modelled and mapped. “Coastal Setback” “Coastal Hazard Inundation Overlay 2” where modelling has not been undertaken and is a precautionary approach which is a 30m wide buffer from the edge of the active shoreline to capture seasonal changes in the shoreline and corresponding inundation hazard. “Coastal Tsunami” is where the most significant risk from coastal tsunami has been mapped and is different from coastal tsunami evacuation areas.
- Hokitika Coastal Overlay – applies to parts of Hokitika where the design and consent process for planned upgrades have not yet occurred, and a significant risk remains.
- Flood Hazard Overlays – “Flood Severe” and “Flood Susceptibility” where risk from flooding has been modelled, and due to depth and speed of water, mapped as either severe/ or susceptibility. “Floodplain” are areas where modelling has not been undertaken and this is a precautionary approach.
- Westport Hazard Overlay - specific provisions managing flooding and coastal inundation. This applies to the area identified in the West Coast Regional Council Long Term Plan as to be protected. Design and consent work is underway.
- Earthquake Hazard Overlays – These overlays apply to 200m either side of the active fault traces for the Alpine, Hope, Clarence and Awatere Faults.

A large earthquake on these faults will result in ground shaking outside of these areas. The Earthquake Hazard Overlay should not be considered the total extent of the hazard but are considered to reflect the likely extent of the most significant hazard.

- Land Instability Overlay – This overlay applies to areas where there is risk from slope instability, landslide, debris flow and rockfall.
- Lake Tsunami / Seiche – This applies to the land proximate to lakes.

The impacts of climate change have been included in the technical work underlying the development of the Coastal severe, Coastal alert, Coastal Setback and Hokitika Coastal, ~~Westport Hazard, flood severe and flood susceptibility~~ overlays.

The spatial extent of the overlays is where rules apply. Some properties may have more than one natural hazard overlay, the rules from all overlays apply.

~~There are no land use rules for the flood plain overlay and this overlay relates to the subdivision rules.~~

## 8. Submissions on the Coastal Hazard Variation and Overlays

### 8.1 Submissions on the Variation in General

98. There were a large number of submissions on Variation 2 in general, and while there is some overlap between topics, for ease of analysing and assessing the submissions they have been grouped below into the following matters:

- Terminology
- General Matters
- Extent and Application of Mapping
- General Opposition
- Consultation Process

#### 8.1.1 Terminology

##### *Submissions*

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Tai o Poutini Plan Committee (S171)	S171.026	Amend	That terms such as "residential", "commercial", non-habitable", etc. are used in relation to coastal hazards, replace these with "Hazard Sensitive", "Potentially Hazard Sensitive" and 'Less Hazard Sensitive (re: Activities)
<i>Westpower Limited (FS222)</i>	<i>FS222.0367</i>	<i>Oppose</i>	<i>Disallow</i>
Te Tai o Poutini Plan Committee (S171)	S171.027	Amend	Where District Plan provisions relate specifically to coastal hazards, the term

Submitter Name (ID)	Submission Point	Position	Decision Requested
			"natural hazards" is replaced with "coastal hazards".
Te Tai o Poutini Plan Committee (S171)	S171.033	Amend	Change the naming convention of the coastal hazard overlays so that the name reflects the coastal hazard and the severity of the risk presented by the hazard.
<i>Westpower Limited (FS222)</i>	<i>FS222.0372</i>	<i>Oppose</i>	<i>Disallow</i>
<i>Scenic Hotel Group Limited (FS244)</i>	<i>FS244.001</i>	<i>Support</i>	<i>Allow</i>
Robert Burdekin (S378)	S378.006*	Oppose	The use of the term "Coastal Hazard Severe" to be removed.

### Analysis

99. Te Tai o Poutini Plan Committee (S171.026) seek that the activity descriptors in the TTPP as notified are changed to align with those recommended by the s42A report for the Natural Hazards Chapter, namely Less Hazard Sensitive, Potentially Hazard Sensitive and Hazard Sensitive Activities. Westpower Limited (FS222.0367) opposes this submission point on the basis that the decisions on the Natural Hazards Hearing have not yet been made. However, if the Hearing Panel decides to accept the recommendation of the Natural Hazards Chapter s42A report, accepting submission point S171.026 will ensure consistency between the natural hazards and coastal hazards provisions. As such we recommend that submission point S171.026 be accepted.
100. Te Tai o Poutini Plan Committee (S171.027) also seeks that where District Plan provisions relate specifically to coastal hazards, the term "natural hazards" is replaced with "coastal hazards". Scenic Hotel Group Limited (FS244.001) support this submission point and seek that it be allowed. Westpower Limited (FS222.0366) oppose this and seek that it be disallowed. While this submitter agrees that the changes will assist plan users, they argue that there is no detail as to which provisions are proposed to be changed through this submission. We recommend that submission point S171.027 be accepted were necessary, as it will provide clarity to plan users about what the provision relates to.
101. Te Tai o Poutini Plan Committee (S171.033) and Robert Burdekin (S378.006\*) request that the naming of the coastal hazard overlays be changed or removed respectively. Westpower Limited (FS222.0372) opposes submission point S171.033 while Scenic Hotel Group Limited (FS244.001) supports it. Given that the extent of each of the overlays is determined by a projected scenario 100 years into the future, we consider that there could be merit in changing the naming of the overlays to be less alarmist, and more reflective of the severity of the risk posed and recommend that these submission points be accepted.
102. To be clear, this is not to understate the potential high risk that potentially is present in the Coastal Severe and Coastal Alert Overlays, as these also include those areas that are subject to coastal erosion and inundation at current day sea levels. However, because the decision was made to bundle those areas at immediate risk with those at potential

risk over the next 100 years, the risk profile is skewed towards the higher end, and use of the word 'severe' in particular may be overstating the overall situation. No potential alternative wording was provided by the submitters, and as such we suggest the following, or similar:

- "Coastal Severe" becomes "Coastal Hazard Erosion and Inundation Overlay"
- "Coastal Alert" becomes "Coastal Hazard Inundation Overlay 1"
- "Coastal Setback" becomes "Coastal Hazard Inundation Overlay 2"

103. While we recommend the changes to the naming of the Coastal Hazard Overlays and incorporate this into the recommended changes to the provisions throughout the report below, the analysis continues to refer to the naming as notified, to reduce confusion should the proposed naming not be adopted.

### **Recommendations**

104. We recommend that submission point S171.026 be accepted, and that 'unoccupied buildings' be replaced by Less Hazard Sensitive Activities, 'commercial and industrial' buildings' be replaced by 'Potentially Hazard Sensitive Activities', and 'sensitive activities' and 'critical response facilities' be replaced by 'Hazard Sensitive Activities'.

105. We recommend that submission point S171.027 be accepted and that the term 'natural hazards' be replaced by 'coastal hazards' where it will provide clarity on what the provision is referring to.

106. We recommend that submission points S171.033 and S378.006\* be accepted and the naming of the coastal hazard overlays is changed to the following or similar:

- Coastal Severe becomes Coastal Hazard Erosion and Inundation Overlay
- Coastal Alert becomes Coastal Hazard Inundation Overlay 1
- Coastal Setback becomes Coastal Hazard Inundation Overlay 2

### **8.1.2 General Matters**

#### **Submissions**

<b>Submitter Name (ID)</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
Michael Robson (S327)	S327.001* <sup>2</sup>	Amend	That the council provide a list of what preventative measures would need to be taken for any property to be developed. Whether those measures required properties to be built that could be removed in the event of

<sup>2</sup> Submissions that were made on the coastal hazard provisions during the initial submission period on the TTPP in 2022 that have been carried over to Variation 2 are marked with an asterisk (\*).

Submitter Name (ID)	Submission Point	Position	Decision Requested
			further coastal erosion with minimum floor levels required to be built on stilts, or if the water level increases to within a certain distance of the dwelling then the sewage and stormwater must be decommissioned and the dwelling abandoned or removed.
Margaret Montgomery (S446)	S446.038*	Oppose in part	Amend overlay to reflect the outcome of a natural hazard risk assessment undertaken by the Council. Provide more detailed matters of discretion with set distances for location and more narrowing of scope as relates to location and modification/retention of vegetation.
Vance & Carol Boyd (S447)	S447.024	Oppose in part	That the above-mentioned points be taken into account in coming to any decision. Such points have been made in previous submissions and remain valid.
Jane Whyte & Jeff Page (S467)	S467.045	Amend	That when and where Variation 2 has in fact altered the Natural Hazard Overlays applying to a property, those persons affected also be able to comment on the relevant provisions of the Natural Hazards Chapter. Ideally (and it is understood to be the case - and supported), submissions on both Variation 2 and the Natural Hazards Provisions should be heard together.
<i>Grey District Council (FS1)</i>	<i>FS1.00443</i>	<i>Support</i>	<i>Allow</i>
Katherine Gilbert (S473)	S473.018*	Amend	The Plan needs to incentivize where subdivisions should be so that adaptive and progressive moving of residential areas is away from Coastal Hazard zones.
Westpower Limited (S547)	S547.0514	Neutral	That notwithstanding any Changes to Overlays resulting from Variation 2: Coastal natural Hazards mapping, the TTPP continue to encourage and provide for the continued distribution of electricity to the community and Westpower's other activities



Submitter Name (ID)	Submission Point	Position	Decision Requested
			associated with this as "Regionally Significant Infrastructure".
Westpower Limited (S547)	S547.0515	Neutral	That original submission points presented on TTPP itself and previously on Coastal Hazards be retained. (Such provisions of relevance are appended, with 11 further points noted below).
Westpower Limited (S547)	S547.0538	Not stated	That Westpower's previous submission points in the overall Plan submission and previous notification of Variation 2 be retained. (Those of relevance in terms of the first plus those in regards to the second are included as Appendix 1 and Appendix 2 respectively).
Department of Conservation (S602)	S602.00241	Amend	<ul style="list-style-type: none"> <li>a. That the particular provisions of Te Tai Poutini Plan Variation 2 that I support, as identified in Attachments 1 and 2, are retained;</li> <li>b. That the particular provisions of Te Tai Poutini Plan Variation 2 that I support with amendments, as identified in Attachments 1 and 2, are amended;</li> <li>c. That the particular provisions of Te Tai Poutini Plan Variation 2 that I oppose, as identified in Attachments 1 and 2, are amended or deleted;</li> <li>d. That the additions to Te Tai Poutini Plan Variation 2 sought in Attachments 1 and 2 are made; and</li> <li>e. Further or alternative relief to like effect to that sought in 5.a-d. above.</li> </ul>
<i>Westpower Limited (FS222)</i>	<i>FS222.0391</i>	<i>Oppose</i>	<i>Disallow</i>
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.045	Oppose	That submissions on the objectives and policies that relate to the Coastal Natural Hazards are further considered alongside the Rules and Variation 2 at the same hearing.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Neils Beach Special Rating District Committee John Sutton (S669)	S669.003	Amend	Address the possible regulation of driftwood gathering in an appropriate section of the TTPP to ensure it does not undermine the dune rebuilding process. Identify a specific driftwood collection area or alternatively a driftwood collection exclusion zone.
Barbara Clark (S673)	S673.002*	Amend	That a triggered, stage and conditional process for when land must be abandoned is adopted.
Desna Bruce Walker (S692)	S692.001	Oppose	That sea level rise is based on more moderate RCP 2-4.5, with regular monitoring of sea level every 2-5 years for next 25 years, and 100 year coastal planning period reduced to 25 years
Tania Reynolds (S730)	S730.001	Support	That Variation 2: Coastal Natural Hazards Mapping proceed.
John Sutton (S704)	S704.003	Amend	Address the possible regulation of Driftwood gathering in an appropriate section of the TTPP. This could include either the identification of areas for collection, or exclusion zones.
Kevin Smith (S707)	S707.004	Oppose	An acceptance that the TTPP Coastal Hazards process is flawed. This is apparent when the process is having to be repeated with the renotification. The variation needs to be set with a review period. There needs to be clarity over the use of the document for planning, consent and insurance purposes. We should not be seeing talk of managed retreat on the basis of some projected estimate.
Murray Gibson (S713)	S713.001	Amend	That the overall approach inherent in Variation 2: Coastal Natural Hazards Mapping be amended - to one which better reflects local conditions, pays less attention to climate change and scientific modelling, and seeks a more practical outcome.
Paul Murray (S718)	S718.001	Oppose in part	That there be a more proactive approach to natural hazard mitigation, through reinforcing flood protection and mitigation, with

Submitter Name (ID)	Submission Point	Position	Decision Requested
			greater attention paid to the costs of initiatives such as Variation 2 for landowners.
Punakaiki Farm Ltd (S721)	S721.005*	Amend	That provisions of the TTPP associated with Natural Hazards management recognise that hazard risk can be mitigated by appropriate measures, such as the construction of seawalls, thereby reducing risk itself and allowing certain development to proceed.
Susan Norgart (S738)	S738.003	Oppose	That the Submitter's letter of 25 August 2024, to the TTPP Committee Chairperson, expressing concern about the Variation 2 process overall, be considered as part of the submission itself.
Kenneth Wiltshire (S749)	S749.003*	Amend	That possible mitigation plans be included, so as to suggest to Councils and ratepayers/owners what kind of remedial action can be taken to minimise hazard risk in the short, medium and long terms.
Kenneth Wiltshire (S749)	S749.006	Amend	That the Plan text include mitigation plans for national hazards, so as to guide both Councils and ratepayers/owners as to what remedial action may be undertaken in the short, medium and long terms
Charlotte May Treasurer (S762)	S762.003	Oppose	That the overall approach/response to coastal erosion and inundation be reconsidered.
Charlotte May Treasurer (S762)	S762.002	Oppose	That moving affected settlements be looked at.
Michael & Vivian Nixon (S767)	S767.001	Oppose	To retain the status quo of the existing plan.
Natural Hazards Commission Toka Tū Ake (S775)	S775.001 / S775.002	Not stated	That the specific amendments, additions or retentions which are sought as specifically outlined in Appendix 1, are accepted and adopted into TTPP Variation 2 - Coastal Hazards, including such further, alternative, additional, or consequential relief as may be necessary to fully achieve the relief sought in this submission.

Submitter Name (ID)	Submission Point	Position	Decision Requested
<i>Westpower Limited (FS222)</i>	<i>FS222.0381/ FS222.0380</i>	<i>Oppose</i>	<i>Disallow</i>

### Analysis

107. Vance & Carol Boyd (S447.024), Westpower Limited (S547.0515; S547.0538), Department of Conservation (S602.00241) and Natural Hazards Commission Toka Tū Ake (S775.001; S775.002) seek that all submission points previously and currently made are taken into account. We can confirm that all submissions made by these parties on the proposed TTPP as originally notified, and relating to Variation 2 and the renotification of Variation 2 (also referred to as Variation 2.1) have been taken into account.
108. Jane Whyte & Jeff Page (S467.045) and Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605.045) submit that where Variation 2 has altered the Natural Hazard Overlays applying to a property, those persons affected also be able to comment on the relevant objectives, policies and rules of the Natural Hazards Chapter, and that these submissions should all be heard together. Grey District Council (FS1.00443) supports the submission by Jane Whyte and Jeff Page. These submissions and Ms Whyte's presentation at the hearing for the Natural Hazards Chapter were instrumental in the decision to renotify Variation 2 to give those persons now impacted by the updated mapping the opportunity to submit on the relevant provisions as well. Therefore, we recommend that these submissions be accepted.
109. Tania Reynolds (S730.001) supports Variation 2 and seeks that it proceeds. We recommend that this submission point be accepted.
110. Susan Norgart (S738.003) opposes Variation 2 and seeks that her letter of 25 August 2024 to the TTPP Committee Chairperson expressing concern about the Variation 2 process overall, be considered as part of the submission itself. We confirm that this letter was attached to the submission as requested, with the matters raised being considered through this process.
111. Michael & Vivian Nixon (S767.001) oppose Variation 2 and seek to retain the status quo. Charlotte May (Treasurer) (S762.003) seeks that the overall approach/response to coastal erosion and inundation be reconsidered. Murray Gibson (S713.001) seeks that the overall approach of Variation 2 be amended to one which better reflects local conditions, pays less attention to climate change and scientific modelling, and seeks a more practical outcome. Submission point S446.038\* seeks that Council's undertake site specific modelling and the onus is not on the applicant. The approach that has been taken to coastal erosion and inundation by Variation 2 is consistent with best practice that is being applied by other councils across the country and is in accordance with national guidance on the matter. We recommend that these submission points be rejected.
112. Barbara Clark (S673.002\*) seeks that a triggered, staged and conditional process for when land must be abandoned is adopted. Katherine Gilbert (S473.018) submits that the Plan needs to incentivise where subdivisions should be so that adaptive and progressive moving of residential areas is away from Coastal Hazard zones. Charlotte May Treasurer (S762.002) requests that moving affected settlements be looked at.
113. While the proposed TTPP signals where the risk from coastal hazards is currently high and modelled to be high over the next 100 years due to coastal inundation and erosion, this plan change does not seek to implement managed retreat. We are of the opinion

that any provisions relating to managed retreat would need to be developed to support a specific proposal, and the individual requirements of that proposal. Such a proposal would have been subject to extensive engagement and would be unique to the community impacted. We see little benefit of including objectives, policies, or rules relating to managed retreat in the absence of such a comprehensive proposal/spatial plan, with the main outcome being increased fear and anxiety for communities and property owners. While we are aware of the Resilient Westport master planning project to encourage the gradual relocation of Westport, the developed spatial plan and methods for implementation still need to be finalised. Therefore, while we agree with these submitters in principle, we do not think that the timing is appropriate to include provisions relating to managed retreat in the TTPP, and recommend that these submissions be rejected.

114. Kevin Smith (S707.004) opposes the Coastal Hazards Variation as the process is flawed as apparent from the renotification of the variation and seeks that the variation be set with a review period. Additionally, he requests that there be clarity over the use of the document for planning, consent and insurance purposes, and that managed retreat should not be considered on the basis of some projected estimate.
115. Firstly, the authors of this report were not party to the decision to notify the updated mapping without the associated provisions, however we assume that because the provisions were not proposed to be changed that this was deemed not necessary – parties had had the opportunity to submit on these provisions as part of the original notification of the proposed TTPP. However, during the hearings for the Natural Hazards Chapter, which included consideration of submissions on the objectives and policies that relate generally to all natural hazards including coastal hazards, it was highlighted by submitters that those persons newly affected by the updated coastal hazards mapping had not had the opportunity to submit on the associated provisions. As such, the variation was renotified to ensure that all persons newly impacted by the updated mapping also had the opportunity to submit on the coastal hazard provisions. We do not consider this to demonstrate that the process is flawed, rather that the TTPP Committee is doing everything within its power to ensure that every opportunity is provided for people to have their say.
116. We note that under s79 of the RMA the district plan (including the provisions introduced by Variation 2) must be reviewed at least every 10 years, and therefore there is no need to include a review period in the TTPP.
117. In terms of the use of the document for planning and consenting for new development in areas subject to coastal hazards, it will indicate where development is considered appropriate and where it is not.
118. Insurance companies do not rely solely on district plan mapping for natural hazard information and will commission third parties to provide this information in many cases. It is our understanding that regardless of whether there is coastal hazards mapping in a district plan, insurance companies will obtain this information themselves in order to reduce their risk exposure, and set premiums accordingly. We reiterate our comments in paragraph 102 above that managed retreat should not form part of the TTPP at this time. We recommend that submission point S707.004 be rejected.
119. Desna Bruce Walker (S692.001) requests that sea level rise is based on more moderate RCP 2-4.5, with regular monitoring of sea level every 2-5 years for next 25 years, and 100 year coastal planning period reduced to 25 years. The mapping upon which the

coastal overlays is based is not tied to a specific scenario, instead using increments of sea level rise with associated time periods of when this is expected to be reached. It is acknowledged, however, that 1 metre of sea level rise aligns with projections for 2130 under the SSP5-8.5(M) scenario. *Yet, this is in accordance with MfE national guidance which states: Using SSP5-8.5 (M and H+) for coastal hazard and risk assessment screening...is consistent with council planning decisions needing to: i) implement other Resource Management Act 1991 requirements and policies, such as the precautionary approach (Policy 3, New Zealand Coastal Policy Statement, DOC, 2010); ii) identify areas 'potentially affected' by coastal hazards and climate change (Policy 24, New Zealand Coastal Policy Statement, DOC, 2010) and iii) have regard to the national adaptation plan (which also directs consideration of the same scenarios) (MfE, 2022a).*

*This is reflective of the high emissions trajectory the world is currently on. Planning for a period of less than 100 years would not give effect to the NZCPS. Therefore, we recommend that the Commissioners reject this submission.*

120. On this basis, it is considered that the sea level rise projections that have been modelled in in accordance with national direction and is appropriate for land use planning.
121. Michael Robson (S327.001\*) and Kenneth Wiltshire (S749.003\*; S749.006) seek that the council provide a list of what preventative measures would need to be taken for any property to be developed. We agree that it would be a good idea if guidance was prepared that included such matters in order to support the implementation of the TTPP, however this cannot be guaranteed. We do note that as proposed, resource consent will be required for new development in any of the coastal hazard overlays and it is expected an application would be supported by a risk assessment by a suitably qualified and experienced person, that would recommend possible site-specific mitigation measures to reduce the risk from the coastal hazards to an acceptable level. We recommend that these submission points be accepted in part.
122. Paul Murray (S718.001) and Punakaiki Farm Ltd (S721.005\*) submit that the plan should recognise that hazard risk can be mitigated by appropriate measures, such as the construction of seawalls, thereby reducing risk itself and allowing certain development to proceed. We consider that the risk-based approach of the provisions recommended in the following sections does recognise that in some instances mitigation measures are an appropriate response. However, in terms of seawalls specifically, Policy 25 of the NZCPS directs that hard protection structures should be discouraged, and the use of alternative measures promoted in recognition of the impact that such structures have on coastal processes. We recommend that these submission points be accepted in part.
123. Submission points S669.003 and S704.003 seek that the possible regulation of driftwood gathering be considered, to ensure that it does not undermine the dune rebuilding process while providing a specific driftwood collection area or alternatively a driftwood collection exclusion zone. We have discussed this matter with Mr Bosserelle who advises that while driftwood can help increase dune height and width to make them more resilient in a storm, this is unlikely to be to a level to protect the settlement in a severe storm. Therefore, we defer to Mr Bosserelle's expertise and recommend that these submission points be rejected.
124. Westpower Limited (S547.0514) seeks that notwithstanding any changes to the overlays resulting from Variation 2, the TTPP continue to encourage and provide for the continued distribution of electricity to the community and Westpower's other activities. We confirm

that it continues to be the intent of the recommended provisions that this is provided for and recommend that this submission point be accepted.

### *Recommendations*

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

### **8.1.3 Extent and Application of Mapping**

#### *Submissions*

<b>Submitter Name (ID)</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
Forest Habitats Limited (S186)	S186.002	Neutral	That hazard mapping be for guidance purposes only - and to put people on notice that there may be a potential hazard.
Forest Habitats Limited (S186)	S186.004	Oppose	That hazard mapping should be a guide only, and should not be used by Councils for making definitive decisions when assessing development proposals.
Forest Habitats Limited (S186)	S186.006	Amend	That it be possible for Coastal Hazard Mapping of a given site to be overridden by what is stated in an Engineering Report.
Forest Habitats Limited (S186)	S186.008	Amend	That proximity to a coastal hazard overlay necessitate technical reporting to confirm adequate mitigation of the hazard risk.
West Coast Regional Council (S488)	S488.015*	Oppose	Maps are refined for the coastal setback overlay to the property level.
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.022*</i>	<i>Support in part</i>	<i>Allow in part</i>
West Coast Regional Council (S488)	S488.021*	Oppose	Maps relating to Natural Hazard overlays are refined to the property level for natural hazard overlays.
<i>Arnold Valley &amp; Ahaura Watershed Property Owners Joint Submission (FS90)</i>	<i>FS90.4*</i>	<i>Support</i>	<i>Allow</i>
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.028*</i>	<i>Oppose</i>	<i>Disallow in part</i>
<i>Vance &amp; Carol Boyd (FS117)</i>	<i>FS117.2*</i>	<i>Support</i>	<i>Allow</i>
<i>Vance &amp; Carol Boyd (FS117)</i>	<i>FS117.8*</i>	<i>Support</i>	<i>Allow</i>

Submitter Name (ID)	Submission Point	Position	Decision Requested
Frank O'Toole (FS235)	FS235.0117*	Support	Allow
Michael Snowden (S492)	S492.008*	Amend	Adopt a more realistic timeframe for assessment of coastal hazards than 100 years.
Leonie Avery (S507)	S507.111*	Oppose in part	Oppose any extension of any coastal hazard overlay from what has been notified that would include our properties. Amend associated objectives, policies and rules to be more enabling.
Jared Avery (S508)	S508.108* / S508.109*	Oppose in part	Oppose any extension of the Coastal Hazard Alert Overlay from what has been notified that would include our properties. Amend associated objectives, policies and rules to be more enabling.
Kyle Avery (S509)	S509.108* / S509.109* / S509.111*	Oppose in part	Oppose any extension to the Coastal Alert Hazard overlay from what has been notified that would include our properties. Amend associated objectives, policies and rules to be more enabling.
Avery Bros (S510)	S510.108*	Oppose in part	Oppose any extension from what has been notified that would include our properties. Amend associated objectives, policies and rules to be more enabling.
Bradshaw Farms (S511)	S511.108*	Oppose in part	Oppose any extension from what has been notified that would include our properties. Amend associated objectives, policies and rules to be more enabling.
Paul Avery (S512)	S512.108*	Oppose in part	Oppose any extension from what has been notified that would include our properties. Amend associated objectives, policies and rules to be more enabling.
Brett Avery (S513)	S513.108*	Oppose in part	Oppose any extension from what has been notified that would include our properties. Amend associated objectives, policies and rules to be more enabling.
Chris & Jan Coll (S558)	S558.062*	Support	Retain extent of overlay as notified.



Submitter Name (ID)	Submission Point	Position	Decision Requested
Chris & Jan Coll (S558)	S558.063*	Amend	Amend associated objectives, policies and rules to be more enabling.
Frank O'Toole (FS235)	FS235.028* / FS235.016*	Support	Not Stated
William McLaughlin (S567)	S567.147*	Support	Retain extent of overlay as notified.
William McLaughlin (S567)	S567.148*	Amend	Amend associated objectives, policies and rules to be more enabling.
Avery Brothers (S609)	S609.092* / S609.095*	Support	Retain extent notified.
Avery Brothers (S609)	S609.093*	Amend	Oppose any extension from what has been notified that would include our properties. Amend associated objectives, policies and rules to be more enabling.
Andrew Wiffen (S683)	S683.001	Amend	Before the Variation proceeds, the maps must be made more accurate by: - Clarifying sea, river and land boundaries; - Excluding hump and hollow land (as data not sufficiently accurate); and - Verifying whether sea level rise assumptions are appropriate (as parts of the coast will rise and fall, based on Mean High Tide Line (MHTL).
Ash Oldham (S684)	S684.001	Oppose	That the history of how mapping changes have been made is shown - so that true extent of problem is shown (c.f. mere "scaremongering").
Biggles Limited (S685)	S685.001	Oppose	That the proposed mapping overlays are not accepted.
Scenic Hotel Group Limited (FS244)	FS244.005	Support	Allow
Desna Bruce Walker (S692)	S692.001	Oppose	That sea level rise is based on more moderate RCP 2-4.5, with regular monitoring of sea level every 2-5 years for next 25 years,

Submitter Name (ID)	Submission Point	Position	Decision Requested
			and 100 year coastal planning period reduced to 25 years
Mitchell Rogers (S710)	S710.003	Oppose in part	That the Coastal Natural Hazard Maps align with up to date information. Locals in impacted communities should be consulted as part of this process (as they could advise on what is in place, could be provided, etc.).
P & A Horrell (S715)	S715.001*	Oppose	That the proposed mapping overlays are not accepted.
Paul Drake (S716)	S716.001	Oppose in part	That the existing overall approach under the RMA remain - but the mapping not include provision for climate change.
Paul Fraser (S717)	S717.001	Oppose	That: The status quo be maintained for Overlay boundaries; and that the Councils themselves seek to better mitigate flood events.
Stuart Liddicoat (S729)	S729.002	Oppose	I seek that the Variation Coastal Alert Overlay be removed and withdrawn. I seek that Council mitigate any issues with regards to raising the floodwalls and whatever else is needed to protect ratepayers.
Ballin Family (S766)	S766.001	Oppose	Delete the Coastal Hazard Setback overlay in its entirety. Any consequential changes that may also be required to other provisions in the proposed Plan in order to provide for the requested relief.
James McElrea (S768)	S768.002	Amend	That the overlays be more carefully aligned to the natural aspect of the land and any land parcels.
Charlie Johnson (S786)	S786.003	Oppose	Provide the opportunity for property owners that have their own evidence i.e. engineers reports and any flood and erosion protection works (rock walls etc) to remove their property from the coastal hazard zone.

## Analysis

126. Forest Habitats Limited (S186.002, S186.004) seek that the mapping be used as non-statutory guidance only and technical reporting should be required where there is any suggestion of coastal hazard. In a similar vein, Forest Habitats Limited (S186.006) and Charlie Johnson (S786.003) seek that the plan provides the opportunity for property owners that have their own evidence i.e. engineers reports and any flood and erosion protection works (rock walls etc) to remove their property from the coastal hazard zone.
127. The purpose of the mapping and the overlays based upon it is to act as a trigger for where further site-specific investigation is required. As proposed, it is expected that any application for resource consent for development in the Coastal Hazard Severe or Coastal Hazard Alert overlay would be supported by a risk assessment by a suitably qualified and experienced person, that would recommend possible site-specific mitigation measures to reduce the risk to an acceptable level. While this will not remove the overlay from the property, it allows a pathway for consent to be granted. Therefore, we recommend that these submissions are accepted in part, and do not consider changes to the plan are required as a result of the submission.
128. Forest Habitats Limited (S186.008) seeks that proximity to the mapped overlays is a trigger to require further technical reporting. This would create too much uncertainty for the public and council and therefore we recommend that this be rejected. We do note that if council is aware that a risk may be present on a site that is not covered by a natural hazard overlay, then Policy NH-P2 provides scope to apply a precautionary approach and require further site specific investigation.
129. West Coast Regional Council (S488.015\*, S488.021\*) request that the mapping is refined to the property level. Further submissions FS109.022\*, FS90.4\*, FS117.2\*, FS117.8\*, and FS235.0117\* support this. Whilst property level mapping could be undertaken, this would be at considerable cost to the ratepayer and in our opinion would unfairly impact those ratepayers whose property is not located in a hazard zone. There are also many submissions opposing the cost of this process to date. Area-scale mapping of natural hazards for creating district plan hazard overlays is consistent with practice across New Zealand, and strikes an appropriate balance between cost and accuracy, by signalling where a natural hazard is expected to impact an area and where further site-specific investigation is required to determine if future development is appropriate or not. We recommend that these submission and further submission points be rejected.
130. Andrew Wiffen (S683.001) and James McElrea (S768.002) seek that the Variation 2 mapping be amended to better reflect the natural aspect of the land and the sea, river and land boundaries, as well as verifying whether the sea level rise assumptions are appropriate given that some parts of the coast will rise, and others will fall. The LiDAR data is the best information available and it is appropriate to use this to create the coastal hazard overlays. Whilst recognising that mapping at a site-specific level would provide more accurate data, as discussed previously the time and cost in undertaking this is prohibitive.
131. Paul Drake (S716.001) submits that the existing overall approach under the RMA remain, but that the mapping does not include provision for climate change. Michael Snowden (S492.008\*) seeks that a more realistic timeframe for assessment of coastal hazards than 100 years is adopted. Desna Bruce Walker (S692.001) requests that sea level rise is based on more moderate RCP 2-4.5, with regular monitoring of sea level every 2-5 years for next 25 years, and 100 year coastal planning period reduced to 25 years. However, the

NZCPS directs that natural hazard risk including the effects of climate change must be assessed over at least 100 years. The use of RCP8.5 (median) (equivalent to SSP5-8.5) is consistent with national guidance and current best practice. Therefore, we recommend that these submission points be rejected.

132. Paul Fraser (S717.001) seeks that the status quo be maintained for the overlay boundaries. Submission points S507.111\*, S508.108\*/S508.109\*, S509.108\*/S509.109\*/S509.111\*, S510.108\*, S511.108\*, S512.108\*, S513.108\*, S558.062\*, S567.147\*, S609.092\*, S609.093\*, S609.095\* seek that the extent of the overlays as notified be retained. It is noted that each of these submission points was received during the initial submission period on the TTPP, and since then Variation 2 has been introduced, which has altered the extent of the coastal hazard overlays in the majority of instances. The mapping within the Variation 2 overlays is based on more refined modelling with less uncertainty than the mapping used for the TTPP when originally notified. Therefore, we recommend that these submission points be rejected.
133. Submission points S507.111\*, S508.108\*/S508.109\*, S509.108\*/S509.109\*/ S509.111\* S558.063\* (FS235.028\*), and S567.148\*, seek that the objectives, policies and rules be amended to be more enabling. We note that all of these submission points relate to properties now encompassed by the Westport Hazard Overlay, which has a more permissive rule framework than the coastal hazard overlays. As such we consider that this provides the relief sought by these submission points, and for this reason we recommend that they be accepted.
134. Mitchell Rogers (S710.003) seeks that the maps align with the most up to date information. Ash Oldham (S684.001) requests that the history of how mapping changes have been made is shown so that true extent of problem is shown, compared to mere "scaremongering". Stuart Liddicoat (S729.00) seeks that the Coastal Alert Overlay be removed and withdrawn while Ballin Family (S766.001) seek that the Coastal Setback Overlay be removed. Biggles Limited (S685.001) and P & A Horrell (S715.001\*) oppose all coastal hazard overlays. We recommend that these submissions be rejected as the overlays are based on the most up to date and accurate information that is held by council, and there is no technical reason that the overlays should be removed.

### Recommendations

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

#### 8.1.4 General Opposition

##### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Chris Reynolds (S362)	S362.004	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn - certainly unless and until there is more reliable data and better information generally.
Tracy McEwing (FS251)	FS251.001	Support	Not stated
Lyn McIntosh (S469)	S469.003	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Michael Snowden (S492)	S492.013	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn - because the mapping itself requires revision, consistent with the NZCPS, the RPS and MFE guidance on coastal hazards mapping.
Gary Clarke (S667)	S667.001	Oppose	That Variation 2: Coastal Natural Hazards mapping not proceed - with the mapping of such overlays as it presently stands retained.
Helen & Tom Sawyers (S674)	S674.005	Oppose	The TTPP process to be discontinued until there is actual data and measurements taken for relevant areas - not based on modelling for the whole West Coast area.
<i>Tracy McEwing (FS251)</i>	<i>FS251.002</i>	<i>Support</i>	<i>Not stated</i>
Joshua Tranter (S675)	S675.002	Oppose	Reject all proposals you have made. Fix the cause.
Mike MacMillan (S677)	S677.001	Oppose	That any scientific evidence supporting Variation 2 be at least subject to independent scientific analysis, and take greater account of historical evidence of erosion and inundation.
Mike MacMillan (S677)	S677.002	Oppose	Withdraw Variation.
Andrew Dempster (S681)	S681.001	Oppose	I oppose the intent of the planned variation 2 as a resident landowner as it focuses on rising sea levels as its basis of evidence.
Andrew Lisseman (S682)	S682.001	Oppose	That Variation 2: Coastal Natural Hazards mapping (and ideally the TTPP in its entirety) be withdrawn.
David Gourlay (S690)	S690.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn.
Dee Deaker (S691)	S691.001	Oppose	Undertake monitoring and provide information and data to residents who remain free to make their own decisions about where they live (no forced retreats).
Dee Deaker (S691)	S691.002	Oppose	Neither Variation 2 nor the TTPP goes ahead in its present form; and opposition to any form of management retreat is noted.
Daniel Reynolds (S695)	S695.001	Oppose	Withdraw Plan Change - Approach needs to slow down - by improving

Submitter Name (ID)	Submission Point	Position	Decision Requested
			local data collection on sea level and groundwater changes and adopting a prudent, evidence- based approach including clarifying and understanding the rate of sea level change (i.e. is it linear or exponential), improving the consultation process and adopting an adaptive, flexible approach so that international trends are more critically examined, and premature, unnecessary actions are avoided.
Glen Kingan (S697)	S697.001	Oppose	Variation 2: Coastal Natural Hazards mapping should be placed on hold - until all accurate LIDAR data is received.
Jason Jacobs (S698)	S698.001	Oppose	That Variation 2: Coastal Natural Hazards mapping be withdrawn.
<i>Stuart Liddicoat (FS250)</i>	<i>FS250.002</i>	<i>Support</i>	<i>Allow</i>
Joelyn Billett (S700)	S700.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping not proceed.
Kevin Smith (S707)	S707.001	Oppose	That the Proposed Variation 2: Coastal Natural Hazards Mapping be at least delayed, pending any further direction from the Coalition Government.
Michael Rogers (S709)	S709.002	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn, and the overall delineation of the Natural Hazard Overlays be re-examined, in the context of existing initiatives to protect properties from erosion and inundation.
Michael Rogers (S709)	S709.003	Oppose	That the whole approach to determining Natural Hazard Overlays is amended to: <ul style="list-style-type: none"> <li>• Take into account existing mitigation features (e.g. seawalls);</li> <li>• Involve infrastructural organisations and consider the protection of their assets;</li> <li>• Consider reassessments, in the context of physical force changes;</li> <li>• Allow ongoing community input;</li> </ul>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<ul style="list-style-type: none"> <li>Consider other effects - e.g. earthquakes, and tectonic uplift;</li> <li>Respond to hazard risk identification in terms of setting rates;</li> <li>Consider consequences for areas abandoned over time (e.g. extent to which infrastructure is maintained); and</li> <li>Address compensation for landowners.</li> </ul>
Prue & Daimon Schawalger (S720)	S720.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn.
Rae Reynolds (S722)	S722.001	Oppose	That Variation 2: Coastal Natural Hazards mapping as it stands be withdrawn.
Rae Reynolds (S722)	S722.002	Oppose	I oppose these changes being adopted. Changes should be formulated following a broad and fair investigation of conditions.
<i>Andrew &amp; Shirley Nolan (FS243)</i>	<i>FS243.002</i>	<i>Support</i>	<i>Allow</i>
Rebecca Blackhurst (S723)	S723.001	Oppose	The Variation 2: Coastal Natural Hazards Mapping be withdrawn.
Rod Thornton (S724)	S724.002	Oppose	That Variation 2: Coastal Natural Hazards Mapping not proceed - with the status quo to remain.
Ros Bradley (S725)	S725.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn
Ros Bradley (S725)	S725.002	Amend	That the Variation 2 mapping be discontinued in its present form - unless and until it can become better substantiated and more reliable.
<i>Tracy McEwing (FS251)</i>	<i>FS251.003</i>	<i>Support</i>	<i>Not stated</i>
Ros Bradley (S725)	S725.003	Oppose	I wish the TTPP Hazard Management Plan to be scrapped completely and any future planning to be open accurate and include accurate/real data for a realistic future plan for the next 20 years, not 100 years.
<i>Andrew &amp; Shirley Nolan (FS243)</i>	<i>FS243.003</i>	<i>Support</i>	<i>Allow</i>
Stephen & Pauline Tranter (S727)	S727.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping not proceed - with

Submitter Name (ID)	Submission Point	Position	Decision Requested
			no changes made to previous such mapping.
<i>Stephen &amp; Pauline Tranter (FS249)</i>	<i>FS249.001</i>	<i>Support</i>	<i>Allow</i>
Stephen & Pauline Tranter (S727)	S727.002	Oppose	Cancel all proposals. Fix the causes created by the council.
Steve Miller (S728)	S728.002	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn. Rather, effort should go into having insurance companies take a more reasonable approach to the insuring of properties potentially affected by natural hazards.
Stuart Liddicoat (S729)	S729.001	Oppose in part	That Variation 2: Coastal Natural Hazards Mapping be subject to a "second opinion" in terms of the NIWA informing. Alternatively, the Council should consider contributing towards the cost of insuring affected properties.
<i>Stuart Liddicoat (FS250)</i>	<i>FS250.001</i>	<i>Support</i>	<i>Allow</i>
Vanessa Kingan (S733)	S733.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn. Alternatively, it only apply to those areas where the data is presently available, with the Overlays themselves otherwise removed from the TTPP maps.
Vicki Stevenson (S734)	S734.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn.
William Sage (S735)	S735.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn. Alternatively, it only apply to those areas where the data is presently available, with the Overlays themselves otherwise removed from the TTPP maps.
Laurie & Marlene Collins (S737)	S737.001	Oppose	That Variation 2: Coastal Natural Hazards mapping be withdrawn, and the Coastal Hazard Overlays as they were previously be reinstated.
Susan Norgart (S738)	S738.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn - unless and until more accurate data is available, certainly with respect to sea level rise.



Submitter Name (ID)	Submission Point	Position	Decision Requested
Ann Hamplough (S740)	S740.002	Oppose	That Variation 2: Coastal Natural Hazards mapping be withdrawn - unless and until better informed.
Damer Farrell (S741)	S741.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn - unless and until an honest and informative meeting takes place, in order to provide greater clarity and consider "knock on" effects (such as impacts on rates, insurance and saleability).
Derek Roberts (S744)	S744.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn.
Jane Abraham (S747)	S747.001	Oppose	That Variation 2: Coastal Natural Hazards mapping be withdrawn - at least until made more understandable.
Janette Donaldson (S748)	S748.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn.
Janette Donaldson (S748)	S748.002	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn, with the TTPP Project stopped and funded no further. Rather, such funding should go into Hazard Mitigation initiatives, such as a Westport Floodwall.
Kenneth Wiltshire (S749)	S749.001	Oppose	Withdraw the Variation.
Les & Kathy McManaway (S751)	S751.001	Oppose	Withdraw the Variation.
Lynda Reynolds (S752)	S752.001	Oppose	Withdraw the Variation.
Marilyn McKinney (S753)	S753.001	Oppose	Withdraw the Variation.
Patricia Paxton (S755)	S755.001	Not Stated	Withdraw the Variation.
Paul Reynolds (S756)	S756.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be deferred - until such time as more reliable data is available.
Paul Reynolds (S756)	S756.006	Oppose	<ol style="list-style-type: none"> <li>1. Scrap the process until such time as there is accurate, local and valid data justify it.</li> <li>2. Do not crystal ball gaze 100 years into the future as it is too unreliable</li> <li>3. Do not crystal ball gaze 100 years into the future as it will cause very harmful and unwarranted consequences for property owners.</li> </ol>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			4. Stop the process because stakeholders have been given insufficient time to organise a proper defence.
Charlotte May Treasurer (S762)	S762.001	Oppose	That Variation 2: Coastal Natural Hazards Mapping be withdrawn.
Rex & Anthea Keenan (S763)	S763.001	Oppose	Not stated
<i>Rex &amp; Anthea Keenan (FS252)</i>	<i>FS252.001</i>	<i>Support</i>	<i>Not stated</i>
Rex & Anthea Keenan (S763)	S763.002	Oppose	That rates be reset accordingly
<i>Rex &amp; Anthea Keenan (FS252)</i>	<i>FS252.002</i>	<i>Support</i>	<i>Not stated</i>
Wendy Stuart (S777)	S777.001	Oppose	Oppose Variation 2 to Proposed TTPP Coastal Hazards Mapping.
Christopher St Johanser (S780)	S780.001	Oppose	That Variation 2: Coastal Hazards be abandoned in its entirety forthwith.
Christopher St Johanser (S780)	S780.002	Oppose	That Variation 2: Coastal Hazards be abandoned in its entirety forthwith.
Grant Gear (S782)	S782.001	Oppose	Go back to the drawing board and ensure any variation is anchored in fact and captures mitigating factors such as sea walls etc.
Paul Truman (S784)	S784.001	Oppose	Totally against and vehemently opposed to Variation 2.
Kevin Boyd (S787)	S787.001	Oppose	I would like to see the proposed hazard overlay process to be stopped. I would like to see more careful monitoring of local conditions.
Norma O'Dea (S788)	S788.001	Oppose	Put a stop to this coastal hazard mapping process.
Michael Simon (S789)	S789.001	Oppose	That Variation 2 not proceed - because it is not based on facts.
Shelley Taylor (S790)	S790.001	Oppose	That the TTPP plan is reviewed. There needs to be a statement as to why information in Section 3.2.2 of the Tonkin and Taylor Report has not been used.
David Bloxham (S791)	S791.001	Oppose	I would like to see people being allowed to have free choice over their property. I would like the public to be properly heard.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Colin Reidy (S792)	S792.001	Support	Listen to the community, pay heed to that which they comment upon. This does not mean ignoring specialist advice, however the two need to be read in conjunction.
Gerrit Groeneveld (S794)	S794.001	Oppose	Put on hold until there is more sufficient data and transparent communication to all residents/explore many other means. Local knowledge is key to obtaining many of the solutions we face.
Robert Schouten (S795)	S795.001	Oppose	That the TTPP be based on more credible science
Robert Schouten (S795)	S795.002	Oppose	That the Variation needs to be based on more credible science.
Andrew & Shirley Nolan (FS243)	FS243.001	Support	Allow
Jan Phillips (S796)	S796.001	Oppose	Stop the process.

### Analysis

136. 64 submission points (S362.004, S469.003, S492.013, S667.001, S674.005, S675.002, S677.001, S677.002, S681.001, S682.001, S690.001, S691.001, S691.002, S695.001, S697.001, S698.001, S700.001, S707.001, S709.002, S709.003, S720.001, S722.001, S722.002, S723.001, S724.002, S725.001, S725.002, S725.003, S727.001, S727.002, S728.002, S729.001, S733.001, S734.001, S735.001, S737.001, S738.001, S740.002, S741.001, S744.001, S747.001, S748.001, S748.002, S749.001, S751.001, S752.001, S753.001, S755.001, S756.001, S756.006, S762.001, S763.001, S763.002, S777.001, S780.001, S780.002, S782.001, S784.001, S787.001, S788.001, S789.001, S790.001, S791.001, S794.001, S795.001, S795.002, S796.001) oppose Variation 2 and seek that it be withdrawn or put on hold until such time that better mapping/more credible science is obtained or that the mapping does not take into account climate change.
137. Colin Reidy (S792.001) seeks that council listen to the community, pay heed to that which they comment upon. This does not mean ignoring specialist advice, however the two need to be read in conjunction.
138. In response to the submissions that generally oppose Variation 2 and the coastal hazard mapping, we do not recommend any changes for the following reasons:
- The NIWA modelling has been reviewed by Tonkin and Taylor who concluded that both the inundation methodology and erosion assessment were appropriate for the scale of assessment and availability of data.
  - While the bathtub methodology used for the inundation modelling can result in an overestimation of coastal flood extents, particularly where topography is flat and low lying, it does provide an approximation of coastal flooding extents for identifying key elements at risk e.g. populations, buildings, roads etc. It is used in the TTPP to indicate where site specific investigations are required to confirm that proposed use and development

will not increase the risk to people and property to an unacceptable level.

- This methodology is consistent with planning practice across New Zealand, and strikes an appropriate balance between cost and level of detail. Site-specific investigations for the entire West Coast would be extremely time and cost prohibitive. It is standard practice that district plans identify where a hazard is anticipated to impact an area, and the onus is then on the property owner to demonstrate that their proposal will avoid increasing risk and is an appropriate use of the site.
- The use of 0.2m increments of sea level rise used to account for projected climate change is consistent with national guidance. As discussed in the NIWA report, vertical land movement (VLM) has not been included in the modelling due to the uncertainty in the extrapolated VLM estimates, and the negligible impact the inclusion of VLM would have given the inherent uncertainties and limitations in the underlying analysis.

139. While there are a significant number of submissions seeking that Variation 2 be withdrawn, the coastal erosion and inundation mapping upon which it is based is consistent with national guidance and best practice. There is no technical reason that the mapping should be withdrawn. The West Coast district councils have an obligation under the RMA, NZCPS and RPS to identify areas at risk from coastal hazards over at least the next 100 years and manage development within these areas so that the risk remains acceptable.

140. While submitters have offered that should the mapping and provisions be deleted, because council is aware that the risk exists, property owners would need to sign a waiver accepting full responsibility should the property be impacted by a natural hazard. This would exempt council from providing any mitigation works and support post event. This waiver, and any information held by the council on natural hazards would be required to be included on land information (LIM) reports under s44A(2)(a) of the Local Government Official Information and Meetings Act 1987. In our opinion, this approach is not backed by and would not allow for the West Coast Councils to meet their statutory obligations or to provide for the social, economic and cultural well-being or health and safety of people and their communities.

141. Further to this, under the Building Act 2004 council has the ability to refuse to grant a building consent under s71 as follows:

*(1) A building consent authority must refuse to grant a building consent for construction of a building, or major alterations to a building, if—*

*(a) the land on which the building work is to be carried out is subject or is likely to be subject to 1 or more natural hazards; or*

*(b) the building work is likely to accelerate, worsen, or result in a natural hazard on that land or any other property.*

*(2) Subsection (1) does not apply if the building consent authority is satisfied that adequate provision has been or will be made to—*

*(a) protect the land, building work, or other property referred to in that subsection from the natural hazard or hazards; or*

*(b) restore any damage to that land or other property as a result of the building work.*

(3) In this section and sections 72 to 74, natural hazard means any of the following:

(a) erosion (including coastal erosion, bank erosion, and sheet erosion):

(b) falling debris (including soil, rock, snow, and ice):

(c) subsidence:

(d) inundation (including flooding, overland flow, storm surge, tidal effects, and ponding):

(e) slippage.

142. If council decides to grant consent, a s72 notice will be lodged on the Record of Title identifying that the land is subject to a natural hazard.

143. A number of submitters are concerned about the impact on insurance premiums. We have been informed that while insurance companies may consider district plan hazard mapping, they generally commission third party vendors for datasets and modelling, for example Tower Insurance use flood and earthquake modelling by RMS<sup>3</sup>. In practice, insurers use a range of data sources to understand natural hazard risk<sup>4</sup>, and this means that insurance premiums will respond to natural hazard risk whether mapped in a district plan or not.

### Recommendations

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

### 8.1.5 Consultation Process

#### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Hamish Macbeth (S307)	S307.001*	Oppose in part	That the overlay be discussed with affected landowners and on-site inspections be conducted in order to establish an accurate overlay. The report which has been prepared for WCRC should be publicly available before any decisions are made, and meaningful consultation with any affected landowner should be

<sup>3</sup> <https://www.tower.co.nz/manage/your-property-risk-profile/>

<sup>4</sup> <https://www.rbnz.govt.nz/hub/publications/financial-stability-report/2024/may-2024/fsr-may-24-special-topic-2>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			required. I have not identified all the policies and rules affecting the coastal alert overlay but I accept the need for the plan to make provision for sea level rise.
Karen Lippiatt (S439)	S439.020*	Support in part	Undertake further community wide consultation with coastal settlements on the way forward.
Grey District Council (S608)	S608.852	Support	That extensive landowner consultation is undertaken when and where there are properties affected by the Overlays - and particularly if restrictions will increase. Where risk is assessed as severe and removal of occupation could be necessary, landowner rights must be at the forefront of Council decisions.
Adriana James (S678)	S678.001	Oppose	Defer Variation until sufficient data available - ideally for a ten year period. Based on proper analysis, c.f. incorrect extrapolation and unsubstantiated modelling. And more informed, transparent and democratic consultation.
Adrienne Fraser (S679)	S679.001	Oppose	Plan Change needs to be better informed - and particularly in terms of implications for individual properties.
Desna Bruce Walker (S692)	S692.005	Oppose	That engagement with the community, especially owners of affected properties, be more thorough, transparent and clear (informing owners individually), with "managed retreat" removed as an option unless a property is in immediate danger.
Mark Vanstone (S708)	S708.001	Oppose	That affected residents are notified well in advance of initiatives such as this, so that they can have their say.
Murray & Rachel Petrie (S712)	S712.002	Amend	Such Rules need to be refocused - and through community engagement - so that they ensure community viability and sustainability, c.f. "chasing people out". That feedback on the sources of information be

Submitter Name (ID)	Submission Point	Position	Decision Requested
			provided, confirming its accuracy and how it could be better responded to.
Hans Gutenbrunner (S736)	S736.002	Oppose	That the methodology behind Variation 2 be reviewed, with the community better informed as to how the Overlays were arrived at and their implications.
Alan Paxton (S739)	S739.002	Oppose	That more detailed information is provided before Variation 2: Coastal Natural Hazards Mapping is allowed to proceed.
Dave Henderson (S742)	S742.001	Not Stated	Not stated - not enough information
David Hughes (S743)	S743.001	Oppose	Place implementation on hold until the public is fully informed.
Kerera Corbett- Manga (S750)	S750.001	Not Stated	Not stated – Not enough information.
Maxmillion Donnelly (S754)	S754.001	Oppose	Not stated - not enough information.
Piet & Alison Geldenhuys (S757)	S757.001	Not Stated	Not stated.
Ray Karl (S759)	S759.001	Not Stated	Not stated - not enough information.
Ronald Williams (S760)	S760.001	Not Stated	Not stated - not enough information.
Wendy Sheenan (S761)	S761.001	Not Stated	Not stated - do not understand how experts come up with this variation.
Kathryn Wall (S771)	S771.001	Oppose	I would like those responsible to speak with locals, especially those that have lived in the area for decades and know the coast line.

### Analysis

145. Submission points S307.001\*, S439.020\*, S608.852, S678.001, S708.001, S712.002, S736.002, S743.001, and S771.001 request that extensive landowner consultation is undertaken and more information is provided while submission points S679.001, S739.002, S742.001, S750.001, S754.001, S757.001, S759.001, S760.001, and S761.001 state that there is not enough information for them to understand the variation and request more before the variation is allowed to proceed.
146. We note that the proposed TTPP was first notified in July 2022, and the coastal hazard provisions that were notified have not changed since that time. The updated coastal hazard mapping was first notified in June 2024, and then renotified with the unchanged provisions in November 2024. Initial community consultation was conducted across the

West Coast in March 2020, which included the coastal hazards provisions of Variation 2. Drop in sessions were held in April 2022 on the proposed TTPP. Drop in sessions specifically on Variation 2 were held in four venues in November 2023. Information sheets were sent out with letters in June 2024 to impacted properties, and a public meeting held in Westport on 30 July 2024, with an online session on 8 August 2024. As such, we are of the opinion that ample time has been provided for residents to obtain the information needed and recommend these submissions be rejected.

147. While submission point S692.005 also states these same points, it also requests that managed retreat be removed as an option unless a property is in immediate danger. We agree with the latter part of the submission entirely and confirm that the proposed TTPP does not seek to facilitate managed retreat. We also highlight the Coastal Alert Overlay that applies to Carters Beach does not seek to preclude future development, but requires additional site-specific information to ensure that the risk is acceptable and any proposed development appropriate in this area.

### *Recommendations*

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

## **8.2 Area and Site-Specific Submissions**

### **8.2.1 Karamea/Little Wanganui**

#### *Submissions*

<b>Submitter Name (ID)</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
Ruth Henschel (S150)	S150.005*	Oppose in part	Remove Flood hazard susceptibility and the Coastal hazard alert overlays removed from 4456B Karamea Highway or returned to the previously identified area adjacent to the highway.
Ruth Henschel (S150)	S150.005*	Oppose in part	Remove Flood hazard susceptibility and the Coastal hazard alert overlays removed from 4456B Karamea Highway or returned to the previously identified area adjacent to the highway.
Mary Stewart (S222)	S222.002	Oppose	That Karamea not be included in the Coastal Hazard Overlays until the LIDAR is completed.
Mary Stewart (S222)	S222.004	Oppose	That proactive measures be implemented to ensure that Karamea area is future proofed with adequate seawalls and river stop banks.
Mary Stewart (S222)	S222.003	Oppose	That further consultation is undertaken about the proposals for Coastal Alert areas in Karamea.



Submitter Name (ID)	Submission Point	Position	Decision Requested
Mary Stewart (S222)	S222.005	Oppose	That I have the option to resubmit when accurate LIDAR has been completed.
Richard Henschel (S285)	S285.001*	Oppose in part	Remove the Flood hazard susceptibility and the Coastal hazard alert category removed from the property at 4456B Karamea Highway or return this to the previously identified area adjacent to the highway.
Hamish Macbeth (S307)	S307.008	Oppose in part	Understands that once LiDAR data available for area north of Hector that there will be an opportunity for Karamea residents to comment. Until then, unable to make a well informed decision. Wishes to be kept informed and have opportunity at that time to submit.
Bert Hofmans (S504)	S504.006*	Oppose	Remove Lots 1-3 DP 395733 Block IX Oparara SD Flagstaff Road Karamea and other properties in a similar position from the Coastal Hazard Alert Overlay.
Lindy Millar (S505)	S505.006*	Oppose	Remove Lots 1-3 DP 395733 Block iX Oparara SD Flagstaff Road Karamea and other properties in a similar position from the Coastal Hazard Alert Overlay.
Christine Carter (S687)	S687.001	Oppose	Any Variation of the Maps north of Hector should be delayed until full LiDAR mapping is complete. Insurance companies should be informed of such action.
Christine Carter (S687)	S687.002	Oppose	More information provided to the communities of Karamea and Little Wanganui to explain the reasons for Variation 2 properly.
Christine Carter (S687)	S687.003	Not Stated	<ol style="list-style-type: none"> <li>1. I propose all residents north of Hector who have not had this final mapping are allowed to propose another solution once they know what the final mapping has been completed.</li> <li>2. I propose the Commissioners of this Variation come to the area to speak about why they believe this is</li> </ol>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			in our best interests and outline how it is to be enacted.
Glen Kingan (S697)	S697.002	Amend	Remove the Coastal Hazards Alert layer from the property concerned - i.e. 127C Kohaihai Road, Karamea.
Karamea Aerodrome Inc (S705)	S705.001	Amend	That the entire Karamea Aerodrome property has the Coastal Hazard - Alert Overlay removed from it.
Mark Vanstone (S708)	S708.002	Oppose	Oppose coastal hazard overlay on 33 Glasseye Drive, Karamea.
Sam Carter (S726)	S726.001	Amend	That Coastal Natural Hazard Mapping for Karamea be updated - but on a properly notified basis, with consideration given to measures to effectively mitigate such risks.
Steve Miller (S728)	S728.001	Amend	That any Coastal hazard Overlays on 19 Glasseye Drive, Little Wanganui be removed.
Vanessa Kingan (S733)	S733.002	Amend	That the Coastal Hazard-Alert Overlay be removed from the property at 127C Kohaihai Road, Karamea.
William Sage (S735)	S735.002	Amend	That the Coastal Hazard - Alert Overlay be removed from 191D and 491C Kohaihai Road, Karamea.
Hans Gutenbrunner (S736)	S736.001	Amend	That any Coastal Hazard Overlays be removed from 4589 Karamea Highway, Karamea.

### Analysis

149. Mr Bosserelle has confirmed that new LiDAR data is now available for Karamea and Little Wanganui, but it was not completed in time to include updated mapping in Variation 2 for these areas. As such only the Coastal Alert Overlay is applied in these areas, and there is no change to its extent to that as notified. We are currently uncertain of whether another variation is proposed to update the mapping for these areas, but if this is the case, then this will involve consultation with the community and the ability for residents to submit on what is proposed, which will provide the relief sought by submission points S222.004, S222.003, S222.005, S307.008, S687.001, S687.002, S687.003, and S726.001.
150. The Coastal Alert Overlay in these areas acts as a trigger for where further site-specific investigation is required to determine the level of risk posed by coastal hazards. It does not seek to preclude future development where it is found that the risk posed is acceptable. This is an acceptable precautionary approach for these areas that is consistent with best practice until such time that better information is available. Therefore, we recommend that submission points S222.002, S150.005\*, S150.005\*, S285.001\*, S504.006\*, S505.006\*, S697.002, S705.001, S708.002, S728.001, S733.002,

S735.002, S736.001 that seek that the Coastal Alert Overlay be removed from specific properties be rejected.

### Recommendations

151. It is recommended that the above submissions and further submissions are rejected as shown in Appendix 2.

### 8.2.2 Hector/Ngakawau/Granity

#### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
David & Janice McMillan (S670)	S670.001	Amend	That the Coastal Hazard - Severe Overlay line is redrawn in a way that ensures 6 Main Road, Ngakawau is removed from such coverage (which presently includes two thirds of the property). The line should be pulled back to the western edge of the State Highway - as shown on a map included (which shows all other features mentioned, including those which protect the property concerned).
<i>David &amp; Janice McMillan (FS246)</i>	<i>FS246.001</i>	<i>Support</i>	<i>Allow</i>
David & Janice McMillan (S670)	S670.002	Oppose	Remove Coastal Alert and Coastal Setback overlays from the property at 6 Main Road, Ngakawau.
<i>David &amp; Janice McMillan (FS246)</i>	<i>FS246.002</i>	<i>Support</i>	<i>Allow</i>
John & Suzanne Willetts (S702)	S702.001 / S702.002 / S702.003	Amend	That the proposed application of the Coastal Hazard - Severe overlay to 146 and 147 Torea Street Granity not proceed, with the Coastal Hazard - Alert Overlay retained for those properties.
Grant Rowberry (S746)	S746.001	Amend	That the Coastal Hazard - Severe Overlay be removed from the property at 10 Main Road, Ngakawau.
<i>Grant Rowberry (FS248)</i>	<i>FS248.001</i>	<i>Support</i>	<i>Allow</i>
Grant Rowberry (S746)	S746.002	Amend	That both the Coastal Hazard - Alert Overlay be removed from the property at 10 Main Road, Ngakawau. Such Overlays should not extend closer to the property than the centre of Main Road.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Grant Rowberry (FS248)	FS248.002	Support	Allow
Kenneth Wiltshire (S749)	S749.002	Oppose	Oppose the coastal natural hazards maps in the proposed Plan for the Granity - Ngakawau area
Kenneth Wiltshire (S749)	S749.004	Oppose	That risk categorisation - and particularly with respect to Ngakawau Road - be better informed, by taking into account the sea wall constructed by NZTA.
Neu-Tec Mining Ltd (S779)	S779.001	Amend	That each property be looked at on its own merit.

### Analysis

152. Bosserelle and Allis (2022)<sup>5</sup> confirm that while “at various properties in Hector, Ngakawau and Granity, sea walls or bunds have been constructed, these are highly variable in design and condition. Whilst somewhat effective at mitigating shoreline retreat and inundation hazards in the short term, these structures will not provide long term protection without substantial reinvestment and upgrades.” (p.53). The report confirms that only the coastal defence structures on the school site at Granity and to the north have been included in the analysis for this area. No impact of sea level rise is assumed where private coastal defence structures are expected to be maintained at their current location (Granity School, structures near Ngakawau and structures near Hector). However, the Coastal Severe Overlay in these areas does still include an erosion rate that factors in the potential failure of the coastal protection.
153. It is considered that the Coastal Severe and Coastal Alert Overlays for the Granity/Ngakawau/Hector area appropriately reflect the potential level of risk of coastal inundation and erosion here, and flag that further site-specific assessment is required to support a proposal for new development. Therefore, we recommend that submission and further submission points S670.001, FS246.001, S670.002, FS246.002, S702.001, S702.002, S702.003, S746.001, FS248.001, S746.002, FS248.002, S749.002, S749.004, S779.001 be rejected.

### Recommendations

154. It is recommended that the above submissions and further submissions are rejected as shown in Appendix 2.

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<sup>5</sup> Bosserelle, C. and Allis, M. (2022). Mapping for priority coastal hazard areas in the West Coast Region. Prepared for West Coast Regional Council.

## 8.2.3 Westport

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Joanne and Ken Dixon (S213)	S213.003*	Oppose	Remove the natural hazard overlays applied to Westport and outlying areas.
<i>Buller District Council (FS149)</i>	<i>FS149.0168*</i>	<i>Oppose in part</i>	<i>Disallow in part</i>
<i>Frank O'Toole (FS235)</i>	<i>FS235.059*</i>	<i>Support</i>	<i>Not stated</i>
John Brazil (S360)	S360.001*	Oppose in part	Amend overlay to exclude Lot 1 DP 336364 (261 Utopia Road, Westport).
<i>Frank O'Toole</i>	<i>FS235.060*</i>	<i>Support in part</i>	<i>Not stated</i>
Chris Reynolds (S362)	S362.003	Oppose	Do not impose hazards without reliable data on 294 Utopia Road.
Robert Burdekin (S378)	S378.007*	Oppose	Westport Hazard Overlay 1m sea level rise to be reviewed. This should be no more than 0.5m
<i>Frank O'Toole (FS235)</i>	<i>FS235.091*</i>	<i>Support</i>	<i>Not stated</i>
Frank and Jo Dooley (S478)	S478.026*	Amend	Amend to remove the coastal severe overlay from 211 Utopia Road.
<i>Frank O'Toole (FS235)</i>	<i>FS235.052*</i>	<i>Support</i>	<i>Allow</i>
Leonie Avery (S507)	S507.082*	Oppose in part	Amend coastal severe and coastal alert overlay extent to exclude our properties (98 Orowaiti Road, Westport).
<i>Frank O'Toole (FS235)</i>	<i>FS235.075*</i>	<i>Support</i>	<i>Allow</i>
Kyle Avery (S509)	S509.082*	Oppose in part	Amend Coastal Severe overlay extent to exclude our properties.
<i>Frank O'Toole (FS235)</i>	<i>FS235.065*</i>	<i>Support</i>	<i>Allow</i>
Avery Bros (S510)	S510.082*	Oppose in part	Amend overlay extent to exclude our properties.
<i>Frank O'Toole (FS235)</i>	<i>FS235.004*</i>	<i>Support</i>	<i>Allow</i>
Frank O'Toole (S595)	S595.014*	Amend	Amend to remove the coastal severe overlay from 211 Utopia Road.
Frank O'Toole (S595)	S595.032	Support in part	That as a minimum, the Change made by Variation 2 to the Coastal Hazard-Severe Overlay along the Orowaiti Lagoon Frontage relative to

Submitter Name (ID)	Submission Point	Position	Decision Requested
			properties on Utopia Road be accepted.
Frank O'Toole (S595)	S595.033	Amend	That the position and extent of the Coastal Hazard Severe Overlay more accurately reflect the top of the bank location on 211 Utopia Road and surrounding properties.
Snodgrass Road submitters (S619)	S619.005*	Oppose	That the Coastal Hazard Alert Level Overlay be removed in its entirety from this property (2/75 Snodgrass Road)
Snodgrass Road submitters (S619)	S619.056*	Oppose	Amend rules to remove restrictions on these properties (Snodgrass Road)
Barbara Clark (S673)	S673.001*	Oppose in part	Remove all building conditions relating to the Buller Hazard Zone.
Joshua Tranter (S675)	S675.001	Oppose	No change should be made to Coastal natural Hazards mapping. The issue is "man-made" - with Councils needing to accept responsibility by continuously dredging the Buller River and upgrading infrastructure to OECD standards.
Alexa Kliebenstein (S680)	S680.001	Support	Support removal of Coastal Hazard - Alert Overlay from 2/75 Snodgrass Road. That Variation 2: Coastal Natural Hazards Mapping proceeds.
Elizabeth Duncan (S693)	S693.001	Support	That Variation 2: Coastal Natural Hazards Mapping proceed noting that the Coastal Hazard - Alert Overlay is removed from 2/75 Snodgrass Road in this proposed Variation.
George Field (S696)	S696.001	Support	That Variation 2: Coastal Natural Hazards Mapping proceed as it removes the coastal hazard - alert overlay from 2/75 Snodgrass Road.
Joey Keen (S701)	S701.001/ S701.002/ S701.003	Amend	That the land at 331 Utopia Road Westport, between the dwelling and the road edge not be included in the Coastal Hazard - Severe overlay, as now proposed by the Variation. The situation as it existed in the proposed Plan - i.e. such an overlay covering only those areas across the dwelling and towards the water (thus excluding

Submitter Name (ID)	Submission Point	Position	Decision Requested
			the southern end of the property) is acceptable.
Nicholas Keen (S714)	S714.001	Amend	That the Coastal Natural Hazard Map which includes 331 Utopia Road, Westport be amended - so that in relation to that property, there is no extension of the Overlay beyond what existed on the initial map (i.e. as was included in the Plan when notified).
Tom McGaveston (S731)	S731.001	Amend	That any Coastal Hazard Overlays on 367 Utopia Road be removed.
Trevor Reid (S732)	S732.001	Amend	That the area of 68 Veale Way that is within the Coastal Hazard - Severe Overlay be removed from this Overlay.
Garry Duckett (S745)	S745.001	Oppose	Remove the Hazard Overlay from 459 Utopia Road.
<i>Garry Duckett (FS247)</i>	<i>FS247.001</i>	<i>Support</i>	<i>Allow</i>
Rachael Blick (S758)	S758.001	Amend	That 153 Peel Street Westport have any of the Coastal Hazard Overlays concerned removed from it.
Penny & Mark Rounthwaite (S778)	S778.001	Amend	We recommend that the overlay on our property at 303 Utopia Road is reassessed and partitioned between Severe (within 50m of the Orowaiti river bank) and Alert (up to 100m after the Severe end).
William and Glenda Karl (S781)	S781.001	Oppose	That the line on the rear paddock (at 271 Utopia Road, Westport) be moved back to that which is contiguous with the front of the section (that is DOC Estate).
Charlie Johnson (S786)	S786.001	Oppose	Amend and reduce the inland extent of the coast hazard severe overlay. Exclude Lot 1 255 Utopia Road in its entirety.

### Analysis

155. Submission points S680.001, S693.001 and S696.001 support Variation 2 as it removes the Coastal Alert Overlay from their properties.
156. Submission and further submission points S507.082\*, FS235.075\*, S509.082\*, FS235.065\*, S510.082\*, FS235.004\* S619.005\*, S619.056\*, S758.001 seek to have the coastal hazard overlays removed from their properties, and it is noted that these are now covered by the Westport Hazard Overlay. This overlay has a more permissive rule

- framework in recognition of the level of existing development and investment in the area, and therefore note that some relief has been provided for these submitters.
157. Submission point S213.003\* and S673.001\* seek that the overlays be removed from Westport and outlying areas. Submission and further submission points S360.001\*, FS235.060\*, S362.003, S478.026\*, FS235.052\*, S701.001, S701.002, S701.003, S714.001, S731.001, S732.001, S745.001, FS247.001 S778.001, S781.001, and S786.001 seek that the coastal overlays be removed or reduced from specific properties.
  158. No evidence has been provided by the submitters that demonstrate that the coastal hazard modelling that has been undertaken is incorrect or contains significant errors. The modelling has been peer reviewed by Tonkin and Taylor and found to be appropriate. Furthermore, previous events have demonstrated that there a number of communities on the West Coast that are susceptible to coastal hazards in areas encompassed by the mapping, and therefore this supports the basis that there is a hazard in these areas that need to be addressed. On this basis, to give effect to s6(h) of the RMA it would be inappropriate to remove the Coastal Hazard Overlay from the TTPP and it is our position that these hazard overlays should be retained.
  159. Joshua Tranter (S675.001) opposes the variation and seeks that no change be made to the coastal hazards mapping. The submitter believes that the issue is "man-made", with Councils needing to accept responsibility by continuously dredging the Buller River and upgrading infrastructure to OECD standards. This matter sits outside of the scope of Variation 2 and therefore we recommend this submission point be rejected.
  160. Robert Burdekin (S378.007\*) seeks that the inclusion of 1m of sea level rise for Westport be reviewed and believes that it should be no more than 0.5m. Frank O'Toole (FS235.091\*) supports this. The use of 1m of sea level rise is in accordance with national guidance and best practice. Therefore, we recommend that S378.007\* and FS235.091\* be rejected.
  161. Frank O'Toole (S595.014\*) sought that the original mapping be amended to remove the coastal severe overlay from 211 Utopia Road. The extent of the Coastal Severe Overlay has reduced on this property under Variation 2, and Frank O'Toole (S595.033) now seeks that the position and extent of the Coastal Hazard Severe Overlay more accurately reflect the top of the bank location on 211 Utopia Road and surrounding properties. The inland extent of the Coastal Severe Overlay in this area is based on coastal erosion hazard, and as such we are of the opinion that no amendments to the Coastal Severe Overlay are required in this area and recommend that this submission point be rejected. Frank O'Toole (S595.032) also supports the variation in part provided that as a minimum, the change made by Variation 2 to the Coastal Hazard Severe Overlay along the Orowaiti Lagoon frontage relative to properties on Utopia Road be accepted.

### *Recommendations*

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



## 8.2.4 Carters Beach/Cape Foulwind

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Richard Arlidge (S419)	S419.007	Amend	Expand the Coastal natural Hazard Overlays inland from Okari Road, to include the sand dune country.
Cape Foulwind Staple 2 Ltd (S568)	S568.010*	Amend	The zoning of Coastal Alert hazard lines, for the Larsen Street and The Cliffs developments at Cape Foulwind reflect the detailed site-specific reports for their land.
Helen & Tom Sawyers (S674)	S674.001	Amend	That the Coastal Hazard-Alert overlay on the property at 2 McIntyre Road Carters Beach be removed.
Adriana James (S678)	S678.009	Oppose	I want the hazard alert overlay removed from my property. I want this overlay removed from all properties at Carters Beach. I want further hazard planning to be conducted with proper scientific method, through evaluation of accurately collected appropriate data and observations at multiple sites throughout the West Coast, over a period of at least 5-10 years. I want no more artificially generated world wide standardised modelling propaganda applied to my property, or anywhere else in New Zealand.
Brian McFarlane (S686)	S686.001	Oppose in part	That Carters Beach residents be better informed - in plain and simple terms - how their properties may be affected by Variation 2.
Brian McFarlane (S686)	S686.002	Oppose	Withdraw Variation as relates to Carters Beach.
Desna Bruce Walker (S692)	S692.003	Amend	That the proposed Coastal Hazard - Alert overlay be removed from 33 Elley Drive, Carters Beach. Such an overlay should not be shown unless and until the Plan has come into effect.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Desna Bruce Walker (S692)	S692.006	Oppose	Remove the Coastal Hazard Alert overlay from the LIM report for the property at 33 Elley Drive, Carters Beach.
Desna Bruce Walker (S692)	S692.007	Oppose	Remove the Coastal Hazards Alert overlay from my property LIM report with action on practical and inexpensive solutions, such as the Michael Allis report.
Susan Norgart (S738)	S738.002	Amend	That any Coastal Hazard Overlays applying to 1A Marine Parade, Carters Beach be removed - and this reflected in any future LIM Reports for the property.
Deborah Kirkwood (S793)	S793.001	Not Stated	Investigation into the liability of the Ministry of Transport and the Buller District Council relating to the erosion at Carters Beach township. Investigation and consideration be made into the effects of the airport protection rock wall to Carters Beach Township as I can find no acknowledgment of this in the ttp.

### Analysis

163. Submitters S419.007, S674.001, S678.009, S686.001. S686.002, S692.003, S692.006, S692.007, S738.002, and S793.001 seek to either have hazard overlays removed from their properties or wider areas.
164. No evidence has been provided by the submitters that demonstrate that the coastal hazard modelling that has been undertaken is incorrect or contains significant errors. Furthermore, we would note that the NIWA report was peer reviewed and was found to be appropriate, with some minor improvements or recommendations. We understand that these recommendations were incorporated into the final versions of the report.
165. We also recognize previous events have demonstrated that there a number of communities on the West Coast are susceptible to coastal hazards in a number of the areas encompassed by the mapping, and therefore this supports the basis that there is a hazard in these areas that need to be addressed. On this basis, to give effect to s6(h) of the RMA it would be inappropriate to remove the coastal hazard overlays from the TTPP and it is our position that these hazard overlays should be retained. Therefore, we recommend that the above submission points be rejected.
166. Cape Foulwind Staple 2 Ltd (S568.010\*) seek that the Coastal Alert Overlay, for the Larsen Street and The Cliffs developments at Cape Foulwind reflect the detailed site-specific reports for their land. While the submission states that these reports have been provided to council in support of resource consent applications, we have not been

provided a copy for Mr Bosserelle to review and comment on. We note that Variation 2 significantly reduces the overlay at Larsen Street but increases it over The Cliffs development. Therefore, at this point we recommend that this submission point be rejected, but we are open to further consideration of this matter should further evidence be provided by the submitter at the Hearing.

### *Recommendations*

167. It is recommended that submissions and further submissions are rejected as shown in Appendix 2.

### **8.2.5 Pahautane**

#### *Submissions*

<b>Submitter Name (ID)</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
Dean Van Mierlo (S570)	S570.002*	Amend	Amend the maps to remove the "coastal setback" from the mapping of Lot 2 DP 307444, Blk V Brighton SD.
Dean Van Mierlo (S570)	S570.003*	Amend	Alternative relief, credible modelling should be provided that demonstrates the coastal setback area mapped on Lot 2 DP 307444, Blk V Brighton SD, is at real risk of coastal processes.

#### *Analysis*

168. In relation to submission points S570.002 and S570.003 the Coastal Setback Overlay is removed from this property by the updated mapping of Variation 2.

### *Recommendations*

169. We recommend that submission points S570.002 and S570.003 be accepted.

### **8.2.6 Punakaiki**

#### *Submissions*

<b>Submitter Name (ID)</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
Jane Whyte & Jeff Page (S467)	S467.016*	Oppose	Remove natural hazard overlays over Punakaiki and include specific provisions appropriate for Punakaiki in the Scenic Visitor Zone rules.
Jane Whyte & Jeff Page (S467)	S467.017	Oppose	Specific provision should be made for the continued management and development of hazard mitigation structures for Punakaiki Village, recognising the existing investment in, and the character of, the present coastal defence wall.

Jane Whyte & Jeff Page (S467)	S467.018*	Support in part	Support the removal of coastal hazard severe overlay from any part of 11 Owen Street that it overlays.
Jane Whyte & Jeff Page (S467)	S467.019*	Support in part	Retain coastal hazard alert provisions and apply to all of 11 Owen St.
Jane Whyte & Jeff Page (S467)	S467.030*	Oppose	Remove natural hazard overlays from Punakaiki village.
Jane Whyte & Jeff Page (S467)	S467.043	Amend	The approach to natural hazards as it applies to Punakaiki Village needs to allow for the reasonable use of land and buildings.
Jane Whyte & Jeff Page (S467)	S467.044	Support in part	That the Coastal Hazard -Severe Overlay to be removed from 11 Owen Street, Punakaiki, with any part of that property deemed susceptible to Natural Hazards to be subject to the Coastal Hazard - Alert Overlay.
Scenic Hotel Group (S483)	S483.016*	Oppose	Oppose Coastal Hazard Overlays (Alert and Severe) over the following properties: <ul style="list-style-type: none"> <li>• Punakaiki Beachfront Motels, Mabel Street, Punakaiki</li> <li>• Punakaiki Rocks, Hotel and Bar, Owen St, Punakaiki</li> <li>• Sec 21 Mabel Street, Punakaiki</li> <li>• Sec 23 Mabel Street, Punakaiki</li> <li>• Sec 24 Mabel Street, Punakaiki</li> <li>• Sec 25 Mabel Street, Punakaiki</li> </ul>
Scenic Hotel Group (S483)	S483.028	Amend	Amend Overlay map as follows: Remove the Coastal Hazard Setback overlay from the Scenic Visitor zoned land in Punakaiki (shown in red outline).
<i>Neil Mouat (FS54)</i>	<i>FS54.042</i>	<i>Support</i>	<i>Not stated</i>
Neil Mouat (S535)	S535.080*		Amend overlay extent (4217 State Highway 6, Punakaiki).
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.040	Oppose in part	That any area where the Coastal Hazard - Severe Overlay has been extended over residential property in Punakaiki or the Punakaiki Beach Camp as a result of Variation 2 be removed (with the situation returned to what it was prior to Variation 2).

Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.041	Support in part	That any area where the Coastal Hazard - Severe Overlay has been reduced over residential property in Punakaiki or the Punakaiki Beach Camp as a result of Variation 2, then such a reduction of coverage should proceed.
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.042	Amend	That the Coastal Hazard - Severe Overlay be removed from the property at 4 Owen Street.
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.043	Support in part	That any area where the Coastal Hazard - Alert Overlay has been reduced over residential property in Punakaiki or the Punakaiki Beach Camp as a result of Variation 2, then such a reduction of coverage should proceed.
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.044	Oppose in part	That any area where the Coastal Hazard - Alert Overlay has been extended over residential property in Punakaiki or the Punakaiki Beach Camp as a result of Variation 2 be removed (with the situation returned to what it was prior to Variation 2).
Punakaiki Farm Ltd (S721)	S721.001	Amend	That the Coastal Natural Hazard - Severe and Coastal natural hazard - Alert Overlays, as amended by Variation 2 take into account the raised platform on the seaward side of the Main Road at Punakaiki, in defining the extents of the Overlays.
Punakaiki Farm Ltd (S721)	S721.002*	Amend	That the Maps altered by Variation 2 take into account the "pocket" nature of the Beach at Punakaiki, the natural hazard protection afforded by it, and fact that the Beach itself has altered little since the 1920s.
Punakaiki Farm Ltd (S721)	S721.003	Amend	That the Seawall, as opposed to the Rock, be used as a defining protective feature on the Submitter's property, in terms of aligning the Coastal Hazard Overlays in the Punakaiki Area.
Punakaiki Farm Ltd (S721)	S721.004	Amend	That the ability to construct further seawall protection, if necessary, be noted.

Andrew & Shirley Nolan (S765)	S765.001	Oppose	Remove the Coastal Setback overlay from 5950 State Highway 6, Fox River.
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### *Analysis*

170. Jane Whyte & Jeff Page (S467.018\*, S467.019\*) submitted on the original mapping as notified, seeking the removal of the Coastal Severe Overlay, and that this be replaced by the Coastal Alert Overlay. The revised mapping of Variation 2 provides the relief sought, and therefore we recommend that these submission points be accepted.
171. Scenic Hotel Group (S483.016\*) oppose the Coastal Severe and Coastal Alert Overlays over their properties at Mabel Street as originally notified. Variation 2 removes the Coastal Alert Overlay such that Section 25 is no longer covered by a coastal hazard overlay however increases the extent of the Coastal Severe Overlay on these properties. Therefore, we recommend that this submission be accepted in part.
172. Neil Mouat (S535.080\*) seeks that the extent of the Coastal Severe Overlay as originally notified be amended over 4217 State Highway 6, Punakaiki. Variation 2 reduces the extent of the Coastal Severe Overlay, with some now being covered by the Coastal Alert Overlay and a portion of the site clear of any coastal hazards overlay. We recommend that this submission point be accepted.
173. Submission points S467.017 and S721.004 seeks that provision be made of the continued management and development of hazard mitigation structures for Punakaiki in recognition of the existing level of development in the area. We are of the opinion that the recommended changes to the provision strike an appropriate balance between giving effect to the NZCPS and recognising the importance of hard mitigation structures. Therefore, we accept this submission point in part.
174. Submissions S467.016\*, S467.018\*, S467.019\*, S467.030\*, S467.043, S467.044, , S483.028, S605.040, S605.041, S605.042, S605.043, S605.044, S721.001, S721.002\*, S721.003, S765.001 either seek the removal of a number of coastal hazard overlays or reverting back to the previous Coastal Hazard Overlays that existed prior to the variation. Submission S483.028 is supported by the further submission FS54.042.
175. The purpose of Variation 2 was to incorporate updated coastal hazard maps into the District Plan to reflect the latest understanding of these hazards. While we understand there is widespread dissatisfaction of the extent of the Coastal Hazard Overlays in Punakaiki, we have no reason to believe that the coastal hazard modelling that has been undertaken is incorrect or contains significant errors. There has been no evidence presented through the submission process which demonstrates the need for these reports to be disregarded as there are incorrect assumptions or approach applied to the modelling. Furthermore, we would note that the NIWA report was peer review and was found to be appropriate, with some minor improvements or recommendations. We understand that these recommendations were incorporated into the final versions of the report.
176. We also recognize previous events have demonstrated that there a number of communities on the West Coast that are susceptible to coastal hazards in areas encompassed by the mapping, and therefore this supports the basis that there is a hazard in these areas that need to be addressed. On this basis, to give effect to s6(h) of the RMA it would be inappropriate to remove the Coastal Hazard Overlay from the TTPP and it is our position that these hazard overlays should be retained.

177. A number of the submissions have requested that the sea wall or raised platform on the seaward side of the road be included within in the modelling. We have checked with the modeller, Mr Bosserelle, on this matter, and they have confirmed that even with the sea wall, there is a residual risk from the coastal hazards and the modelling does account for these structures.
178. On the basis of the above, we recommend that the Coastal Hazard maps remain for Punakaiki.

### *Recommendations*

179. It is recommended that submissions and further submissions are rejected as shown in Appendix 2.

## **8.2.7 Rapahoe**

### *Submissions*

<b>Submitter Name (ID)</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
Lee Cummings (S554)	S554.002*	Support	Retain the coastal hazard severe overlay boundaries at Rapahoe as notified (as it excludes our property at 4 Statham Street from the overlays).
Brette & Irene- Sharel Kokshoorn (S671)	S671.001	Amend	That the area identified as Coastal Hazard Risk be removed from 971 Seven Mile Creek Road, Rapahoe. Anything reflecting any existence of such risk to the property should similarly be removed from any LIM Report or Land Title for the property.
Colman Creagh (S688)	S688.001	Oppose in part	Recognise SH6 acts as a "seawall" for Rapahoe protecting the area on the elevated terrace. Ensure mapping reflects the individual risk to property not a "bulk approach".
<i>Grey District Council (FS1)</i>	<i>FS1.00444</i>	<i>Support</i>	<i>Allow in part</i>
Irene & Ken Tiller (S706)	S706.001	Amend	That any Coastal Hazard Risk Overlays be removed from the property at 1003 Seven Mile Road, Rapahoe - as well as any LIM Reports and Land Titles of relevance.

### *Analysis*

180. Submitters S671.001, S688.001, and S706.001 seek the removal or modification of the Coastal Hazards Overlays for Rapahoe. Submission 688.01 is supported by the further submission FS1.00444. As outlined in the assessments for Carters Beach and Punakaiki, no evidence has been presented that contradicts the science that the Council is relying on for this plan change. On this basis, we do not support removing the Coastal Hazard Overlays from Rapahoe.

181. Submitter S554.002\* sought to retain the coastal hazards under the old version of the maps as they did not impact their property. Under Variation 2, the property at 4 Statham Street is now covered by the Coastal Alert Overlay. As such, the outcome sought under this submission cannot be supported and it is recommended that this submission point be rejected.

### *Recommendations*

182. It is recommended that submissions and further submissions be rejected as shown in Appendix 2.

## **8.2.8 Greymouth**

### *Submissions*

<b>Submitter Name (ID)</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
Griffen & Smith Ltd (S253)	S253.007*	Oppose	Remove the Coastal Hazard Alert overlay from the Mitre 10 Greymouth site.
John Phillips (S703)	S703.001	Neutral	That the Submitter be advised, should the proposed Coastal Natural Hazards Mapping Variation affect what is a residential dwelling at 78 Domett Street, Cobden in any way.
John Phillips (S703)	S703.002	Neutral	That the Submitter be advised, should the proposed Coastal Natural Hazards Mapping Variation affect what is a commercial nursery business at Preston Road, Greymouth in any way.

### *Analysis*

183. Submitter S253.007\* seek the removal or modification of the Coastal Hazards Overlays for Greymouth. As outlined in the assessments for Carters Beach and Punakaiki, no evidence has been presented that contradicts the science that the Council is relying on for this plan change. On this basis, we do not support removing the Coastal Hazard Overlays from Greymouth.
184. Submission point S703.001, and S703.002 seek confirmation on whether the Coastal Hazards Overlay impact the respective properties. We can confirm that the front portion of 78 Domett Street is within the Coastal Alert Overlay. We can confirm that the nursery site is also within the Coastal Alert Overlay.

### *Recommendations*

185. It is recommended that submissions and further submissions are rejected as shown in Appendix 2.



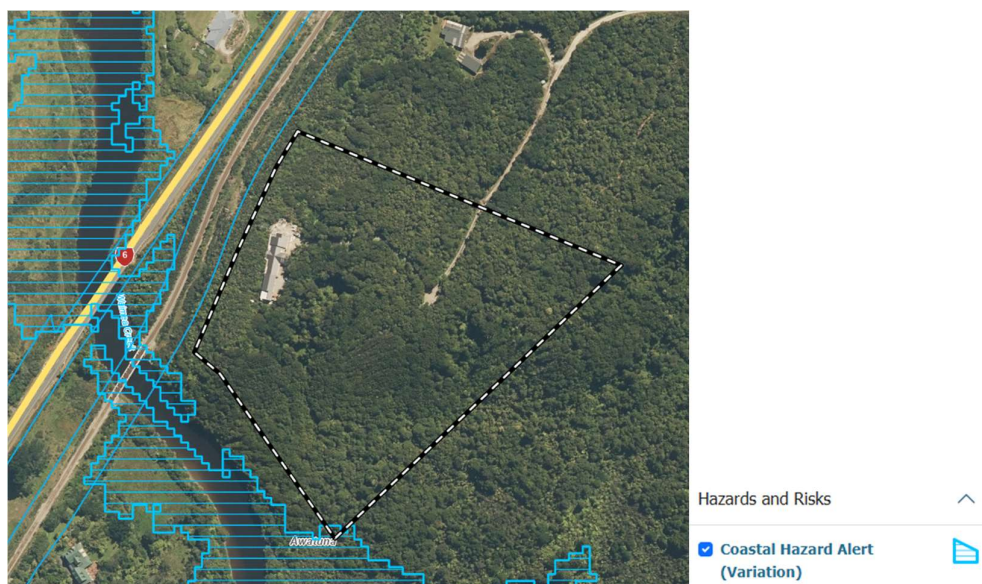
## 8.2.9 Awatuna

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Pauline Te Rakau (S776)	S776.001	Oppose	I am asking that the Coastal Hazard Zoning be removed from our property (1298D Kumara Junction Highway Awatuna) for the reasons given above.

### Analysis

186. We note that only the very southern corner of this property is affected by the Coastal Hazard Alert Overlay as shown in the figure below:



187. This appears appropriate in our opinion given the proximity to the Waimea Creek, and we note that it is unlikely that this area of the property will ever be subject to further development.

### Recommendations

188. We recommend that submission point S776.001 be rejected.

## 8.2.10 Arahura

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Antony Burt (S132)	S132.001*	Oppose	Remove the overlay on coastal land to the south of the Arahura River defined as a coastal alert hazard overlay, which prevents any further development and consented dwellings.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Antony Burt (S132)	S132.002*	Oppose	Provide more information justifying the coastal alert overlay on the property at Greyhound Road, Arahura. Remove the hazard overlay unless there is better information and proof.
Antony Burt (S180)	S180.001*	Amend	To remove the property (52 Grehound Road, Arahura Valley) from the Coastal Hazard severe Overlay. [Hokitika to Arahura coastline].
Graeme Quickfall (S255)	S255.001*	Oppose	Remove the Coastal Alert Overlay from the property within the boundary of Greyhound road and SH 6 Arahura.
Coastwide Surveys Limited (S495)	S495.001*	Oppose	Coastal Hazard Severe overlay be amended to Coastal Hazard Alert overlay for Greyhound Road, Arahura, consistent with the surrounding area.

### *Analysis*

189. Submission point S495.001\* seeks that the Coastal Severe Overlay be amended to a Coastal Alert Overlay for the Greyhound Road area. The updated Variation 2 mapping provides the relief sought and we recommend that this submission point be accepted.
190. Submitters S132.001\*, 132.002\*, 180.001\*, and 255.001\* seek the removal of the Coastal Hazards Overlays for Arahura. As outlined in the assessments for Carters Beach and Punakaiki, no evidence has been presented that contradicts the science that the Council is relying on for this plan change. On this basis, we do not support removing the Coastal Hazard Overlays from these requested properties in Arahuna.
191. Submitter S132.001\* is under the impression that the presence of the Coastal Alert Overlay prevents any further development on their property. This position is not correct. Under the rule framework we have recommended that new development (particularly residential development) is a restricted discretionary activity within the Coastal Alert Overlay. Providing the applicant can demonstrate that the risk coastal hazards arising from development has been addressed, then there is a consenting pathway to allow for future residential units to be constructed. We would also recognise that under the notified version of the coastal hazard maps, the submitters site was within a Coastal Severe Overlay and this has changed to a Coastal Alert Overlay, which has a more permissive planning framework.

### *Recommendations*

192. It is recommended that submissions and further submissions are accepted or rejected as shown in Appendix 2.

### 8.2.11 Hokitika/Ruatapu

#### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Forest Habitats Limited (S186)	S186.003*	Amend	That the Hazard Mapping in the Arthurstown Road area be unchanged - i.e. as initially included in the TTPP.
Lyn McIntosh (S469)	S469.004*	Amend	That the Coastal hazard - Alert Overlay be entirely removed from the farm property at Totorā Lagoon.
Department of Conservation (S602)	S602.00254	Amend	Map the Hokitika Flood and Coastal Erosion Protection Scheme.
Craig Hipson (S689)	S689.001	Oppose in part	That 110 Golf Links Road, Ruatapu, Hokitika not be included in the Variation as it is not subject to flooding or inundation.

#### Analysis

193. Submitter S469.004\* and S689.001 seek the removal or modification of the Coastal Hazards Overlays for Hokitika/Ruatapu. As outlined in the assessments for Carters Beach and Punakaiki, no evidence has been presented that contradicts the science that the Council is relying on for this plan change. On this basis, we do not support removing the Coastal Hazard Overlays from these requested properties in Hokitika/Ruatapu.
194. Department of Conservation (S602.00254) seeks that the Hokitika Flood and Coastal Erosion Protection Scheme be mapped by the TTPP. As noted at para 166 of the s42A report for the Natural Hazards Chapter, the District Plan does not generally map various protective schemes, unless they are protected through a designation. As such, we do not see a reason to map the Hokitika Flood and Coastal Erosion Protection Scheme within the TTPP. Therefore we recommend that this submission point be rejected.
195. Submitter S186.003\* seeks that the Coastal Hazard Mapping in the Arthurstown Road be changed from what was originally notified. Under Variation 2 several properties are impacted by the Coastal Alert Overlay. As the mapping is more accurate under the Variation, we reject this submission point, simply on the basis that the hazard extent has increased in the Arthurstown Road area.

#### Recommendations

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

### 8.2.12 Okarito

#### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Anna Leary (S668)	S668.001	Amend	That all data available - including that from GNS (2016) and CLIMsystems -

Submitter Name (ID)	Submission Point	Position	Decision Requested
			is taken into account in Variation 2 mapping for Okarito.

### Analysis

197. The GNS report referenced by submission point S668.001 that indicates that Okarito is rising is a report that has been prepared at a high level. The use of vertical land movement in the mapping to support Variation 2 was considered, but in the context of other inherent uncertainties was excluded due to the insignificant influence it had. CLIMsystems could be utilised in a site-specific manner if resource consent was being applied for to support a risk assessment. We recommend that this submission point be rejected.

### Recommendations

198. That submission point S668.001 be rejected.

## 8.2.13 Haast/Okuru/Hannahs Clearing

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Richard Wallis (S97)	S97.001*	Oppose in part	Remove Severe Coastal Hazard Overlay from 59 Cuttance Road, Okuru and replace with Coastal Hazard Alert Overlay.
Richard Wallis (S97)	S97.002*	Amend	Include the shaded green area as per the attached Diagram at Okuru to be Coastal Hazard Alert as well.
Tim Penlington, Katie Deans, Karl and Brenda Feyen, Catherine Woods, Richard Wallis (S137)	S137.001*	Amend	Remove Coastal Severe Hazard overlay from property at Cuttance Road and replace with Coastal Hazard Alert overlay as per the attached diagram.
Tim Penlington, Katie Deans, Karl and Brenda Feyen, Catherine Woods, Richard Wallis (S137)	S137.002*	Amend	Include the shaded green area at in the attached diagram within the Coastal Alert Overlay.
Will Harvey (S157)	S157.002*	Oppose	Remove Coastal Severe Hazard overlay from Hannah's Clearing and our property at 1970 Haast - Jackson Bay Road.
Vance & Carol Boyd (FS117)	FS117.7*	Support	Allow
Graeme Anderson (S187)	S187.001*	Amend	I would like my property - 61 Johnston Crescent, Okuru, Haast to have Coastal Severe Overlay removed from

Submitter Name (ID)	Submission Point	Position	Decision Requested
			property and replaced with Coastal Alert Overlay.
Alan Anderson (S188)	S188.001*	Amend	I would like the Coastal Severe Overlay removed from my property, 59 Johnston Crescent, Haast and replaced with a Coastal Alert Overlay.
<i>Anthony Christopher Eden (FS128)</i>	<i>FS128.5*</i>	<i>Support</i>	<i>Allow in part</i>
Christine Sinclair (S205)	S205.001*	Support	Support natural hazard overlays at Okuru.
Sue Templeton (S207)	S207.001*	Amend	Strongly oppose the overlay 'Coastal Severe' and wish to be changed to Coastal Alert (53 Anderson Lane, Okuru).
Gerard Nolan (S261)	S261.001	Oppose	Change 55 Johnston Cres Okuru to Coastal Hazard Alert Overlay from Coastal Hazard Severe Overlay.
Raylene Black (S420)	S420.002*	Amend	Request to remove property from Coastal Hazard Severe Overlay (1976B Haast Jackson Bay Road).
Vance & Carol Boyd (S447)	S447.013	Oppose	Remove severe coastal hazard overlay from Hannah's Clearing village.
Michael Snowden (S492)	S492.004*	Oppose	Amend the severe and coastal hazard alert zones at Okuru to address the matters raised in the submission.
<i>Anthony Christopher Eden (FS128)</i>	<i>FS128.6*</i>	<i>Support in part</i>	<i>Allow</i>
Michael Snowden (S492)	S492.014	Amend	That consistent with Submission point 492.013, the Coastal Hazard - Severe and Coastal Hazard - Alert be removed from the Submitter's properties, at Okuru, South Westland being: - Lot 5 DP 3034; and - Section 6 SO 11816. And Should such relief itself not be possible, then at the very least the Coastal Hazard - Alert Overlay be excluded from the south-western area of the Submitter's properties.
Anthony Eden (S578)	S578.001* / S578.002*	Amend	The effects of climate change on the Okuru lagoon are reassessed taking into account both the GNS and NIWA

Submitter Name (ID)	Submission Point	Position	Decision Requested
			reports, and a practical reassessment of what has actually been happening there over the past 22 years since the Okuru flood wall was constructed.
Biggles Limited (S685)	S685.003	Oppose	That the submitter's property at 33 Fox Moth Drive Okuru (Lot 17 DP 498766) is excluded from the coastal hazard overlays concerned.
MTP Limited (S711)	S711.003	Oppose	That the submitter's properties at 19 and 29 Fox Moth Drive Okuru (Lots 10 and 15 DP 498766) are excluded from the coastal hazard overlays concerned.
P & A Horrell (S715)	S715.003	Oppose	That the submitter's property at 31 Fox Moth Drive Okuru (Lots 16 DP 498766) is excluded from the coastal hazard overlays concerned.

### *Recommendations*

199. Submitters S97.001\* and S137.001\* sought to have the Severe Coastal Hazard Overlay removed from their respective properties. We can confirm that under the variation the extent of the Coastal Severe Overlays on these properties have reduced and that only the front portion of the properties are impacted by this overlay. The majority of these properties are now impacted by the Coastal Alert Overlay.
200. Submitters S97.002\* and S137.002\* sought to have an area be included within the Coastal Alert Overlay. Having reviewed the maps we can confirmed that this area has been included in the Coastal Alert Overlay as part of Variation 2.
201. Submitter S157.002\*, S420.002\*, S447.013, S685.003, S711.003 and S715.003 seek to have the Severe Coastal Hazard Overlay removed from their respective properties. Submission S157.002\* is supported by the further submission FS117.7\*. These properties are still partially within the Coastal Severe Overlay under Variation 2. As outlined in the assessments for Carters Beach and Punakaiki, no evidence has been presented that contradicts the science that the Council is relying on for this plan change. On this basis, we do not support removing the Coastal Hazard Overlays from these requested properties.
202. Submitters S187.001\*, S188.001\*, S207.001\* S261.001 seek to have the Coastal Severe Overlay removed from their property and replaced by the Coastal Alert Overlay. Submitter S188.001\* is supported by the further submission FS128.5\*.
203. Submitter S578.001\* and S578.002\* seeks to have the NIWA report updated to reflect what has happened on the ground over the last 22 years since the Okuru Floodwall was constructed. We invite the submitter to provide further information around the local situation over the last 22 years, as there is real value to local knowledge and experience. However, the science that has been used to inform these maps has been peer reviewed and the methodology (and therefore the resulting outputs) are considered to be appropriate to inform landuse planning decisions.

204. The Coastal Severe Overlay is based upon where there is a high risk of coastal erosion occurring. Under Variation 2, these overlays still remain on the properties (though there are some small changes in extents). Given the modelling shows the need for the Coastal Severe Overlay and there has been no science provided to counter the maps that have been produced, we are in a position where we cannot support the outcomes sought in the submissions.
205. Submission S205.001\* supports the proposed overlays Okuru. This support is noted.
206. Submitter 492.004\* and S492.014\* seeks to have the Coastal Severe and Coastal Alert Overlays removed from their property. Submitter 492.004\* is supported by the further submission FS128.6\*.
207. A number of reasons have been given within the submissions around this, including the need to reduce the planning timeframe. Under the NZCPS a timeframe of out to 100 years is required for Coastal Hazards. This is why the modelling looks at this timescale. On this basis, we recommend that the Overlays remain on this property as notified.
208. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

#### 8.2.14 Neils Beach

##### *Submissions*

Submitter Name (ID)	Submission Point	Position	Decision Requested
Erin Stagg (S314)	S314.001*	Support	Retain 4398a Haast-Jackson Bay Road in the Coastal Hazard Severe Overlay.
Mandy Deans (S549)	S549.003	Oppose	That the classification of Neils Beach as Coastal Hazard Severe be changed to enable us as ratepayers to have control over our freehold properties and to be free from penalties imposed on us.
Mandy Deans (S549)	S549.004	Oppose	We have been asking WCRC for a number of years for a Resource Consent to be set up for changing the Arawhata River mouth, should it be necessary. We ask now that you continue to explore the implementation of one Resource Consent for the whole of the West Coast, for doing works to reduce erosion. We see this as a logical and timely application that would assist all coastal communities.
Neils Beach Special Rating District Committee John Sutton (S669)	S669.001	Amend	That Map CHA26, which assigns a Coastal Hazard - Severe (Erosion and Inundation) classification to much of the Neils Beach township area be reconsidered and amended (so as to better provide for the survival of a

Submitter Name (ID)	Submission Point	Position	Decision Requested
			vibrant community and not carry a burden of unnecessary penalties for property owners).
Neils Beach Special Rating District Committee John Sutton (S669)	S669.004	Amend	Provide for periodic reviews of the coastal severe hazard overlay at Neil's Beach taking into account dune rebuilding.
Allison Sutton (S672)	S672.001	Amend	That Map CHA 26 be reviewed and audited - with a view to removing and/or considerably reducing the Coastal Hazard-Severe and Coastal Hazard-Alert overlays as they apply to Neils Beach.
Allison Sutton (S672)	S672.002	Amend	That information sources informing Map CHA 26 be further reviewed and properly audited for factual accuracy.
Finn Lindqvist (S694)	S694.002	Oppose	Review the mapping and remove it from my property at Neil's Beach.
Jim & Anne Murray (S699)	S699.001	Oppose	That the Coastal Hazard - Severe Overlay as it applies to Neils Beach be removed. Rather, an Advisory Notice be issued to ratepayers, who should also be advised of the Hearings.
John Sutton (S704)	S704.001	Amend	That Map CHA26, which assigns a Coastal Hazard - Severe (Erosion and Inundation) classification to much of the Neils Beach township area be reconsidered and amended so as to better provide for the survival of a vibrant community and not carry a burden of unnecessary penalties for property owners.
John Sutton (S704)	S704.004	Amend	Any coastal hazard classification for Neils Beach should be less severe and periodically reviewed; with Initiatives by the Neils Beach community to better manage coastal erosion facilitated and taken advantage of.
Murray & Rachel Petrie (S712)	S712.001	Oppose	The natural hazards overlay from 12 O'Leary Place Neils Beach be removed.
Murray & Rachel Petrie (S712)	S712.003	Oppose	That the extensive application of the Coastal Hazard- Severe Overlay to much of Neils Beach be revised, in the context of local beach rebuilding



Submitter Name (ID)	Submission Point	Position	Decision Requested
			processes and coastal erosion protection initiatives.
Peter Scott (S719)	S719.001	Oppose	That the Coastal Hazard - Severe Overlay as it applies to Neils Beach be removed.

### *Analysis*

209. Submission S314.001\* supports the Coastal Severe Overlay on the property at 4398a Haast – Jackson Bay Road.
210. Submitters S549.003, S669.001, S672.001, S694.002, S699.001, S704.001, S712.001, and S719.001 oppose the Coastal Severe Overlay in Neils Beach and they seek to have this overlay removed. As the science that has been used has been peer reviewed and has been found to be fit for purpose, there is no reason back by science to justify the removal of these overlays from the properties.
211. We have some sympathy with the submitters as the Coastal Severe Overlay does have a restrictive rule framework associated with it. However, what this framework means is that there is very limited ability to subdivide or construct additional residential units on the properties impacted by this Overlay. However, given the coastal hazard risk presented to new development in the Coastal Severe Overlay, it is not appropriate that a more lenient rule framework is developed.
212. Submitters S669.004 and S704.004 seek the periodic review of the science and the extent of the Coastal Severe Overlay. We support these submission points and would note that this review would occur as part of the District Plan review cycle which occurs every ten years. This timeframe ensures that any meaningful changes in natural processes can be taken into account as well as any changing understand of climate and sea level rise science. We recommend that these submission points be accepted and accepted in part respectively.
213. Submitter S549.004 would like a resource consent granted for the entire West Coast that allows Councils to undertake work that reduces the risk from erosion. While we note this request, it is beyond the plan change process to be able to enact this submission point as it does not relate to a plan change process.
214. Submitter S672.002 would like the science that informed the Coastal Hazard Overlays to be reviewed. Submitter S712.003 seeks that the science is revised in the context of local beach building processes. The science that informed these overlays (NIWA reports) was peer reviewed by Tonkin and Taylor. This peer review found that the findings from the NIWA report were appropriate. We do not believe that any further peer reviews of the science are required given the findings of this initial peer review.

### *Recommendations*

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

## 9. Submissions on the Objectives

### 9.1 Submissions on the Objectives in General

#### *Submissions*

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Tai o Poutini Plan Committee (S171)	S171.028	Amend	Introduce the following Coastal Hazards Objectives: CH-O1 - Subdivision, use and development within the Severe Natural hazard Overlays reduces or does not increase the existing risk from natural hazards to people, buildings and regionally significant infrastructure. CH-O2 - Subdivision, use and development within the Coastal Alert and Coastal Setback Overlays minimises the risk from coastal hazards to people, buildings and regionally significant infrastructure.
<i>Westpower Limited (FS222)</i>	<i>FS222.0368</i>	<i>Oppose</i>	<i>Disallow</i>
Department of Conservation (S602)	S602.00243	Amend	Add new objective: NH-O7 Subdivision, use and development does not create or exacerbate adverse natural hazard effects on other people, property, infrastructure and the environment.
<i>Westpower Limited (FS222)</i>	<i>FS222.0383</i>	<i>Oppose</i>	<i>Disallow</i>
Biggles Limited (S685)	S685.007	Amend	Include some recognition of existing hazard mitigation works in the objectives, where these have been previously approved by Council.
Mitchell Rogers (S710)	S710.001	Support in part	That existing protection structures and provision for their maintenance are included in the Planning.
MTP Limited (S711)	S711.007	Support in part	Include recognition of existing hazard mitigation works in the objectives, where these have been previously approved by Council.
P & A Horrell (S715)	S715.007	Amend	Include some recognition of existing hazard mitigation works in the objectives, where these have been previously approved by Council.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Charlie Johnson (S786)	S786.002	Amend	Add a new objective - to ensure the role of hazard mitigation played by protective structures and works that minimize impacts of hazards including rock walls and stopbanks is recognized and protected.

### Analysis

216. Te Tai o Poutini Plan Committee (S171.027) submits that to assist plan users, where the TTPP provisions relate to coastal hazards, the term natural hazards should be replaced with the term coastal hazards. Following on from this, submission point S171.028 recommends the introduction of two new objectives that relate specifically to coastal hazards, with the proposed wording being:
- CH-O1 - Subdivision, use and development within the Severe Natural hazard Overlays reduces or does not increase the existing risk from natural hazards to people, buildings and regionally significant infrastructure.
  - CH-O2 - Subdivision, use and development within the Coastal Alert and Coastal Setback Overlays minimises the risk from coastal hazards to people, buildings and regionally significant infrastructure.
217. Westpower Limited (FS222.0368) oppose this submission point on the basis that no new objectives were proposed through the variation to enable appropriate time for consideration of the impact of provisions and development of submissions in that regard.
218. We agree with Westpower Limited and are of the opinion that while it does not accord with the National Planning Standards, that at this stage of the process relocating the coastal hazard provisions to the Coastal Environment Chapter would create additional confusion and potential natural justice issues. From a procedural perspective it is noted that the Hearings for the Coastal Environment Chapter have concluded, and the planners Right of Reply lodged, removing the ability to consider the implications of such a change.
219. Department of Conservation (S602.00243) also seeks the inclusion of a new objective, with the proposed wording as follows:
- NH-O7 Subdivision, use and development does not create or exacerbate adverse natural hazard effects on other people, property, infrastructure and the environment.
220. Westpower Limited (FS222.038) oppose this and seek that it be disallowed for the same reasons as discussed above in para 153.
221. We note that the intent of this proposed objective mirrors that of the changes recommended to Objective NH-O1 and NH-O2 in the s42A report for the Natural Hazards Chapter. While we agree with the submitter, we prefer our recommended wording, as it better reflects the risk-based approach. Therefore, we recommend that submission point S602.00243 be rejected and further submission point FS222.038 be accepted.
222. Submission points S685.007, S710.001, S711.007, and S715.007 seek recognition of existing hazard mitigation works in the objectives, where these have been previously approved by Council. Charlie Johnson (S786.002) seeks that a new objective be included, with the proposed wording being:

- To ensure the role of hazard mitigation played by protective structures and works that minimize impacts of hazards including rock walls and stopbanks is recognised and protected.

223. This same request was made in relation to the Natural Hazards Chapter by a number of submitters (refer paras 299-301). It continues to be our position that this objective is not required. In relation to coastal hazard structures in particular, we are aware that there are numerous private structures along the coastline of the West Coast, however there is no guarantee that these structures will continue to be maintained or upgraded to provide the level of protection necessary to mitigate the risk. Therefore, we recommend that these submission points be rejected.

### *Recommendations*

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

## **9.2 Objective NH-01**

### *Submissions*

Submitter Name (ID)	Submission Point	Position	Decision Requested
Westpower Limited (S547)	S547.0516	Support in part	Amend Objective NH-01 to read: To use a regionally consistent, risk-based approach to natural hazard management <b>with respect to people and buildings.</b>

### *Analysis*

225. Westpower Limited (S547.0516) seek that Objective NH-01 be amended to include the words “**with respect to people and buildings**”. We agree that this inclusion will help to clarify the subject of the objective and have previously recommended including wording to this effect in the s42A report for the Natural Hazards Chapter.

### *Recommendations*

226. In the Natural Hazards Chapter s42A report it was recommended that Objective NH-01 be deleted and replaced with the following objective. The only additional changes recommended here relate to the changed naming of the coastal hazards overlays:

NH-01

~~To use a regionally consistent, risk-based approach to natural hazard management.~~

Subdivision, use and development within the Severe Natural Hazard **and the Coastal Hazard Erosion and Inundation** Overlays reduces or does not increase the existing risk from natural hazards to people, buildings, and regionally significant infrastructure.

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

### 9.3 Objective NH-02

#### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Scenic Hotel Group (S483)	S483.020	Amend	Amend Objective NH-02 as follows: NH - O2 To <b>enable anticipated development in accordance with underlying zoning provided</b> reduce the risk to life, property and the environment from natural hazards <b>is managed appropriately</b> , thereby promoting the well-being of the community and environment.
Westpower Limited (S547)	S547.0517	Amend	Amend Objective NH-02 as follows: To reduce the risk to people, <del>property and the environment</del> <b>buildings</b> from natural hazards, thereby promoting the well-being of the community and <del>environment</del> <b>buildings</b> .
Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)	S620.426	Amend	Reword the objective as follows: NH - O2 To reduce the risk to life, property and the environment from natural hazards, thereby promoting the well-being of the community and environment. <b>The risks from natural hazards to people, communities, the environment, property, and infrastructure, and on the ability of communities to quickly recover after natural hazard events, are minimised.</b>

#### Analysis

228. Scenic Hotel Group (S483.020) seek amendments to the objective to reflect that some level of development is anticipated by the underlying zoning of an area. We have a different perspective on the coastal hazard overlays and natural hazard overlays in general, in that they act somewhat independently of the underlying zoning. While zoning indicates what type of development is expected in the wider area, hazard overlays then highlight where that type of development may not be appropriate or needs to be controlled or managed to ensure that the risk is acceptable. Therefore we recommend that this submission point be rejected. Regardless, we have recommended changes to the objective in the s42A report for the Natural Hazards Chapter that recognise that development is anticipated and generally appropriate in areas where the risk from natural hazards is lower provided any increase in risk is minimised.

229. Westpower Limited (S547.0517) seeks that “buildings” is inserted into the objective. We agree that this inclusion will help to clarify the subject of the objective and recommended including this word in the s42A report for the Natural Hazards Chapter.
230. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.426) request that the objective is reworded to state:
- The risks from natural hazards to people, communities, the environment, property, and infrastructure, and on the ability of communities to quickly recover after natural hazard events, are minimised.”
231. While we appreciate the suggested wording to include consideration of recovery after natural hazard events, we prefer to retain the wording as recommended in the s42A report for the Natural Hazards Chapter, as it will strengthen the risk-based approach being put forward. This in and of itself will promote the well-being and resilience of the community by only enabling future development in areas where the risk is lower, and any increase in risk can be minimised to maintain it at this level.

### Recommendations

232. No changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that Objective NH-O2 be deleted and replaced as follows:

NH-O2

~~To reduce the risk to life, property and the environment from natural hazards, thereby promoting the well-being of the community and the environment.~~

Subdivision, use and development within all other Natural Hazard Overlays minimises the risk from natural hazards to people, buildings, and regionally significant infrastructure.

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

## 9.4 Objective NH-O3

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)	S620.427	Amend	Reword the objective as follows: NH - O3 To only locate critical infrastructure within areas of significant natural hazard risk where there is no reasonable alternative, and to design infrastructure so as not to exacerbate natural hazard risk to people and property. <b>Where development for Regionally Significant Infrastructure or within Māori Land are within a natural hazard overlay, that it is</b>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<b>designed to minimise risk and enable recovery.</b>
Westpower Limited (S547)	S547.0518	Amend	Amend Objective NH-O3 to read: To only locate <del>critical</del> <b>regionally significant</b> infrastructure within areas of significant natural hazard risk where there is <b>a functional or operational need to be located in these areas</b> , and to design infrastructure so as not to exacerbate natural hazard risk to <b>other</b> people and property.

### Analysis

234. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.427) seek that the objective be reworded to provide for development on Māori land that is subject to a significant risk.
235. While Policy 7 of the proposed NPS-NHD directs that “Māori and, in particular, tangata whenua values, interests, and aspirations are recognised and provided for, including through early engagement, when making decisions on new development on specified Māori land where there is a high or moderate natural hazard risk”. Firstly, we note that this national direction is currently proposed and has no statutory weight. Secondly, the subject of this objective is critical/regionally significant infrastructure, which it seeks to only enable in areas of high natural hazard risk where there is no alternative. We are of the opinion that the development of Māori land be subject to the same regime as fee simple land, in that where risk (based on likelihood and consequences) is lower, then development be provided for, but where risk is higher that this needs to be managed to ensure the health and safety and social, economic and cultural wellbeing of people and communities.
236. Westpower Limited (S547.0518) seeks that Objective NH-O3 be amended to read:
- To only locate ~~critical~~ regionally significant infrastructure within areas of significant natural hazard risk where there is a functional or operational need to be located in these areas, and to design infrastructure so as not to exacerbate natural hazard risk to other people and property.
237. We are in general agreement with this submitter, and their proposed wording closely aligns with that recommended for this objective in the Natural Hazards Chapter s42A report. We recommend that this submission point is accepted.

### Recommendations

238. In the Natural Hazards Chapter s42A report where it was recommended that Objective NH-O3 was amended as shown below. The only additional changes recommended here relate to changing the naming of the Coastal Hazard Overlays:

NH-O3

To only locate ~~critical~~ regionally significant infrastructure within ~~areas of significant natural hazard risk~~ the Severe Natural Hazard and the Coastal Erosion and Inundation Overlays where there is ~~no~~ reasonable

alternative an operational or functional need to be located within these overlays, and to design infrastructure so as not to exacerbate natural hazard increase the risk to people and property buildings.

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

## 9.5 Objective NH-04

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)	S620.428	Support in part	Reword the objective as follows: NH - O4 To ensure the role of hazard mitigation played by natural features that minimise impacts of hazards including wetlands and dunes is recognised and protected. <b>Recognise that Green Infrastructure may reduce the susceptibility of people, buildings, and regionally significant infrastructure to damage from natural hazards and can result in environmental benefits that should be enabled, enhanced, or protected.</b>
Westpower Limited (FS222)	FS222.0373	Oppose	Disallow

### Analysis

240. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.428) seek that the objective include recognition that green infrastructure may reduce the susceptibility of people, buildings, and regionally significant infrastructure to damage from natural hazards and can result in environmental benefits that should be enabled, enhanced, or protected.
241. Westpower Limited (FS222.0373) oppose this and seek that that the submission point be disallowed on the basis that the changes sought will impact upon natural hazard provisions unrelated to the variation, i.e. outside of the coastal area, and that these matters have already been heard as par to the hearings on the Natural Hazard Chapter. They submit that it is not appropriate to amend the objective as proposed.
242. While we agree with the points made in further submission FS222.0373, we are also of the opinion that the changes requested are not dissimilar to the recommended changes to the objective in the Natural Hazards Chapter s42A report. Therefore, our position is that no changes are required, and that the intent of the amendments sought by submission point S620.428 met. We recommend that submission point S620.428 be accepted in part and further submission point FS222.0373 be rejected.



### Recommendations

243. No changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that Objective NH-O4 be amended as follows:

NH-O4

~~To ensure the role of hazard mitigation played by natural features that minimise impacts of hazards including wetlands and dunes is recognised and protected.~~

Natural systems and features that reduce the susceptibility of people, buildings, and regionally significant infrastructure to damage from natural hazards are created, retained or enhanced.

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

## 9.6 Objective NH-O5

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Westpower Limited (S547)	S547.0519	Support	Retain Objective NH-O5.

### Analysis

245. Westpower Limited (S547.0519) seek that Objective NH-O5 be retained. We accept this in part, with only a slight change from the use of 'effects' to 'impacts' as recommended in the s42A report for the Natural Hazards Chapter. As discussed in that s42A report, the reason for this change is because the term 'impact' is used in the corresponding policies to this objective. As such, this proposed change will ensure that the wording between the objective and policies is consistent, thereby improving its effectiveness and efficiency.

### Recommendations

246. No changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that Objective NH-O5 be amended as follows:

NH-O5

To recognise and provide for the ~~effects~~ impacts of climate change, and its influence on the frequency and severity of natural hazards.

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

## 9.7 Objective NH-O6

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Scenic Hotel Group (S483)	S483.021	Amend	Amend Objective NH-O6 as follows:

Submitter Name (ID)	Submission Point	Position	Decision Requested
			NH - O6 Measures taken to mitigate natural hazards do not create or exacerbate <b>significant</b> adverse effects on other people, property, infrastructure and the environment.
<i>Westpower Limited (FS222)</i>	<i>FS222.0377</i>	<i>Oppose</i>	<i>Disallow</i>

### Analysis

248. Scenic Hotel Group (S483.021) seeks that the word “significant” be inserted into the objective because as notified the “objective reads that any adverse effect, no matter how minor, should not be created or exacerbated which would make it very hard to install any natural hazard mitigation in reality.”
249. Westpower Limited (FS222.037) opposes this submission and seeks that it be disallowed as they have already made a submission in relation to this objective that was heard at the Hearings for the Natural Hazard Chapter. The submission seeks to enable effects on infrastructure, which would include elements of regionally significant infrastructure. Westpower does not consider such an outcome is appropriate.
250. We do see Scenic Hotel Group’s point and have given this submission some thought. However, while there may be temporary effects from the construction of mitigation measures, the focus of this objective is to ensure that the longer-term operation of mitigation measures do not have adverse effects on adjacent people and properties or regionally significant infrastructure, for example a sea wall that increases the risk of erosion on adjoining unprotected properties. We are satisfied with the wording as proposed in the s42A report for the Natural Hazards Chapter, and with consideration of the further submission by Westpower, do not recommend any further changes. We recommend that the submission point be rejected, and the further submission point be accepted.

### Recommendations

251. No changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that Objective NH-O6 be amended as follows:
- NH-O6
- ~~Measures taken to mitigate natural hazards do not create or exacerbate adverse effects on other~~ increase the risks to people, property, buildings and regionally significant infrastructure and the environment.
252. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 10. Submissions on the Policies

### 10.1 Submissions on the Policies in General

#### *Submissions*

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Tai o Poutini Plan Committee (S171)	S171.031	Amend	<p>Create a rule framework that allows for maintenance and repair of existing natural mitigation structures as upgrades that do not increase the footprint or height of the structure by more than 10% as a permitted activity. Any works that do not meet this requirement would be a discretionary activity. This rule would need to be supported by a policy. Suggested wording would be:</p> <p>Hard engineering natural hazard mitigation works</p> <p>Only allow for hard engineering natural hazards mitigation works for the reduction of the risk from coastal hazards where:</p> <ol style="list-style-type: none"> <li>1. The engineering measures are needed to protect existing nationally and regionally significant infrastructure and it can be demonstrated that there is no practicable alternative;</li> <li>2. There is a demonstrable risk to existing nationally and regionally significant infrastructure, life or private property from the coastal hazard;</li> <li>3. The construction of the hard engineering measures will not increase the risk from Coastal Hazards on adjacent properties that are not protected by the hard engineering measures;</li> <li>4. Hard engineering structures are designed to minimise adverse effects on the coastal environment</li> <li>5. Adverse effects on significant natural features and systems and their function as natural defences are avoided, remedied or mitigated; and</li> </ol>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			6. It can be demonstrated that green infrastructure measures would not provide an appropriate level of protection in relation to the significance of the risk.
Jane Whyte & Jeff Page (S467)	S467.046	Amend	That when and where Variation 2 has altered the Coastal Natural Hazard Overlay applying to a given property, persons so affected be able to comment on Policies NH- P1 to NH-P3 plus any new policies of relevance, in addition to the change in mapping itself.
Jane Whyte & Jeff Page (S467)	S467.049	Amend	Ensure that the policies recognise that the appropriate management response in the policies applying in the Coastal Hazard Alert areas is mitigation, not avoidance.
Jane Whyte & Jeff Page (S467)	S467.050	Amend	Create a new policy for natural hazards alert overlay. Ensure that the policy recognises that the appropriate management response in the policies applying in the Coastal Hazard Alert areas is mitigation, not avoidance
<i>Scenic Hotel Group (FS244)</i>	<i>FS244.002</i>	<i>Support</i>	<i>Allow</i>
Scenic Hotel Group (S483)	S483.027	Amend	<p>Include new policy:  PXX Allow development in the Coastal Alert and Coastal Severe overlays within the Punakaiki Scenic Visitor Zone to recognise its unique demands for both tourism related activities such as visitor accommodation as well as significant geographical constraints, provided:</p> <ol style="list-style-type: none"> <li>Mitigation measures appropriately manage risk to life and minimise risk to property and the environment; and</li> <li>The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.</li> </ol>
Department of Conservation (S602)	S602.00242	Amend	Amend the policies, and matters of discretion to include the

Submitter Name (ID)	Submission Point	Position	Decision Requested
			consideration of alternatives, and to require the consideration of alternatives for hard protection structures.
<i>Westpower Limited (FS222)</i>	<i>FS222.0382</i>	<i>Oppose</i>	<i>Disallow</i>
Michael Rogers (S709)	S709.001	Support	That the Natural Hazard Policies - of the TTPP, as originally notified in the natural Hazards Chapter, be retained.
Mitchell Rogers (S710)	S710.002	Amend	That Climate Change planning be incorporated into the Natural Hazards policies.

### Analysis

253. Submitter S171.031 seeks a new policy is added to the Natural Hazards Chapter that seeks to discourage hard engineering structures within the Coastal Hazard Overlays. Department of Conservation (S602.00242) seeks that the policies and matters of discretion are amended to include the consideration of alternatives, and to require the consideration of alternatives for hard protection structures.
254. We have reviewed both the Coastal Environment and the Natural Hazards Chapter Overlay and there is very little policy direction around hazard mitigation structures within the coastal environment. The NZCPS (Policy 35) contains directions around the hard use of engineering structures within the coastal environment, and specifically seeks to discourage these structures from being used. On this basis, given this possible policy gap that exists in the provisions, we consider it is prudent to accept this submission and insert the new policy to ensure the District Plan is giving effect to the NZCPS.
255. Jane Whyte & Jeff Page (S467.046) seek that when and where Variation 2 has altered the Coastal Natural Hazard Overlay applying to a given property, persons so affected be able to comment on Policies NH- P1 to NH-P3 plus any new policies of relevance, in addition to the change in mapping itself. As discussed above in paragraph 109, this submission and Ms Whyte's presentation at the hearing for the Natural Hazards chapter were instrumental in the decision to renotify Variation 2 to give those persons now impacted by the updated mapping the opportunity to submit on the relevant provisions as well. Therefore, we recommend that the Commissioners accept this submission.
256. Jane Whyte & Jeff Page (S467.049, S467.050) also seek that a new policy be created for the Coastal Hazards Alert Overlay that recognises that the appropriate management response in this overlay is mitigation, not avoidance. Scenic Hotel Group (FS244.002) supports this. We agree with the submitter and have recommended changes to Policy NH-P11 in Section 10.8 below in accordance with the requested relief. We recommend accepting this submission point.
257. Scenic Hotel Group (S483.027) seek that a new policy be introduced that allows for development in both the Coastal Alert and Coastal Severe Overlays in the Punakaiki Scenic Visitor Zone provided risk is minimised and not increased as a result of the activity proceeding. We agree that this is an appropriate response in the Coastal Alert Overlay, however in the Coastal Severe Overlay where risk is assessed to be high over the next

- 100 years, an avoid directive is required to give effect to the NZCPS. We are of the opinion that our recommended changes to the policies in the s42A report for the Natural Hazards Chapter achieve the relief sought in relation to the Coastal Alert Overlay in all areas, not just Punakaiki, and therefore recommend this submission be accepted in part.
258. Michael Rogers (S709.001) seeks that the natural hazard policies of the TTPP, as originally notified in the Natural Hazards Chapter, be retained. We recommend rejecting this submission point as our position is that the changes proposed to the policies in the s42A report for the Natural Hazards Chapter are a significant improvement on what was notified, for the reasons identified in that report.
259. Mitchell Rogers (S710.002) seeks that climate change planning be incorporated into the natural hazards policies. We note that policy NH-P4 requires the consideration of climate change in natural hazard assessments, and while amendments are recommended by the Natural Hazards Chapter s42A, it is intended that this direction remain in the TTPP. Therefore we recommend that this submission point be accepted.

### *Recommendations*

260. It is recommended that the following new policy is added to the Natural Hazards Chapter of the District Plan:

#### **NH-P11**

##### **Only allow for hard engineering natural hazards mitigation works for the reduction of the risk from coastal hazards where:**

- a. **The engineering measures are needed to protect existing nationally and regionally significant infrastructure and it can be demonstrated that there is no practicable alternative;**
  - b. **There is a demonstrable risk to existing nationally and regionally significant infrastructure, life or private property from the coastal hazard;**
  - c. **The construction of the hard engineering measures will not increase the risk from Coastal Hazards on adjacent properties that are not protected by the hard engineering measures;**
  - d. **Hard engineering structures are designed to minimise adverse effects on the coastal environment**
  - e. **Adverse effects on significant natural features and systems and their function as natural defences are avoided, remedied or mitigated; and**
  - f. **It can be demonstrated that green infrastructure measures would not provide an appropriate level of protection in relation to the significance of the risk.**
261. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

### *Section 32AA Evaluation*

#### **Effectiveness and Efficiency**

262. The proposed new policy is effective as it gives effect to the NZCPS (Policy 25). The ensures that the District Plan does not give rise to effects that are sought to be limited

or managed by higher order direction. In this regard, the proposed policy is both effective and efficient.

**Costs and Benefits**

263. There are no costs to adding this policy to the district plan. The benefit however is that it provide plan users with guidance on the effects that need to be managed when assessing resource consent applications for hazard mitigation structures within Coastal Hazard Overlays.

**Risks of Acting or Not Acting**

264. There are not considered to be any risks from acting. The risks from not acting including having a District Plan that does not provide any direction around how to manage the effects from hazard mitigation structures, when these are located within a Coastal Hazard Overlay. This could result in decisions that have unintended effects, or could allow for hazard mitigation structures that have undesirable outcomes.

**Decision About the Most Appropriate Option**

265. We are of the opinion that the amendments proposed are the most appropriate way to achieve the recommended changes to the objectives of the plan.

**10.2 Policy NH-P1**

*Submissions*

Submitter Name (ID)	Submission Point	Position	Decision Requested
Margaret Montgomery (S446)	S446.010*	Support	Retain approach of identifying hazard areas in overlays.
Buller District Council (FS149)	FS149.0172*	Oppose in part	Disallow in part
Jane Whyte & Jeff Page (S467)	S467.047	Amend	Ensure that the policies recognise that the appropriate management response in the policies applying in the Coastal Hazard Alert areas is mitigation, not avoidance.
Westpower Limited (S547)	S547.0520	Support	Retain Policy NH-P1.

*Analysis*

266. Margaret Montgomery (S446.010) seeks to retain the approach of identifying hazard areas in overlays. While we are recommending changes to Policy NH-P1 which will remove the reference to 'overlays', the coastal hazards will continue to be identified by overlays within the District Plan in accordance with current best practice. The further submission by Buller District Council (FS149.0172) seeks that this be disallowed where evidence does not support the overlays. It is considered that the evidence for the coastal hazard overlays is robust, and therefore it is appropriate to include these in the TTPP.

267. Westpower Limited (S547.0520) seeks that Policy NH-P1 be retained. We are not recommending any additional changes to this policy from those identified in the s42A report for the Natural Hazards Chapter. We are of the opinion that these changes are necessary to strengthen the risk-based approach of the Natural Hazards Chapter, and to provide the relief sought by submissions such as that of Jane Whyte & Jeff Page

(S467.047) who seek that the policies recognise that the appropriate management response in the Coastal Alert overlay is mitigation as opposed to avoidance. While this overlay is not specifically mentioned in the recommended changes, this is the intent of the revised wording that directs that a risk-based approach be taken to managing development in areas exposed to natural hazards.

### Recommendations

268. Only an administrative change is proposed in addition to those of the Natural Hazards Chapter s42A report, as point b. should refer to “risk” (being a product of likelihood and consequences) not “hazard”. As such, the recommended changes to Policy NH-P1 are as follows:

NH-P1

Identify ~~in areas subject to natural hazards overlays~~ areas at significant risk from natural hazards within the District Plan and take a risk-based approach to the management of subdivision, use and development based on:

- a. The sensitivity of the activities to the impacts of natural hazards;
- b. The **hazard risk** posed to people’s lives and wellbeing, buildings and regionally significant infrastructure, by considering the likelihood and consequences of natural hazard events; and
- c. The operational or functional need for some activities to locate within the Natural Hazard Overlays.

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

## 10.3 Policy NH-P2

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Biggles Limited (S685)	S685.008	Amend	Amend as follows: NH - P2 Where a natural hazard has been identified and the natural hazard risk to people and communities is unquantified but evidence <del>suggests</del> <b>demonstrates</b> that the risk <b>remains</b> potentially significant <b>even after considering appropriate mitigation measures</b> , apply a precautionary approach to allowing development or use of the area.
MTP Limited (S711)	S711.008	Amend	Amend as follows: NH - P2 Where a natural hazard has been identified and the natural hazard risk to people and communities is unquantified but evidence <del>suggests</del> <b>demonstrates</b> that the risk <b>remains</b> potentially significant <b>even after</b>



Submitter Name (ID)	Submission Point	Position	Decision Requested
			<b>considering appropriate mitigation measures</b> , apply a precautionary approach to allowing development or use of the area.
P & A Horrell (S715)	S715.008	Amend	That the wording be amended as follows: NH - P2 Where a natural hazard has been identified and the natural hazard risk to people and communities is unquantified but evidence <del>suggests</del> <b>demonstrates</b> that the risk <b>remains</b> potentially significant <b>even after considering appropriate mitigation measures</b> , apply a precautionary approach to allowing development or use of the area.

### Analysis

270. All three submissions on this policy (S685.008, S711.008, S715.008) seek that it be amended to include consideration of mitigation measures when deciding to apply a precautionary approach. We are of the opinion that this does not need to be explicitly mentioned in the policy, and that any decision maker will take into consideration the effectiveness in any existing mitigation measures when deciding whether to apply a precautionary approach to future development. Therefore we recommend that these submission points be rejected.

### Recommendations

271. No changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that Policy NH-P2 be amended as follows:

NH-P2

Where a natural hazard has been identified and the natural hazard risk to people and communities is unquantified ~~but evidence suggests that the risk is potentially significant~~, apply a precautionary approach to allowing subdivision, use and development ~~or use~~ of the area.

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

## 10.4 Policy NH-P3

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Jane Whyte & Jeff Page (S467)	S467.048	Amend	Ensure that the policies recognise that the appropriate management response

Submitter Name (ID)	Submission Point	Position	Decision Requested
			in the policies applying in the Coastal Hazard Alert areas is mitigation, not avoidance.
Scenic Hotel Group (S483)	S483.022	Amend	Amend Policy NH-P3 as follows: NH - P3 When managing natural hazards: a. Promote the use of natural features and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risks; and b. <del>Avoid increasing</del> <b>Appropriately managing</b> risk to people, property and the environment; while c. Recognising that in some circumstances hard engineering solutions may be the only practical means of <b>enabling anticipated development in accordance with underlying zoning, as well as</b> protecting existing communities and critical infrastructure.
Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)	S620.429	Support	Retain: NH - P3 When managing natural hazards: a. Promote the use of natural features and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risks; and b. Avoid increasing risk to people, property and the environment; while c. Recognising that in some circumstances hard engineering solutions may be the only practical means of protecting existing communities and critical infrastructure.

### Analysis

273. Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.429) support Policy NH-P3 and seek that it be retained. While this support is noted, amendments are proposed to the policy in the s42A report for the Natural Hazards Chapter to improve consistency in wording and to improve implementation.

274. Jane Whyte & Jeff Page (S467.048) seek to ensure that the policies recognise that the appropriate management response in the policies applying in the Coastal Hazard Alert areas is mitigation, not avoidance. We agree that mitigation is appropriate in the Coastal Hazard Alert, and while the preference is for soft engineering solutions, Policy NH-P3 recognises that in some instances hard engineering solutions might be the only practical option.
275. Scenic Hotel Group (S483.022) seeks amendments to the wording of the policy to change the 'avoid increasing risk' directive to an 'appropriately manage' one in the context of appropriate mitigation measures. In relation to coastal hazards, an avoid directive gives effect to the NZCPS. We recommend that this submission be rejected.

### *Recommendations*

276. No changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that Policy NH-P3 be amended as follows:

NH-P3

When managing natural hazards:

- a. Promote the use of natural features, natural systems and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risks; and
- b. Avoid increasing risk to people, ~~property and the environment and buildings~~; while
- c. Recognising that in some circumstances hard engineering solutions may be the only practical means of protecting ~~existing~~ communities and ~~critical regionally significant~~ infrastructure; and
- d. Enabling planned and funded natural hazard mitigation works within the Natural Hazard Overlays where these works are being undertaken by a Statutory Agency or their nominated contractor and these will decrease the existing risk to people's lives and wellbeing, buildings and regionally significant infrastructure.

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

## **10.5 Policy NH-P4**

### *Submissions*

Submitter Name (ID)	Submission Point	Position	Decision Requested
Department of Conservation (S602)	S602.00244	Amend	Amend Policy NH-P4: Natural hazard assessment, managed retreat locations and resource consent applications will consider the impacts of climate change. In particular the following matters will be considered: a. Change in sea level;

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<ul style="list-style-type: none"> <li>b. Altering of coastal processes;</li> <li>c. Increased inundation of low lying areas;</li> <li>d. Changes in local temperatures;</li> <li>e. Changes in rainfall patterns; <del>and</del></li> <li>f. Increase in cyclonic storms; <b>and</b></li> <li>g. Changes to the magnitude, frequency and duration of severe weather events.</li> </ul>

**Analysis**

278. The addition to this policy proposed by Department of Conservation (S602.00244) is a change that is recommended by the s42A report for the Natural Hazards Chapter, and therefore we recommend that this submission be accepted.

**Recommendations**

279. No changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that Policy NH-P4:

NH-P4

Natural hazard assessments, ~~managed retreat locations~~ and resource consent applications for subdivision, use and development will consider the impacts of climate change. In particular the following matters will be considered:

- a. Change in sea level over the next 100 years;
- ~~b. Altering of coastal processes;~~
- ~~c. Increased inundation of low lying areas;~~
- ~~d. Changes in local temperatures;~~
- eb. Changes in rainfall patterns and any resulting change to flood events over the next 100 years; and
- ~~f. Increase in cyclonic storms.~~
- c. Changes in the magnitude, frequency and duration of severe weather events.

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

**10.6 Policy NH-P5**

**Submissions**

Submitter Name (ID)	Submission Point	Position	Decision Requested
Scenic Hotel Group (S483)	S483.023	Amend	Amend Policy NH-P5 as follows:

Submitter Name (ID)	Submission Point	Position	Decision Requested
			NH - P5 When assessing areas suitable for managed retreat, the following matters will be considered: <ol style="list-style-type: none"> <li>a. That the natural hazard risk of the area is less than the existing location, and</li> <li>b. <b>The alternative area has sufficient capacity to accommodate the equivalent level of development,</b> and</li> <li>c. The potential future need to protect the community and associated infrastructure by hazard mitigation works.</li> </ol>

**Analysis**

- 281. Scenic Hotel Group (S483.023) seeks that this policy be amended and has helpfully suggested that another matter for consideration in managed retreat is the projected capacity of the alternative area.
- 282. We are aware that options for managed retreat are being or have been considered on the West Coast, including for Franz Josef and the main urban area of Westport. However, we are of the view that provisions for managed retreat would be better introduced into the TTPP once the details of how the managed retreat is to be implemented are clearer. Otherwise, Policy NH-P5 will sit as a ineffectual policy that only creates anxiety for communities and individual property owners. The focus of this plan change is to ensure that future development does not occur inappropriately in areas subject to natural and coastal hazards; it does not seek to manage existing development within the overlays.
- 283. In addition, and as discussed in the s42A report for the Natural Hazards Chapter, we are aware that there is currently work underway at the Central Government level to look at how managed retreat can be provided for. It would be premature to predetermine this position and how this will be provided for through central, regional and local government processes.

**Recommendations**

- 284. No changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that NH-P5 be deleted:
  - NH-P5
  - ~~When assessing areas suitable for managed retreat, the following matters will be considered:~~
  - ~~a. That the natural hazard risk of the area is less than the existing location, and~~
  - ~~b. The potential future need to protect the community and associated infrastructure by hazard mitigation works.~~
- 285. We recommend that submission point S483.023 be rejected.

## 10.7 Policy NH-P10

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Tai o Poutini Plan Committee (S171)	S171.029	Amend	<p>Introduce a new policy to address subdivision, use and development within the Coastal Severe Overlay. The suggested wording is as follows:</p> <p>Avoid subdivision, use and development for Hazard Sensitive Activities in the Coastal Severe Overlay unless:</p> <p>a. For activities that have an operational or functional need to locate or occur within the Coastal Severe Overlay and locating or occurring outside these areas is not a practicable option:</p> <p>i. Mitigation measures are incorporated to minimise the risk of damage to buildings and loss of life to people associated with the activity; or</p> <p>b. For any other activities:</p> <p>i. The new building does not increase the risk to life when compared to the existing situation as determined by a quantified risk assessment which assesses the coastal hazard, and the nature and use of the proposed building;</p> <p>ii. The new building incorporates measures that avoid increasing the existing risk to the building from the coastal hazard;</p> <p>iii. The new development does not involve or require the removal or modification of a natural system or feature that provides protection to other properties from the natural hazard.</p>
<i>Westpower Limited (FS222)</i>	<i>FS222.0369</i>	<i>Oppose</i>	<i>Disallow</i>
Scenic Hotel Group (S483)	S483.024	Amend	Amend Policy NH-P10 as follows: NH - P10 <del>Avoid</del> <b>Limit</b> development of sensitive activities within the Coastal Severe Hazard and Flood Severe Hazard overlays unless it can be

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>demonstrated that:</p> <p>a. The activity has an operational and functional need to locate within the hazard area <b>including a lack of suitable alternative zoned land in the area</b>; and</p> <p>b. That the activity incorporates mitigation of risk to life, property and the environment, and there is significant public or environmental benefit in doing so.</p>
<p>Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)</p>	<p>S620.430</p>	<p>Amend</p>	<p>Amend as follows:</p> <p>NH - P10 Avoid development of sensitive activities within the Coastal Severe Hazard and Flood Severe Hazard overlays unless it can be demonstrated that:</p> <p>a. The activity has an operational and functional need to locate within the hazard area <b>or is on Māori Land</b>; <del>and</del></p> <p>b. That the activity incorporates mitigation of risk to life, property and the environment, <del>and</del></p> <p>c. there is significant public or environmental benefit in doing so;</p> <p>d. It does not exacerbate natural hazard risk to people or property;</p> <p>e. It is designed for relocatability or recoverability;</p> <p>f. The social, economic or environmental risk from natural hazards is reduced from the current land use;</p> <p>g. The risk is as low as reasonably practicable for Hazard Sensitivity Activities</p>
<p>Biggles Limited (S685)</p>	<p>S685.009</p>	<p>Amend</p>	<p>Amend as follows:</p> <p>NH - P10 <del>Avoid</del> <b>Restrict</b> development of sensitive activities within the Coastal Severe Hazard and Flood Severe Hazard overlays unless it can be demonstrated that <b>the activity incorporates appropriate mitigation of risk to life, property and the environment; and either</b></p>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>i. The activity has an operational and functional need to locate within the hazard area and <del>b. That the activity incorporates mitigation of risk to life, property and the environment,</del> and there is significant public or environmental benefit in doing so; <b>or</b></p> <p>ii. The activity is an existing or consented residential activities or building.</p>
MTP Limited (S711)	S711.009	Amend	<p>NH - P10 <del>Avoid-Restrict</del> development of sensitive activities within the Coastal Severe Hazard and Flood Severe Hazard overlays unless it can be demonstrated that <b>the activity incorporates appropriate mitigation of risk to life, property and the environment; and either</b></p> <p>i. The activity has an operational and functional need to locate within the hazard area and <del>b. that the activity incorporates mitigation of risk to life, property and the environment,</del> and there is significant public or environmental benefit in doing so; <b>or</b></p> <p>ii. The activity is an existing or consented residential activities or building.</p>
P & A Horrell (S715)	S715.009	Amend	<p>Rewrite as follows:</p> <p>NH - P10 <del>Avoid-Restrict</del> development of sensitive activities within the Coastal Severe Hazard and Flood Severe Hazard overlays unless it can be demonstrated that <b>the activity incorporates appropriate mitigation of risk to life, property and the environment; and either</b></p> <p>i. The activity has an operational and functional need to locate within the hazard area and <del>b. That the activity incorporates mitigation of risk to life, property and the environment,</del> and there is significant public or environmental benefit in doing so; <b>or</b></p>



Submitter Name (ID)	Submission Point	Position	Decision Requested
			ii. The activity is an existing or consented residential activities or building.
Westpower Limited (S547)	S547.0521 / S547.0532	Support in part	Confirm that reference to "sensitive activities" is as proposed at page 46 of the notified pTTPP: Definitions - Sensitive Activities.
Department of Conservation (S602)	S602.00245	Amend	Amend Policy NH-P10: Avoid development of sensitive activities within the Coastal Severe Hazard and Flood Severe Hazard overlays unless it can be demonstrated that: a. The activity has an operational and functional need to locate within the hazard area; and <b>b. There is no significant risks from natural hazards; and</b> c. That the activity incorporates mitigation of risk to life, property and the environment, and there is significant public or environmental benefit in doing so.

### Analysis

286. Te Tai o Poutini Plan Committee (S171.029) seeks that a new policy be introduced in relation to development in the Coastal Severe Overlay. Westpower Limited (FS222.0369) oppose this submission point and seek that it be disallowed on the basis that the new policy proposes different wording to the equivalent policy for the other Severe natural hazard overlays which has already been heard as part of the Natural Hazards Chapter, and that to introduce new policies at this stage of the process does not allow appropriate time to consider the impact of the proposed provision.
287. While the proposed policy would enable the coastal hazards provisions to be located in the Coastal Environment Chapter in accordance with the National Planning Standards, we tend to be in agreement with the submission by Westpower, in that at this stage of the process, the more straightforward approach is to retain the coastal hazard provisions in the Natural Hazards Chapter, and recommend changes below to this effect. Therefore we recommend that submission point S171.029 be rejected and further submission point FS222.0369 be accepted.
288. Submitters S483.024, S685.009, S711.009, and S715.009 seek that Policy NH-P10 be amended to have a 'restrict' or 'limit' directive as opposed to the proposed 'avoid' focus. Policy NH-P10 relates to development in the Severe Overlays, which indicate where the risk to life and property is high, even with mitigation measures, and therefore we maintain that an 'avoid' directive for future subdivision, use and development is appropriate. In terms of the requested exemption for existing or consented residential activities or buildings, this plan change does not seek to manage existing development which retains

existing use rights under s10 of the RMA. In terms of consented subdivisions, any new buildings that do not already have building consent will be subject to the new rules once the TTPP becomes operative, which is a common and expected situation when district plans are being reviewed.

289. The Department of Conservation (S602.00245) seeks that a clause be added that there is no significant risk from natural hazards as a new clause (b). However, the caveat for this policy is that the use or development has an operational or functional need to locate within the hazard area. An example of this in the coastal environment is a port or marina, which cannot be located anywhere else. However, these activities could be at a potentially significant risk from coastal hazards, and as such the inclusion requested by this submitter would mean that there is no pathway for these activities to be located in the Coastal Severe Overlay. Therefore, we recommend that this submission point be rejected.
290. We disagree with submission point S483.024 that seeks to allow development within the Coastal Severe Overlay where there is "a lack of suitable alternative zoned land in the area". Similarly Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.430) seek that the policy be expanded to allow for development in the Severe Overlays where it is located on Māori land, provided that the risk is as low as practicable. The focus of this policy is those activities that have an operational or functional need to locate in a high risk area, and a lack of suitably zoned land or that the land is held as Māori land are not considered to be acceptable reasons to allow future development for sensitive activities in these areas. We recommend that these submission points be rejected.
291. Westpower Limited (S547.0521 / S547.0532) seeks confirmation that the reference to "sensitive activities" is as proposed at page 46 of the notified pTTPP. We confirm that in Policy NH-P10 the reference to "sensitive activities" is as defined in the pTTPP, but that in the s42A report for the Natural Hazards Chapter the definition is recommended to be expanded to include additional activities.

### *Recommendations*

292. No substantive changes to Policy NH-P10 in addition to those recommended by the s42A report for the Natural Hazards Chapter are proposed as a result of the above submissions. The only change that is recommended to Policy NH-P10 here seeks to reinstate reference to the Coastal Severe Overlay, under its newly proposed name of Coastal Hazard Erosion and Inundation Overlay, which was recommended to be deleted under the Natural Hazards Chapter s42A report due to the decision to consider coastal hazards under Variation 2. This change is consequential and administrative in nature. As such, the combined changes recommended to Policy NH-P10 are as follows:

NH-P10~~6~~

Avoid ~~subdivision, use and development of~~ for Potentially Hazard Sensitive and Hazard Sensitive Activities within the Coastal Severe Hazard Erosion and Inundation Overlay and Flood Severe and Earthquake Severe Hazard eOverlays unless it can be demonstrated that:

- a. The activity ~~subdivision, use or development~~ has an operational and or functional need to locate within the hazard area; and
- b. ~~That the activity~~ The subdivision, use or development ~~incorporates mitigation measures that minimise the of risk to life, property and the~~

environment, and there is significant public or environmental benefit in doing so people, buildings and regionally significant infrastructure; and

- c. In the Flood Severe Overlay the risk to people and buildings on adjacent sites is not increased as a result of the activity proceeding.

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

## 10.8 Policy NH-P11

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Scenic Hotel Group (S483)	S483.025	Amend	Amend Policy NH-P11 as follows: NH - P11 Allow development in the Land Instability, Alert, Coastal Alert and Flood Susceptibility overlays where: a. Mitigation measures <del>avoid</del> <b>appropriately manage</b> risk to life and <del>minimise</del> risk to property and the environment; and b. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.
Department of Conservation (S602)	S602.00246	Amend	Amend Policy NH-P11: Allow development in the Land Instability Alert, Coastal Alert and Flood Susceptibility overlays where: a. Mitigation measures avoid risk to life and minimise risk to property and the environment; and b. The risk to adjacent properties, activities and people <b>is not significant, and</b> is not increased as a result of the activity proceeding.

### Analysis

294. Scenic Hotel Group (S483.025) seeks that the avoid directive of part (a) be amended to "appropriately manage". We agree in principle that within the hazard overlays that reflect a lower level of risk, that managing the risk is a more appropriate response to avoiding it. Changes to this effect were recommended as part of the s42A report for the Natural Hazards Chapter. We are of the opinion that the need to minimise risk is still retained, and so recommend that this submission point be accepted in part.
295. Department of Conservation (S602.00246) seeks that part (b) of the policy be amended to include the words "is not significant". The same matter was assessed in the s42A report for the Natural Hazards Chapter under submission point S602.041 and our recommendation remains that this submission point be rejected.

## Recommendations

296. No substantive changes to Policy NH-P11 in addition to those recommended by the s42A report for the Natural Hazards Chapter are proposed as a result of the above submissions. The only change that is recommended to Policy NH-P11 here seeks to reinstate reference to the Coastal Alert Overlay, under its newly proposed name of Coastal Hazard Inundation Layer 1, which was recommended to be deleted under the Natural Hazards Chapter s42A report, due to coastal hazards being considered under Variation 2. The policies as notified also did not reference the Coastal Setback Overlay, and it is recommended that this overlay be included in Policy NH-P11 to rectify this under its newly proposed name of Coastal Hazard Inundation Layer 2. These changes are consequential and administrative in nature. As such, the combined changes recommended to Policy NH-P11 are as follows:

NH-P11Z

~~Allow~~ Provide for subdivision, use and development for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Land Instability Alert, Coastal Setback **Coastal Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2,** and Flood Susceptibility and Earthquake Susceptibility Hazard eOverlays where:

- a. ~~Mitigation measures avoid risk to life and~~ are incorporated to minimise the risk to property and the environment ~~people, buildings and regionally significant infrastructure;~~ and
- b. In the Flood Susceptibility and Land Instability Overlays ~~The risk to adjacent properties, activities and people and buildings on adjacent sites~~ is not increased as a result of the activity proceeding.

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

## 10.9 Policy NH-P12

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Scenic Hotel Group (S483)	S483.026	Amend	Amend Policy NH-P12 as follows: NH - P12 When assessing the effects of activities in natural hazard overlays consider: a. The significance of any adverse effects of natural hazards on people, property and the environment and whether these effects can be appropriately managed; b. Technological and engineering mitigation measures and other non-engineered options; c. The location and design of proposed sites, buildings, vehicle

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>access, earthworks and infrastructure in relation to natural hazard risk;</p> <p>d. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk;</p> <p>e. The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</p> <p>f. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.;</p> <p>g. The intent of the underlying zone and the functional or operational need to locate in these areas in relation to the availability of suitable alternative zoned land; and</p> <p>h. Any significant adverse effects on the environment of any proposed mitigation measures.</p>
<i>Westpower Limited (FS222)</i>	<i>FS222.0378</i>	<i>Oppose</i>	<i>Disallow</i>
Department of Conservation (602)	S602.00247	Amend	<p>Amend Policy NH-P12: When assessing the effects of activities in natural hazard overlays consider:</p> <p>a. The effects of natural hazards on people, property and the environment;</p> <p>b. technological and engineering mitigation measures and other non-engineered options;</p> <p>c. <u>Discouraging hard protection structures and avoiding hard protection structures in the Coastal Environment;</u></p> <p>d. The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;</p> <p>e. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk;</p> <p>f. The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</p>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>g. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site;</p> <p>h. The functional or operational need to locate in these areas; and</p> <p>i. Any significant adverse effects on the environment of any proposed mitigation measures.</p>
<i>Westpower Limited (FS222)</i>	<i>FS222.0384</i>	<i>Oppose</i>	<i>Disallow</i>
<i>Scenic Hotel Group Limited (FS244)</i>	<i>FS244.004</i>	<i>Oppose</i>	<i>Disallow</i>
Biggles Limited (S685)	S685.010	Amend	Amend Policy NH-P12 to include existing natural hazard mitigation works as a matter for consideration.
MTP Limited (S711)	S711.010	Amend	Include existing natural hazard mitigation works.
P & A Horrell (S715)	S715.010	Amend	Amend Policy NH-P12 to include existing natural hazard mitigation works as a matter for consideration.

### Analysis

298. Scenic Hotel Group (S483.026) seeks amendments to the policy to recognise the significance of any adverse effects and whether these effects can be managed. They also seek that the intent of the underlying zoning and availability of appropriately zoned land be considered. Westpower Limited (FS222.0378) opposes this submission point, noting that this policy has already been subject to consideration under the Natural Hazards Hearings process, but also that the linking of zoning intent to functional and operational need is not appropriate.
299. In response to submission point S483.026 we note that changes were recommended by the s42A report for the Natural Hazards Chapter such that it is the level of risk that is considered, as opposed to effects generally to make the policy more directive. We consider this to partially provide the relief sought by this submitter and recommend the submission be accepted in part. In terms of the requested changes to part (g), we agree with further submitter FS222.0378 that it is not appropriate to link zoning intent to a functional and operational need.
300. Department of Conservation (S602.00247) seeks for the following to be added to the policy:
- Discouraging hard protection structures and avoiding hard protection structures in the Coastal Environment.
301. This is opposed by Westpower (FS222.0384) on the basis that this matter has already been considered by the s42A report for the Natural Hazards Chapter in relation to submission point S602.042. Scenic Hotel Group Limited (FS244.004) opposes this

submission point and submits that the inclusion is not required as it is already addressed under Policy NH-P3 where considerations are more appropriately placed. We continue to recommend that this submission point be rejected in relation to Policy NH-P12 based on reasoning provided in the s42A report for the Natural Hazards Chapter, that the further submissions be accepted. However, we note that a new policy is recommended in Section 10.1 above that is specific to hard mitigation structures in the Coastal Environment and seeks to address the matters raised in this submission point.

302. Submission points S685.010, S711.010 and S715.010 seek that Policy NH-P12 be amended to include consideration of existing mitigation structures. We note that the changes to Policy NH-P12 recommended by the s42A report for the Natural Hazards Chapter recommends the inclusion of the words "existing and proposed" to part (b) to clarify that these structures are to be considered. We consider that this provides the relief sought and that these submission points be accepted.

### *Recommendations*

303. No changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that Policy NH-P12 be amended as follows:

#### NH-P128

When assessing the actual and potential effects of activities subdivision, use and development in the nNatural hHazard eOverlays consider:

- a. The effects of level of risk posed by natural hazards on to people, property and the environment buildings and regionally significant infrastructure;
  - b. Existing and proposed tTechnological and engineering mitigation measures and other non-engineered options;
  - c. The location and design of proposed sites, buildings, vehicle access, earthworks and regionally significant infrastructure in relation to the natural hazard risk;
  - d. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk;
  - e. The timing, location, scale and nature of any earthworks in relation to the natural hazard risk;
  - f. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site;
  - g. The functional or operational need to locate in these areas; and
  - h. Any significant adverse effects on the environment of any proposed mitigation measures.
304. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 11. Submissions on the Coastal Hazard Rules

### 11.1 Submissions on the Rules in General

#### *Submissions*

Submitter Name (ID)	Submission Point	Position	Decision Requested
Forest Habitats Limited (S186)	S186.005	Support in part	That the Natural Hazards Rules make it clear that site specific investigations by a registered Engineer - assessing flood levels and proposing mitigation measures such as minimum floor levels, and based on detailed topographical information - should take precedence over hazard mapping, which is based on high level, often out of date, modelling.
Jane Whyte & Jeff Page (S467)	S467.051	Amend	That the Activity Status relating to natural hazard Rules be Restricted Discretionary at the greatest, with Discretion restricted to hazard mitigation and its extent.
<i>Scenic Hotel Group (FS244)</i>	<i>FS244.003</i>	<i>Support</i>	<i>Allow</i>
Scenic Hotel Group (S483)	S483.035	Amend	NH-RXX - Coastal Setback, Coastal Alert, and Coastal Severe Overlay in Punakaiki - Building Height and Recession Planes Activity Status Permitted Where: Any new buildings required to achieve a building height and/or recession plane in accordance with underlying zone rules shall be exempt from those rules for the purpose of meeting the minimum floor level specified on a minimum floor level certificate (or equivalent) provided a maximum height of 10m is not exceeded. Advice note: Building height and recession planes shall be measured from existing ground level or where subject to a coastal hazard overlay, shall be measured from the level specified on a minimum floor level certificate (or equivalent), whichever is higher.



Submitter Name (ID)	Submission Point	Position	Decision Requested
Michael Snowden (S492)	S492.015	Amend	That the Rules in the Natural Hazards Chapter that are of relevance to Variation 2 are given greater clarity with respect to: <ul style="list-style-type: none"> <li>• Legal effect/operative effect of the Rule;</li> <li>• Savings/exemptions when resource consents are granted and/or implemented ahead of the Rule itself becoming Operative;</li> <li>• Existing use rights apply; and</li> <li>• The meaning of "lawfully established (with that to be consistent with such terminology in the RMA).</li> </ul>
Martin & Co Westport Ltd and Lumberland Building Market Westport (S543)	S543.041*	Oppose	Amend the rules to be more enabling for coastal hazard severe (excessively restrictive).
Martin & Co Westport Ltd and Lumberland Building Market Westport (S543)	S543.042*	Oppose	Amend the rules to be more enabling for Coastal Hazard Alert (excessively restrictive).
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.006*	Amend	New rule as follows (for the Coastal Hazard Alert overlay): Permitted activity NH - RX New Relocatable Buildings Activity Status Permitted Where: 1. Buildings are designed to be relocatable or re-levelled in the event of sea level rise or inundation. Advice note: Compliance with Rule NH - RX will be demonstrated through a statement from the building designer or architect confirming that the building has been designed to be relocatable or re-levelled.
Neils Beach Special Rating District Committee John Sutton (S669)	S669.002	Amend	Include a new Permitted Activity to allow river mouth realignment works for Special Rating Districts.
Allison Sutton (S672)	S672.003	Amend	That the TTPP provide a new permitted activity for special rating districts for river realignment works including at the Arawata River mouth to support erosion mitigation and accretion facilitation at Neils Beach.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Barbara Clark (S673)	S673.002	Amend	That a triggered, staged and conditional process for when land must be abandoned is adopted.
Biggles Limited (S685)	S685.002	Amend	<p>That the respective Rules are amended to protect existing and consented residential activities and buildings, including extensions and modifications to existing residential buildings, by providing for them as a Permitted Activity;</p> <p>And</p> <p>That any additional or consequential relief necessary to properly address the issues raised in this submission is granted. This includes alternative, consequential, or necessary amendments to both the proposed TTPP and the District Plan, as required to fully implement the requested changes and ensure that all relevant matters are adequately addressed</p>
Biggles Limited (S685)	S685.011	Amend	<p>Include acknowledgement of:</p> <p>a. where consents are considered to have been given effect to, or partially given effect to, under Section 125 of the RMA, the new coastal hazard overlay and related provisions should not apply;</p> <p>b. where existing allotments have been created for lifestyle or residential purposes, but those allotments have not yet been built on, the new coastal hazard overlay and related provisions should not apply;</p> <p>c. where existing use rights apply under Sections 10, 10A, and 20A of the RMA, the new coastal hazard overlay and related provisions should not apply;</p> <p>d. The rules need clarity on what 'lawfully established' means in terms of the Variation and the proposed TTPP. The Submitters request the use of terminology consistent with the RMA and greater protection for property owners who have invested in</p>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			lifestyle or residential properties, obtained resource consents, or have existing use rights.
Finn Lindqvist (S694)	S694.001	Amend	That Rules NH-R38 to NH-R46, applying to the Coastal Natural Hazard Overlays concerned be modified by a more nuanced approach, consistent with the Government's Coastal Hazards and Climate Change Guidance" Document (2024). Additional rooms and new dwellings with floor heights above sea level and relocatable buildings should be permitted within the Coastal Hazard - Severe Overlay.
John Sutton (S704)	S704.002	Amend	That a Permitted Activity that allows for river mouth realignment works undertaken by a Special Rating District Committee be included in the Plan.
MTP Limited (S711)	S711.002	Amend	That the respective Rules are amended to protect existing and consented residential activities and buildings, including extensions and modifications to existing residential buildings, by providing for them as a Permitted Activity; And That any additional or consequential relief necessary to properly address the issues raised in this submission is granted. This includes alternative, consequential, or necessary amendments to both the proposed TTPP and the District Plan, as required to fully implement the requested changes and ensure that all relevant matters are adequately addressed.
MTP Limited (S711)	S711.011	Oppose	Specifically: a. where consents are considered to have been given effect to, or partially given effect to, under Section 125 of the RMA, the new coastal hazard overlay and related provisions should not apply;

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>b.where existing allotments have been created for lifestyle or residential purposes, but those allotments have not yet been built on, the new coastal hazard overlay and related provisions should not apply;</p> <p>c.where existing use rights apply under Sections 10, 10A, and 20A of the RMA, the new coastal hazard overlay and related provisions should not apply;</p> <p>d.The rules need clarity on what 'lawfully established' means in terms of the Variation and the proposed TTPP. The Submitters request the use of terminology consistent with the RMA and greater protection for property owners who have invested in lifestyle or residential properties, obtained resource consents, or have existing use rights.</p>
P & A Horrell (S715)	S715.002	Oppose	<p>That the respective Rules are amended to protect existing and consented residential activities and buildings, including extensions and modifications to existing residential buildings, by providing for them as a Permitted Activity;</p> <p>And</p> <p>That any additional or consequential relief necessary to properly address the issues raised in this submission is granted. This includes alternative, consequential, or necessary amendments to both the proposed TTPP and the District Plan, as required to fully implement the requested changes and ensure that all relevant matters are adequately addressed.</p>
P & A Horrell (S715)	S715.011	Amend	<p>Amend the rules to acknowledge the following:</p> <p>a. where consents are considered to have been given effect to, or partially given effect to, under Section 125 of the RMA, the new coastal hazard overlay and related provisions should not apply;</p>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>b. where existing allotments have been created for lifestyle or residential purposes, but those allotments have not yet been built on, the new coastal hazard overlay and related provisions should not apply;</p> <p>c. where existing use rights apply under Sections 10, 10A, and 20A of the RMA, the new coastal hazard overlay and related provisions should not apply;</p> <p>d. The rules need clarity on what 'lawfully established' means in terms of the Variation and the proposed TTPP. The Submitters request the use of terminology consistent with the RMA and greater protection for property owners who have invested in lifestyle or residential properties, obtained resource consents, or have existing use rights.</p>
Rod Thornton (S724)	S724.001	Amend	That the Rules applying to the Overlays concerned are further investigated and amended accordingly.
James McElrea (S768)	S768.001	Oppose	Don't restrict building activity in the Severe category or any category.

### Analysis

305. Rod Thornton (S724.001) seeks that the rules applying to the overlays concerned are further investigated and amended accordingly. We agree with this submitter and confirm that this has occurred as part of this s42A report.
306. Forest Habitats Limited (S186.005) seek that the natural hazards rules make it clear that site specific investigations by a registered engineer should take precedence over hazard mapping. While the mapping in the TTPP will not be able to be updated as each site-specific assessment is received, it is entirely anticipated that these assessments will be lodged in support of applications for subdivision, use and development within the coastal hazard overlays. Therefore, we recommend that this submission point be accepted in part.
307. Jane Whyte & Jeff Page (S467.051) seek that the activity status relating to the coastal hazard rules be restricted discretionary at the greatest, with discretion restricted to hazard mitigation and its extent. Scenic Hotel Group (FS244.003) support this and seek that it be allowed. We disagree as a restricted discretionary activity status for the Coastal Severe Overlay does not recognise the level of risk to life and property that exists for both current and future generations. A restricted discretionary activity also does not provide for the 'avoid' directive of the NZCPS in areas potentially at high risk over at least

- the next 100 years. We recommend that submission point S467.051 and further submission point FS244.003 be rejected.
308. Similarly, Martin & Co Westport Ltd and Lumberland Building Market Westport (S543.041\*, S543.042\*) seek that the rules for the Coastal Severe and Coastal Alert Overlays are more enabling and James McElrea (S768.001) seeks that buildings are not restricted in any overlay. We recommend that submission points S543.041\* and S768.001 be rejected as not appropriately managing risk in areas subject to coastal hazards will not give effect to s6(h) of the RMA or the NZCPS. However, we are recommending in Section NH-R43 that the activity status for new Hazard Sensitive Activities in the Coastal Alert Overlay be reduced from Discretionary to Restricted Discretionary, and therefore recommend that submission point S543.042\* be accepted in part.
  309. Submission points S492.015, S685.002, S685.011, S711.002, S711.011, S715.002, S715.011 seek that the rules be amended such that the overlays and associated provisions do not apply to existing or consented activities, including where:
    310. where consents are considered to have been given effect to, or partially given effect to, under Section 125 of the RMA, the new coastal hazard overlay and related provisions should not apply;
    311. where existing allotments have been created for lifestyle or residential purposes, but those allotments have not yet been built on, the new coastal hazard overlay and related provisions should not apply;
    312. where existing use rights apply under Sections 10, 10A, and 20A of the RMA, the new coastal hazard overlay and related provisions should not apply;
    313. The rules need clarity on what 'lawfully established' means in terms of the Variation and the proposed TTPP. The Submitters request the use of terminology consistent with the RMA and greater protection for property owners who have invested in lifestyle or residential properties, obtained resource consents, or have existing use rights.
    314. In relation to points a. and b. we are aware of the case law that exists in relation to this matter and accept that if it is determined by consent authority or the court that a consent has been given effect to, then the overlays and associated provisions would not apply.
    315. In relation to points c., and d. we confirm that the provisions will not apply to existing activities, and existing use rights will apply. The meaning of 'lawfully established' has been established in case law and planning practice and we do not see the merit in clarifying it in terms of the Variation and the proposed TTPP. In response to these submissions, we confirm that Variation 2 and the proposed TTPP are only intended to apply to new subdivision, use and development, not existing development. We do not agree that the provisions need to be amended to include specific reference to these matters and recommend that these submission points be rejected.
  316. We also recommend that the submission point by Barbara Clark (S673.002) who requests that a triggered, staged and conditional process for when land must be abandoned is adopted be rejected given that the proposed TTPP does not seek to manage existing development.
  317. Scenic Hotel Group (S483.035) seeks that a new rule be inserted that provides for recession plane and building height breaches in Punakaiki when they are a result of minimum floor levels to mitigate coastal inundation. While we are aware of instances where other councils have provided for such exemptions in their district plans, our current stance is that the inclusion of this rule has potentially significant implications for

communities in terms of impacts on privacy, shading and urban design generally. We are of the opinion that more analysis of the potential effects and community consultation/feedback would be required to support the inclusion of this rule. Therefore, at this stage of the Plan Change process, we recommend that this submission point be rejected.

- 318. Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605.006\*) seek the inclusion of a new rule for the Coastal Alert Overlay that allows for relocatable buildings or buildings that are able to be relevelled as a permitted activity. Submission point S694.001 seeks similar relief. We recognise the potential merit of these mitigation measures to address coastal erosion and inundation, however we prefer that new buildings in the Coastal Alert Overlay have a restricted activity status that allows for consideration of proposed mitigation measures such as those proposed by the submitter, but also a wider range of matters as identified to ensure that development in this overlay is appropriate.
- 319. Submission points S669.002, S672.003 and S704.002 request that a permitted activity rule be included in the plan that allows for river mouth realignment works undertaken by a Special Rating District Committee. While we note this request, this is a matter that would require evaluation of the proposal and the agreement of local authorities, which the submitters have not provided evidence of. Therefore, we recommend that these submissions be rejected.
- 320. Finn Lindqvist (S694.001) seeks that a more nuanced approach in accordance with the national guidance on Coastal Hazards and Climate Change be taken. We agree with this submitter and have recommended changes to the provisions to provide the relief sought by this submitter.

**Recommendations**

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

**11.2 Rule NH-R1**

**Submissions**

Submitter Name (ID)	Submission Point	Position	Decision Requested
Vance & Carol Boyd (S447)	S447.018	Amend	Amend NH - R1 as follows: Reconstruction and Replacement of Lawfully Established Buildings in all Natural Hazard Overlays Activity Status Permitted Where: 1. This is the reconstruction/replacement of a building lawfully established at the time of notification of the Plan; 2. This is the reconstruction, replacement, or reasonable extension of an existing structure which has either obtained resource consent, or

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>been lawfully established at the time the Plan becomes operative; and</p> <p>3. The building has been destroyed or substantially damaged due to fire, natural disaster <del>or Act of God</del>;</p> <p>4. The destroyed/damaged building is reconstructed or replaced within 5 2 years in the Westport Hazard, Coastal Severe and Flood Severe Overlays;</p> <p>5. The destroyed/damaged building is reconstructed or replaced within 5 years in all other natural hazard overlays; and</p> <p>6. The reconstructed/replaced building is similar in character, intensity and scale to the building that it replaces</p>
Michael Snowden (S492)	S492.016	Amend	That Rule NH-R1 be expanded to include rebuilds and reasonable extensions of existing structures (as of the date the proposed TTPP Rule gains legal effect or becomes operative) as a Permitted Activity.
Biggles Limited (S685)	S685.006	Amend	Permitted Activities under Rules NH-R1 and NH-R38 should be expanded to include provision for existing structures.
MTP Limited (S711)	S711.006	Amend	Permitted Activities under Rules NH-R1 and NH-R38 should be expanded to include provision for existing structures.
P & A Horrell (S715)	S715.006	Amend	Permitted Activities under Rules NH-R1 and NH-R38 should be expanded to include provision for existing structures.
Penny & Mark Rounthwaite (S778)	S778.003	Amend	That the same rebuild timeframe as Alert i.e. 5 years is adopted.

### *Analysis*

322. Vance & Carol Boyd (S447.018) seek that the rule be amended to allow for reasonable extensions when rebuilding existing lawfully established buildings. This highlights that as recommended by the s42A report for the Natural Hazards Chapter, additions are a



permitted activity in some hazard overlays for some activities. Therefore, this needs to be recognised in Rule NH-R1, and amendments are recommended below to this effect.

323. Submission points S492.016, S685.006, S711.006, and S715.006 seek that permitted activities under Rules NH-R1 and NH-R38 be expanded to include provision for existing structures.
324. Penny & Mark Rounthwaite (S778.003) seek that the rebuild timeframe of 5 years be applied to the Coastal Severe Overlay.
325. This rule was subject to considerable thought as part of the s42A for the Natural Hazards Chapter, where we highlighted that we were finely balanced on our recommendations and open to further discussion.
326. We still maintain that rebuilding in the Severe Hazard Overlays should not be provided for beyond the existing use rights that apply under section 10 of the RMA. Rebuilding in these overlays should be subject to a resource consent process that ensures that any risk to life and property can be mitigated to an appropriate level.
327. We also note that there is overlap between Rule NH-R1 and Rule NH-R38 in terms of rebuilding after a disaster, with Rule NH-R1 apply to all natural hazard overlays, and then Rule NH-R38 only applying to the Coastal Severe and Coastal Alert Overlay. Rule NH-R38 also fails to address the Coastal Setback Overlay. For clarity, consistency and effectiveness in plan implementation we recommend that rebuilding in the coastal hazard overlays should be addressed only in Rule NH-R1. While there is no direct scope in the submissions, we rely on those submissions from Buller District Council (S538) and West Coast Regional Council (S488.038) in particular that provide overarching scope by seeking that the plan is more user friendly and able to be readily interpreted and ensures that the impact of the provisions is balanced with ensuring the social, economic and cultural wellbeing of West Coast communities, including their health and safety.
328. Further analysis of submissions in relation to Rule NH-R38 in Section 11.4 below highlighted that additions to buildings are permitted in some natural and coastal hazard overlays for some buildings, and therefore the elevations suggested in the s42A report for the Natural Hazards Chapter conflicted with this. Therefore, we are now recommending that these suggested elevations for non-compliance with the permitted activity standards of Rule NH-R1 be deleted, which reverts to the wording as notified.

### *Recommendations*

329. It is recommended that the following changes are made to Rule NH-R1:

NH-R1      ~~Reconstruction~~ and Replacement of Lawfully Established Buildings in ~~all~~ Natural Hazard Overlays

Activity Status Permitted

Where:

1. This is the ~~reconstruction~~/replacement of a building lawfully established ~~building at the time of notification of the Plan~~; and
2. The building has been destroyed or substantially damaged due to fire, ~~natural disaster or Act of God~~ or a natural hazard event and is located in the Flood Susceptibility, Earthquake Susceptibility, Land Instability, **Coastal Hazard Inundation Overlay 1, Coastal Hazard**

**Inundation Overlay 2**, Hokitika Coastal or Westport Hazard Overlay;  
and

3. ~~The destroyed/damaged building is reconstructed or replaced within 2 years in the Westport Hazard, Coastal Severe and Flood Severe Overlays~~ If the building is to contain a Potentially Hazard Sensitive or Hazard Sensitive Activity and is within the Flood Susceptibility, **Coastal Hazard Inundation Overlay 1**, Hokitika Coastal, or Westport Hazard Overlay, then the replacement building complies with the minimum floor level requirement of the specific Natural Hazard Overlay Rules;  
and
4. ~~The destroyed/damaged building is replaced within 5 3 years in all other natural hazard overlays;~~ and
5. ~~The reconstructed/replaced building is similar in character, intensity and scale to the building that it replaces. The gross floor area of the replacement building is the same, or smaller than the building that was destroyed.~~

Activity status where compliance not achieved:

Refer to specific Natural Hazard Overlay Rules ~~where standards 1-3 are not complied with.~~

~~Discretionary where standards 4 or 5 are not complied with.~~

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

### 11.3 Rules for Natural Hazard Mitigation Structures

#### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
General			
Te Tai o Poutini Plan Committee (S171)	S171.031	Amend	Create a rule framework that allows for maintenance and repair of existing natural mitigation structures as upgrades that do not increase the footprint or height of the structure by more than 10% as a permitted activity. Any works that do not meet this requirement would be a discretionary activity. This rule would need to be supported by a policy. Suggested wording would be: Hard engineering natural hazard mitigation works Only allow for hard engineering natural hazards mitigation works for the reduction of the risk from coastal hazards where:

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>1. The engineering measures are needed to protect existing nationally and regionally significant infrastructure and it can be demonstrated that there is no practicable alternative;</p> <p>2. There is a demonstrable risk to existing nationally and regionally significant infrastructure, life or private property from the coastal hazard;</p> <p>3. The construction of the hard engineering measures will not increase the risk from Coastal Hazards on adjacent properties that are not protected by the hard engineering measures;</p> <p>4. Hard engineering structures are designed to minimise adverse effects on the coastal environment</p> <p>5. Adverse effects on significant natural features and systems and their function as natural defences are avoided, remedied or mitigated; and</p> <p>6. It can be demonstrated that green infrastructure measures would not provide an appropriate level of protection in relation to the significance of the risk.</p>
<i>Westpower Limited (FS222)</i>	<i>FS222.0370</i>	<i>Oppose</i>	<i>Disallow</i>
Department of Conservation (S602)	S602.045 / S602.00250	Amend	<p>Insert new Rule:  NH - RX Demolition and Removal of a Natural Hazard Mitigation Structure within all zones and Overlay Areas  Activity Status Permitted  Advice Note: Where structures are identified as Historic Heritage Items in Schedule One, then the Historic Heritage Rules apply  Activity status where compliance not achieved: N/A</p>
NH-R2			

Submitter Name (ID)	Submission Point	Position	Decision Requested
Department of Conservation (S602)	S602.00248	Amend	Amend Rule NH- R2: Activity Status Permitted Where: The structure has been lawfully established; Earthworks and land disturbance is the minimum required to undertake the activity <b>contained wholly within the footprint of the mitigation structure;</b> There is no change to the design, texture, or form of the structure; The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure; and There is no reduction in public access....
<i>Westpower Limited (FS222)</i>	<i>FS222.0385</i>	<i>Oppose</i>	<i>Disallow</i>
<b>NH-R3</b>			
Te Runanga o Ngai Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620)	S620.431	Support in part	Amend as follows: NH - R3 Where: <del>1. The structure is located outside of any Overlay Chapter area identified in Schedules 1-8; ...</del> Advice Note: ... 2. Natural Hazard Mitigation Structures constructed in the Coastal Environment, or within the Riparian Margins of Waterbodies or within areas identified in Schedules 1 - 8 will be subject to the provisions in the relevant Overlay Chapters. 3. If the Overlay Chapters don't provided for this activity then NH-R3 prevails.
Department of Conservation (S602)	S602.00249	Support	Amend Rule NH- R3: Activity Status Permitted Where: 1. The structure has been lawfully established;

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>2. Earthworks and land disturbance is the minimum required to undertake the activity wholly contained within the footprint of the structure, or is otherwise no more than 100m<sup>3</sup> and 200m<sup>2</sup> in area in any 12 month period;</p> <p>3. There is no reduction in public access;</p> <p>4. There is no change to more than 10% to the overall dimensions, orientation or outline of structure from that originally consented structure; and</p> <p>5. It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing....</p>
<i>Westpower Limited (FS222)</i>	<i>FS222.0386</i>	<i>Oppose</i>	<i>Disallow</i>
<b>NH-R4</b>			
Department of Conservation (S602)	S602.00251	Amend	<p>Amend Rule NH- R4: Activity Status Permitted <b>Restricted Discretionary</b></p> <p>Where:</p> <p>1. The structure is located outside of any Overlay Chapter area identified in Schedules 1-8;</p> <p>2. Earthworks and land disturbance is the minimum required to undertake the activity;</p> <p>3. There is no reduction in public access;</p> <p>4. It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not</p>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing...</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>1.The effects of natural hazards on people and property;</li> <li>2.Considering whether the proposed earthworks and land disturbance is the minimum required to undertake the activity;</li> <li>3.Technological and engineering mitigation measures and other non-engineered options;</li> <li>4.Discouraging hard protection structures;</li> <li>5.The location and design of the natural hazard mitigation structure;</li> <li>6.Any freeboard requirements to be included;</li> <li>7.The management of vegetation or other natural features to mitigate natural hazard risk;</li> <li>8.The timing, location, scale and nature of any earthworks in relation to the natural hazard structure;</li> <li>9.Adverse effects on ecosystems and indigenous biodiversity;</li> <li>10.Any other adverse effects on the environment of the proposed natural hazard mitigation structure; and</li> <li>11.Alternative methods to avoid or mitigate the identified hazard risks....</li> </ol>
<i>Westpower Limited (FS222)</i>	<i>FS222.0387</i>	<i>Oppose</i>	<i>Disallow</i>
<b>NH-R5</b>			
Department of Conservation (S602)	S602.00252	Amend	Amend Rule NH-R5: NH - R5 Repairs, Maintenance, Operation, Upgrade of Existing Natural Hazard Mitigation Structures and New Natural Hazard Mitigation Structures not meeting Permitted <b>or</b>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<b>Restricted Discretionary</b> Activity Standards.
<i>Westpower Limited</i>	<i>FS222.0388</i>	<i>Oppose</i>	<i>Disallow</i>

### Analysis

331. We are aware that the Right of Reply for the Coastal Environment Chapter has been lodged, and we sought to align these rules with the recommendations of that Right of Reply as much as possible. In particular, rule CE-R4(2)(c) recommends that natural hazard mitigation structures are a permitted activity where constructed by a Statutory Agency or their authorised contractor. New mitigation structures in the High Coastal Natural Character Overlay and Outstanding Coastal Environment Area are restricted discretionary activities, which elevate to discretionary and then non-complying.
332. Given this proposed approach under the Coastal Environment Chapter, it creates some challenges on how to manage repairs, maintenance, and upgrades to existing natural hazard mitigation structures, especially those associated coastal hazard works. We see a need for the provisions around the repair, maintenance and upgrades to existing natural hazard mitigation structures to be tidied up through a future plan change process. This would include aligning the provisions in the natural hazards chapter with those in the Coastal Environment Chapter.
333. On the basis of the above, we have recommended changes to the natural hazard provisions to ensure there is some alignment with what is contained within the Coastal Environment Chapter, while recognising that we are constrained by scope of submissions.
334. Submitter S602.045 / S602.00250 seeks that a new rule is added that allows for the demolition or removal of Natural Hazard Mitigation Structures within all zone and overlays as a permitted activity. We are supportive of this position. The District Plan is currently silent of the removal of natural hazard mitigation structures and therefore it is our understanding that as there is no catch all rule, these activities would become permitted by default. We believe it assists plan users by being more overt in identifying that it is permitted to remove these structure. The suggested wording for the rule is below:
- NH- RX Demolition and Removal of a Natural Hazard Mitigation Structure within all zones and Overlay Areas
- Activity Status Permitted
- Advice Note: Where any natural hazard mitigation structure is also located in another Overlay Chapter area as identified on the planning maps and in the Schedules 1-8 then resource consent may be required under the relevant Overlay Chapter rules.
- Activity status where compliance not achieved: N/A
335. Submitter S171.031 seeks an elevation to discretionary activity status when the repair of a hazard mitigation structure to exceeds 10 of the footprint or height and for a new policy

- to be added to support this elevation. This is opposed by the further submission FS222.0370. It is noted that the existing rule framework for this rule has an elevation to discretionary activity already and therefore no further changes are needed to support the relief outlined in this submission.
336. Submitter S602.00248 seeks modifications to permitted activity condition 2 to NH-R2 relating to earthworks. This was opposed by the further submission FS222.0385. As part of the Natural Hazards s42A we have recommended that this permitted activity condition is removed. We remain of this view and this permitted activity condition should be removed and therefore this reason we do not support this recommended change.
337. Submitter S602.00249 seeks changes to permitted Activity Condition of NH - R3. This is opposed by the further submission FS222.0386. As part of the Natural Hazards s42A we have recommended that this permitted activity condition is removed. We remain of this view and this permitted activity condition should be removed and therefore this reason we do not support this recommended change.
338. Submitter S620.431 seeks to have Permitted Activity Condition removed from NH-R4. This is on the basis that this condition relates to the Overlays Chapter and the activity status of hazard mitigation structures are controlled by the permitted activity conditions within these chapters. We support this change as there is a note that directs plan users back to the Overlay Chapters to confirm the activity status of new natural hazard mitigation structures within an overlay.
339. Submitter S602.00251 seeks to have NH-R4 to start as a Restricted Discretionary Activity. This is opposed by the further submission FS222.0387. We have some sympathy for this request. However, we feel making the entire rule as a Restricted Discretionary Activity is too blunt and will mean that many new smaller structures will be caught in a consenting pathway. We also recognise that if we supported this relief, then we would be cutting across other chapters, including the Coastal Environment Chapter, and there would be an inherent conflict in the rules. On this matter we are finely balance, particularly in relation to the Coastal Environment, given the requirements of the New Zealand Coastal Policy Statement. We have opted to retain the status quo of retaining with the permitted activity condition. Our main rationale for this is the conclusions drawn by the Reporting Officer of the Coastal Environment Chapter and that the framework proposed within this chapter gives effect to the NZCPS.
340. Submitter S602.00252 seeks amendments to rule 5. This was opposed by the further submission FS222.0388. As part of the Natural Hazards s42A we have recommended that this rule is removed. We remain of this view and this permitted activity condition should be removed and therefore this reason we do not support this recommended change.

**Recommendations**

341. It is recommended that Rules NH-R2 and NH-R3 are combined as follows:

NH-R2        Repairs, Maintenance and Operation ~~of any~~ Upgrades to Existing Natural Hazard Mitigation Structures

Activity Status Permitted

Where:

1. The structure has been lawfully established;
2. ~~Earthworks and land disturbance is the minimum required to undertake the activity;~~



- ~~3. There is no change to the design, texture, or form of the structure;~~
- ~~4. The materials used are the same as the original, or most significant material, or the closest equivalent provided that only cleanfill is used where fill materials are part of the structure; and~~
- 5.2. There is no reduction in public access.
3. The works are being undertaken by a Statutory Agency or their nominated contractor; or
4. There is no change of more than 10% to the overall dimensions, orientation, height or length of the structure from the originally lawfully established structure; and
5. Where the change is greater than 10% an assessment undertaken by a suitably qualified Chartered Professional Engineer, confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, is provided to the relevant District Council 10 working days prior to works commencing.

Advice Notes:

1. Where any natural hazard mitigation structure is also located in another Overlay Chapter area as identified on the planning maps and in the Schedules 1-8 then resource consent may be required under the relevant Overlay Chapter rules.
2. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan.

Activity status where compliance not achieved: Discretionary

~~NH R3 — Upgrades to Existing Natural Hazard Mitigation Structures~~

~~Activity Status Permitted~~

~~Where:~~

- ~~1. The structure has been lawfully established;~~
- ~~2. Earthworks and land disturbance is the minimum required to undertake the activity;~~
- ~~3. There is no reduction in public access;~~
- ~~4. There is no change to more than 10% to the overall dimensions, orientation or outline of structure from that originally consented structure; and~~
- ~~5. It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing.~~

Advice Notes:

~~1. Where any natural hazard mitigation structure is also located in another Overlay Chapter area as identified on the planning maps and in the schedules then resource consent may be required under the relevant Overlay Chapter rules.~~

~~2. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan.~~

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

342. It is recommended that the following changes are made to Rule NH-R4:

NH-R4~~3~~ New Natural Hazard Mitigation Structure

Activity Status Permitted

Where:

~~1. The structure is located outside of any Overlay Chapter area identified in Schedules 1-8;~~

1. Earthworks and land disturbance is the minimum required to undertake the activity The structure is constructed by a Statutory Agency or their nominated **authorised** contractor;

2. There is no reduction in public access;

~~3. It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing.~~

Advice Note:

1. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan.

2. Natural Hazard Mitigation Structures constructed in the Coastal Environment, or within the Riparian Margins of Waterbodies or within areas identified in Schedules 1 - 8 will be subject to the provisions in the relevant Overlay Chapters.

3. If the Overlay Chapters don't provided for this activity then NH-R4~~3~~ prevails.

Activity status where compliance not achieved:

~~Refer to relevant Overlay Chapter rules where standard 1 is not complied with.~~

Discretionary where standard 2-4~~3~~ **1 or 3** is not complied with.

**NH-R4 Demolition and Removal of a Natural Hazard Mitigation Structure within all zones and Overlay Areas**

**Activity Status Permitted**

**Advice Note:**

- 1. A West Coast Regional Council resource consent may be required under the West Coast Regional Land and Water Plan and/or Regional Coastal Plan.**
- 2. Natural Hazard Mitigation Structures constructed in the Coastal Environment, or within the Riparian Margins of Waterbodies or within areas identified in Schedules 1 - 8 will be subject to the provisions in the relevant Overlay Chapters.**

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

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

***Section 32AA Evaluation***

**Effectiveness and Efficiency**

344. We consider that the amendments to the rules for natural hazard mitigation structures are more efficient and effective than the notified provisions in achieving the objectives of the proposed TTPP because the proposed amendments simplify and streamline the rules, reducing unnecessary duplication.
345. We consider that the proposed new rule addresses gap in the District Plan and makes it clear that the removal or demolition of natural hazard mitigation structures are a permitted activity. This improves the efficiency and effectiveness of the District Plan, through have clearer provisions.

**Costs and Benefits**

346. There are no costs associated with the recommendation, and the benefits will be clarity in the rule framework and improved useability of the plan.

**Risks of Acting or Not Acting**

347. There are no risks of acting, but the risk of not acting is that there the rule frameworks obtaining to natural hazard mitigation structures will not be as clear and concise as they could be, and could result in additional consents be needed, when this was not the intent.

**Decision About the Most Appropriate Option**

348. We are of the opinion that the amendments proposed are the most appropriate way to achieve the objectives of the plan, compared to those notified.

**11.4 Rule NH-R38**

***Submissions***

<b>Submitter Name (ID)</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
Will Harvey (S157)	S157.001*	Oppose	Natural Hazards Rule 38 - extend rebuild timeframe from 2 years to 5 years for properties in the Severe Coastal Hazard overlay.
Westland District Council (S181)	S181.011*	Oppose	Where a building has not been re-established under the 12 months

Submitter Name (ID)	Submission Point	Position	Decision Requested
			allowed under existing use rights, change the activity status for Reconstruction, Repairs and Maintenance to Existing Buildings in the Coastal Severe and Coastal Alert Overlays to Discretionary.
<i>Buller District Council (FS149)</i>	<i>FS149.0158*</i>	<i>Oppose in part</i>	<i>Disallow in part</i>
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.016*</i>	<i>Oppose</i>	<i>Disallow</i>
<i>Westpower Limited (FS222)</i>	<i>FS222.040*</i>	<i>Oppose</i>	<i>Disallow</i>
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.213*	Support	Retain rule.
Hamish Macbeth (S307)	S307.007*	Support	Retain NH-R38.
John Brazil (S360)	S360.007*	Oppose in part	Amend rule so that there is a ten-year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Robert Burdekin (S378)	S378.004*	Oppose	NH-R38 point 1 restricts extending a current building, this should be removed.
Robert Burdekin (S378)	S378.005*	Oppose	NH-R38 point 2. b. & c. to be removed.
Te Tumu Paeroa - The office of the Māori Trustee (S440)	S440.015*	Support in part	The Māori Trustee considers a footnote should accompany NH R38(2)(b) to provide exceptions for circumstances outside landowners control that may delay the reconstruction or replacement of a building within the 2 year timeframe. However, if reconstruction or replacement works are not completed within a 5 year timeframe the status of this activity should no longer be permitted. This aligns with the coastal alert overlay.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Karen Lippiatt (S439)	S439.042	Amend	That the five year restriction on building within the Coastal Hazard - Severe and Coastal Hazard - Alert Overlays be removed.
Vance & Carol Boyd (S447)	S447.019	Amend	<p>Amend the rule as follows: Where:</p> <ol style="list-style-type: none"> <li>1. For repairs and maintenance there is no increase in the area of the building;</li> <li>2. For the rebuild or reasonable extension of an existing structure which has either obtained resource consent or been lawfully established at the time the Plan becomes operative;</li> <li>3. For reconstruction of a building lawfully established at the time of notification of the Plan where: <ol style="list-style-type: none"> <li>1. The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God;</li> <li>2. The destroyed/damaged building is reconstructed within 5 years in the Coastal Alert overlay and 2 years in the Coastal Severe overlay;</li> <li>3. The reconstructed building is similar in character, intensity and scale to the building it replaces.</li> </ol> </li> </ol>
Jane Whyte & Jeff Page (S467)	S467.026*	Oppose	In relation to Punakaiki Village, delete this rule.
Scenic Hotel Group (S483)	S483.030	Amend	<p>Amend Rule NH-R38 as follows: Rule NH-R38 Repairs and maintenance to, <b>or reconstruction that does not increase the net footprint of sensitive activities of</b>, existing Buildings in the Coastal Severe and Coastal Alert Overlays Activity Status Permitted</p> <ol style="list-style-type: none"> <li>1. Where: <ol style="list-style-type: none"> <li>For repairs and maintenance there is no increase in the area of the building;</li> </ol> </li> <li>2. For reconstruction of a building lawfully established at the time of notification of the Plan where:</li> </ol>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>a. The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God;</p> <p>b. The destroyed/damaged building is reconstructed within 5 years in the Coastal Alert overlay and 2 years in the Coastal Severe overlay;</p> <p>c. The reconstructed building is similar in character, intensity and scale to the building it replaces.</p>
<i>Westpower Limited (FS222)</i>	<i>FS222.0379</i>	<i>Oppose</i>	<i>Disallow</i>
West Coast Regional Council (S488)	S488.002*	Oppose	Amend permitted Rule NH - R38 to provide for maintenance and repair of existing weather event monitoring structures and WCRC Rating District protection structures.
<i>Buller District Council (FS149)</i>	<i>FS149.0156*</i>	<i>Support in part</i>	<i>Allow in part</i>
West Coast Regional Council (S488)	S488.025*	Amend	This Rule should be amended to also provide for construction, maintenance and repair of existing and future hydrology monitoring structures and Rating District protection structures.
Michael Snowden (S492)	S492.017	Amend	That Rule NH-R38 be expanded to include rebuilds and reasonable extensions of existing structures (as of the date the proposed TTPP Rule gains legal effect or becomes operative) as a Permitted Activity.
Leonie Avery (S507)	S507.014*	Oppose in part	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Jared Avery (S508)	S508.014*	Oppose in part	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance

Submitter Name (ID)	Submission Point	Position	Decision Requested
			is not achieved, this should be a Discretionary Activity.
Kyle Avery (S509)	S509.014*	Oppose in part	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Avery Bros (S510)	S510.014*	Oppose in part	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Bradshaw Farms (S511)	S511.014*	Oppose in part	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Paul Avery (S512)	S512.014*	Oppose in part	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Brett Avery (S513)	S513.014*	Oppose in part	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Steve Croasdale (S516)	S516.010*	Amend	Amend to read: Where: 1. ... 2. For reconstruction of a building lawfully established at the time of notification of the Plan where: a. The building has been destroyed

Submitter Name (ID)	Submission Point	Position	Decision Requested
			or substantially damaged due to fire, natural disaster or Act of God; b. The destroyed/damaged building is reconstructed within <del>5-year</del> <b>a ten-year period</b> in the Coastal Alert overlay and <del>2-year</del> <b>a ten-year period</b> in the Coastal Severe overlay; c. ...
Neil Mouat (S535)	S535.005*	Oppose in part	Amend rule so that there is ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays and if compliance is not achieved, this should be a Discretionary Activity.
<i>Ruth Henschel (FS119)</i>	<i>FS119.4*</i>	<i>Support</i>	<i>Allow</i>
Buller District Council (S538)	S538.151*	Support in part	Further consideration of the overlays needed, illustrating that the extent of the overlays are justified and supported by evidence.
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.012*</i>	<i>Support in part</i>	<i>Allow in part</i>
Westpower Limited (S547)	S547.160*	Amend	Amend heading of NH-R38: Reconstruction, Repairs and ... to existing <b>Occupied</b> Buildings in the Coastal...
Chris & Jan Coll (S558)	S558.042*	Amend	Amend rule so that there is no specified limit within which lawfully established buildings can be reconstructed/replaced in all overlays.
Geoff Volckman (S563)	S563.016*	Oppose in part	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Catherine Smart-Simpson (S564)	S564.019*	Amend	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit.



Submitter Name (ID)	Submission Point	Position	Decision Requested
Catherine Smart-Simpson (S564)	S564.020*	Amend	Amend activity status for when compliance is not achieved, to Discretionary Activity.
Chris J Coll Surveying Limited (S566)	S566.042*	Amend	Amend rule so that there is no specified limit within which lawfully established buildings can be reconstructed/replaced in all overlays.
William McLaughlin (S567)	S567.129*	Amend	Amend rule so that there is no specified limit within which lawfully established buildings can be reconstructed/replaced in all overlays.
Koiterangi Lime Co LTD (S577)	S577.018*	Amend	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays.
Koiterangi Lime Co LTD (S577)	S577.019*	Oppose	Delete time limit.
Koiterangi Lime Co LTD (S577)	S577.020*	Amend	Amend to state: if compliance is not achieved, this should be a Discretionary Activity.
Department of Conservation (S602)	S602.00253 / S602.048*	Amend	Amend Rule NHR38: Where: 1. For repairs and maintenance there is no increase in the area of the building; 2.For reconstruction of a building lawfully established at the time of notification of the Plan where: a.The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God; b.The destroyed/damaged building is reconstructed within 5 years in the Coastal Alert overlay and 2 years in the Coastal Severe overlay; c.The reconstructed building is similar in character, intensity and scale to the building it replaces. Activity status where compliance not achieved: NA Add new Restricted Discretionary Rule and Non-Complying Rules: NH-RXX Reconstruction of a lawfully established building

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>For reconstruction of a building lawfully established at the time of notification of the Plan where:</p> <ol style="list-style-type: none"> <li>1.The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God;</li> <li>2.The destroyed/damaged building is reconstructed within 5 years in the Coastal Alert overlay and 2 years in the Coastal Severe overlay;</li> <li>3.The reconstructed building is similar in character, intensity and scale to the building it replaces.</li> </ol> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a.The effects of natural hazards on people and property;</li> <li>b.The location and design of proposed buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;</li> <li>c.Any freeboard requirements to be included;</li> <li>d.The management of vegetation or other natural features to mitigate natural hazard risk;</li> <li>e.The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</li> <li>f.The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site and adjacent properties;</li> <li>g.Any adverse effects on the environment of any proposed natural hazard mitigation measures; and</li> <li>h.Alternative methods to avoid or mitigate the identified hazard risks.</li> </ol> <p>Activity status where compliance not achieved: Discretionary  NH-RXX Reconstruction of a lawfully established building not meeting Restricted Activity Standards  Activity Status Discretionary  Activity status where compliance not achieved: N/A</p>
<i>Westpower Limited</i>	<i>FS222.0389</i>	<i>Oppose</i>	<i>Disallow</i>

Submitter Name (ID)	Submission Point	Position	Decision Requested
Department of Conservation (S602)	S602.00238*	Amend	<p>Add new Restricted Discretionary Rule and Non-Complying Rules:  NH-RXX Reconstruction of a lawfully established building  For reconstruction of a building lawfully established at the time of notification of the Plan where:  The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God;  The destroyed/damaged building is reconstructed within 5 years in the Coastal Alert overlay and 2 years in the Coastal Severe overlay;  The reconstructed building is similar in character, intensity and scale to the building it replaces.  Discretion is restricted to:  The effects of natural hazards on people and property;  The location and design of proposed buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;  Any freeboard requirements to be included;  The management of vegetation or other natural features to mitigate natural hazard risk;  The timing, location, scale and nature of any earthworks in relation to natural hazard risk;  The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site and adjacent properties;  Any adverse effects on the environment of any proposed natural hazard mitigation measures; and  Alternative methods to avoid or mitigate the identified hazard risks.  Activity status where compliance not achieved: Discretionary</p> <p>NH-RXX Reconstruction of a lawfully established building not meeting Restricted Activity Standards</p>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			Activity Status Discretionary Activity status where compliance not achieved: N/A
<i>Westpower Limited (FS222)</i>	<i>FS222.082*</i>	<i>Oppose</i>	<i>Disallow</i>
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.009*	Support	Retain as notified.
Avery Brothers (S609)	S609.013*	Amend	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Toka Tū Ake EQC (S612)	S612.070*	Oppose	Amend to Avoid reconstruction of buildings used for sensitive activities within the Coastal Severe Hazard Overlay.
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.013*</i>	<i>Oppose</i>	<i>Disallow</i>
Toka Tū Ake EQC (S612)	S612.126*	Amend	Add new condition. 3. There is risk mitigation measures for buildings used for sensitive activities reconstructed within the Coastal Alert Hazard Overlay.
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.015*</i>	<i>Support in part</i>	<i>Allow in part</i>
Karamea Lime Company (S614)	S614.036*	Amend	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance is not achieved, this should be a Discretionary Activity.
Peter Langford (S615)	S615.036*	Amend	Amend rule so that there is a ten year period within which lawfully established buildings can be reconstructed/replaced in all overlays or delete time limit and if compliance

Submitter Name (ID)	Submission Point	Position	Decision Requested
			is not achieved, this should be a Discretionary Activity.
Scoped Planning and Design Limited (S617)	S617.016*	Oppose	Delete.
Snodgrass Road submitters (S619)	S619.021*	Amend	Amend Rule NH-R38 so reconstruction and Replacement of Lawfully Established Buildings in the Coastal Alert Overlay is permitted within a 5-year timeframe.
Biggles Limited (S685)	S685.006	Amend	Permitted Activities under Rules NH-R1 and NH-R38 should be expanded to include provision for existing structures.
MTP Limited (S711)	S711.006	Amend	Permitted Activities under Rules NH-R1 and NH-R38 should be expanded to include provision for existing structures.
P & A Horrell (S715)	S715.006	Amend	Permitted Activities under Rules NH-R1 and NH-R38 should be expanded to include provision for existing structures.
Graham Sinclair (S769)	S769.001	Amend	Lengthen the timeframe for rebuilding after AF8 event or similar from 5 years to ten.
Neil Aldred (S770)	S770.001	Oppose	That existing properties in a Coastal Hazard Alert zone that have been destroyed should have up to ten years to rebuild, before any additional restrictions apply. This should apply in any location outside of Hokitika, Greymouth and Westport.
Pam Birmingham (S772)	S772.002	Amend	Under the Coastal Hazard Alert Overlay the time allowed to rebuild should be 10 years.
Barry Hughes (S773)	S773.001	Amend	That existing properties in a Coastal Hazard Alert zone that have been destroyed should have up to eight years to rebuild, before any additional restrictions apply. This should apply in any location outside of Hokitika, Greymouth and Westport.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Okarito Kayaks Ltd (S774)	S774.001	Amend	That existing properties in a Coastal Hazard Alert zone that have been destroyed should have up to eight years to rebuild, before any additional restrictions apply.
Penny & Mark Rounthwaite (S778)	S778.002	Amend	That the same rebuild timeframe as Alert i.e. 5 years is adopted.
Penny & Mark Rounthwaite (S778)	S778.006	Amend	Rather than and 'Avoid' we recommend a 'Manage' philosophy for the Severe rules. As such as allowance for expansion of net floor area and/or suitable buildings should be added.
Fiona Blair (S783)	S783.001	Amend	That existing properties in a Coastal Hazard Alert zone that have been destroyed should have at least eight years, and preferably ten years to rebuild, before any additional restrictions apply.

### Analysis

349. At the outset, it is our recommendation that this rule be deleted, with part 2 being integrated Rule NH-R1 for the following reasons:

- Carrying on from our recommendations in the s42A report for the Natural Hazards Chapter, we are of the opinion that repairs and maintenance to existing buildings do not have to be regulated, as this does not impact upon risk.
- As notified, NH-R1 applies to all natural hazard overlays, including the coastal hazard overlays. As expressed in relation to Rule NH-R1 above we are of the opinion that the rules for reconstructing buildings impacted by natural hazard events should be contained in one rule for all overlays for ease of plan interpretation and implementation.

350. While we recommend that this rule be deleted, the following analysis of submission points in relation to Rule NH-R38 has informed the recommendations on Rule NH-R1 in Section 11.2 above. It is also noted that the Coastal Setback Overlay has not been included in this rule or in Rule NH-R1, which is a gap in the rule framework that we recommend be addressed.

351. Submission points S190.213\*, S307.007\* and S605.009\* support this rule and seek that it be retained. Scoped Planning and Design Limited (S617.016\*) opposes the rule and seeks that it be deleted. Jane Whyte & Jeff Page (S467.026\*) oppose this rule and seek that it be deleted in relation to Punakaiki Village.

352. Westland District Council (S181.011\*) also opposed the rule and seeks that where a building has not been re-established under the 12 months allowed under existing use rights, the activity status be discretionary. Buller District Council (FS149.0158\*) opposes

- this in part, while Snodgrass Road Submitters (FS109.016\*) and Westpower Limited (FS222.040\*) oppose this submission point.
353. Toka Tū Ake EQC (S612.070\*) seeks that the rule be amended to avoid reconstruction of buildings used for sensitive activities within the Coastal Severe Hazard Overlay. Snodgrass Road Submitters (FS109.013\*) oppose this and seek that it be disallowed.
  354. Toka Tū Ake EQC (S612.126\*) also seeks that a new standard be included requiring risk mitigation measures for buildings used for sensitive activities reconstructed within the Coastal Alert Hazard Overlay. Snodgrass Road Submitters (FS109.015\*) support this in part. We agree with both submission points S612.070\* and S612.126\* and have recommended changes to Rule NH-R1 to provide the relief sought.
  355. Submission points S685.006, S711.006, S715.006 seek that the rule be expanded to include provision for existing buildings.
  356. Submission points S378.004\*, S378.005\*, S447.019, S483.030, S492.017 and S778.006 seek that the rule be amended to allow for reasonable extensions when rebuilding. As discussed above in relation to rule NH-R1 these submissions highlight that additions are permitted for some activities in some overlays, and therefore these need to be provided for as per those specific rules.
  357. The majority of submission points received relate to the timeframe within which rebuilding is permitted, with some requesting 5 years within the Coastal Severe Overlay (S157.001\*, S440.015\*, S619.021\*, S778.002) and others requesting 8 years within the Coastal Alert Overlay (S773.001, S774.001, S783.001) or a blanket 10 years in both the Coastal Severe and Alert Overlays (S360.007\*S507.014\*, S508.014\*, S509.014\*, S510.014\*, S511.014\*, S512.014\*, S513.014\*, S516.010\*, S535.005\*, FS119.4\*, S563.016\*, S564.019\*, S609.013\*, S614.036\*, S615.036\*, S769.001, S770.001, S772.002).
  358. Submission points S378.005\*, S439.042 S507.014\*, S508.014\*, S509.014\*, S510.014\*, S511.014\*, S512.014\*, S513.014\*, S558.042\*, S563.016\*, S564.019\*, S564.020\*, S577.019\*, S577.020\*, S609.013\*, S614.036\*, S615.036\* seek that the timeframe be removed entirely and if compliance is not achieved that a discretionary activity status apply.
  359. It is clear that this rule is contentious, with both support and opposition and requests for amendment noted. As per the analysis of Rule NH-R1 in the Natural Hazards Chapter s42A we have tried to balance these submission points to provide for rebuilding in areas where it is appropriate, within a reasonable timeframe, while also ensuring that opportunities for reducing the risk from natural hazards are provided for in the rebuilding phase. Please refer to Appendix 2 for recommendations on submissions.
  360. West Coast Regional Council (S488.002\*, S488.025) and further submission FS149.0156\* seek that the rule be amended to provide for the construction, maintenance and repair of existing weather event monitoring structures and WCRC Rating District protection structures. We have recommended changes to Rule NH-R1 such that these types of structures will not be captured by the rule.
  361. Buller District Council (S538.151\*) seek that the extent of the overlays be reassessed which is supported by Snodgrass Road Submitters (FS109.012\*). It is noted that these submissions were made on the coastal hazard overlays as originally notified, which have since been significantly refined by the mapping introduced by Variation 2. As such it is considered that the relief sought by these submitters has been provided by the variation

362. Department of Conservation (S602.00253, S602.048\*, S602.00238\*) seeks a number of changes to the rule to make rebuilding a restricted discretionary activity. Westpower Limited (FS222.0389, FS222.082\*) opposes these submission points as it is a significant change for the community from that as notified. We have given much thought to the ability to rebuild in the hazard overlays as part of our consideration of Rule NH-R1 under the Natural Hazards Chapter Hearings, and are satisfied that the recommended changes to that rule strike an appropriate balance between enabling people to rebuild while avoiding any increase in risk.

### *Recommendations*

363. For the above reasons it is recommended that Rule NH-R38 be deleted:

**~~NH-R38 — Repairs and Maintenance to Existing Buildings in the Coastal Severe and Coastal Alert Overlays~~**

**~~Activity Status Permitted~~**

**~~Where:~~**

- ~~1. For repairs and maintenance there is no increase in the area of the building;~~**
- ~~2. For reconstruction of a building lawfully established at the time of notification of the Plan where:~~**
  - ~~a. The building has been destroyed or substantially damaged due to fire, natural disaster or Act of God;~~**
  - ~~b. The destroyed/damaged building is reconstructed within 5 years in the Coastal Alert overlay and 2 years in the Coastal Severe overlay;~~**
  - ~~c. The reconstructed building is similar in character, intensity and scale to the building it replaces.~~**

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

### *Section 32AA Evaluation*

#### **Effectiveness and Efficiency**

364. The deletion of Rule NH-R38 will improve the efficiency and effectiveness of the plan by removing the duplication with Rule NH-R1, such that only one rule applies to rebuilding in the natural hazard overlays.

#### **Costs and Benefits**

365. There are no costs associated with the recommendation, and the benefits will be clarity in the rule framework and improved useability of the plan.

#### **Risks of Acting or Not Acting**

366. There are no risks of acting, but the risk of not acting is that there will be confusion around which rule applies to development in the coastal hazard overlays.

#### **Decision About the Most Appropriate Option**

367. We are of the opinion that the removal of Rule NH-R38 is the most efficient option to achieve the objectives of the plan.



## 11.5 Rule NH-R39

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Westland District Council (S181)	S181.012*	Oppose	Change the status for New Unoccupied Buildings in the Coastal Severe Overlay to a Controlled or Restricted Discretionary Activity with controls or restrictions including:- Assessment of risk to building- Consideration of mitigation measures to reduce/manage potential surge of coastal erosion- Consideration of likelihood or potential of complete loss of the building in a surge or coastal erosion situation.
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.017*</i>	<i>Oppose</i>	<i>Disallow</i>
<i>Westpower Limited (FS222)</i>	<i>FS222.041*</i>	<i>Oppose</i>	<i>Disallow</i>
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.214*	Support in part	Retain rule.
John Brazil (S360)	S360.008*	Support	Retain as notified.
Waka Kotahi NZ Transport Agency (S450)	S450.070*	Support in part	Provide clarity on the rule.
Scenic Hotel Group (S483)	S483.031	Support	Retain Rule NH-R39 with its currently proposed wording as follows: NH-R39 - New Unoccupied buildings and structure in the coastal severe and coastal alert overlays Activity status: Permitted
Leonie Avery (S507)	S507.015*	Support	Retain as notified.
Jared Avery (S508)	S508.015*	Support	Retain as notified.
Kyle Avery (S509)	S509.015*	Support	Retain as notified.
Avery Bros (S510)	S510.015*	Support	Retain as notified.
Bradshaw Farms (S511)	S511.015*	Support	Retain as notified.
Paul Avery (S512)	S512.015*	Support	Retain as notified.
Brett Avery (S513)	S513.015*	Support	Retain.
Steve Croasdale (S516)	S516.011*	Support	Retain.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Buller District Council (S538)	S538.152*	Support	Retain as notified.
Westpower Limited (S547)	S547.161*	Amend	Where submission to NH-R38 is not adopted provide for activities related to existing unoccupied buildings and structures as permitted activities.
Chris & Jan Coll (S558)	S558.044*	Support	Retain.
Geoff Volckman (S563)	S563.017*	Support	Retain.
Catherine Smart-Simpson (S564)	S564.021*	Support	Retain.
Chris J Coll Surveying Limited (S566)	S566.044*	Support	Retain.
William McLaughlin (S567)	S567.130*	Support	Retain.
Koiterangi Lime Co LTD (S577)	S577.021	Support	Retain.
Grey District Council (S608)	S608.593*	Support in part	Insert activity status of Restricted Discretionary or Discretionary for activity status where compliance is not achieved.
Avery Brothers (S609)	S609.014*	Support	Retain.
Karamea Lime Company (S614)	S614.037*	Support	Retain.
Peter Langford (S615)	S615.037*	Support	Retain.
Scoped Planning and Design Limited (S617)	S617.017*	Amend	Amend to state unoccupied buildings <b>of no more than 50m2.</b>
Snodgrass Road submitters (S619)	S619.022*	Support	Retain Rule NH-R39.

### Analysis

368. Submissions S190.214, S360.008, S483.031, S507.015\*, S508.015\*, S509.015\*, S510.015\*, S511.015\*, S512.015\*, S513.015\*, S516.011\*, S538.015\*, S558.044\*, S563.017\*, S564.021\*, S566.044\*, S567.130\*, S577.021, S609.014\*, S614.037\*, S615.037\*, S619.022\* seeks to have the rule retained.
369. Submitter S181.012\* seeks to have the status for New Unoccupied Buildings in the Coastal Severe Overlay to a Controlled or Restricted Discretionary Activity with controls or restrictions around assessment of risk to building. This was opposed by the further submissions FS109.017\* and FS222.041\*.
370. While we can understand this submission point, we do not support the relief sought. Buildings that contain Less Hazard Sensitive Activities are generally low in value, and have a very small risk profile. There also needs to be some recognition of the need for people to be able to use their properties, without ensuring a large regulatory burden. For

this reason, we believe the proposed rule as notified, strikes this balance and ensure that the risk profile of the any site does not change significantly as a result of allowing for accessory buildings on a site.

371. Submitter S450.070\* seeks clarity around how the rule applies. We have amended the wording of the rule. The proposed rule has been reworded to apply to buildings containing Less Hazard Sensitive Activities. These activities are proposed to be defined as follows:

**Less Hazard Sensitive Activity** means:

- a. Buildings used for non-habitable purposes
- b. Fences
- c. Minor storage facilities
- d. Parks facilities
- e. Parks furniture
- f. Buildings associated with primary production, including intensive indoor primary production
- g. West Coast Regional Council monitoring structures
- h. Buildings associated with port activities
- i. Buildings associated with quarrying and mining activities
- j. Decks
- k. Building associated with any other activity that is not identified as a Hazard Sensitive Activity or Potentially Hazard Sensitive Activity

372. If a building will contain an activity that is considered to be a Less Hazard Sensitive Activity, then it will be a permitted activity. If the activity is not considered to be a Less Hazard Sensitive Activity, then it will not be captured by this rule.
373. Submitter S547.161\* seeks that this rule provides for existing unoccupied buildings and structures. This rule provides for new buildings that meet the definition of Less Hazard Sensitive Activities. Where there are existing buildings and structures, then these will be covered by either existing use rights, or have been authorised through a resource consent process. A rule within a District Plan cannot override or remove existing use rights, this can only be down at the regional level.
374. Submitter S608.593\* seeks to have an elevation status of Restricted Discretionary Activity when the permitted activity standards of the rule are not met. We do not support this change as there are no permitted activity standards and therefore there is no ability for this rule to elevate.
375. Submitter S617.017\* seeks to have the size of the buildings captured by this rule limited to 50m<sup>2</sup>. We have given careful consideration to this submission point. However, on balance most of the buildings enabled by this rule are by their nature small in size. As such, we do not believe that there is a need for there to be a size restriction on the building as a Permitted Activity Condition. We would also note that the proposed wording of this rule is also the same as what would apply to natural hazards. As such, for the purposes of consistency, we recommend that the wording of this rule reflects that which applies to the Natural Hazard Overlays.

### *Recommendations*

376. Recommended changes to Rule NH-R39 are considered to be administrative in nature and address a gap in the rule framework in relation to unoccupied/Less Hazard Sensitive Activities in the Coastal Setback Overlay.
377. It is recommended that Rule NH-R39 is amended as follows:

**NH-R39~~14~~ ~~New Unoccupied Buildings and Structures~~ Additions to**

**Existing Buildings and New Buildings containing Less Hazard Sensitive Activities in the ~~Coastal Severe and Coastal Alert Overlays~~ Coastal Hazard Erosion and Inundation Overlay and Coastal Hazard Inundation Overlay 1**

Activity Status Permitted

Activity status where compliance not achieved: N/A

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

**Section 32AA Evaluation**

**Effectiveness and Efficiency**

379. The recommended changes seek to provide clarity to the rule framework by ensuring that there is consistent terminology used throughout the rules within the Natural Hazards Chapter. The proposed changes also ensure a consistent structure to the rule framework throughout the District Plan. Overall, it is considered that the proposed changes are more effective and efficient than the notified version of the rules.

**Costs and Benefits**

380. There are no costs associated with the recommendation, and the benefits will be clarity in the rule framework and improved useability of the plan.

**Risks of Acting or Not Acting**

381. There are no risks of acting, but the risk of not acting is that there will be confusion around which rule applies to development in the coastal hazard overlays.

**Decision About the Most Appropriate Option**

382. We are of the opinion that the changes to Rule 39 of the Natural Hazards Chapter is the most efficient option to achieve the objectives of the plan.

**11.6 Rule NH-R40**

**Submissions**

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Mana Ora / Te Whatu Ora (S190)	S190.215*	Support	Retain rule.
John Brazil (S360)	S360.009*	Oppose in part	Delete Point 2.
Karen Lippiatt (S439)	S439.021*	Support	Review AEP and extent to see if a higher AEP (eg 1 in 500 years) is preferable.
Jane Whyte & Jeff Page (S467)	S467.027*	Oppose	In relation to Punakaiki Village, delete this rule.
Leonie Avery (S507)	S507.016*	Oppose in part	Delete point 2.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Jared Avery (S508)	S508.016*	Oppose in part	Delete point 2.
Kyle Avery (S509)	S509.016*	Oppose in part	Delete point 2.
Avery Bros (S510)	S510.016*	Oppose in part	Delete point 2.
Bradshaw Farms (S511)	S511.016*	Oppose in part	Delete point 2.
Paul Avery (S512)	S512.016*	Oppose in part	Delete point 2.
Brett Avery (S513)	S513.016*	Oppose in part	Delete point 2.
Steve Croasdale (S516)	S516.012*	Amend	Delete point 2.
Buller District Council (S538)	S538.153*	Support in part	Amend rule to include 1% ARI plus 1m sea level rise.
Westpower Limited (S547)	S547.162*	Amend	(a) Amend the heading of NH-R40: Additions ... for <b>Occupied</b> Commercial ... (2) Define "major dam" as previously submitted. (2) Add a note to the rule, "(note: <b>in reference to major dams it is the dam itself and not other buildings and structures related to, or associated with, the dam that is being referred to in this rule.</b> )"
Chris & Jan Coll (S558)	S558.045*	Amend	Amend to be more enabling.
Geoff Volckman (S563)	S563.018*	Oppose in part	Delete point 2.
Catherine Smart-Simpson (S564)	S564.023*	Oppose	Delete point 2.
Chris J Coll Surveying Limited (S566)	S566.045*	Amend	Amend to be more enabling.
William McLaughlin (S567)	S567.131*	Amend	Amend to be more enabling.
Koiterangi Lime Co LTD (S577)	S577.022*	Amend	Delete point 2.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.010*	Amend	Amend NH- R40 as follows: Activity Status Permitted Where: 1. There is no increase to the net floor area used for any sensitive activity; <del>and</del> <b>Any addition or alteration has been designed to be relocatable or able to be relevelled;</b> or 2. Where any increase in net floor area meets a minimum finished floor level of 300mm above a 1% annual exceedance probability (AEP) event.
Grey District Council (S608)	S608.594*	Support in part	Reword NH - R40 to the following: "1. There is no increase to the net floor area <b>of any building</b> used for any sensitive activity; and 2. Where any increase in net floor area <b>of any building</b> meets a minimum finished floor level of 300mm above a 1% annual exceedance probability (AEP) event."
Avery Brothers (S609)	S609.015*	Amend	Delete 2. Where any increase in net floor area meets a minimum finished floor level of 300mm above a 1% annual exceedance probability (AEP) event.
Toka Tū Ake EQC (S612)	S612.071*	Amend	Add new condition: 3. Industrial buildings in the coastal severe overlay, alert systems and evacuation planning systems shall be in place.
Toka Tū Ake EQC (S612)	S612.127*	Oppose	Exclude Critical Response Facilities in the coastal severe overlay, and preferably the coastal alert overlay.
<i>Westpower Limited (FS222)</i>	<i>FS222.0353*</i>	<i>Oppose</i>	<i>Disallow</i>
Karamea Lime Company (S614)	S614.038*	Amend	Delete point 2. Where any increase in net floor area meets a minimum finished floor level of 300mm above a 1% annual exceedance probability (AEP) event.
Peter Langford (S615)	S615.038*	Amend	Delete point 2. Where any increase in net floor area meets a minimum finished floor level of 300mm above a

Submitter Name (ID)	Submission Point	Position	Decision Requested
			1% annual exceedance probability (AEP) event.

### Analysis

383. Te Mana Ora / Te Whatu Ora (S190.215\*) supports Rule NH-R40 and seeks that it be retained. Submission points S558.045\*, S566.045\*, and S567.131\* seek that the rule be amended to be more enabling.
384. Grey District Council (S608.594) seek rewording of Rule NH-R40 to the following:
- "1. There is no increase to the net floor area **of any building** used for any sensitive activity; and
  2. Where any increase in net floor area **of any building** meets a minimum finished floor level of 300mm above a 1% annual exceedance probability (AEP) event."
385. We agree with this submitter that the addition of these words helps to clarify the rule. However, we are of the opinion that this standard for buildings for sensitive activities should not be included, as this rule does not relate to sensitive activities, rather it relates to commercial and industrial buildings and critical response facilities. A such we recommend that point 1 be deleted, with scope provided by submitters S488 and S538.
386. Westpower Limited (S547.162\*) suggest that the title of the rule be amended to say "occupied" buildings. We do not think that this is a necessary inclusion, as the risk-based approach proposed seeks to recognise that a lower risk is presented to commercial and industrial buildings.
387. Submission points S360.009\*, S507.016\*, S508.016\*, S509.016\*, S510.016\*, S511.016\*, S512.016\*, S513.016\*, S516.012\*, S563.018\*, S564.023\*, S577.022\*, S609.015\*, S614.038\*, S615.038\* seeks that point 2 relating to minimum floor levels be deleted. We agree in part with these submitters, as minimum floor levels will only mitigate inundation hazard, but will not address the erosion hazard posed in the Coastal Severe Overlay. We have sought Mr Bosserelle's advice on this matter, and he confirms that while a minimum floor level is an appropriate mitigation measure to apply in the Coastal Alert Overlay, which is an inundation overlay, it is not necessarily appropriate in the Coastal Severe Overlay which relates more to coastal erosion.
388. Submission point S605.010\* suggests rewording to ensure that any addition is relocatable or able to be relevelled. While we recognise that this could be a suitable mitigation measure for residential dwellings (Hazard Sensitive Activities) which can be constructed on timber pile foundations, we are not sure of the practicalities for commercial or industrial buildings (Potentially Hazard Sensitive Activities) which often require a concrete slab foundation. Therefore, we recommend that submission point S605.010\* be rejected.
389. Karen Lippiatt (S439.021\*) supports the rule and seeks that the 1% AEP be reviewed to see if it is preferable to use a lower likelihood event (e.g. 1 in 500 years) is preferable. Consideration of a 1% AEP coastal storm event is current best practice and aligns with national guidance. Therefore, we recommend that this submission be rejected.
390. Buller District Council (S538.153\*) seeks that the rule be amended to refer to 1% ARI plus 1m sea level rise. We agree that it is omission that the rule does not refer to sea level rise, however prefer the use of AEP as opposed to ARI as this aligns with current practice. Therefore, we recommend that this submission be accepted in part.

391. Toka Tū Ake EQC (S612.071\*) seek that an additional condition be included requiring alert and evacuation systems be in place. However, we note that this rule relates to additions only, not new buildings, which means it may be quite an onerous requirement. We therefore recommend that this submission point be rejected.
392. Toka Tū Ake EQC (S612.127\*) request that critical response facilities be excluded from the Coastal Severe Overlay, and preferably the Coastal Alert Overlay. We agree with this submission point, and recommend that critical response facilities be removed from this rule, and managed as a Hazard Sensitive Activity as proposed under the s42A report for the Natural Hazards Chapter.
393. Jane Whyte & Jeff Page (S467.027\*) oppose the rule and seek that it be deleted in relation to Punakaiki. Given the risk profile of Punakaiki we do not agree that this rule should be deleted. However, we note that the recommended changes will make additions to commercial and industrial buildings a permitted activity, which may provide some of the relief sought by this submitter.

### *Recommendations*

394. We recommend a number of consequential amendments to this rule to ensure that it aligns with recommendation made in the s42A report for the Natural Hazards Chapter.
395. In addition, while there are no submissions providing direct scope, it is recommended to improve the effectiveness of the rule that point 1. be deleted because the rule does not relate to sensitive activities.
396. For the reasons provided above we also recommend that point 2. be amended to provide clarity around the sea level rise that needs to be met when assessing developments under this rule.
397. It is recommended that rule NH-R40 is amended as follows:

NH-R40~~15~~ **Additions ~~and Alterations for Commercial and Industrial to Existing Buildings and Critical Response Facilities in the containing Potentially Hazard Sensitive Activities~~ in the Coastal Severe and Coastal Alert Overlays Coastal Hazard Erosion and Inundation Overlay and Coastal Hazard Inundation Overlay 1**

Activity Status Permitted

Where:

~~1. There is no increase to the net floor area used for any sensitive activity; and~~

~~2.1. Where a~~ Any increase in net floor area **of any building** meets a minimum finished floor level of 300mm above a 1% annual exceedance probability (AEP) event **plus 1m sea level rise coastal event**.

Activity status where compliance not achieved: Restricted Discretionary

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

### *Section 32AA Evaluation*

#### **Effectiveness and Efficiency**



399. The recommended changes seek to provide clarity to the rule framework by ensuring that there is consistent terminology used throughout the rules within the Natural Hazards Chapter. The proposed changes also ensure a consistent structure to the rule framework throughout the District Plan. Overall, it is considered that the proposed changes are more effective and efficient than the notified version of the rules.

#### Costs and Benefits

400. There are no costs associated with the recommendation, and the benefits will be clarity in the rule framework and improved useability of the plan.

#### Risks of Acting or Not Acting

401. There are no risks of acting, but the risk of not acting is that there will be confusion around which rule applies to development in the coastal hazard overlays.

#### Decision About the Most Appropriate Option

402. We are of the opinion that the changes to Rule 40 of the Natural Hazards Chapter is the most efficient option to achieve the objectives of the plan.

### 11.7 Rule NH-R41

#### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.216*	Support	Retain rule.
John Brazil (S360)	S360.010*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Jane Whyte & Jeff Page (S467)	S467.028*	Oppose	In relation to Punakaiki Village, delete this rule.
Scenic Hotel Group (S483)	S483.032	Amend	Amend Rule NH-R41 as follows: NH-R41 - Additions and alterations of existing buildings used for sensitive activities Activity Status Permitted Where: 1. There is no increase in net floor area used for a sensitive activity <b>habitable area such as bedroom, or living room.</b> Note: This rule does not apply to non-habitable spaces such as decks, hallways, bathrooms and kitchens.
Leonie Avery (S507)	S507.017*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both

Submitter Name (ID)	Submission Point	Position	Decision Requested
			Coastal Alert and Coastal Severe Overlays.
Jared Avery (S508)	S508.017*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Kyle Avery (S509)	S509.017*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Avery Bros (S510)	S510.017*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Bradshaw Farms (S511)	S511.017*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Paul Avery (S512)	S512.017*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Brett Avery (S513)	S513.017*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Steve Croasdale (S516)	S516.013*	Amend	Amend activity status where compliance is not achieved for Coastal Hazard Alert overlay from Discretionary to Controlled or to Restricted Discretionary.
Steve Croasdale (S516)	S516.014*	Amend	The matters to which discretion is restricted should be amended to similarly reflect NH - R11: a. Whether there is a functional or operational need for the facility to be located in a Coastal Severe and Coastal Alert Overlays area; b. The effects of natural hazards on people and property; c. The location and design of proposed sites, buildings, vehicle access,

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>earthworks and infrastructure in relation to natural hazard risk;</p> <p>d. Any freeboard requirements to be included;</p> <p>e. The management of vegetation or other natural features to mitigate natural hazard risk;</p> <p>f. The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</p> <p>g. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.;</p> <p>h. How the activity incorporates mitigation of risk to life, property and the environment; and</p> <p>i. Any adverse effects on the environment of any proposed natural hazard mitigation measures.</p>
Neil Mouat (S535)	S535.006*	Oppose in part	Amend status when compliance is not achieved to Discretionary.
Buller District Council (S538)	S538.154*	Support in part	Rewrite of the rule to clarify permitted intent.
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.018*</i>	<i>Support in part</i>	<i>Allow in part</i>
<i>Westpower Limited</i>	<i>FS222.051*</i>	<i>Oppose</i>	<i>Disallow</i>
<i>Westpower Limited</i>	<i>FS222.054*</i>	<i>Oppose</i>	<i>Disallow</i>
Westpower Limited (S547)	S547.0522	Support in part	Confirm that reference to "sensitive activities" is as proposed at page 46 of the notified pTTPP: Definitions - Sensitive Activities.
Chris & Jan Coll (S558)	S558.046*	Amend	Amend to be more enabling.
Chris J Coll Surveying Limited (S566)	S566.046*	Amend	Amend to be more enabling.
William McLaughlin (S567)	S567.132*	Amend	Amend to be more enabling.
Paparoa Track Services Ltd, Craig and Sue	S605.011*	Oppose	Delete NH - R41

Submitter Name (ID)	Submission Point	Position	Decision Requested
Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)			
Grey District Council (S608)	S608.595*	Support in part	Reword NH - R41 to the following: "There is no increase in net floor area <b>of any building</b> used for a sensitive activity."
Avery Brothers (S609)	S609.016*	Amend	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Snodgrass Road submitters (S619)	S619.023*	Amend	Amend Rule NH-R41(1) to allow the floor area of a dwelling in the Snodgrass Road submitters' properties to be extended by 25 - 50 m <sup>2</sup> over any continuous 10-year period.
Penny & Mark Rounthwaite (S778)	S778.004	Amend	Rather than and 'Avoid' we recommend a 'Manage' philosophy for the Severe rules. As such as allowance for expansion of net floor area and/or suitable buildings should be added.

### Analysis

403. Submission S190.216\* supports the proposed rule as notified.
404. Submissions S360.010\*, S507.017\*, S508.017\*, S509.017\*, S510.017\*, S511.017\*, S512.017, S513.017\*, S516.013\*, S516.014\* S535.006\*, S558.046\*, S566.046, and S567.132\* and S609.016 all seek for the proposed rule to be more enabling through a change in activity status. These requested changes range from making the rule either permitted, controlled, restricted discretionary, or discretionary for both the Coastal Alert Overlay and the Coastal Severe Overlay.
405. There is some merit in considering the activity status that applies to this rule, particularly in relation to the Coastal Alert Overlay. The risk arising from new additions associated with the Coastal Alert Overlay is less than the Coastal Severe Overlay. As such, it is appropriate that some level of additions to existing Hazard Sensitive Activities within the Coastal Alert Overlay is provided. On this basis, it is recommended that the activity status for additions within the Coastal Alert Overlay is changed from Non-Complying to Restricted Discretionary. It is considered that appropriate matters of Discretion can be added which ensure that the appropriate matters can be considered when assessing applications under this rule.
406. In relation to the Coastal Severe Overlay, it is recommended that additions to existing Hazard Sensitive Activities remain a Non-Complying Activity. This is due to the high risk that is presented to new development in this area from coastal hazards, and that this risk

- is likely to increase with time due to sea level rise and climate change. This approach is consistent with the approach proposed for other natural hazards where new additions would unreasonably increase the risk from the hazard (such as the Flood Severe Overlay.
407. Submitter S467.028\* seeks that Punakaiki is excluded from the provisions. Punakaiki is located within the Coastal Alert Overlay (with the Coastal Severe Overlay, impacting an area of Scenic Visitor Zone and Recreation Reserve). No evidence was presented as to why the overlays should be removed. On this basis we do not support the removal of the overlays from Punakaiki.
  408. Submitters S483.032, S538.154\*, and S608.595\* seek varies revisions to the drafting of the rule to assist with improving its implementation. Submission S538.154\* was supported by the further submission FS109.018\* and opposed by the further submission FS222.051\* and FS222.054\*. We agree the rule as notified was unclear and that it was difficult to determine compliance with the permitted activity standard. As a result, we have redrafted the rule to ensure that it is clearer to all plan users in terms of how it is to apply to the Coastal Alert and the Coastal Severe Overlay.
  409. Submitter S778.004 seeks to have the framework amended to change the Coastal Severe Overlay from an avoid framework to manage and to allow for additions within the Coastal Severe Overlay. We do not support this proposed change to the provisions. The Coastal Severe Overlay presents a real threat to people and buildings. As a result, it is not appropriate to allow for continued development and an increase in risk to occur within the Overlay, unless there is an exceptional reason for this. We would also note that the proposed approach to the Coastal Severe Overlay aligns with the policy outcomes sought under the New Zealand Coastal Policy Statement.
  410. The submission S547.0522 sought confirmation that the term sensitive activities is the same that applies in the definitions of the District Plan. While we can confirm that the definition term as proposed in the District Plan was to be used, we have proposed that this term is removed from this rule and instead it is replaced with the term "Hazard Sensitive Activity". This is to ensure that there is a consistent use of term through the natural hazard and coastal hazard rules.
  411. Submitter S619.023\* seeks that the Snodgrass properties be allowed to be extended by 25 - 50 m<sup>2</sup> over any continuous 10-year period. We do not support this submission on the basis that the Snodgrass properties are not located within either a Coastal Alert or a Coastal Severe Overlay. As such, these properties are not impacted by this proposed rule and therefore there is no need to consider providing a specific carve out in the framework for these properties.

### *Recommendations*

412. It is recommended that Rule NH-R41 as notified is deleted and replaced by the following rule as follows:

~~NH-R41~~**16 Additions and Alterations of Existing Buildings used for Sensitive Activities in the Coastal Severe and Coastal Alert Overlays Additions to Existing Buildings containing Hazard Sensitive Activities in the Coastal Hazard Inundation Overlay 1**

~~Activity Status Permitted~~

~~Where:~~

- ~~1. There is no increase in net floor area used for a sensitive activity.~~

**Activity Status Restricted Discretionary Activity**

**Discretion is restricted to:**

- a. **The risk from coastal hazards on people and property and any measures to reduce or mitigate this risk;**
- b. **The management of vegetation or other natural features to mitigate natural hazard risk;**
- c. **The potential for there to be an increase in the risk of coastal erosion to neighbouring properties from either the design of the proposed development or any mitigation measures to reduce the risk to future occupants or buildings.**
- d. **Any potential impacts on the natural environment or changes in natural processes as a result of any natural hazard mitigation measures use to reduce the risk to the building.**

Activity status where compliance not achieved:

~~Discretionary for Coastal Alert~~

~~Non-complying for Coastal Severe~~

**N/A**

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

***Section 32AA Evaluation***

**Effectiveness and Efficiency**

414. The recommended changes seek to provide clarity to the rule framework by removing repetition. The proposed changes to the rule ensure that there is consistent terminology used throughout the rules within the Natural Hazards Chapter in terms of what activities they apply to. The proposed changes also ensure a consistent structure to the rule framework throughout the District Plan. Overall, it is considered that the proposed changes are more effective and efficient than the notified version of the rules.

**Costs and Benefits**

415. There are no costs associated with the recommendation, and the benefits will be clarity in the rule framework and improved useability of the plan. In addition, it is recommended to reduce the activity status of additions to buildings for sensitive activities from discretionary to restricted discretionary in response to submissions requesting this, which will have benefits for those property owners impacted.

**Risks of Acting or Not Acting**

416. There are no risks of acting, but the risk of not acting is that the rule framework is unclear and will create confusion to plan users around how to apply the rules.

**Decision About the Most Appropriate Option**

417. We are of the opinion that the changes to Rules NH-41 and 42 is the most efficient option to achieve the objectives of the plan.

## 11.8 Rule NH-R42

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Mana Ora / Te Whatu Ora (S190)	S190.217*	Support	Retain rule.
Leonie Avery (S507)	S507.018*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Jared Avery (S508)	S508.018*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Kyle Avery (S509)	S509.018*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Avery Bros (S510)	S510.018*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Bradshaw Farms (S511)	S511.018*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Paul Avery (S512)	S512.018*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Brett Avery (S513)	S513.018*	Oppose in part	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Neil Mouat (S535)	S535.007*	Oppose in part	Amend status when compliance is not achieved to Discretionary.
Buller District Council (S538)	S538.155*	Support in part	Once overlays defined, rule may be considered appropriate as drafted. Would like to see supporting evidence justifying the extent of the overlays.
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.019*</i>	<i>Support in part</i>	<i>Allow in part</i>

Submitter Name (ID)	Submission Point	Position	Decision Requested
Westpower Limited (S547)	S547.164*	Amend	1) Define "major dam" as previously submitted. (2) Add a note to the rule, "(note: in reference to major dams it is the dam itself and not other buildings and structures related to, or associated with, the dam that is being referred to in this rule.)"(3) Add a new discretion matter h., "h. Whether there is a locational, technical, functional or operational constraint or requirement for the facility needing to locate in the coastal severe or coastal alert overlay."(4) Add a new discretion matter i., "i. The benefits to the community of the activity occurring."
Chris & Jan Coll (S558)	S558.047*	Amend	Amend to be more enabling.
Chris J Coll Surveying Limited (S566)	S566.047*	Amend	Amend to be more enabling.
William McLaughlin (S567)	S567.133*	Amend	Amend to be more enabling.
Avery Brothers (S609)	S609.017*	Amend	Amend status when compliance is not achieved to Discretionary for both Coastal Alert and Coastal Severe Overlays.
Toka Tū Ake EQC (S612)	S612.072*	Support	Add: h Alert systems and evacuation planning
Toka Tū Ake EQC (S612)	S612.128*	Amend	Amend to state that Critical Response Facilities be relocated out of the coastal severe overlay, and preferably the coastal alert overlay.
<i>Westpower Limited (FS222)</i>	<i>FS222.0354*</i>	<i>Oppose</i>	<i>Disallow</i>

### Analysis

418. Submission S190.217\* supports the proposed rule as notified.
419. Submissions S507.018\*, S508.018\*, S509.018\*, S510.018\*, S511.018\*, S512.018, S513.018\*, S535.007\*, S558.047\*, S566.047, and S567.133\* and S609.017 all seek for the proposed rule to be more enabling through a change in activity status. These requested changes range from making the rule either permitted, controlled, restricted



discretionary, or discretionary for both the Coastal Alert Overlay and the Coastal Severe Overlay.

420. There is some merit in considering the activity status that applies to this rule, particularly in relation to the Coastal Alert Overlay. The risk arising from new buildings within the Coastal Alert Overlay are less than the Coastal Severe Overlay. As such, in certain instances, it may be appropriate to allow for buildings associated with Potentially Hazard Sensitive within the Coastal Alert Overlay. On this basis, it is recommended that the activity status for new buildings associated with Potentially Hazard Sensitive Activities within the Coastal Alert Overlay is changed from Discretionary to Restricted Discretionary. It is considered that appropriate matters of discretion can be added which ensure that the appropriate matters can be considered when assessing applications under this rule.
421. In relation to the Coastal Severe Overlay, it is recommended that new buildings associated with Potentially Hazard Sensitive Activities remain a Non-Complying Activity. This is due to the high risk that is presented to new development in this area from coastal hazards, and that this risk is likely to increase with time due to sea level rise and climate change. This approach is consistent with the approach proposed for other natural hazards where new buildings would unreasonably increase the risk from the hazard (such as the Flood Severe Overlay and the Earthquake Severe Overlay). It also aligns with the policy requirements of the New Zealand Coastal Policy Statement.
422. Submission point S538.155\* seeks supporting evidence to justify the extent of the overlays. This is supported by the further submission point *FS109.019\**. The overlays have been supported by technical reports that outline the science that has been used to determine their respective extent. On this basis, we do not support this submission as we are of the view that the science is sufficiently robust to justify the extent of the overlay.
423. Westpower (S547.164\*) seeks the inclusion of a definition for major dams. This matter was addressed in paragraph 70 of the Natural Hazards s42A report. For the reasons outlined in this s42A report, we do not believe a definition of major dams is required and this matter has been addressed through the recommendations change the definition of regionally significant infrastructure.
424. Submission point S612.072\* seeks that alert systems and evacuation planning is added as a matter of discretion. Typically alert and evacuation planning is used in response to tsunami hazards. The proposed coastal hazard addressed by this rule are coastal erosion and coastal inundation. As such, we do not see there being any significant benefit by adding this matter of discretion to the proposed rule. As such, we do not support this amendment being made to this rule.
425. Submitter S612.128\* seeks to amend the rule so that Critical Response Facilities so that they were removed from the rule. This was opposed by the further submission FS222.0354\*. The rule as notified has some difficulties in relation to implementation and was intended as work. We have redrafted the rule and have removed Critical Response Facilities and have narrowed the focus to Potentially Hazard Sensitive Activities. Hazard Sensitive Activities are addressed in Rule NH-R44.

### *Recommendations*

426. It is recommended that rule NH-R42 be amended as follows:

NH-R4217 New ~~Commercial, Industrial, or Critical Response~~  
~~Facilities~~—Buildings containing Potentially Hazard  
Sensitive Activities and Additions ~~and Alterations~~ to

**Existing Commercial, Industrial or Critical Response Facilities Buildings containing Potentially Hazard Sensitive Activities not meeting Permitted Activity Standards in Coastal Hazard Erosion and Inundation Overlay, or Coastal Hazard Inundation Overlay 1**

Activity Status Restricted Discretionary

**Where:**

- ~~1. There is no increase in net floor area for use by a sensitive activity.~~

Discretion is restricted to:

- ~~a. The effects of natural hazards on people and property;~~
- ~~b. The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;~~
- ~~c. Any freeboard requirements to be included;~~
- ~~d. The management of vegetation or other natural features to mitigate natural hazard risk;~~
- ~~e. The timing, location, scale and nature of any earthworks in relation to natural hazard risk;~~
- ~~f. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site and adjacent properties;~~
- ~~g. Any adverse effects on the environment of any proposed natural hazard mitigation measures.~~
- a. The risk from coastal hazards on people and property and any measures to reduce or mitigate this risk;**
- b. The management of vegetation or other natural features to mitigate natural hazard risk;**
- c. The potential for there to be an increase in the risk of coastal erosion to neighbouring properties from either the design of the proposed development or any mitigation measures to reduce the risk to future occupants or buildings.**
- d. Any potential impacts on the natural environment or changes in natural processes as a result of any natural hazard mitigation measures use to reduce the risk to the building.**

Activity status where compliance not achieved:

**~~Discretionary for Coastal Alert~~**

**~~Non-complying for Coastal Severe~~**

**N/A**

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

## Section 32AA Evaluation

### Effectiveness and Efficiency

428. The proposed changes to the rule ensures that there is consistent terminology used throughout the rules within the Natural Hazards Chapter in terms of what activities they apply to. The proposed changes also ensure a consistent structure to the rule framework throughout the District Plan. Overall, it is considered that the proposed changes are more effective and efficient than the notified version of the rules.

### Costs and Benefits

429. There are no costs associated with the recommendation, and the benefits will be clarity in the rule framework and improved useability of the plan.

### Risks of Acting or Not Acting

430. There are no risks of acting, but the risk of not acting is that the rule framework is unclear and will create confusion to plan users around how to apply the rules.

### Decision About the Most Appropriate Option

431. We are of the opinion that the changes to Rules NH-423 and NH-44 are the most efficient option to achieve the objectives of the plan.

## 11.9 Rule NH-R43

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Tai o Poutini Plan Committee (S171)	S171.030	Amend	Change the rule framework for both additions and new buildings that contain hazard sensitive activities in the coastal alert overly from discretionary activity to restricted discretionary activity with the potential matter of discretion being: a. The risk from coastal hazards on people and property and any measures to reduce or mitigate this risk; b. The management of vegetation or other natural features to mitigate natural hazard risk; c. The potential for there to be an increase in the risk of coastal erosion to neighbouring properties from either the design of the proposed development or any mitigation measures to reduce the risk to future occupants or buildings. e. Any potential impacts on the natural environment or changes

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>in natural processes as a result of any natural hazard mitigation measures use to reduce the risk to the building in the Coastal Alert Overlay.</p> <p>These changes to the Matters of Discretion are a refinement of what was in the notified version of the rules pertaining to additions to Potentially Hazard Sensitive Activities and ensure that the matters of discretion are directly related to coastal hazard risks associated with the development.</p>
Forest Habitats Limited (S186)	S186.007	Amend	That Rule NHR-43 be amended from Discretionary, to Permitted, subject to provision of an Engineering report confirming that the risk can be adequately mitigated.
Te Mana Ora / Te Whatu Ora (S190)	S190.218*	Support	Retain rule.
John Brazil (S360)	S360.011*	Support	Retain as notified.
Vance & Carol Boyd (S447)	S447.014*	Oppose	Delete Rule NHR 43 and apply NHR 45 to Coastal Severe Hazard Areas.
Vance & Carol Boyd (S447)	S447.020	Amend	Amend to be a Restricted Discretionary Activity
Vance & Carol Boyd (S447)	S447.021	Amend	<p>Alternative Relief - amend as follows: Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> <li>These are located within a single title subdivided for lifestyle or residential purposes at the time the Plan becomes operative.</li> </ol>
Jane Whyte & Jeff Page (S467)	S467.029*	Oppose	In relation to Punakaiki Village, delete this rule.
Scenic Hotel Group (S483)	S483.033	Amend	<p>Amend Rule NH-R43 as follows: NH-R43 - Coastal Alert Overlay - New buildings for sensitive activities and alterations of existing buildings that increase the net floor area for sensitive activities. Activity Status <b>Restricted</b> Discretionary</p>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>Where:</p> <ol style="list-style-type: none"> <li>1. These are located in the Coastal Alert Overlay</li> </ol> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. The level of risk as assessed by a suitably qualified and experienced person;</li> <li>b. The location and design of proposed sites, building, structures, vehicle access in relation to natural hazard risk</li> <li>c. The modification or retention of vegetation or other natural features to mitigate natural hazard risk;</li> <li>d. The impact of underlying geology and topography of the site on hazard risk;</li> <li>e. The potential of the proposal to exacerbate natural hazard risk, including transferring risk to another site;</li> <li>f. Any adverse effects on the environment of any proposed natural hazard mitigation structures.</li> </ol>
Michael Snowden (S492)	S492.018*	Support	That Rule NH-R43 move from a Discretionary Activity to a Restricted Discretionary Activity.
Bert Hofmans (S504)	S504.007*	Oppose	Amend to Permitted or at least Restricted Discretionary Activity.
Lindy Millar (S505)	S505.007*	Oppose	Amend to Permitted or at least Restricted Discretionary Activity.
Leonie Avery (S507)	S507.019*	Support	Retain as notified.
Jared Avery (S508)	S508.019*	Support	Retain as notified.
Kyle Avery (S509)	S509.019*	Support	Retain as notified.
Avery Bros (S510)	S510.019*	Support	Retain as notified.
Bradshaw Farms (S511)	S511.019*	Support	Retain as notified.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Paul Avery (S512)	S512.019*	Support	Retain as notified.
Brett Avery (S513)	S513.019*	Support	Retain as notified.
Hapuka Landing Limited (S514)	S514.005*	Amend	Amending the activity status of NH-R43, relating to new buildings for sensitive activities or increases to net floor area of buildings for sensitive activities in the Coastal Hazard Alert overlay, from discretionary to restricted discretionary, with matters of discretion restricted to management of inundation effects.
<i>Bert Hofmans (FS118)</i>	<i>FS118.4*</i>	<i>Support</i>	<i>Allow</i>
Steve Croasdale (S516)	S516.015*	Support	Retain
Buller District Council (S538)	S538.156*	Support in part	Once overlays defined, rule may be considered appropriate as drafted. Would like to see supporting evidence justifying the extent of the overlays.
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.020*</i>	<i>Support in part</i>	<i>Allow in part</i>
<i>Bert Hofmans (FS118)</i>	<i>FS118.5*</i>	<i>Support</i>	<i>Allow</i>
Westpower Limited (S547)	S547.0523	Support in part	Confirm that reference to "sensitive activities" is as proposed at page 46 of the notified pTTPP: Definitions - Sensitive Activities.
Chris & Jan Coll (S558)	S558.048*	Amend	Amend to be more enabling.
Geoff Volckman (S563)	S563.019*	Support	Retain.
Catherine Smart-Simpson (S564)	S564.022*	Support	Retain.
Chris J Coll Surveying Limited (S566)	S566.048*	Amend	Amend to be more enabling.
William McLaughlin (S567)	S567.134*	Amend	Amend to be more enabling.

Submitter Name (ID)	Submission Point	Position	Decision Requested
Koiterangi Lime Co LTD (S577)	S577.023*	Support	Retain.
Avery Brothers (S609)	S609.018*	Support	Retain.
Toka Tū Ake EQC (S612)	S612.073	Support	Retain.
Karamea Lime Company (S614)	S614.039*	Support	Retain.
Peter Langford (S615)	S615.039*	Support	Retain.
Snodgrass Road submitters (S619)	S619.024*	Support	Retain Rule NH-R43.
Biggles Limited (S685)	S685.004	Oppose	Rule NH-R43 should be Restricted Discretionary Activities
MTP Limited (S711)	S711.004	Oppose	Rule NH-R43 should be a Restricted Discretionary Activity
P & A Horrell (S715)	S715.004	Oppose	Rule NH-R43 should be a Restricted Discretionary Activity
Pam Birmingham (S772)	S772.001	Amend	Coastal Hazard Alert Overlay: Delete: New houses, and addition of bedrooms or living areas require a Discretionary Activity Resource Consent. In order to get approval to build, this would require detailed technical evidence to show that the coastal hazard risk is mitigated. Replace with: New houses and addition of bedrooms or living areas to comply with all applicable flood elevation standards and building code requirements such as seismic, wind and sea spray standards.
ADT Trust (S785)	S785.001	Oppose	Rule NH - R43: it is requested that the activity status of this rule be changed from discretionary to restricted discretionary provided that this is accompanied by a hazard risk assessment undertaken by a suitably qualified and experienced practitioner (in line with Rule SUB - R13), with the Council's discretion restricted to the following matters:

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<ul style="list-style-type: none"> <li>a. Matters outlined in the accompanying hazard risk assessment;</li> <li>b. Risk to life, property and the environment from the proposal and any measures to mitigate those risks;</li> <li>c. The location and design of proposed buildings, vehicle access and infrastructure in relation to natural hazard risk;</li> <li>d. Any adverse effect on the environment of any proposed natural hazard mitigation measures.</li> </ul>

**Analysis**

432. Submitters S190.218\*, S360.011\*, S507.019\*, S508.019\*, S509.019\*, S510.019\*, S511.019\*, S512.019, S513.019\*, S516.015\*, S563.019\*, S564.022\*, S577.023\*, S609.018\*, S612.073, S614.039\*, S615.039\*, S619.024\* support the retention of the rule as notified.
433. Submitter S171.030, S447.020, S447.021, S483.033, S492.018\*, S514.005\*, S685.004, S711.004, S715.004, S785.001 seek that the rule framework is changed to allow to ensure that activities captured under this rule are a Restricted Discretionary Activity. Submission point S514.005\* is supported by the further submission FS118.4 \*. There is some merit in considering the activity status that applies to this rule, particularly in relation to the Coastal Alert Overlay. The risk arising from new buildings within the Coastal Alert Overlay are less than the Coastal Severe Overlay. As such, in certain instances, it may be appropriate to allow for buildings associated with Potentially Hazard Sensitive Activity and Hazard Sensitive Activities within the Coastal Alert Overlay. On this basis, it is recommended that the activity status for new buildings associated with Potentially Hazard Sensitive Activities and Hazard Sensitive Activities within the Coastal Alert Overlay is changed from Discretionary to Restricted Discretionary. It is considered that appropriate matters of discretion can be added which ensure that the appropriate matters can be considered when assessing applications under this rule. While a number of different matters of discretion have been offered, we prefer the matter contained under Submission S171.030 as they capture the various elements that need to be considered and also captures many of the matters raised in other submissions.
434. Submitters S186.007, S504.007\*, and S505.007\* seek to have the proposed rule as a permitted activity. We have considered this activity status and whether the risk can be addressed through permitted activity conditions. However, we remain of the view given the risks associated with the coastal hazards that comprise of the Coastal Alert Overlay that it is appropriate that new buildings for Hazard Sensitive and Potentially Hazard Sensitive Activities go through a consent assessment process as a Restricted Discretionary Activity to make sure the risk to the development is addressed.



435. Submissions S558.048\*, S566.048\*, and S567.134\* seek to ensure that the proposed rules are more enabling. This relief has been recommended to be accepted to an extent that the activity status of the rule has been recommended to be changed from Discretionary to Restricted Discretionary. It is considered to not be appropriate to make the provisions any more enabling than Restricted Discretionary for the reasons already discussed above.
436. Submitter S772.001 seeks to make the rule permitted for new dwellings and additions to lounges and bedrooms a permitted activity. We have considered this activity status and whether the risk can be addressed through permitted activity conditions. However, we remain of the view given the risks associated with the coastal hazards that comprise of the Coastal Alert Overlay that it is appropriate that new buildings for Hazard Sensitive and Potentially Hazard Sensitive Activities go through a consent assessment process as a Restricted Discretionary Activity to make sure the risk to the development is addressed.
437. Submitter S467.029\* seeks that Punakaiki is excluded from the provisions. Punakaiki is located within the Coastal Alert Overlay (with the Coastal Severe Overlay, impacting an area of Scenic Visitor Zone and Recreation Reserve). No evidence was presented as to why the overlays should be removed. On this basis we do not support the removal of the overlays from Punakaiki.
438. Submission point S547.0523 seeks supporting evidence to justify the extent of the overlays. This is supported by the further submission point FS109.020\*, and FS118.5\*. The overlays have been supported by technical reports that outline the science that has been used to determine their respective extent. On this basis, we do not support this submission as we are of the view that the science is sufficiently robust to justify the extent of the overlay.
439. Vance & Carol Boyd (S447.014) seeks that Rule 43 is deleted and replaced with this rule. We do not support this due to the different nature of hazards within the Coastal Severe and the Coastal Alert Overlays. This is due to the high risk that is presented to new development in this area from coastal hazards in the Coastal Severe Overlay, and that this risk is likely to increase with time due to sea level rise and climate change. This approach is consistent with the approach proposed for other natural hazards where new buildings would unreasonably increase the risk from the hazard (such as the Flood Severe Overlay and the Earthquake Severe Overlay). It also aligns with the policy requirements of the New Zealand Coastal Policy Statement.
440. The submission S547.0523 sought confirmation that the term sensitive activities is the same that applies in the definitions of the District Plan. While we can confirm that the definition term as proposed in the District Plan was to be used, we have proposed that this term is removed from this rule and instead it is replaced with the term "Hazard Sensitive Activity". This is to ensure that there is a consistent use of term through the natural hazard and coastal hazard rules.

### *Recommendations*

441. It is recommended that rule NH-R43 be amended as follows:

NH-R4318 ~~Coastal Alert Overlay: New Buildings for Containing Hazard Sensitive Activities and Additions and Alterations of existing Buildings that increase the net floor area for Sensitive Activities in the Coastal Hazard Inundation Overlay 1~~

Activity Status **Restricted** Discretionary

Where:

~~1. These are located in the Coastal Alert Overlay~~

**1. This is accompanied by a natural hazard risk assessment prepared by a suitably qualified and experienced person.**

**Discretion is restricted to:**

- a. **The risk from coastal hazards on people and property and any measures to reduce or mitigate this risk;**
- b. **The management of vegetation or other natural features to mitigate natural hazard risk;**
- c. **The potential for there to be an increase in the risk of coastal erosion to neighbouring properties from either the design of the proposed development or any mitigation measures to reduce the risk to future occupants or buildings.**
- d. **Any potential impacts on the natural environment or changes in natural processes as a result of any natural hazard mitigation measures use to reduce the risk to the building.**

Activity status where compliance not achieved: **N/A Non-Complying**

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

### ***Section 32AA Evaluation***

#### **Effectiveness and Efficiency**

443. The proposed changes to the rule ensure that there is consistent terminology used throughout the rules within the Natural Hazards Chapter in terms of what activities they apply to. The proposed change is also more efficient as the revised activity status makes it clear what matters need to be assessed when seeking consent under these rules. Overall, it is considered that the proposed changes are more effective and efficient than the notified version of the rules.

#### **Costs and Benefits**

444. There are no costs associated with the recommendation, and the benefits will be clarity in the rule framework and improved useability of the plan.

#### **Risks of Acting or Not Acting**

445. There are no risks of acting, but the risk of not acting is that the rule framework is unclear and will create confusion to plan users around how to apply the rules.

#### **Decision About the Most Appropriate Option**

446. We are of the opinion that the changes to Rule NH-43 is the most efficient option to achieve the objectives of the plan.

## 11.10 Rule NH-R44

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.219*	Support	Retain rule.
Erin Stagg (S314)	S314.002*	Oppose	That new sensitive activities be a Discretionary Activity rather than Non-complying in the Coastal Hazard Severe Overlay.
John Brazil (S360)	S360.034*	Oppose	Amend status to Discretionary.
Andrew Wright (S364)	S364.001*	Amend	Keep the existing rules that provide adequate protection.
Vance & Carol Boyd (S447)	S447.015*	Oppose	Delete Rule NHR 44 and apply NHR 45 to Coastal Severe Hazard Areas.
Vance & Carol Boyd (S447)	S447.022	Amend	Amend to Restricted Discretionary Activity
Vance & Carol Boyd (S447)	S447.023	Amend	Alternative Relief: Amend as follows: Activity Status Restricted Discretionary Where: 1. These are located within a single title subdivided for lifestyle or residential purposes at the time the Plan gains legal effect.
Scenic Hotel Group (S483)	S483.034	Amend	Amend Rule NH-R44 as follows: NH-R44 - Coastal Severe Overlay - New buildings for sensitive activities and alterations of existing buildings that increase the net floor area for sensitive activities. Activity Status <del>Non-complying</del> <b>Discretionary</b> Where: These are located in the Coastal Severe Overlay
Michael Snowden (S492)	S492.019	Amend	That Rule NH-R44 move from a Non-Complying Activity to a Restricted Discretionary Activity. Alternatively, Rule NH- 44 exclude single titles already subdivided for lifestyle or residential purposes as of the date

Submitter Name (ID)	Submission Point	Position	Decision Requested
			that the proposed Rule gains legal effect or becomes operative.
Leonie Avery (S507)	S507.020*	Oppose	Amend status to Discretionary.
Jared Avery (S508)	S508.020*	Oppose	Amend status to Discretionary.
Kyle Avery (S509)	S509.020*	Oppose	Amend status to Discretionary
Avery Bros (S510)	S510.020*	Oppose	Amend status to Discretionary
Bradshaw Farms (S511)	S511.020*	Oppose	Amend status to Discretionary
Paul Avery (S512)	S512.020*	Oppose	Amend status to Discretionary
Brett Avery (S513)	S513.020*	Oppose	Amend status to Discretionary
Hapuka Landing Limited (S514)	S514.006*	Amend	Amending the activity status of NH-R44, relating to new buildings for sensitive activities or increases to net floor area of buildings for sensitive activities in the Coastal Hazard Severe overlay, from non-complying to restricted discretionary, with matters of discretion restricted to management of inundation and erosion effects
Neil Mouat (S535)	S535.008*	Oppose	Amend status to Discretionary.
Buller District Council (S538)	S538.157*	Support in part	Once overlays defined, rule may be considered appropriate as drafted. Would like to see supporting evidence justifying the extent of the overlays.
<i>Snodgrass Road Submitters (FS109)</i>	<i>FS109.021*</i>	<i>Support in part</i>	<i>Allow in part</i>
Westpower Limited (S547)	S547.0524	Support in part	Confirm that reference to "sensitive activities" is as proposed at page 46 of the notified pTTPP: Definitions - Sensitive Activities.
Chris & Jan Coll (S558)	S558.049*	Amend	Amend to be more enabling.
Chris J Coll Surveying Limited (S566)	S566.049*	Amend	Amend to be more enabling.
William McLaughlin (S567)	S567.135*	Amend	Amend to be more enabling.
Paparoa Track Services Ltd, Craig and Sue Findlay, Tim Findlay, Punakaiki Beach Camp Ltd (S605)	S605.012*	Amend	Amend the activity status of NH - R 44 as follows: NH - R44 Coastal Severe Overlay: New Buildings for Sensitive Activities and Additions and Alterations of Buildings that increase the net floor area for Sensitive Activities

Submitter Name (ID)	Submission Point	Position	Decision Requested
			Activity Status Non-complying <b>Discretionary</b> Where: <b>1. New Buildings are not designed to be relocatable or re-levelled; or</b> <b>2. New Buildings are not designed to meet a finished floor level of 300mm above a 1% annual exceedance probability (AEP) event.</b> These are located in the Coastal Severe Overlay
Avery Brothers (S609)	S609.019*	Amend	Amend status to Discretionary.
Toka Tū Ake EQC (S612)	S612.074*	Support	Retain
Scoped Planning and Design Limited (S617)	S617.018*	Amend	New sensitive activities are prohibited within the Coastal Severe Overlay.
<i>Westland District Council (FS79)</i>	<i>FS79.13*</i>	<i>Support</i>	<i>Allow</i>
Biggles Limited (S685)	S685.005	Oppose	Rule NH-R44 should be a Restricted Discretionary Activity.
MTP Limited (S711)	S711.005	Oppose	Rule NH-R44 should be a Restricted Discretionary Activity.
P & A Horrell (S715)	S715.005	Oppose	Rule NH-R44 should be Restricted Discretionary Activity.
Penny & Mark Rounthwaite (S778)	S778.005	Amend	Rather than and 'Avoid' we recommend a 'Manage' philosophy for the Severe rules. As such as allowance for expansion of net floor area and/or suitable buildings should be added. Discretionary activities should be allowed for new houses and increases of net floor areas with the burden of proof for appropriate mitigations being placed on the applicants.

### Analysis

447. Submitters S190.219 and S612.074 support rule NH-R44 and seek that it be retained, while submitter S447.015 seeks that the rule be deleted. Submitter S364.001 requests that the existing rules are retained as they provide adequate protection. Submitter S617.018 seeks that the rule be amended such that new sensitive activities are a prohibited activity in the Coastal Severe Overlay.
448. The vast majority of submissions seek that the rule be made generally more enabling (S558.046, S566.046, S567.132) or the activity status be reduced from non-complying to

discretionary (S314.002, S360.034, S483.034, S507.020, S508.020, S509.020, S510.020, S511.020, S512.020, S513.020, S535.008, S605.012, S609.019, S778.005) or restricted discretionary (S447.022, S447.023, S492.019, S514.006, S685.005, S711.005, S715.005).

449. As such, the submissions sought a range of outcomes. We are of the opinion that a non-complying activity status for hazard sensitive activities which includes dwellings, schools and rest homes remains the appropriate activity status for the Coastal Severe Overlay. This overlay represents where the impacts of both coastal erosion and inundation are modelled to be experienced over the next 100 years, and also includes those areas that are currently affected by coastal erosion and inundation in storm events. The Coastal Severe Overlay gives effect to the NZCPS as it identifies areas at high risk of being affected by coastal hazards in accordance with Policy 24, and the proposed non-complying activity status gives effect to Policy 25 that directs to avoid increasing the risk from coastal hazards in areas potentially affected by coastal hazards over the next 100 years.
450. Buller District Council (S538.157) originally submitted requesting to see the supporting evidence that justified the extent of the coastal hazard overlays, to determine if the rule as drafted is appropriate. This submission was based on the overlays prior to Variation 2 that updates the mapping based on LiDAR. As this has significantly refined the extent of the overlays and reduced the level of uncertainty, we consider that the non-complying activity status is appropriate to address the level of risk anticipated in this overlay.
451. Westpower Limited (S547.0524) seeks confirmation that reference to "sensitive activities" is as proposed at page 46 of the notified pTTPP. We confirm that in Policy NH-P10 the reference to "sensitive activities" is as defined in the pTTPP, but that in the s42A report for the Natural Hazards Chapter the definition is recommended to be expanded to include additional activities.

### *Recommendations*

452. Changes are recommended to Rule NH-R44 as follows for consistency of wording and format with other rules in the Natural Hazard Chapter:

**NH-R4419 Coastal Severe Overlay: Additions to Existing Buildings and New Buildings for containing Hazard Sensitive Activities and Additions and Alterations of Buildings that increase the net floor area for Sensitive Activities in the Coastal Hazard Erosion and Inundation Overlay**

Activity Status Non-complying

**Where:**

~~1. These are located in the Coastal Severe Overlay~~

Activity status where compliance not achieved: N/A

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

### *Section 32AA Evaluation*

#### **Effectiveness and Efficiency**

454. The recommended changes seek to provide clarity to the rule framework by ensuring that there is consistent terminology used throughout the rules within the Natural Hazards

Chapter. The proposed changes also ensure a consistent structure to the rule framework throughout the District Plan. Overall, it is considered that the proposed changes are more effective and efficient than the notified version of the rules.

### Costs and Benefits

455. There are no costs associated with the recommendation, and the benefits will be clarity in the rule framework and improved useability of the plan.

### Risks of Acting or Not Acting

456. There are no risks of acting, but the risk of not acting is that there will be confusion around which rule applies to development in the coastal hazard overlays.

### Decision About the Most Appropriate Option

457. We are of the opinion that the changes to Rule 44 of the Natural Hazards Chapter is the most efficient option to achieve the objectives of the plan.

## 11.11 Rule NH-R45

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Tai o Poutini Plan Committee (S171)	S171.032	Amend	Have a rule that makes it clear that new buildings containing potentially hazard sensitive activities and less hazard sensitive activities are permitted [in the Coastal Setback Overlay].
<i>Westpower Limited (FS222)</i>	<i>FS222.0371</i>	<i>Oppose</i>	<i>Disallow</i>
Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)	S190.220*	Support	Retain rule
Scenic Hotel Group (S483)	S483.029	Amend	Amend Rule NH-R45 as follows: NH-R45 New Buildings <b>that increase the footprint</b> for Sensitive Activities in the Coastal Setback Overlay Activity Status Restricted Discretionary Where: 1. This is accompanied by a natural hazard risk assessment prepared by a suitably qualified and experienced person. Discretion is restricted to: a. ...
Buller District Council (S538)	S538.158*	Support in part	Insert rule above R45 for a permitted activity criteria to address: <ul style="list-style-type: none"> <li>unoccupied buildings (i.e. to allow for sheds)</li> </ul>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<ul style="list-style-type: none"> <li>for repairs and maintenance to existing building</li> </ul> Seek clarity around how extensions to floor areas are addressed.
Westpower Limited (FS222)	FS222.052*	Oppose	Disallow
Westpower Limited (FS222)	FS222.055*	Oppose	Disallow
Westpower Limited (S547)	S547.0525	Support in part	Confirm that reference to "sensitive activities" is as proposed at page 46 of the notified pTTPP: Definitions - Sensitive Activities.
Chris & Jan Coll (S558)	S558.050*	Support	Retain.
Chris J Coll Surveying Limited (S566)	S566.050*	Support	Retain.
William McLaughlin (S567)	S567.136*	Support	Retain.
Grey District Council (S608)	S608.596*	Support in part	Insert new provision for the permitted activity of altering, adding or maintaining to existing buildings within the Coastal Setback Overlay, as well as for new buildings that are not for sensitive activities in the Coastal Setback Overlay.
Toka Tū Ake EQC (S612)	S612.075*	Support	Support the restriction of development in areas at risk from coastal hazards.

### Analysis

458. Submission points S190.220\*, S558.050\*, S566.050\*, S567.136\*, and S612.075\* support this rule and seek that it be retained.
459. Westpower Limited (S547.0525) seeks that the reference to sensitive activities is as proposed in the notified TTPP definitions. We confirm that the reference to "sensitive activities" is as defined in the pTTPP, but that in the s42A report for the Natural Hazards Chapter the definition is recommended to be renamed "hazard sensitive activities" and expanded to include additional activities.
460. Scenic Hotel Group (S483.029) suggest wording to clarify that it is where a new building increases the footprint used for sensitive activities. We are of the opinion that this does not add anything to the rule and therefore recommend that this submission point be rejected.
461. Buller District Council (S538.158\*) seeks that a new permitted activity rule be inserted to address new unoccupied buildings in the Coastal Setback Overlay and additions to existing buildings. Westpower opposes this (FS222.052\*, FS222.055\*) stating that the



outcome sought will confuse matters. Grey District Council (S608.596\*) seek that a new provision be inserted for the permitted activity of altering, adding or maintaining to existing buildings within the Coastal Setback Overlay, as well as for new buildings that are not for sensitive activities in the Coastal Setback Overlay. Similarly, Te Tai o Poutini Plan Committee (S171.032) seek that a rule that makes it clear that new buildings containing potentially hazard sensitive activities and less hazard sensitive activities are permitted in the Coastal Setback Overlay. Westpower Limited (FS222.0371) oppose this submission point and seek that it be disallowed on the basis that there has not been appropriate time for the consideration of the impact of the proposed rule.

462. We recognise the concerns raised by Westpower, but the lack of rules for these activities in the Coastal Setback Overlay is a gap that needs to be remedied to improve the efficiency and effectiveness of the TTPP. Therefore, as persons would not have the opportunity to submit on these new rules, in order to ensure natural justice, the recommended activity status of the new rules is permitted. It is recommended that submission points S538.158\*, S608.596\* and S171.032 be accepted.

### *Recommendations*

463. It is recommended that two new rules be inserted for the Coastal Setback Overlay with the proposed wording as follows:

**NH-R20 Additions to Existing Buildings and New Buildings containing Less Hazard Sensitive and Potentially Hazard Sensitive Activities in the Coastal Hazard Inundation Overlay 2**

**Activity Status Permitted**

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

**NH-R21 Additions to Existing Buildings containing Hazard Sensitive Activities in the Coastal Hazard Inundation Overlay 2**

**Activity Status: Permitted**

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

464. It is recommended that rule NH-R45 is amended as follows:

**NH-R4522** New Buildings ~~for containing Hazard~~ Sensitive Activities in the ~~Coastal Setback Overlay~~ **Coastal Hazard Inundation Overlay 2**

Activity Status Restricted Discretionary

Where:

1. This is accompanied by a natural hazard risk assessment prepared by a suitably qualified and experienced person.

Discretion is restricted to:

~~a. The level of risk as assessed by a suitably qualified and experienced person;~~

- ~~b. The location and design of proposed sites, building, structures, vehicle access in relation to natural hazard risk~~
- ~~c. The modification or retention of vegetation or other natural features to mitigate natural hazard risk;~~
- ~~d. The impact of underlying geology and topography of the site on hazard risk;~~
- ~~e. The potential of the proposal to exacerbate natural hazard risk, including transferring risk to another site;~~
- ~~f. Any adverse effects on the environment of any proposed natural hazard mitigation structures.~~
- a. The risk from coastal hazards on people and property and any measures to reduce or mitigate this risk;
- b. The management of vegetation or other natural features to mitigate natural hazard risk;
- c. The potential for there to be an increase in the risk of coastal erosion to neighbouring properties from either the design of the proposed development or any mitigation measures to reduce the risk to future occupants or buildings.
- d. Any potential impacts on the natural environment or changes in natural processes as a result of any natural hazard mitigation measures use to reduce the risk to the building.

Activity status where compliance not achieved: Non-complying

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

### *Section 32AA Evaluation*

#### **Effectiveness and Efficiency**

466. The inclusion of two new rules will address identified gaps in the rule framework. This will improve the effectiveness of the plan by aiding in plan interpretation and administration. Therefore, the plan will be easier for property owners and other plan users to understand, resulting in it being more efficient and effective than the notified provisions in achieving the objectives of the proposed TTPP.

#### **Costs and Benefits**

467. As the proposed new rules have a permitted activity status, there are considered to be no costs associated, only benefits in terms of improved readability and easier navigation of the plan.

#### **Risks of Acting or Not Acting**

468. There are not considered to be any risks from acting. The risks from not acting include increased difficulty in plan interpretation for council staff and public alike and reduced effectiveness of the plan.

#### **Decision About the Most Appropriate Option**

469. We are of the opinion that the amendments proposed are the most appropriate way to achieve the recommended changes to the objectives of the plan.

## 11.12 Rule NH-R46

### Submissions

Submitter Name (ID)	Submission Point	Position	Decision Requested
Te Mana Ora / Te Whatu Ora (S190)	S190.221	Support	Retain
Buller District Council (S538)	S538.159*	Support	No changes sought.
Westpower Limited (S547)	S547.0526	Support in part	Confirm that reference to "sensitive activities" is as proposed at page 46 of the notified pTTPP: Definitions - Sensitive Activities.
Chris & Jan Coll (S558)	S558.051*	Oppose	Delete.
Chris & Jan Coll (S558)	S558.052*	Amend	Amend to be more enabling.
Chris J Coll Surveying Limited (S566)	S566.051*	Oppose	Delete.
Chris J Coll Surveying Limited (S566)	S566.052*	Amend	Amend to be more enabling.
William McLaughlin (S567)	S567.137*	Oppose	Delete.
William McLaughlin (S567)	S567.138*	Amend	Amend to be more enabling.
Toka Tū Ake EQC (S612)	S612.076*	Support	Retain.

### Analysis

470. Te Mana Ora / Te Whatu Ora (S190.221\*), Buller District Council (S538.159\*) and Toka Tū Ake EQC (S612.076\*) support this rule and seek that it be retained.
471. Westpower Limited (S547.0526) seeks that the reference to sensitive activities is as proposed in the notified TTPP definitions. We confirm that the reference to "sensitive activities" is as defined in the pTTPP, but that in the s42A report for the Natural Hazards Chapter the definition is recommended to be renamed "hazard sensitive activities" and expanded to include additional activities.
472. In accordance with our recommendations throughout the s42A report for the Natural Hazards Chapter, we are of the opinion that there is no need for separate escalation rules where this relates to discretionary or non-complying activities, as this escalation is already identified in the primary rule. As such we recommend that rule NH-R46 be deleted, as it will improve the readability of the plan and make it easier to navigate by removing unnecessary rules.
473. Submission points S558.051\*, S558.052\*, S566.051\*, S566.052\*, S567.137\*, S567.138\* seek that the rule be deleted or amended to be more enabling, however we recognise

that the relief they are seeking is that there is no elevation to non-complying. As such we recommend that these be rejected.

**Recommendations**

474. It is recommended that rule NH-R46 be deleted:

~~**NH-R46 – New Buildings for Sensitive Activities in the Coastal Setback Overlay not meeting Restricted Activity Standards**~~  
~~**Activity Status Non-complying**~~  
~~**Activity status where compliance not achieved: N/A**~~

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

**Section 32AA Evaluation**

**Effectiveness and Efficiency**

476. The deletion of Rule NH-R46 will reduce the number of rules applying to the Coastal Hazard Overlays while maintaining the direction and intent of the rules as notified. This will improve the effectiveness of the plan by aiding in plan interpretation and administration. Therefore, the plan will be easier for property owners and other plan users to understand, resulting in it being more efficient and effective than the notified provisions in achieving the objectives of the proposed TTPP.

**Costs and Benefits**

477. There are no costs associated with the recommended deletion, only benefits in terms of improved readability and easier navigation of the plan.

**Risks of Acting or Not Acting**

478. There are not considered to be any risks from acting. The only risks from not acting relate to having unnecessary rules, such as reduced effectiveness and useability of the plan for council staff and public alike.

**Decision About the Most Appropriate Option**

479. We are of the opinion that the amendments proposed are the most appropriate way to achieve the recommended changes to the objectives of the plan.

**11.13 Rule NH-R50**

**Submissions**

Submitter Name (ID)	Submission Point	Position	Decision Requested
Department of Conservation (S602)	S602.00255	Amend	Amend Rule NH - R50: Activity Status Permitted Where: 1. All new buildings are protected by the Hokitika Flood and Coastal Erosion Protection Scheme from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>rise coastal event, as certified by the West Coast Regional Council.</p> <p>2 Where new buildings are not protected by the Hokitika Flood and Coastal Erosion Protection Scheme from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event:</p> <ul style="list-style-type: none"> <li>a Buildings for sensitive activities have a finished floor level of 500mm above the 100-year ARI plus 1m sea level rise coastal event;</li> <li>b Commercial and industrial buildings have a finished floor level of 300mm above the 100-year ARI plus 1m sea level rise coastal event.</li> </ul> <p>Activity status where compliance not achieved: Discretionary  Add new Restricted Discretionary Rule and Non-Complying Rules:  NH-RXX New Buildings in the Hokitika Coastal Overlay</p> <p>3. Where new buildings are not protected by the Hokitika Flood and Coastal Erosion Protection Scheme from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event:</p> <ul style="list-style-type: none"> <li>a Buildings for sensitive activities have a finished floor level of 500mm above the 100-year ARI plus 1m sea level rise coastal event;</li> <li>b Commercial and industrial buildings have a finished floor level of 300mm above the 100-year ARI plus 1m sea level rise coastal event.</li> </ul> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>4 An assessment and consideration of coastal erosion risk;</li> <li>5 The effects of natural hazards on people and property;</li> <li>6 The location and design of proposed buildings, vehicle</li> </ul>

Submitter Name (ID)	Submission Point	Position	Decision Requested
			<p>access, earthworks and infrastructure in relation to natural hazard risk;</p> <p>7 The management of vegetation or other natural features to mitigate natural hazard risk;</p> <p>8 The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</p> <p>9 The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site and adjacent properties;</p> <p>10 Adverse effects on ecosystems and indigenous biodiversity;</p> <p>11 Any other adverse effects on the environment of any proposed natural hazard mitigation measures; and</p> <p>12 Alternative methods to avoid or mitigate the identified hazard risks.</p> <p>Activity status where compliance not achieved: Discretionary  NH-RXX New Buildings in the Hokitika Coastal Overlay not meeting Restricted Activity Standards Activity Status  Discretionary Activity status where compliance not achieved: N/A</p>
<i>Westpower Limited (FS222)</i>	<i>FS222.0390</i>	<i>Oppose</i>	<i>Disallow</i>

### Analysis

480. Department of Conservation (S602.00255) seeks a number of amendments to Rule NH-R50, which is opposed by further submission FS222.0390 on the basis that these matters have already been considered as part of the hearings on the Natural Hazards Chapter. We can confirm that submission point S602.00255 seeks exactly the same as submission points S602.050 and S602.00239 that were considered in the s42A report for the Natural Hazards Chapter, and there is no need to revisit this submission here.

### Recommendations

481. We recommend that submission point S602.00255 be rejected and further submission point FS222.0390 be accepted.
482. As such, no changes are recommended in addition to those proposed in the Natural Hazards Chapter s42A report, where it was recommended that rule NH-R50 be amended as follows:

NH-R5014: Additions to Existing Buildings and New Buildings containing Potentially Hazard Sensitive and Hazard Sensitive Activities in the Hokitika Coastal Hazard Overlay

Activity Status Permitted

Where:

1. ~~All new buildings are protected by the Hokitika Flood and Coastal Erosion Protection Scheme from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event, as certified by the West Coast Regional Council~~
- 2.1. ~~Where n~~New buildings or additions to existing buildings are not protected by the Hokitika Flood and Coastal Erosion Protection Scheme from a 100-year Annual Recurrence Interval (ARI) plus 1m sea level rise coastal event have a minimum floor level of:
  - a. ~~Buildings for or additions containing Hazard s~~Sensitive a~~Activities have a minimum floor level of - 500mm above the 100-year ARI 1% annual exceedance probability plus 1m sea level rise coastal event;~~
  - b. ~~Commercial and industrial b~~Buildings have a finished floor level of or additions containing Potentially Hazard Sensitive Activities - 300mm above the 100-year ARI 1% annual exceedance probability plus 1m sea level rise coastal event.

Activity status where compliance not achieved: Discretionary

Advice Note:

The required finished floor level shall be obtained from West Coast Regional Council.

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

### 11.14 Rule NH-R52

#### *Submissions*

<b>Submitter Name (ID)</b>	<b>Submission Point</b>	<b>Position</b>	<b>Decision Requested</b>
Snodgrass Road submitters (S619)	S619.058*	Amend	Delete reference to 1m sea level rise from Rule NH-R52 insofar as it applies to the Snodgrass Road properties.
<i>Frank O'Toole (FS235)</i>	<i>FS235.094*</i>	<i>Support</i>	<i>Not stated</i>

#### *Analysis*

484. As previously discussed, including one metre of sea level rise into modelling for coastal hazards over at least the next 100 years is in accordance with national guidance and best practice. It is noted that Snodgrass Road is currently encompassed by the Westport Hazard Overlay that has a more permissive rule framework in recognition of the level of existing development in the area, which may provide some relief for the submitter.

### *Recommendations*

485. That submission point S619.058\* and further submission point FS235.094\* be rejected.

## **12. Submissions on Subdivision in the Coastal Hazard Overlays**

### *Analysis*

486. There were no submissions received on the relevant subdivision provisions under Variation 2. However, consequential amendments are required in addition to those recommended by the s42A report for the Natural Hazards Chapter to ensure that Coastal Hazard Overlays are referenced where appropriate, and to address gaps in the rule framework as notified in relation to the Coastal Setback Overlay/Coastal Hazard Inundation Overlay 2.

### *Recommendations*

487. It is recommended that Rule SUB-R6 be changed as follows:

SUB-R6: Subdivision to create allotment(s) in any RURZ - Rural Zone or MPZ - Māori Purpose Zone

Activity Status: Controlled

Where:

...

3. This is not within an area of:
  - i. Outstanding Natural Landscape as identified in Schedule Five;
  - ii. Outstanding Natural Feature as identified in Schedule Six;
  - iii. Sites of Historic Heritage as identified in Schedule One;
  - iv. Any Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert or Coastal Tsunami Hazard Overlay;
  - v. This is not within the Earthquake Hazard Overlay;
4. It does not create a building platform for a Potentially Hazard Sensitive or Hazard Sensitive Activity in the:
  - i. Flood Susceptibility, Earthquake Susceptibility, Land Instability, ~~Coastal Alert~~ **Coastal Hazard Inundation Overlay 1**, **Coastal Hazard Inundation Overlay 2**, or Hokitika Coastal Hazard Overlay;
  - ii. Westport Hazard Overlay;
  - iii. Flood Severe, ~~Coastal Severe~~, **Coastal Hazard Erosion and Inundation** or Earthquake Severe Overlay
- 4.5. This is not within an area of Flood Severe, Coastal Severe or Westport Hazard Overlay or the Airport Noise Control Overlay;

Activity status where compliance not achieved:

Restricted Discretionary where 3 or 4(i) is not complied with.

Discretionary where 2, 4(ii) or 5–7 6-8 is not complied with.



Non-complying where 4 (iii) or 5 is not complied with.

It is recommended that the following changes are made to Rule SUB-R8 as follows:

SUB-R8: Subdivision to create allotment(s) of Land that contains or is within the Electricity Transmission and Distribution Yard

Activity Status Controlled

Where:

...

3. This is not within an area of:
  - i. Outstanding Natural Landscape as identified in Schedule Five;
  - ii. Outstanding Natural Feature as identified in Schedule Six;
  - iii. Sites of Historic Heritage as identified in Schedule One;
  - iv. Sites and Areas of Significance to Māori as identified in Schedule Three;
  - v. Any Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert or Coastal Tsunami Hazard Overlay;
4. It does not create a building platform for a Potentially Hazard Sensitive or Hazard Sensitive Activity in the:
  - i. Flood Susceptibility, Earthquake Susceptibility, Land Instability, ~~Coastal Alert~~, **Coastal Hazard Inundation Overlay 1**, **Coastal Hazard Inundation Overlay 2** or Hokitika Coastal Hazard Overlay;
  - ii. Westport Hazard Overlay;
  - iii. Flood Severe, ~~Coastal Severe~~, **Coastal Hazard Erosion and Inundation Overlay**, or Earthquake Severe Overlay.
- ~~4.5. This is not within an area of Flood Severe, Coastal Severe or Westport Hazard Overlay or the Airport Noise Control Overlay;~~

.....

7. This is not within the Earthquake Hazard Overlay;

Activity status where compliance not achieved:

Restricted Discretionary where 1, 3 or 4(i) or 5 is not complied with

Discretionary where 2, 4(ii) or 5 6 is not complied with

Non-complying where 4(iii) 6 7-11 is not complied with

SUB-RX Subdivision to create building platform(s) for Less Hazard Sensitive Activities in in the Flood Susceptibility, Earthquake Susceptibility, Land Instability, ~~Coastal Alert~~, ~~Coastal Setback Coastal Hazard Inundation Overlay 1 or the~~

**Coastal Hazard Inundation Overlay 2, Hokitika Coastal, Westport, Coastal Severe Coastal Hazard Erosion and Inundation Overlay, Flood Severe, or Earthquake Severe Hazard Overlay<sup>6</sup>**

Activity Status Controlled

Matters of Control:

- a. Risk to people, buildings and regionally significant infrastructure from the proposal and any measures to mitigate those risks;
- b. The location and design of proposed buildings, vehicle access, and regionally significant infrastructure in relation to the natural hazard.

Activity status where compliance not achieved:

N/A

SUB-R13 Subdivision to create allotment(s) building platform(s) for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Flood Susceptibility, ~~Flood Plain~~ Earthquake Susceptibility, Land Instability, ~~Coastal Alert, Coastal Setback, Coastal Hazard Inundation Overlay 1 or the Coastal Hazard Inundation Overlay 2~~ Lake Tsunami and Coastal Tsunami or Hokitika Coastal Hazard Overlays

...

SUB-R21 Subdivision to create building platform(s) for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities within the Coastal Severe **Coastal Hazard Erosion and Inundation Overlay<sup>7</sup>**, and Flood Severe, or Earthquake Severe Natural Hazard Overlays

...

## 13. Conclusion

488. This report has provided an assessment of submissions received in relation to the Coastal Hazard Variation. The primary amendments that we have recommended relate to:

- Adopting the revised coastal hazard maps.
- Changes to the structure of the provisions to strengthen the risk-based approach to managing the risk from natural hazards and to clarify and

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<sup>6</sup> Consequential changes reflecting naming changes

<sup>7</sup> Consequential changes reflecting naming changes

simply the framework that was notified; and

- Rewording a number of the rules and changing the activities status to improve their clarity.

489. We recommend that provisions for the Natural Hazards Chapter be amended for the reasons set out in this report and as identified in **Appendix 1** of this report.
490. Sections 6 to 12 consider and provides recommendations on the decisions requested in submissions. We consider that the submissions on the Natural Hazards Chapter should be accepted, accepted in part, rejected or rejected in part, as set out in our recommendations of this report and contained in **Appendix 2** of this report.
491. We 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.