

## TTPP Variation 2 – Oral Submission

Adriana de Ruiter-James

19<sup>th</sup> March 2025

I will start by saying that a few years ago I would not have imagined myself in a position where I would publicly resist governance processes. There was a time when most of us trusted that our elected officials generally acted positively on our behalf. We knew that we could not possibly have expertise in every field and accepted that people with sound knowledge and a reasonable moral compass would be in key decision-making roles.

Tragically that is no longer the case; elected officials are often crippled by well paid bureaucrats who appear to have agendas beyond what is immediately evident. There are also a range of ideologies which no longer match what we believe. This has put the onus on everyone to be alert and cynical, to become more and more informed about everything that goes on around us and affects us. It is a tiring, tiresome and draining way to live one's life.

Sadly, there are many, who for varying reasons such as family and work commitments, education and skill set, ill health and more, are simply not able to advocate for themselves or others. Too many are simply not in a position to become informed about the onslaught of challenges that they face. They give up, simply do as they are told, pay the rates and taxes as required, along with all the other ever increasing levies and demands. But in the process, many lose their financial, physical and emotional well-being.

The TTPP natural hazard process is a scary, daunting, vague, confusing and patently unfair factor the Westport community has had to contend with. I am here to speak on behalf of those people in my community who have been left out in the cold, who cannot stand here, as I do and plead for due respect, honour, dignity, ethical conduct, and equitable actions that help them be both protected from potential hazards while simultaneously retaining the value of their property assets, jobs and future security.

My aim therefore is to highlight the key points I believe have contributed to the negative impact the TTPP process has had on this community and its future. And I appeal to the team of Commissioners to hear these with an open and empathetic heart and to use your moral values to guide you to serving the interests of this struggling community with transparency, honesty and fairness.

## KEY POINTS

### 1. Lack of fairness and transparency

#### a. Failures of the initial communication process – June 2024

The community was informed about natural hazard overlays by letter from the TTPP. Many were unable to open the links to maps and therefore could not work out how they were affected. The TTPP Committee itself and Chairman Rex Williams are on record acknowledging this problem, but without proper resolution.

No information was provided regarding how the overlays affected households.

Some households did not receive notification even though their immediate neighbours did, and according to the maps their homes fall into the same zones.

A public meeting was hosted at Carters Beach Community Hall to address concerns. WCRG Darryl Lew forbade staff from attending.

Following the public meeting a letter was sent to the Committee requesting that notifications be resent, with clearer descriptions of the purpose and effects of zoning, as well as identifying the hazard zone applied to each property, thereby avoiding the difficulties experienced with the online map. The Chairman called me at home and refused all of these requests. Very clever move, since there is no email trail to verify his refusal.

Following this failed appeal a letter of complaint was sent to the Ombudsman and the TTPP Committee advised as such via Rex Williams, Chairman. No acknowledgment was received and it became evident that the rest of the Committee were uninformed. One would expect there to be a process where incoming communication is tabled at a committee meeting, but not at the TTPP. I questioned this when I addressed a meeting and followed up by sending every committee member a copy. (Please see addendum A) Not one acknowledged receipt. Perhaps it was hoped that by ignoring me I would go away. In fact, I can refer to numerous letters written to the TTPP by members of the community which have simply been unacknowledged and ignored.

The community was given one month within which to provide a submission. This was clearly an unrealistic and unfair time frame. Public outcry resulted in that time frame being extended by a month. Nonetheless, this meant hours and hours of research by those of us with the time, to try and familiarise

ourselves with what the TTPP had been developing and advised on, over a period of five years. Quite a contrast!

**b. Poor renotification communication process November 2024**

It was with great hope and excitement that the renotification process you, the Commissioners recommended, was received, so a huge thankyou for hearing our appeals.

But again, a one-month timeframe was allocated for submissions and this over a very busy time of year, being so close to the summer break, Christmas and New Year.

It is a critical failure that renotification notices were only sent to previous submitters. The entire district should have been given the same opportunity to participate in this consultation with its broader parameters.

Renotification letters were daunting 8-page documents, still not explicit and no indication of the hazard zone pertaining to that address. Interesting that the classification could be added to LIM reports in July 2024, but individual property owners could not be informed via the TTPP public consultation process. In my view, this long-winded document without pertinent and digestible information is a clear example of deliberate obfuscation which serves its purpose to confuse people who in turn fail to respond.

**c. LIM reports and public consultation**

It is of concern that a proposal, not yet officially accepted, not yet operative, still in the domain of public consultation, appears on LIM reports. Doesn't that automatically nullify the consultation process? Or is this not so much a consultation process as it is simply a box ticking exercise to show 'compliance'?

Is it actually legal, to go ahead and place this on LIM reports knowing that it will instantly impact insurance levies and property values when it's not even approved yet? If it is legal, is it ethical, is it fair?

I asked one of the TTPP team how they sleep at night knowing that the plan they are contributing to is already negatively impacting people's lives. The answer? Everything we do is legal. Yes, in SA apartheid was legal, but was it ethical, was it morally right, was it fair?

**d. Masterplan**

Meanwhile, in November 2024, the Resilient Westport team presented their Masterplan ideas to BDC for the first time. It didn't take the mayor two seconds to announce on national television and radio that "Westport is going to move...". Again, not yet approved or agreed upon, the majority of the community were not even aware of it yet, but it was announced nationally and without the benefit of the latterly added qualification that this was to be an intergenerational move. Sounds to me and many others like a somewhat disguised managed retreat package. Did this premature announcement serve the image of Westport well?

Obviously not, now we have a town the whole country recognises as a poor investment risk. No one with an iota of financial nous will want to buy a home or invest here anymore; we have experienced floods, now we are saddled with hazard overlays which have dramatically increased insurance, reduced property values and slowed movement of property sales. Yet, on Tuesday Isthmus and the Resilient Westport team treated you to a wonderful menu of future growth possibilities beautifully presented, so why would we continue to eat brussel sprouts eh?

The presentation was slick and full-of-enthusiasm and promise, but did it address how people will successfully retain equity in their current properties so that they can sell and move to this higher safe ground? Did it address what happens to the current town rates increases which will have to finance infrastructure in both locations? Did it explain how the current town will be maintained and preserved or razed to the ground? Did it show how greedy developers will be kept at bay? Was there an outline of legal factors which need to be locked into place now so that the generational transition is genuinely protected and facilitated? Did it outline that the introduction of further SPV's is seen as a way to finance this move? Are you aware that we already have two SPV's under BDC control that are not financially viable? See yesterdays' newspaper report:

"Westport's ringfenced port and dredge account had a deficit of nearly \$4.8 million at the end of last year"

Is that newspaper report in line with the high expectations cast by the Resilient Westport team that much of the growth associated with the relocation plan will come from the port? A port which is already in deficit?

**e. Equal access to rebuttal opportunities**

While I am pleased for those submitters who were able to secure legal and town planning advice and support, this is well outside of the reach of the average citizen in Buller. So, the playing field is by no means equitable. It

boils down to this – if you have money to support your cause, your chances of success with your requests are greater.

## 2. Poor and undemocratic process – TTPP Committee

Disclaimer: I am highly critical of the TTPP Committee and its processes and will show why this is my stance.

- a. Incoming communication from members of the public is neither tabled nor shared in any other way with the committee.
- b. Incoming communication from members of the public is frequently unacknowledged and ignored.
- c. At one meeting I attended, 10<sup>th</sup> October, Greymouth I watched elected representatives (councillors) debate and discuss the very same concerns and issues the general public were trying to present to the committee. ~~(Please see Addendum B)~~ When the motion was presented for voting and which did not accommodate the discussion direction, 3 out of the ten councillors present voted for the motion. The Chair did not invite opposition nor abstentions and quickly passed the motion as carried. My understanding of Roberts Rules is that once a quorum is established (which was the case), a majority vote is required. Three out of ten is not a majority vote. If the Chairman has a casting vote, then four out of ten is still not a majority vote.
- d. As a result a copy of the TTPP Standing Orders was requested ~~(Please see Addendum C)~~. This revealed that the chairman does not have a casting vote thus the motion should not have been passed. Further investigation and discussion followed by a new modified motion including aspects of the debate should have been included. Failure to follow due process raises very serious questions about the validity and legal standing of committee decisions.
- e. On 25<sup>th</sup> February 2025 I attended the TTPP committee meeting in Westport where the Project manager presented, amongst others, a document titled 'TTPP Preliminary Estimates of Future Costs'. This document showed that the original TTPP budget of \$5million was now expected to stand at \$8.49million by September 2025. Questions were asked ~~(Please see Addendum D)~~ about how this happened and a robust discussion ensued. However, once again I witnessed a concerning pattern when time to vote to accept the future costs arose. The Chairman called for all in favour of the motion to indicate. (Unfortunately due to where I was sitting I could not gauge how many voted in favour). This time opposition votes were called for and all of those who had contributed to the discussion failed to register their opposition. What was that about? Are our elected officials somehow hampered from making a difference or taking a stand? Why are they silent when they have indicated an opposing view?

## 3. Legal v Ethical

I have it on good advice that legal counsel has already been sought by the TTPP and WCRC in anticipation of what your recommendations may be following these hearings. Presumably if your recommendations are not in line with their goals, they aim to be in a position to legally decline these.

It is a very sobering thought to realize, that we the ratepayers are funding legal advice which is potentially hostile to our hopes.

I know too that many locals did not want to participate in a process believed to be a fait accompli. The TTPP consultation, submission and hearings processes are seen by many as an expensive joke we are required to fund and will eventually result in our financial downfall, a scenario which we are trapped in now and cannot escape.

It is indeed an expensive exercise, we have experienced 14% rates increase with BDC and 24% with WCRC in one year. The TTPP committee members are on record questioning the original anticipated budget of \$5million, which is now projected at \$8.4million and growing. They are also on record acknowledging that all of this is funded by the ratepayer.

I don't recall buying my home and signing up, via my rates bill, to having an unaffordable process imposed on me and thus my property which has already shown a loss in value, a loss trend which is continuing along a dismal downward spiral. When did I sign up to pay for my own financial demise?

The entire process is deemed legal and legitimate but I urge you to consider whether or not it is ethical, equitable and honest.

## 4. Lack of Scientific Rigour

We do face natural hazards on the West Coast; indeed, we face natural hazards such as flooding, tornadoes, volcanoes and earthquakes throughout New Zealand, we all know this and we all make our own choices about where and how we want to live. Facing risks is integral to being alive. Are all NZ communities being equally subjected to hazard classifications? Are we all going to have to move our towns in order to be safe? Where exactly in NZ are we guaranteed to be safe?

In my renotification submission I have outlined my issues with the flawed science underpinning the coastal hazards modelling

- Modelling versus Observation and Data Collection
  - IPCC worst case scenario used (SSP 8.5)
- NIWA Methodology in question
  - Tonkin & Tonkin Report observations included
- Ignoring VLM
- Defunct data collection buoy/Westport

More and more it is becoming evident that the climate change narrative is flawed and it is also becoming more evident that the narrative provides some people with a great source of income while the average Jo Citizen is plunged into financial and emotional fear and despair.

Please let's stop using implausible factors (SSP 8.5), let's stop driving fear to spur revenue, let's face the potential environmental problems together in a pragmatic, transparent manner, with common sense and a sense of purpose that serves us all equally. Please let's use real data gathered over time and make adjustments accordingly without the imposition of a 100-year time frame. Do we really believe that in 100 years' time the stuff we are buying into and planning now will still be relevant and upheld?

My appeal to the team of Commissioners is to recognise the failings of the coastal hazard overlay processes as well as the science, to appreciate the level of anxiety being imposed on the people who live here and to show empathy, and moral fortitude when you determine your recommendations. I urge you to do what is moral, fair and ethical without rigid and limited adherence to what is considered legal.

The people of Buller deserve and need to have some hope returned to their lives, livelihoods and assets.

# Addendum A

## FYI - Urgent Request for an Intervention

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**Adriana de Ruiter-James** <adriana.james59@gmail.com> Sat, Oct 19, 2024, 8:41 PM

to me, bcc: mayor@greydc.govt.nz, bcc: allan.gibson, bcc: peter.haddock, bcc: brett.cummings, bcc: mayor.lash, bcc: cr.cassin, bcc: cr.tumahai, bcc: cr.madgwick, bcc: Mayor, bcc: Graeme.neylon

Dear TTPP Committee Member

The email shown below, along with 4 x attachments was sent to the Ombudsman, Hon Simeon Brown and Maureen Pugh on 30th August 2024.

It was also sent to Rex Williams TTPP Chair, Peter Haddock WCRC Chair, Jamie Cleine BDC Mayor and Lois Easton Planner.

However, since attending the TTPP Committee meeting on 10th October, it is apparent that the majority of the committee are unaware of this complaint. As such I am forwarding you a copy to ensure that you are properly informed.

Regards

Adriana

Dear Ombudsman

This request for an intervention is sent under considerable urgency. Residents of the Buller Region, West Coast were sent letters by the Te Tai o Poutini Plan (TTPP) committee in July this year to inform them of a proposed variation to the coastal hazards mapping.

Besides a glaring lack of clarity in the content of the letter, links provided to view hazard mapping overlays failed to work for many people in the community. The submission date was set for 16th August, but due to public outcry, TTPP extended the date to today, 30th August 2024, 5.00pm.

Meanwhile several communications were sent to the TTPP pointing out the various failures of the consultation process and the broken links. A renewed consultation process was requested whereby all property owners could equally and fully access and understand the information. These requests were met with either refusal or silence.

In support of the above statements made, please find attached my letter to Rex Williams, Chair TTPP dated 5th August in which I requested a renewed consultation process whereby residents are informed of the hazard overlay/s affecting their particular property without the need for access to an online map. Rex Williams called me on 12th August and refused the request.

I have also attached further evidence to show communication with the TTPP Chair, pointing out errors in the consultation process, recognised at the TTPP committee meeting on 7th August 2024. Sent by Buller resident, Rae Reynolds on 9th August, and also requesting a renewed process. This email was ignored; no response was received.

Furthermore, at the TTPP committee meeting of 7th August 2024, one of the members (P Madgwick) raised the fact that the letter received was not easily understood and he also pointed out that the link failed to work for many people. Ironically, the Chair, Rex Williams agreed that he had also experienced difficulty gaining access to the map link when using his i-pad.

To provide evidence of these interactions at the TTPP meeting, please see attached Agenda-Te-Tai-o-Poutini-Plan-Committee-29-August-2024. Minutes of the meeting on 7th August on pages 7 and 8 of 18.

Further evidence is provided in an attached transcript of the meeting, which shows the time the comment was made, and by whom, if they were identifiable. The meeting can be viewed on [https://www.facebook.com/watch/live/?extid=CL-UNK-UNK-UNK-IOS\\_GK0T-GK1C&ref=watch\\_permalink&v=520412190677399](https://www.facebook.com/watch/live/?extid=CL-UNK-UNK-UNK-IOS_GK0T-GK1C&ref=watch_permalink&v=520412190677399).

On behalf of the Buller community, I urge you to please consider this desperate appeal for an intervention. The consultation process cannot be deemed fair and equitable when a) the wording of the letter and its importance is unclear, and b) the essential link providing access to the pivotal map, fails to work consistently. It is a democratic right and fair expectation for the community to have fully accessible information at their disposal. Thus, it is crucial for the TTPP to restart the consultation process, with a new submission date. Please be aware that as it stands now, today at 5.00pm the submissions close.

I look forward to your reply.

Regards

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## Te Tai o Poutini PLAN

A combined district plan for the West Coast

10th October 2024; Greymouth

The Committee discussed the difficulties with communicating planning and scientific information clearly to the public. Plain English documents and public meetings were considered.

Cr Neylon noted that they have handed everything over to the commissioners and noted that the recommendations come back to this committee before a final decision is made.

Kaiwhakahaere Madgwick wondered if it is possible to allow more time to deal with Variation 2 more fully and address it as a plan change in the future.

Cr Cummings asked if they could pause once they have got recommendations from commissioners, because the committee members do not know what the commissioners are going to recommend

Cr Haddock noted that the final decision comes back to the TTPP committee to make.

Cr Howard said the West Coast really needs things to progress, for example Resilient Westport has done a lot of work with the community about where they may like to settle in the future, and she thought they need to move along and support that body of work.

**Moved** (Cr Neylon / Cr Howard)

1. That the information be received.
2. That in accordance with Clause 7(1) of Schedule 1 of the RMA, the Summary of Submissions contained within Appendix 1 be accepted and publicly notified for the receipt of further submissions.
3. That in accordance with Clause 7(2) of Schedule 1 of the RMA, copies of both public notice and the Summary be served on those who lodged submissions.
4. That the required two-week period for receipt of further submissions open on 11 October 2024 with a closing date of Friday 25 October 2024.
5. That the Committee:
  - 1). Accepts Submission points included within Appendix 2 as Late Submissions on the TTPP generally; with
  - 2). Those Submission points relating to the Objectives and Policies of the Natural Hazards Chapter addressed at the upcoming Coastal Environment and Natural Hazards Hearings, scheduled for 30-31 October 2024 in Hokitika; and
  - 3). Remaining Submission points from Appendix 2 being heard with all other submissions and further submissions received on Coastal Natural Hazard Mapping and Coastal Natural Hazard Rules, at the Hearing for Variation 2, scheduled for 17-21 March 2025.

*Carried*

### Project Manager's Report

J. Armstrong noted that Minutes put out by the hearing commissioners are available on the TTPP website. R. Williams suggested that watching the recordings of the hearings could help get a tone or a

### **19.1 Decisions by majority vote**

Unless otherwise provided for in the LGA 2002, other legislation, or standing orders, the acts of, and questions before, a local authority must be decided at a meeting through a vote exercised by the majority of the members that are present and voting.

*cl. 24 (1), Schedule 7, LGA 2002.*

### **19.2 Open voting**

An act or question coming before the local authority must be done or decided by open voting.

*cl. 24 (3) Schedule 7, LGA 2002.*

### **19.3 Chairperson has a casting vote**

The chairperson, or any other person presiding at a meeting, has a deliberative vote and, in the case of an equality of votes, has a casting vote.

At the Council Meeting 13<sup>th</sup> December, 2022 Council voted to **NOT** adopt this clause

*cl. 24 (2) Schedule 7, LGA 2002.*

### **19.4 Method of voting**

The method of voting must be as follows:

- (a) The chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the chairperson will call a division;
- (b) The chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and
- (c) Where a suitable electronic voting system is available that system may be used instead of a show of hands, vote by voices, or division, and the result publicly displayed and notified to the chairperson who must declare the result.

### **19.5 Calling for a division**

When a division is called, the chief executive must record the names of the members voting for and against the motion, and abstentions, and provide the names to the chairperson to declare the result. The result of the division must be entered into the minutes and include members' names and the way in which they voted.

The Chairperson may call a second division where there is confusion or error in the original division.

NEW ZEALAND (/NEWS/NATIONAL) / ...

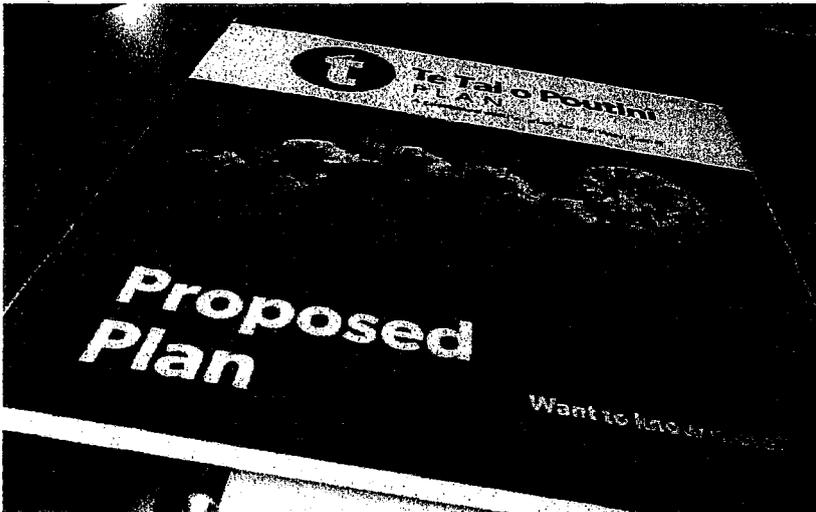
## Soaring cost of combined plan shocks Coast councillors: 'This is a disaster'

8:55 pm on 25 February 2025

[Lois Williams \(/authors/lois-williams\)](#), Local Democracy Reporter

✉ [lois.williams@alliednews.co.nz](mailto:lois.williams@alliednews.co.nz) ([mailto:lois.williams@alliednews.co.nz?](mailto:lois.williams@alliednews.co.nz)

[subject=Soaring%20cost%20of%20combined%20plan%20shocks%20Coast%20councillors%3A%20%27This%20is%20a%20disaster%27](#))



Te Tai o Poutini Plan will combine the West Coast's three district plans into one updated document. Photo: LDR/supplied

The cost estimates for the West Coast's new combined district plan have blown out to more than \$8 million, and councils have no power to rein it in.

The process of rolling the region's three district plans into one updated document Te Tai o Poutini Plan (TTPP) - as directed by the Government - is nearing the end of the hearings stage.

But the councillors and iwi meeting on Tuesday morning, as the TTPP committee, heard that expenditure on contractors and consultants will exceed the budget this year.

And as the hearing Commissioners write up their recommendation reports with a June deadline, their costs have already overshot the budget for the entire year.

TTPP project manager Jo Armstrong told the meeting over 80 percent of the annual budget for consultants had been used for services related to the hearings, such as writing Rights of Reply, expert conferencing, preparing technical reports and updating mapping.



"Although this work is slowing down with most hearings completed, some expenditure will be ongoing as contractors continue to provide general planning and project management," she reported.

Income to cover TTPP costs is funded by the West Coast Regional Council - also by government directive - by way of a regional rate and a loan.

The now-notified proposed plan has cost ratepayers \$6.5 million since work began in 2019, and by September this year, when its status becomes a 'decision', the bill will be \$8.491 million, Armstrong estimated.

The new estimate caused general dismay around the TTPP table.

"How did we get it so wrong?" Regional Councillor Brett Cummings asked.

"With the estimates for the Commissioners there should have been alarm bells going off months ago."

The actual costs were more than three times the estimates, he noted.

"Who signed off on all this ... some one's got to stand up and put their face out and get eggs thrown at it."

Iwi representative Paul Madgwick (Te Runanga o Makaawhio, Ngati Mahaki) said six years ago the TTPP cost estimate was \$5 million.

"That was astounding enough - how did this gallop away on us?"

The budgets had let the committee down, Madgwick said.

Legal and mediations costs over the next few years would see the bill soar even further, he warned.

"At the end of the day, the ratepayers carry the can and it's a heavy load to carry. It might have been cheaper for each district to do its own plan."

The \$5 million figure had never been a set budget, but a "figure plucked from the air" - an estimate of the amount of the loan that would be needed, chair Rex Williams said.

Greymouth mayor Tania Gibson queried costs of \$100,000 for the Commissioners' food and accommodation, as they travelled around the Coast.

Regional Council chief executive Darryl Lew told the meeting the council had to source expert and independent advice when the Commissioners asked for it.

"We get a quote and hold them to it, but we do not have the power to say, 'no because we can't afford it'."

The Commissioners were paid a fixed rate for their time, Lew said.

"We don't have the ability to limit the hours they spend writing, or control those costs - that goes into the natural justice area - their ability to exercise their function."

It was exceedingly difficult to limit costs in what was essentially a judicial process, which almost had a life of its own, Lew said.

Regional and District council staff did not have the expertise needed to do the work of the consultants, he told the meeting.

Buller District Council chief executive Simon Pickford agreed.

"When I worked for the Dunedin City Council, we followed the exact same pattern, we had to bring in outside experts - that's just what you have to do."

Greymouth mayor Tania Gibson asked if anything could be done to speed up the plan process for people dealing with vague maps and uncertainty over zoning rules as the plan moved towards completion.

"This is a disaster - they've got a lot of money involved and now you say it'll be September [when the decision stage is reached], there must be a way to make things better for them."

Lew said the process could not be altered, in law.

But the zones in a notified plan did have legal standing, he said.

"Your (district council) staff can assign weight to the plan and those zones ... above your existing plan."

That would not give absolute certainty, but an application could be made to give weight to zoning rules favourable to the developers, he told the mayor.

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