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Te Tai o Poutini Plan Submissions
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SUBMISSION TO PROPOSED TE TAI O POUTINI PLAN – Variation 2 Coastal Maps

The following is a submission to the proposed Variation 2 Coastal Maps of the Te Tai O Poutini Plan (TTPP) for the West Coast. This submission is made on behalf of Mr. Frank O’Toole and relates to the specific provisions listed throughout this submission.

Submitter Details:

Frank O’Toole, Director of Jeninan Homes West Coast
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Agent:

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Trade Competition Declaration:

We **could not** gain an advantage in trade competition through this submission.

Hearing Options:

We **do** wish to be heard in support of our submission.

Submission Details:

Coastal Mapping Orowaiti Lagoon frontage near Utopia Road

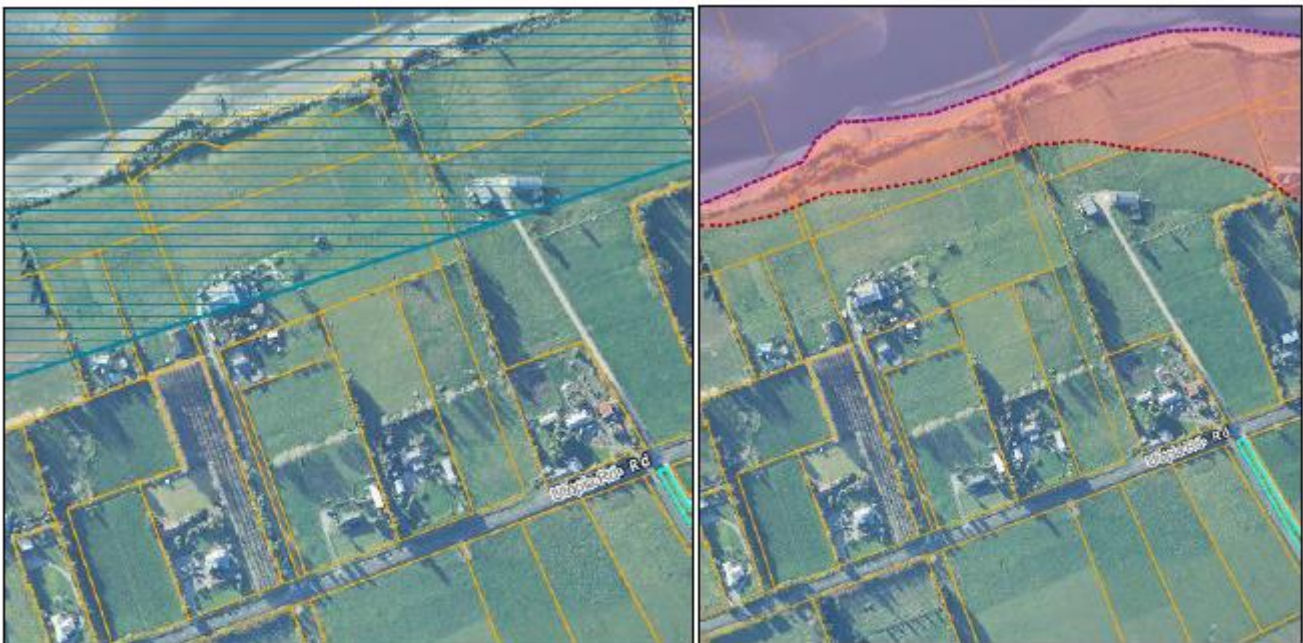
Mr. O’Toole made a submission to the original notified version of the TTPP and sought the following relief in regard to his property at 211 Utopia Road, which fronts onto the southern side of the Lagoon prior to its exit to the sea.

Relief Sought:

1. *The applicant requests the coastal severe overlay be removed from his property within the planning maps, to take into consideration the reduced risk from coastal effects due to accreting sand spit and take into consideration the attached site specific reports in considering the actual location of the Coastal Severe Overlay.*
2. *The applicant requests his land along with other land in the immediate vicinity be rezoned as Rural Lifestyle Zone to reflect its current use, and potential future consistent with other smaller property sizes.*

This request was based on the fact the sand spit on the northern side of the lagoon has been observed as accreting during the period since works associated with the mouth of the Buller River to the west were undertaken. The works on the Buller River mouth changed the coastal patterns in this area, and now offers significantly more, and increasing protection from coastal hazards along this Lagoon frontage, than suggested by both the mapping in the TTPP and the Coastal Severe Risk Overlay.

The images below show the change in location of the Coastal Hazard Severe Overlay area proposed under Variation 2 to the mapping areas. Non-complying activity status under the TTPP would be triggered for future dwellings or extension to existing dwelling, and severely limit the ability to undertake subdivision in this area. It is understood the change to the mapping was based on updated LIDAR information, taken in 2020.



Left Image: Original TTPP notified Coastal Severe Risk Overlay. Right Image: Proposed Variation 2 Coastal Severe Risk Overlay.

Although this change represents a more positive outcome for Mr. O'Toole's property, it highlights the importance of accurate information prior to imposing significant restriction on the use of land. The associated subdivision and land use rules which are not proposed to be altered as part of this Variation, require subdivision as a discretionary activity, where the policies direct decision makers to avoid subdivision in areas of Coastal Severe Risk areas. New buildings are restricted through natural hazard provisions within the Coastal Severe Risk as a non-complying activity.

In addition to planning provisions, the location of the Coastal Severe Risk Overlay has implications for the value of land through any notifications imposed on the title or registered on the property file at the time of building consent or subdivision. These notifications will appear on any future LIM report and have the potential to discourage prospective buyers of the site, thus affecting the overall property values. Cumulatively, this has significant implications for the economic prosperity of the district and therefore, ought to be applied cautiously.

Mr. O'Toole supports the proposed variation to move the existing Coastal Severe Risk overlay northwards on his property. However, he notes his land includes a drop off to the river located north of the line, proposed as part of Variation 2, as depicted in the photographs below.



Photograph looking west showing riverbank slope



Photograph looking east at riverbank slope

Mr. O'Toole has been living on this site for over 20 years and has observed water levels across his property frontage as a result of a range of different weather conditions over this time. In his observations the highest water levels (the 2021 flood) have not come into the grassed paddocks at the bottom of the stop bank shown in the photographs above. There was approximately 1 m vertical clearance between the fences and the highest flood water levels. This does not account for the approximately 2 m vertical height to the top of bank within the paddock

Given the greater (and increasing) protection offered by the accreting sand spit on the norther side of the Lagoon, and given the topography of the site, it is Mr. O'Toole's request that the location of the Coastal Severe Risk Overlay be shifted further north to reflect topography of his Lagoon frontage.

Relief Sought:

1. At a minimum, accept the Variation 2 Change to the position of the Coastal Severe Risk Overlay along the Orowaiti Lagoon Frontage for properties on Utopia Road, over the originally notified TTPP map layers.
2. Ensure the position of the Coastal Severe Risk Overlay accurately reflects the top of the bank location on Mr. O'Toole's property (and surrounding properties if required) to ensure the overlay is not overly restricting land use and subdivision activities unnecessarily.

Signed

Anna Bensemman on behalf of Frank O'Toole