

Variation 2 to Proposed Te Tai o Poutini Plan (TTPP) - Coastal Hazards

Submission form

Clause 6 of Schedule 1, Resource Management Act 1991 (RMA)

Please note:

Following public concern expressed over the initial notification of this Variation in June 2024, the TTPP Committee has agreed to the Variation being renotified. Importantly, it is now possible for submitters to submit on BOTH the mapping changes AND provisions of relevance in the TTPP's Natural Hazards Chapter.

- The Variation is a publicly notified one – so anyone is welcome to lodge a submission.
- All submissions received following the initial notification in June 2024 will still be considered.
- Submissions initially lodged can be added to, should the submitter desire to do so.
- Submissions close at **5.00pm on Thursday 19 December 2024.**

Your details:

Are you submitting as an individual, or on behalf of an organisation?

☒ Individual

☐ Organisation

Did you previously submit on Variation 2 when it was notified in June 2024?

☐ Yes

☒ No

If yes, do you wish to have this particular submission:

☐ Added to your initial submission

☐ Considered an entirely new submission

First Name: **Penny and Mark**

Surname: **Rounthwaite**

Organisation (if applicable):

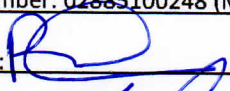
Would you gain an advantage in trade competition through this submission ☐ Yes ☐ No

If you could gain an advantage in trade competition through this submission please complete the following:
I am/am not directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Postal Address: **303 Utopia Road Westport RD2 7892**

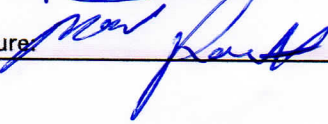
Email Address: **Marounth@outlook.co.nz and/or Prounthm@outlook.com**

Phone Number: **02885100248 (Mark) 0292303824 (Penny)**

Signature: 

Date:

17/12/24

Signature: 

Date:

17/12/24

My submission:

(Include whether you support or oppose the specific provisions or wish to have them amended, and the reasons for your views.)

We **support** the general direction to identify, protect and manage risk from future coastal hazards in a fair and equitable manner. However, we **Oppose** some of the suggested mapping and the Rules/Polices which underpin the enforcement of these changes.

Mapping/Modelling Concerns:

Momentous **land censure** decisions which have significant impacts on the owners are being proposed in this variation and as such they need to be underpinned by accurate and conclusive evidence. This does not appear to be the case as the modelling/mapping at best should be considered roughly predictive. Accordingly, to accommodate for the 'predicative' nature of the modelling, a very conservative approach appears to have been adopted. This unnecessarily and unfairly increases the censure impact on owners.

The modelling and subsequent mapping overlay proposal for our property is sufficiently erroneous to bring into doubt the efficacy of the proposed **Severe** rating and subsequent land censure burden. Further work is required or at the very least, the severity should be reduced to the equivalent of '**Alert**' and monitored overtime. A more graduated approach should be considered.

Please note, we are not experts and do not have the resources to commission the necessary expertise to professionally assess the map modelling. We can, however, provide comment based on what we have learned via history (in our area), experience/observation (ours and locals) and our internet research.

1. Your support materials advise (confirmed by research we have done on the Net) that while the Lidar mapping model is better than previous, it still has accuracy deficiencies and at best should only be considered roughly predictive.
2. The Satellite underlay on the mapping provided is old and inaccurate. The foreshore and the Orowaiti river environments are dynamic. Up to date underlays are important for accuracy.
3. The Lidar modelling adopts a 'bathtub' method which assumes the water will rise uniformly. This is not reality, sea rise and damage is not linear and as such a Risk Conservative approach to the mapping has been undertaken. This treats everyone as the worst case.
4. The modelling does not seem to take into account the aggression/regression foreshore changes that we experience on our beach. The sea current spinning off the Buller River extension outlet (tip heads) causes the sand to move and build up down the beach parallel and in front of the Orowaiti river. Accordingly, over the past 20-30 years (or so), we have seen the foreshore amour up with more sand and vegetation growth. Accordingly, the Orowaiti river outlet to the sea has moved considerably eastward. This is continuing and while dynamic, on balance is providing more and more protection for our properties. The modelling does not seem to take this into account.
5. The mapping/modelling does not appear accurate, equitable or just. For example:
 - a. Carters beach is directly in front of the foreshore and understandably has a record of significant coastal regression/flooding. To make matters worse, the housing areas dip significantly, akin to a fishbowl, much lower than the foreshore. Even with the minor protection banking applied two years ago, it is easy to see a significant flood from the sea at some point in the future. Perhaps sooner than later and continuously. Yet, the mapping judges the status for this area as only **Alert**.
 - b. Conversely, where we live in Utopia Road, the Orowaiti river is directly in front of our property, not the foreshore. Historically, on significant storm events when the sea seeps over the foreshore, the river buffers the impact and in the worst case, some erosion on the riverbank is encountered. Unlike Carters, we are not in a fishbowl

and our land is higher than the river and foreshore. Accordingly, there is little to no chance the sea will get onto our property. Yet, the mapping judges that the status of most of our property as **Severe**, including the major portion of our paddocks between Utopia Road and the Orowaiti river, and adjacent to other homes.

6. We built our house on our property just over two years ago and the council required us to provide considerable evidence to obtain a resource consent. Accordingly, within our application, we provided a coastal impact hazard assessment from Offshore and Coastal Engineering Limited. Among other things, this work included assessments dating back over 100 years and mean sea level scenarios. It concluded that our proposed building site was *suitably and conservatively placed from both the 50 year building act horizon and the 100 year RMA horizon*. Unsurprisingly, the council commented on the successful resource consent that, *council accepts that the proposed building site is suitably and conservatively placed to avoid damage to people and property from coastal processes over a 100-year planning horizon*. In addition, we have subsequently had the occasion to talk to a number of engineers at our property and they all say similar: it is not significant; actually, minimal to no risk. This variation assesses our house site as **Severe**.
7. The mapping seems only capable of imposing absolutes, meaning there is no graduation of risk. In many cases, it would be more accurate to stagger the various stages. For example, in our case, it would be logical within a highly conserve frame to impose a **Severe** restriction on our property of 50 metres from the riverbank and then an **Alert** restriction onwards for 100 metres. Rather than an arbitrary **Severe** rating of around 170 metres to 200 metres with no restrictions (free to build) beyond.

Rules and Policy Concerns

The Policy and Rules set the general direction and prescribed boundaries upon which related decisions are made. In our case where we are deemed **Severe**, the strong and highly restrictive guidance is that all new housing (sensitive activity) should be avoided and any existing housing, can be repaired, but not changed. This is overtly monophonic and fails to take into account plausible countermeasures for existing housing and globally tried and true coastal impact resistance new housing opportunities. Additionally, the timeframe allowed to repair an existing house does not sufficiently take into account the time delays involved in rebuilding a house.

1. There are many examples of successful coastal impact resistance houses globally (e.g. High Pole, sacrificial lower floors and significant platforms etc). Also, coastal impact housing designs that allow for land regression accommodations (moves etc). The climate impact concern on coastal areas is a global phenomenon of which everyone is trying to manage, and as such, all options should be considered, developed and evolved. Arbitrarily excluding all options on **Severe** overlays via a prescribed Rule (NH – R44) unnecessarily burdens the prospective owners and restricts NZ Inc from taking advantage of alternative, perhaps ultimately, less burdensome options. 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.
2. Restricting existing houses from increases in the net floor area for sensitive activities on **Severe** overlay properties (NH – R41 & 38) unjustly causes significant burden on the current owners and inhibits an expansion and/or maintenance that could make the house more robust against the potential of a 100 year event etc and better supports the needs of owners (e.g. alterations to include lifts for ageing residents, expand upper story living, improve access to roof etc).
3. Allowing only two years to reconstruct a building in a **Severe** overlay (NH – R38) does not sufficiently take into account the potential time delays it takes to reconstruct a house. Planning, supplies, building, financing, approvals, certification etc can take well over two years. From scratch to start, it took us well over two years to build our current property with a significant period allocated to obtaining a coastal impact report (where experts are few and

far between) and council planning support. Logically there is no justifiable reason to differentiate between **Alert** and **Severe**. In fact, there is arguably more reasons to allow longer for **Severe**; as this would give more time for the owner to experience the changes, seek expert support and determine the risk/reward of investing in a rebuild. Owners will have little control over time periods in the case of a large event where the demands on the insurance and building sectors, central and local government and experts far exceed supply, resulting in many owners waiting significant periods (some many years) to resolve repair or rebuild options. Coupled with the restrictions on New and Increased floor plans, the proposed time restriction would force an owner to quickly build without taking advantage of potentially better and safer options.

Impact Concerns

While this consultation is not necessarily seeking comment on the impact to owners, it is important to note our concerns about some of the statements outlined in the Te Tai o Poutini Plan – Section 32 Evaluation. Some of the statements are under weighted and others seem to be written in a misleading manner that understates the impact on owners.

In 4.1 Explanation Summary, the plan states that the *'scale of the effects on people is moderate'*, also that the *'restrictions will have little effect'* and *'the scale and significance of the proposal is moderate'*. For us, and we expect for many of the owners impacted, these statements are inaccurate and misleading.

We purchased our property with the knowledge that there were coastal risks, however we also knew that our area (Utopia Road) was considered a low flood risk and was one of the areas being promoted by the local building and property sector to meet council aims to encourage new housing development away from the higher risk central Westport town.

- The proposed mapping variations and Rule changes will prohibit us from subdividing and developing our land (currently paddocks) for additional housing. This is a direct loss of \$700 – 1million to our family. **Not moderate.**
- As mentioned in the Summary, insurance will increase significantly. **Not moderate.**
- Our family's inheritance will be significantly compromised as the resale value of our property will reduce. **Not moderate.**
- Under the proposed Rules, if new technology comes about that makes our house safer but increases the floor size, we are restricted from taking advantage of these risk reducing safety options. **Not moderate.**

The impact to us is **significant** and surmounts to a land censure which imposes negative and unjust loss of substantial capital. We doubt that we are the only ones. If this is to be carried, remuneration should be offered to the effected.

I would like the following decision(s) to be made with respect to this Variation:

The proposed **Severe** overlay on our property is likely to be erroneous and overly conservative which imposes an unjust and excessive impost. We **recommend** that the overlay on our property at 303 Utopia Road is reassessed and partitioned between **Severe** (within 50 metres of the Orowaiti river bank) and **Alert** (up to 100 metres after the **Severe** end).

The proposed Rules NH – R44 and R41 are too coarse, unjustly burdensome on current owners while missing opportunities to find efficient and effective ways to overcome climate impacts. Instead, rather than an '**Avoid**', we **recommend** a '**Manage**' philosophy should be written into the Rule for **Severe**. As such, an allowance for expansion of net floor area and/or suitable new buildings should be added.

The proposed Rule NH – R38 (& NH – R1) for **Severe** is counter to the equitable and fair objectives of risk management and we recommend that the same rebuild timeframe as **Avoid** i.e. 5 years, is adopted.

It would be misleading to say that the impact on us could be categorized as '*moderate*'. The impact is **significant**, amounting to a wholesale land censure. We recommend that the impact statement is altered to better acknowledge the impacts and consideration for remuneration is provided for high impact owners (should the proposal remain unchanged).

All submitters have the opportunity to present their submission to Commissioners during the hearing process. Please indicate if you wish to speak to your submission

☐ I wish to speak to my submission

☒ I do not wish to speak to my submission

(please note that with this option you will receive less correspondence in relation to the hearings but you can keep up to date on the TTPP website)

If any others making similar submissions wish to be heard:

☐ Yes, I would consider presenting a joint case with them

☒ No, I would prefer to present my own individual case

Enquiries

All enquiries regarding this Variation or the TTPP in general can be addressed to Doug Bray, Senior Policy Planner, TTPP Team, West Coast Regional Council, Ph (03) 768-0466 Ext 9109 or 0508 800 118 or info@tppp.nz.

Public information

All information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information. The content provided in your submission form will be published on the Te Tai o Poutini Plan website and available to the public.

Validity of Submissions

Please note that submissions may be struck out in whole or in part if authorities (including Council staff, Independent Commissioners or Legal authorities delegated jurisdiction with respect to such decision-making) deem any submission partially or entirely:

- Is frivolous or vexatious in its content;
- Discloses no reasonable or relevant case for a position taken;
- Contains offensive language; and/or
- Is supported only by material that *purports* to be independent expert evidence, but has in

fact been prepared by a person who is not independent and/or does not have sufficient specialised knowledge or skill to give expert advice on the matter. Those hearing submissions may also refuse to take a submission further in whole or in part if believing that there allowing otherwise would be an abuse of the hearing process.