

Submission on Variation 2 of Te Tai o Poutini Plan
[Clause 6](#) of Schedule 1, Resource Management Act 1991

To Buller District Council

Name of submitter: Jane Whyte and Jeff Page

This is a submission on Variation 2 of the Proposed Te Tai o Poutini Plan.

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

The specific provisions of the proposal that my submission relates to are: See attached

My submission is: See attached.

We seek the following decision from the local authority: See attached, together with any other alternative or consequential amendments necessary to give effect to the attached.

We wish to be heard in support of our submission.

If others make a similar submission, we will consider presenting a joint case with them at a hearing.



Signature of submitter (or person authorised to sign on behalf of submitter)

Date: 30 August 2024

Electronic contact details: jane@responseplanning.co.nz

Telephone: 0272595303

Postal address (or alternative method of service under [section 352](#) of the Act):

21 Harry Ell Drive

Cashmere

Christchurch 8022

Contact person: Jane Whyte

Submission

1. Overview

We own 11 Owen Street Punakaiki. We have lodged submissions on Te Tai o Poutini Plan, including on the provisions relating to Natural Hazards, including rules as well as the mapping of Coastal Hazards.

It is understood that the submissions already lodged on matters now addressed as part of Variation 2 will also be considered as part of the Variation 2 process.

This submission addresses matters relating to Variation 2 Coastal Natural Hazards Mapping.

2. Natural Hazards

Summary of reasons

The approach to natural hazards as it applies to Punakaiki Village needs to allow for the reasonable use of land and buildings within the Village.

Given the character of Punakaiki Village there is limited potential for material increase in the consequences of natural hazards through development and redevelopment. An overly strict approach to existing buildings and existing land is not warranted.

Specific provisions, Support or Oppose, Decision Sought

<i>Provision</i>	<i>Support or Oppose</i>	<i>Decision Sought</i>
Variation 2 Map: Coastal Hazard Severe	Support in Part	The removal of any part of 11 Owen Street that may have been in the Coastal Hazard Severe overlay in the notified District Plan is supported.
Variation 2 Map Coastal Hazard Alert – Punakaiki	Support in Part	If the hazard overlay remains then retain the Coastal Hazard Alert mapping to apply to 11 Owen St
Variation 2 relationship with notified District Plan	Oppose	<p>While the focus of Variation 2 is on mapping, the relationship of the mapping with other provisions must be considered.</p> <p>In particular the mapping links to rules that implement objectives and policies.</p> <p>As Variation 2 has altered the extent of the hazard overlays, and in some cases which hazard overlay applies it is appropriate for people who have properties affected by Variation 2 to be able to address all of the relevant provisions on the Plan that apply.</p>

		<p>The mapping identifies which rules apply to land, and the rules implement the policies and objectives.</p> <p>It is our understanding that the rules that apply to the land within the Coastal Hazard Severe, and Coastal Hazard Alert overlays will be considered at the same hearing as Variation 2.</p> <p>However, as a submitter it is concerning that the hearings on the objectives and policies that will apply to these areas are subject to a Section 42A report that has been issued even before submissions on Variation 2 have closed. The hearings are also scheduled to be completed likely in advance to the further submissions on Variation 2 being sought.</p> <p>Variation 2 has changed the land that the overlays apply to. It is appropriate then that in these submissions we are able to address the full range of provisions that affect the land within the overlays shown. It is for this reason that it is considered appropriate that the policy settings in the Plan for the land within the hazard overlays are correct. In particular that avoid is not an outcome sought in the policies relating to land within the Hazard Alert overlay where focus should be on mitigation.</p> <p>It is unfair that the range of submissions on provisions affecting the Coastal Hazard Severe, and Coastal Hazard Alert overlays will not be able to be considered together.</p> <p>To address this we have submitted on the outcome we are seeking apply to the alert overlay in the policies.</p>
<p>Natural Hazard Provisions that relate to the Coastal Hazard Alert area:</p> <p>NHP1</p> <p>NHP3</p> <p>NHP5</p> <p>Or new policy addressing Coastal Alert Overlay</p>	Oppose in Part	<p>The mapping identifies which rules apply to land, and the rules implement the policies and objectives.</p> <p>As Variation 2 has altered the extent of the hazard overlays, and in some cases which hazard overlay applies it is appropriate for people who have properties affected by Variation 2 to be able to address all of the relevant provisions on the Plan that apply.</p>

		<p>The decision sought is to:</p> <p>Ensure that the policies recognise that the appropriate management response in the policies applying in the Coastal Hazard Alert areas is mitigation, not avoidance.</p>
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Please accept this as a late submission to Variations 2.

All relevant matters relating to 11 Owen Street are addressed in either our submission on the notified plan or the first notification of Variation 2 apart from one matter we seek be added to our submissions.

The additional matter is the activity status of any consents required under 11 Owen Street. Given the confined nature of the issues being related to natural hazards any consents required should at worst be a restricted discretionary activity with discretion limited to matters related to natural hazard mitigation. It is inefficient and ineffective and unnecessary to require consent to be obtained as a discretionary activity.

We wish to be heard in support of our submissions

Regards Jane Whyte and Jeff Page

Address for service - 21 Harry Ell Drive, Cashmere, Christchurch

Jane Whyte

ResponsePlanning Consultants