



# Te Tai o Poutini PLAN

*A combined district plan for the West Coast*

## Te Tai o Poutini Plan Committee Meeting

To be held in the Council Chambers, West Coast Regional Council

Thursday 30 July 2020, 10.30am-2.00pm

### AGENDA

<b>10.30</b>	Welcome and Apologies	<b>Chair</b>
<b>10.32</b>	Confirm previous minutes	<b>Chair</b>
<b>10.35</b>	Matters arising from previous meeting	<b>Chair</b>
<b>10.40</b>	Deed of Agreement and Conflicts of Interest Register	<b>Chair</b>
<b>10.45</b>	Technical Update – Ecosystems and Indigenous Biodiversity	<b>Principal Planner</b>
<b>11.15</b>	Technical Update – Transport Issues, objectives and Policies	<b>Senior Planner</b>
<b>12.00</b>	Lunch	
<b>12.25</b>	Technical Update – Rural Areas and Settlements - Issues and Objectives	<b>Principal Planner</b>
<b>1.10</b>	Technical Update – Plan Change Process	<b>Principal Planner</b>
<b>1.40</b>	Paper – Approach to Consultation	<b>Project Manager</b>
<b>1.50</b>	General Business	<b>Chair</b>
<b>2.00</b>	<b>Meeting Ends</b>	

### Meeting Dates for 2020

Thursday 25 August (Arahura Marae)

Thursday 24 September (Buller District Council)

Thursday 29 October (Grey District Council)

Tuesday 26 November (West Coast Regional Council)

Wednesday 14 December (Westland District Council)

**THE WEST COAST REGIONAL COUNCIL**

**MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE  
HELD ON 24 JUNE 2020, VIA ZOOM, (DUE TO COVID – 19)  
COMMENCING AT 09.00 A.M.**

**PRESENT:**

R. Williams (Chairman), A. Birchfield, M. Montgomery, S. Roche, T. Gibson, B. Smith, A. Becker, L. Coll McLaughlin, P. Madgwick, L. Martin, F Tumahai (left meeting at 10.00am).

**IN ATTENDANCE:**

J. Armstrong (Project Manager), L. Easton, E. Bretherton, M. Meehan (WCRC), S. Bastion (WDC), P. Morris, (GDC)

**WELCOME**

The Chairman welcomed everyone to the meeting. He advised that WCRC is hosting the meeting via Zoom. He reminded those present that this is a public meeting and members of the public as well as media are welcome to attend. The Chairman welcomed any members of the public who may be viewing the meeting via Council's Facebook page.

Cr Montgomery from BDC attended on behalf of Mayor Cleine.

**APOLOGIES:**

**Moved** (Birchfield / Roche) *That the apology from Mayor Cleine be accepted.*

*Carried*

**CONFIRMATION OF MINUTES**

**Moved** (Tumahai / Roche)

*That the minutes of the meeting dated 28 May 2020, be confirmed as correct.*

Carried

**MATTERS ARISING**

There were no matters arising from the minutes.

**Project Manager's Update**

J. Armstrong spoke to her report and offered to answer questions.

**Discussion on the Format of TTPP Committee Meetings**

J. Armstrong spoke to this report and explained the three options relating to the timings and frequency of meetings. Extensive discussion took place and it was agreed that two meetings each month would be held from August, with one meeting via Zoom and one meeting in person. A workshop will be held in July. Cr Roche suggested that this workshop is held once the report on SNA's is to hand.

**Moved** (Gibson / Tumahai)

1. *That the report is received.*
2. *That TTPPC select one of the proposed meetings options or develop an alternative options which will allow the draft plan to be completed by September 2022.*
3. *That TTPPC address Conflicts of Interest.*

*Carried*

**Technical Update – Historic Heritage**

E. Bretherton spoke to this report. E. Bretherton advised the next steps will be to hold workshops for stakeholders on the issues, objectives and policies. It was noted that these workshops have been postponed

to August due to Covid -19. A historic heritage questionnaire has been developed and shared with stakeholders, and the outputs from the workshops and questionnaire will come back to this committee in October 2020.

F. Tumahai passed on his thanks to E. Bretherton and P. Forsyth? L. Easton for their work in the cultural heritage area.

**Moved** (Coll McLaughlin / Becker) *That the report is received.*

*Carried*

The meeting adjourned for a ten minute break and reconvened at 10.25 a.m.

### **Technical Update – Tourism Issues and Strategic Objectives**

L. Easton spoke to this report and spoke to the five issues contained in the report. She answered questions and advised that the next steps are to seek feedback from the committee on the wording of the draft issues and strategic objectives. L. Easton stated that this will provide part of the overarching framework under which other Plan provisions are developed.

**Moved** (Birchfield / Becker)

1. *That the Committee receives the report.*
2. *That the Committee provide feedback on the draft proposed Issues and Strategic Objective for Tourism.*

*Carried*

### **Technical Update – Open Space**

L. Easton spoke to this report. She advised that there are three Open Space Zones proposed for use under the National Planning Standards, which are Natural Open Space Zone, Sport and Recreation Zone and Open Space Zone.

**Moved** (Birchfield / Coll McLaughlin)

1. *That the Committee receives the report.*
2. *That the Committee provide feedback on the draft proposed approach for Open Space in the Te Tai o Poutini Plan.*

*Carried*

### **General business**

The Deed of Agreement was discussed and it was agreed that this would be signed at the meeting on 30 July.

Press Release: It was agreed that a press release would be written and sent at the conclusion of each meeting.

The meeting closed at 11.01 a.m.

The Chairman thanked everyone for their attendance.

### **NEXT MEETING**

The next meeting is scheduled for 10.30 a.m. on Thursday 30 July 2020, at WCRC.

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Chairman

.....  
Date

### **Action Points**

### **Meeting Dates for 2020**

- Thursday 25 August (Arahura Marae)
- Thursday 24 September (Buller District Council)
- Thursday 29 October (Grey District Council)
- Tuesday 24 November (West Coast Regional Council)
- Wednesday 14 December (Westland District Council)



# Te Tai o Poutini PLAN

*A combined district plan for the West Coast*

Prepared for: Te Tai o Poutini Plan Committee Meeting  
 Prepared by: Lois Easton, Principal Planner  
 Date: 30 July 2020  
 Subject: **Te Tai o Poutini Plan Technical Update – Significant Natural Areas Assessment Process**

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## SUMMARY

This report follows on from the decision of the Committee at it's April 20 meeting:

*"That the mapping of potential SNA's and the contract are put on hold and that approval by TTPP Committee is required before the process is restarted."*

This report outlines the options going forward for progression of the identification of areas of significant indigenous vegetation and fauna habitat, and to develop the Te Tai o Poutini Plan provisions for this matter.

## RECOMMENDATIONS

1. That the Committee receive the report.
2. That the Committee decide on one of the following options:
  - **Option A:** Commencing the Significant Natural Areas identification – Stage 1 desk top study now and progressing the field assessment once the desk top study is complete.
  - **Option B:** Defer the Significant Natural Areas identification – Stage 1 desk top study until the National Policy Statement for Indigenous Biodiversity has been released, or until May 2021, whichever is the earliest. Progress the field assessment once the desk top study is complete.
  - **Option C:** Defer the Significant Natural Areas identification – Stage 1 desk top study until the National Policy Statement for Indigenous Biodiversity has been released, or until May 2021, whichever is the earliest. Do not undertake Field Assessment prior to release of the Draft Plan. Only field assess properties where landowners object.

Lois Easton

**Principal Planner**

## INTRODUCTION

1. As part of its implementation of Section 6 (Matters of National Importance) of the Resource Management Act (RMA), Te Tai o Poutini Plan is required to:

### *Section 6*

*"recognise and provide for the following matters of national importance:*

*...(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna...." and*

### *Section 7*

*"have particular regard to—*

*.. (d) intrinsic values of ecosystems..."*

2. The approach used across New Zealand to meet these requirements, is to survey the ecological values of a district. Through this survey, assessment of native vegetation is undertaken and significant natural areas are identified, with specific Objectives, Policies and Rules included in the District Plan. As discussed further below, where significant natural areas have not been identified, this has been successfully challenged in the Environment Court and significant natural areas have had to be identified.

## NATIONAL AND REGIONAL DIRECTION

### West Coast Regional Policy Statement Provisions (RPS)

3. Regional and district plans must "give effect to" regional policy statements. The phrase "give effect to" means "implement". It is a strong directive that creates a firm obligation on the part of those subject to it. (Refer Environment Court Cases *Environmental Defence Society Inc v The New Zealand King Salmon Company Ltd* [2014] NZKS 38 at [77], and also *Clevedon Cares Inc v Manukau City Council* [2010] NZEnvC 211).
4. The requirement to "give effect to" regional policy statements means that regional policy statements are more than a list of potentially relevant considerations, which will have varying weight in different fact situations. An "overall judgment" approach can no longer be applied to the question of whether a plan gives effect to a regional policy statement, and policies in regional policy statements may provide environmental bottom lines.
5. The now operative RPS specifically requires Te Tai o Poutini Plan to identify SNAs and contains criteria for their identification. The key Objective and Policy in relation to this is:

***Objective 7.1*** *Identify in regional and district plans, and through the resource consent process, areas of significant indigenous vegetation and significant habitats of indigenous fauna in a regionally consistent manner.*

***Policy 7.1a.*** *Areas of significant indigenous vegetation and significant habitats of indigenous fauna will be identified using the criteria in Appendix 1; they will be known as Significant Natural Areas (SNAs), and will be mapped in the relevant regional plan and district plans.*

6. As a result of this policy, not identifying SNAs in the Plan would make the Plan *ultra vires* (against the law).

### Draft National Policy Statement for Indigenous Biodiversity

7. In December 2019 a draft National Policy Statement for Indigenous Biodiversity (NPSIB) was released for consultation. Submissions on the draft NPSIB closed on 14 March 2020. A summary of submissions has not yet been provided.

8. Latest advice from the Ministry for the Environment is that the final NPSIB will be released in April 2021. There is however some uncertainty associated with this timeline – as there will be a general election between now and then.
9. The work on the NPSIB and collaborative group that developed it was set up by the then National government, and carried forward under the current government, so it is reasonable to assume that regardless of the election result an NPSIB in some form is likely to be progressed next year.
10. The draft NPSIB requires that district councils identify SNAs and protect these in their Plans. There are differences in the significance criteria of the draft NPSIB and the RPS. The RPS criteria are more workable and practical for a West Coast context. The draft NPSIB does include a provision that if the SNAs have been identified with a criteria prior to the NPS coming into effect that “substantially conform” with the NPSIB criteria, then this assessment is sufficient. Being able to specifically utilise the RPS criteria prior to a final NPSIB would be an advantage for the West Coast.
11. Additionally, the draft NPSIB requires assessment of Crown land as well as private land. This is not required in the RPS and may, or may not, be required in the final NPSIB.

## PROCESS AND OPTIONS

### Identification and Assessment of SNAS

12. As outlined in the paper to the April 2020 Committee meeting on this issue, the most cost effective way of undertaking SNA identification, where all sites are visited before final scheduling, is the use of field assessment by ecology students overseen by a professional ecologist. If the Committee wishes to progress this work on that basis, then the desk top work needs to commence immediately. Note that only non-wetland SNA’s will be identified.
13. There are two other options that were outlined in the April 2020 Committee paper – use of professional ecologists to undertake the field assessment; or no field assessment.
14. With the arrival of COVID 19 and the move into recession, there may be an alternative, relatively low cost option, to contract recent graduate ecology students to undertake the field assessments in a shorter timeframe.
15. If any of those approaches were preferred, then the timeframe for SNA identification can be shortened. However it should be noted that the use of professional ecologist to undertake site assessments is likely to be significantly more expensive than any other approach.
16. It should be noted that the option of not undertaking field assessments will probably be removed via the NPSIB. The draft NPSIB specifically requires field assessments.

### Options for Progression of the SNA Identification Work.

17. Based on the analysis, there are three options A-C proposed for the Committee to consider. A fourth option D is included for completeness but as it is *ultra vires* it is not recommended. The pros and cons of these are outlined in the tables below.

**Option A:** Progress the SNA Desktop Study now, commence field assessment once desk top work is complete.

Pros	Cons
Quotes have been received within the last 3 months for the work, so the contract can be fixed on the current quotes.	
Draft NPSIB assessment requirements are similar to the RPS (issue is threshold) so	If requirement of draft NPSIB that DOC land is also assessed remains, then further

desktop work will meet NPSIB requirements.	desktop work as a second stage may be required.
Allows for knowledge of extent of potential SNAs to inform development of policy and rules.	
Creates faster certainty for landowners – some of whom are unnecessarily stressed that their property may have an SNA.	
Allows for field work to progress over summer 2020-21 using the RPS criteria.	Reduced Budget may not allow this.

**Option B:** Progress the SNA Desktop Study when the NPSIB is released in April and NPSIB SNA criteria are confirmed. If the NPSIB is further deferred commence SNA Desktop Study in May 2021. Undertake field assessment using contract graduate ecologists.

Pros	Cons
Gives more time for the Committee to discuss and develop the Objectives and Policy for SNAs to take out to landowners alongside the SNA field checking process.	Will need to retender the Desktop assessment. Prices may increase as more Councils move to comply with the NPSIB.
	Hard to develop clear policy and rules when the extent of SNAs is unknown. (Biodiversity matters affect other parts of the Plan)
	Cost of SNA field assessment increases – though if we are able to contract recent graduates then this option will be cheaper than a professional ecologist.
	Shorter timeframe to complete the biodiversity work programme – may delay the final Plan.

**Option C:** Progress the SNA Desktop Study when the NPSIB is released in April and NPSIB SNA criteria are confirmed. If the NPSIB is further deferred commence SNA Desktop Study in May 2021. Do not undertake Field Assessment prior to release of the Draft Plan. Only field assess properties where landowners object.

Pros	Cons
Gives time for the discussion of and development of the Objectives and Policy for SNAs prior to their identification.	Will need to retender the Desktop assessment. Prices may increase as more Councils move to comply with the NPSIB.
	Hard to develop clear policy and rules when the extent of SNAs is unknown. (Biodiversity matters affect other parts of the Plan)
	Not undertaking SNA Field Assessment prior to release of draft is risky in terms of landowner acceptance.

	NPSIB may make field assessment mandatory.
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**Option D:** Do not identify SNAs at this time. Include blanket vegetation clearance restrictions in the Plan with assessment on an application by application basis.

**[Not Recommended]**

Pros	Cons
This is largely the status quo for Westland and Buller	Does not meet the RPS Policy 1A, which TTPP is required to give effect to (i.e. is <i>ultra vires</i> ).
Lower short term costs	Appeals almost certain. Based on case law the Court is likely to require SNAs to be identified. In these circumstances the Court normally specifies a deadline.
Enables progression of policy development for other areas – in the knowledge that a consent requirement would be in place for most native vegetation clearance.	Likely higher long term costs if court appeal, findings against the Council and requirement to assess SNAs forced by the Court.
	Vegetation clearance rules for all native vegetation will be required as part of the justification of this option. This may unnecessarily restrict activities for a wider range of landowners than identifying SNAs would do.
	As SNAs will still eventually be required to be identified, this further extends the period of uncertainty for landowners.
	To act against the requirements of the Regional Policy Statement may not be viewed favourably by the Local Government Commission and the Minister for the Environment.

## RECOMMENDATIONS

1. That the Committee receive the report
2. That the Committee decide on one of the following options:
  - **Option A:** Commencing the Significant Natural Areas identification – Stage 1 desk top study now and progressing the field assessment once the desk top study is complete.
  - **Option B:** Defer the Significant Natural Areas identification – Stage 1 desk top study, until the National Policy Statement for Indigenous Biodiversity has been released, or until May 2021, whichever is the earliest. Progress the field assessment once the desk top study is complete.
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Prepared for: Te Tai o Poutini Plan Committee Meeting – 24 June 2020

Prepared by: Edith Bretherton, Senior Planner

Date: 24 June 2020

Subject: **Te Tai o Poutini Plan Technical Overview – Transport Issues, Objectives and Policies**

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## **SUMMARY**

This report gives an overview of the technical work being undertaken on Transport in Te Tai o Poutini Plan. Transport is a required chapter in Te Tai o Poutini Plan and sets the framework for the transport provisions across the three districts.

Analysis of relevant policy and targeted consultation was undertaken which identified seven key issues.

This paper outlines the key Issues, plus draft Objectives and Policies that have been developed in conjunction with the Technical Advisory Team (TAT) to address these issues.

Once draft Issues, Objectives and Policies are adopted by the Committee they will be used to develop planning rules for Te Tai o Poutini Plan. The draft rules will be workshopped with the TAT, transport providers and key users, before presentation to the Committee.

## **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the wording of the draft Issues, Objectives and Policies for Transport.
3. That the draft Issues, Objectives and Policies in this report (as amended by feedback from the Committee) be used to develop planning rules, and as part of the consultation process for Te Tai o Poutini Plan.

Edith Bretherton

**Senior Planner**

## INTRODUCTION

1. This report gives an overview of the technical work being undertaken on Transport in Te Tai o Poutini Plan. Infrastructure is a required chapter in Te Tai o Poutini Plan, and sets the framework for the transport provisions across the three districts.

## DEVELOPMENT OF ISSUES

2. In order to identify potential issues a review of the three existing district plans, the Grey District Long Term Plan, the relevant Regional Policy Statement chapters, the West Coast Regional Walking and Cycling Strategy 2009, the West Coast Regional Land Transport Plan 2015 – 2021 and the West Coast Regional Public Transport Plan 2015 – 2018 alongside targeted consultation with district council staff, Westport Airport, Destination Westland (Hokitika Airport), New Zealand Transport Authority and Kiwirail was undertaken.
3. A review of the New Plymouth, Porirua, Southland, Queenstown and Whakatane District Plans was undertaken. A brief summary of the provisions follows, more detail is contained in Appendix A.
  - All plans seek a connected, integrated and accessible transport system.
  - Alternative modes of transport, such as cycling, and walking are encouraged and provided for in all plans.
  - Transport networks are consistently required to be designed to be safe, efficient and effective.
  - Activities generating vehicle movements should be appropriate for the roading provided, some plans specify this in relation to heavy vehicle movements, some for subdivision.
  - Reverse sensitivity provisions are in all plans
  - The adverse effects from transport networks are to be managed.
  - The Queenstown District Plan has transport provisions equal to the transport issues and provides very strong direction on parking in zones.
4. From this analysis, seven Issues for the Transport chapter have been developed. These are:

### **Issue 1. Road and rail networks can negatively impact residential amenity, landscape amenity and indigenous biodiversity if not carefully managed.**

5. The road and rail networks are critical to the connectivity of the West Coast and to provide for individual, community and industry needs. These networks can negatively impact amenity within neighbourhoods, indigenous biodiversity, natural character, natural landscapes and features.

### **Issue 2. Consideration and provision for the safety, accessibility and connectivity of changing modes of transport, including pedestrians, cyclists, electric and hybrid vehicles and other non-vehicle road users is required.**

6. Changing modes of transport including increased provision for pedestrians and cyclists need to be considered to provide for safety, accessibility and connectivity.
7. Electric and hybrid vehicles are also becoming more common place.

**Issue 3: The transport network resilience is at increasing risk from natural hazards and impacts from climate change.**

8. Impacts from natural hazards and climate change can be severe on roading networks. Building resilience to these hazards is a challenge and a necessity. Rock protection works are often undertaken to protect this infrastructure, which requires specific grades of rock.

**Issue 4: Vehicle centric town centres reduce the vibrancy and accessibility of key community and commercial hubs.**

9. Vehicle-centric town centres are reducing pedestrian and cycle accessibility to services and to commercial activity. The focus on vehicles in town centres is reducing the amenity and economic activity of town centres.
10. Requirements for parking space provision is currently restricting business growth by requiring financial contributions, or provision for parking space in commercial areas.

**Issue 5: Poorly designed parking, access and manoeuvring can impact the safety, efficiency and effectiveness of the roading network.**

11. Well-designed roading as part of development, can increase the safety of road users, including pedestrians and cyclists, and maximise the efficiency and effectiveness of the roading network

**Issue 6: Inappropriate subdivision, land use and development can adversely impact the safe and efficient operation, maintenance and development of airports, road networks and rail.**

12. This issue highlights the need to address reverse sensitivity issues to ensure that development and use occurs in a way which does not hamper existing transport networks from being maintained and operated.
13. As new development occurs road widening, intersection upgrades and improved water management systems may be required to provide for increased traffic. Activities such as forestry and quarrying can have a high impact on networks due to the increased numbers of heavy vehicle movements. This can drive higher maintenance requirements or the need for upgrades to accommodate turning movements and passing opportunities.
14. Increased tourism, forestry harvest and other new activities at some locations also creates impacts on the state highway environment as well as conflicts between pedestrians/cyclists and vehicles (tourism) and heavy vehicles (forestry and quarrying including mining). Residential development may also increase pressure on roading resources.
15. New developments often seek additional access points to the roading network. This can impact the safe and efficient operation of the network, particularly the State Highway. This is exacerbated in many parts of the region where residential development occurs on the State Highway corridor.

## **DEVELOPMENT OF OBJECTIVES**

16. Based on the issues identified, the consultation undertaken to date and discussion with the TAT, four Objectives for Transport have been drafted.

### **Draft Transport Objective 1:**

17. To recognise and provide for the critical role the transport network plays in supporting communities and economic activity on the coast while reflecting the character, landscape and amenity of the towns, settlements and rural areas.

### **Draft Transport Objective 2:**

18. To enable accessibility, safety, connectivity and amenity of all road users, including pedestrians and cyclists.

### **Draft Transport Objective 3:**

19. To encourage resilience within the transport network to natural hazards and climate change reflecting its vital role in community wellbeing and economic activity.

### **Draft Transport Objective 4:**

20. To ensure the provision of safe and efficient parking, loading and access commensurate with the character, scale and intensity of the zone and consistent with the roading hierarchy.

## **Draft Transport Policies**

21. To achieve the draft objectives, policies have been drafted. These have been reviewed and refined by the TAT.

### **Draft Transport Policy 1**

*The road and rail networks should;*

- a). Be maintained or enhanced to provide safe and efficient transportation;*
- b). Provide for the needs of all road users and modes of transport;*
- c). Minimise effects on adjoining properties including the impacts of vibration, noise, glare and vehicle emissions.*

20. This policy sets direction for transport networks to be as effective and efficient as possible, and to minimise negative effects.

### **Draft Transport Policy 2**

*Allow for the continued safe and efficient operation of airports including aircraft take-off and landing, associated equipment, maintenance and repair.*

22. This policy highlights the reverse sensitivity needs of airports and highlights their operational needs.

### **Draft Transport Policy 3**

*Identify noise contours and use them to manage reverse sensitivity noise effects on airports.*

23. Noise contours enable suitable development to occur without impacting on the ability of airports to operate. Industrial zoning is often proximate to airports as noise is more acceptable than in residential zoning. Residential zoning can occur close to airports and noise attenuation tools can be used.

### **Draft Transport Policy 4**

*Vehicle crossings and associated access will;*

- a). be designed and located to provide for safe, effective and efficient movement to and from sites;*
- b). minimise potential conflicts between vehicles, pedestrians and cyclists on the adjacent road network;*
- c). manage vehicle access to and from sites adjacent to intersections, and state highway interchanges.*

24. The provision (or siting) of vehicle crossings and access needs to account for community safety

### **Draft Transport Policy 5**

*Ensure the safe location of buildings and other visual obstructions within the sightline areas of roads and rail level crossings to maximise user safety*

25. Poorly designed rail crossings can be very dangerous to all users.

### **Draft Transport Policy 6**

*Ensure any new road and pedestrian rail level crossings carefully consider the safety of road users, pedestrians, and the effective and efficient operation of the regions rail network.*

26. An increase in the number of road and pedestrian rail level crossings results in a decrease in the speed at which trains can move due to safety considerations. This reduces the efficiency of the network.

### **Draft Transport Policy 7**

*Control vehicle access to sites adjacent to all road/rail level crossings to improve safety for road users on the approach to level crossings.*

27. Vehicle access adjacent to crossings needs to be carefully considered to maximise safety.

### **Draft Transport Policy 8**

*Identify and protect rock sources required for road maintenance and development of natural hazard protection structures for transport networks.*

28. The ongoing supply of hard rock for protection structures is paramount to the ability to continue to provide these for our communities.

### **Draft Transport Policy 9**

*Enable provision of electric vehicle charging stations to support the uptake of electric cars.*

29. Electric vehicles are becoming more common, and over the lifetime of the plan it is likely to increase further. There is no expectation that councils provide these.

### **Draft Transport Policy 10**

*Support increased cycling and walking by:*

- (a) Requiring larger developments to provide bicycle parking and*
- (b) Providing for off-road pedestrian and bicycle facilities to complement facilities located within the road network.*

30. Cycling and walking are both increasing within our region.

### **Draft Transport Policy 11**

*Provide for flexible approaches to parking, which use land and parking spaces more efficiently, and reduce incremental and individual parking provision.*

31. This policy gives direction for parking standards suitable for the activity rather than a blanket requirement which may be excessive and inefficient.

### **Draft Transport Policy 12**

*Manage the number, location and type of parking and loading spaces, including bicycle parking and electric car charging spaces to support the following:*

- (a) The safe, efficient and effective operation of the transport network;*
- (b) The functional and operational requirements of activities;*
- (c) The recognition of different activities having different trip characteristics;*
- (d) The use of sustainable transport options including cycling and walking;*

- (e) Provision of safe access and egress for vehicles, pedestrians and cyclists and*
- (f) Avoid or mitigate potential conflicts between vehicles, pedestrians and cyclists.*

32. In some areas, such as town centres, current parking provisions are hindering business development. Other areas have different requirements and this policy allows for the requirement to fit the activity. It also highlights the need to consider other road users and reflects the West Coast Regional Transport Strategy drive to increase cycling and pedestrian road usage.

### **Draft Transport Policy 13**

*Require parking and loading areas to be designed so that reverse manoeuvring of vehicles onto or off the road does not occur in situations which will compromise:*

- (a) The safe, effective and efficient operation of roads;*
- (b) Pedestrian access and amenity;*
- (c) Safe and functional access.*

33. This policy reflects the safety consideration that reversing onto the road is suboptimal.

### **NEXT STEPS**

- 34. Feedback from the Committee is sought in relation to the wording of the draft Issues, Objectives and Policies.
- 35. The draft Issues, Objectives and Policies will be used to develop Rules. Input from the Technical Advisory Team and from stakeholders will be sought.

### **RECOMMENDATIONS**

- 1. That the Committee receive the report
- 2. That the Committee provide feedback on the wording of the draft issues, Objectives and Policies for Transport.
- 3. That the draft Issues, Objectives and Policies in this report (as amended by feedback from the Committee) be used to develop planning rules, and as part of the consultation process for Te Tai o Poutini Plan.

### Appendix A: Summary of other district council approaches to Transport

District Council	New Plymouth	Porirua	Southland	Queenstown Lakes	Whakatane
Objectives	<p>Transport network to be well-connect, integrated and accessible.</p> <p>Network to be safe, efficient and effective.</p> <p>Traffic generating activities compatible with roading type.</p> <p>Reverse sensitivity managed.</p> <p>Adverse effects from transport network managed.</p>	<p>Safe, efficient, resilient and well-connected transport network.</p> <p>Construction and operation consistent with receiving environment.</p> <p>Network not impacted by high trip generating activities.</p> <p>A transport network with safe and efficient on-site transport facilities.</p>	<p>Transport network integrated, safe, responsive and sustainable</p>	<p>Transport network is integrated, safe, and efficient, provides for all transport modes and freight.</p> <p>Reduces dependency on private motor</p> <p>Contributes towards addressing the effects on climate change;</p> <p>Reduces the dominance and congestion of vehicles,</p> <p>Enables benefits from public walking and cycling trails.</p> <p>Parking, loading and manoeuvring consistent with zone, focus on safety.</p> <p>Integrate development and transport.</p>	<p>Transport network is safe, efficient, sustainable integrated land transport network.</p> <p>Roads are safe for all road users, including pedestrians and designed to the context of their environment. They should carry utilities, including stormwater, and aid design.</p>

<p>Policies</p>	<p>Identification and mapping of hierarchy.          Allowance of activities for safety, efficiency and effectiveness.          Management of access points, railway crossings, and high trip generation.          Connectivity, integration and design are encouraged.          New developments to have bicycle, end of trip facilities, EV charging points, carpool parking, motorbike parking.          Safety and efficiency through road design and managing of conflicts and crossings.          Railway is not constrained or compromised.          Traffic generating activities directed away from local roads.</p>	<p>Classify roads          Enhancements and additions enabled and provided for.          Integration and coordination, encourage public transport and non-vehicle travel.          Access, parking and loading controlled if not to industry standard.</p>	<p>Safe and efficient transport system.          Recognise benefit of transport system while managing adverse effects.          Integrate development and transport.          Reverse sensitivity          Recognise the benefits of transport choice.</p>	<p>Well connected and designed.          Town centre pedestrian dominated.          Enable public transport, EV, walking and cycling.          Comprehensive parking provisions – reducing vehicles in town centres, business centres and mixed use.          Design standards for roads, crossing and access, focussed on safety.          Encourage tree planting for streets.          Business related vehicles not to be stored on roads.          Control access to state highway and arterial roads.</p>	<p>Reverse sensitivity          Manage effects from the transport network.          Integrate with development including providing for pedestrians and cycleways.          Cyclists and pedestrians have priority in business centre zone.          Safe and flowing network.          Encourage and facilitate sustainable modes of transport including walking, cycling and public transport.          Manoeuvring, parking and access is sufficient and practical.          Avoid poorly designed rail and road access / crossings.</p>
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Prepared for: Te Tai o Poutini Plan Committee Meeting  
Prepared by: Lois Easton, Principal Planner  
Date: 30 July 2020  
Subject: **Te Tai o Poutini Plan Technical Update – Rural Areas and Settlements Issues and Objectives**

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## **SUMMARY**

This report gives an update on the technical work being undertaken on Rural Areas and Settlements Issues, Objectives and Zones in Te Tai o Poutini Plan.

Rural areas represent the majority of private land within the West Coast.

Settlements sit within the rural areas and support them with services as well as helping define their character and sense of place.

The paper outlines the draft Issues, Objectives and proposed Zones that have been developed in conjunction with the technical staff representatives of the four councils.

## **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the wording of the draft Issues and Objectives for Rural Areas and Settlements.
3. That the Committee provide initial direction for policy and rules for Rural Areas and Settlements.

Lois Easton

**Principal Planner**

## INTRODUCTION

1. This report gives an update on the technical work being undertaken on Rural Areas and Settlements Issues and Objectives and the proposed Zones within these areas for Te Tai o Poutini Plan.
2. Rural areas represent the majority of private land within the West Coast. They are working environments – with farming, mining, tourism, horticulture, and forestry being undertaken alongside a number of smaller industries. They contain native bush, wetlands, energy generation sites and national grid infrastructure. They are also residential environments – characterised by a low level of development, characteristic levels of quiet and distance from neighbours.
3. Small settlements and townships are a significant feature within the rural areas of the West Coast, with numerous coastal and inland settlements around the districts. Some of these settlements were once much larger, due to past mining and forestry activities. Some are expanding, mainly due to the increase in tourism activities or their proximity to the main centres meaning they are becoming more like commuter areas.
4. The rural area is characterised by its open vistas and natural features that are of importance to the wider community. Components include the coastline, water features, vegetation and the absence of built up areas.
5. Settlements have a range of characters – coastal, historic, bush living and rural. They are often typified by the presence of historic or longstanding industrial uses, although commercial activity is only found in the largest of these places.

## BACKGROUND INFORMATION

### National Direction

6. There are two recent pieces of national direction that provide key context for management of rural areas and settlements in Te Tai o Poutini Plan – the Proposed National Policy Statement for Highly Productive Land, and the operative National Environmental Standard for Plantation Forestry.

### *Proposed National Policy Statement for Highly Productive Land*

7. The proposed NPS for Highly Productive Land (the NPS) was put out for public consultation in September 2019. It is not yet operative, but recent advice from the Ministry for the Environment is that it is still being progressed with an expectation of being put into effect in the 2020 calendar year.
8. The NPS recognises that highly productive land is a limited resource and uses the Land Use Capability (LUC) System as a good measure to identify this land. Specifically it identifies LUC classes 1-3 as generally meeting the criteria. These land classes are very rare on the West Coast, with LUC 1 and 2 not present and LUC 3 found in limited locations in the Grey/Māwhera Valley, the flats behind Westport, at Little Wanganui and Karamea. There is no LUC 1-3 land in Westland District.
9. The overall purpose of the NPS is to improve the way highly productive land is managed under the RMA to:
  - recognise the full range of values and benefits associated with its use for primary production;
  - maintain its availability for primary production for future generations; and
  - protect it from inappropriate subdivision, use and development.
10. The three key issues which the NPS addresses are: urban expansion, fragmentation and reverse sensitivity.
11. On the West Coast, most of Westport is built on LUC 3 land, and the remaining LUC 3 land is most at risk from urban expansion – however this land is also subject to significant flooding risk.

12. LUC 3 land at Little Wanganui has already had some subdivision undertaken for a bach settlement, though most of this land is still in farmland.
13. LUC 3 land at Karamea includes the settlement of Karamea itself, as well as a range of horticultural and farming businesses operating on this land.
14. In terms of Te Tai o Poutini Plan this NPS is also a useful reminder that highlights the value of this land to the West Coast economy. The LUC Class 3 land on the West Coast is the most flexible land in terms of productive use, and is the most valuable for horticulture. While horticulture on the West Coast is reasonably limited, there is a range of horticulture businesses at Karamea located on this land, discussions with growers indicate there is future potential for emerging crops to locate on suitable land on the West Coast.

### ***National Environmental Standard for Plantation Forestry***

15. The NES Plantation Forestry (the NES) has been in place since 2017. It largely removes the ability of district councils to regulate forestry, except for the following matters:
  - Effects on Significant Natural Areas
  - Effects on Outstanding Landscapes and Outstanding Natural Features
  - Impacts on drinking water supplies
  - Effects on areas of karst geology
  - Effects on wāhi tapu and significant cultural sites
  - Effects on historic heritage
16. In terms of Te Tai o Poutini Plan, these matters will be regulated through the specific provisions relating to those resources and associated overlays, rather than through the general Zone standards.
17. Councils are unable to regulate amenity impacts such as noise and dust from plantation forestry.

### **Regional Direction**

18. The Proposed Regional Policy Statement (the RPS) is silent on specific issues and provisions for the rural areas and settlements, being focussed on resources rather than land use. It does set key context and direction for subdivision, use and development of key resources found in the rural areas however. In terms of Te Tai o Poutini Plan, these matters will generally be regulated through the specific provisions relating to those resources and associated overlays, rather than through the general Zone standards.
19. Objectives and policies around enabling sustainable and resilient communities are included within the RPS.

### **Rural Areas of the West Coast**

20. The rural area across the three Districts has some key differences that need to be considered as part of the policy framework. These are summarised in Appendix 1.
21. Key matters to note are:
  - DOC estate forms the predominant land use in the three districts, however as discussed at the June meeting, this land is proposed for inclusion in an Open Space Zone. The focus of Rural Environment management therefore needs to be the predominantly private land within this area.
  - There are very limited areas of high value land suitable for arable production and higher performing grassland.
  - While there is no LUC Class 1 and 2 land on the West Coast, there is LUC Class 3 land found in very limited locations in Buller and Grey Districts. LUC 4 land is also in short supply, in limited locations in all three districts. As well as considering the importance of protecting this land from urban development as prescribed in National Policy, this represents an important economic resource which should be valued.

- Management of ecosystems/indigenous biodiversity, natural character and natural landscapes in rural environments will be a significant matter – but the provisions for these matters will be in the respective district wide sections of the Plan, not in the Zone rules.

### **Settlements and Townships of the West Coast**

22. For the purpose of the Plan, a settlement is generally considered to be a collection of dwellings in sufficient concentration with enough residents to justify a specific settlement or township zone. Areas currently zoned as a Small or Coastal Settlement Zone (Westland), Township Zone (Grey) or have residential zone (Buller) have had a brief character assessment undertaken. Alongside this a brief scan of development potential for each area has been undertaken and potential zoning options (discussed further below) are identified. The draft character assessment is attached at Appendix 2.
23. Some settlements do not have reticulated water supply or a sewerage system. Rainwater tends to be the primary source of water in the settlements with bore water or river water as an alternative source. Sewage is disposed of individually using septic tanks in most cases. Minimum site sizes have often been driven by the area required for the sewage disposal field.
24. The settlements tend to have either a rural or coastal character.
25. Settlements with a rural character are typified by:
  - Variety of building design
  - Large section sizes
  - Provision of on-site vehicle parking and manoeuvrability area
  - Rural and semi-rural residential activities
  - Minimal intrusion from signage
  - Feeling of community identity associated with residential areas
  - Non-residential activities are usually small scale such as primary schools, halls, and service stations.
  - Small scale and less intense development.
  - Almost all are located adjacent to the main transport routes or along the coastal margins of the West Coast.
  - Many settlements comprise a mixture of residential, commercial, recreational, rural, community and other uses, generally interspersed and without a clear pattern or definition of development.
  - Visually connected to the surrounding rural area
26. Settlements with a coastal character are typified by:
  - High importance placed on landscape and views from structures
  - Proximity to coastline
  - Heavy emphasis on the coastline and its natural character
  - Access to coastal foreshore
  - Adjoining areas with high ecological, scientific, historical, and cultural value
  - Minimal intrusion from signage
  - Provision of on-site vehicle parking and manoeuvrability area
  - Rural and semi-rural residential activities
  - Feeling of community identity associated with residential areas
  - Non-residential activities are usually small scale such as campgrounds and halls

- Small scale and less intense development with fewer outdoor paved areas
- Visually connected to the coastal environment

### Current Plan Provisions

27. The three district plans all identify issues, objectives and policies for the rural areas and settlements. The approaches in the three Plans are summarised in the table below.

Buller	Grey	Westland
<p><u>Rural Areas</u></p> <ul style="list-style-type: none"> <li>• Focus on protection of productive values while allowing for complementary activities.</li> <li>• Current plan does not specifically provide for rural residential but Plan Change 133-145 (not operative) sets a policy framework for rural lifestyle living on the outskirts of townships</li> <li>• Policy anticipates a variety of non-rural activities to occur in rural areas including some commercial, industrial and utility uses</li> <li>• Reverse sensitivity is addressed</li> </ul> <p><u>Settlements</u></p> <ul style="list-style-type: none"> <li>• Not separately identified so policy relates to residential, commercial and industrial zoned areas</li> </ul>	<p><u>Rural Areas</u></p> <ul style="list-style-type: none"> <li>• Specific policies (and a zone) for rural residential development –focussing on the servicing issues and amenity in particular</li> <li>• Focus of rural objectives and policies is retaining rural character, function and amenity</li> <li>• Reverse sensitivity is addressed</li> </ul> <p><u>Townships</u></p> <ul style="list-style-type: none"> <li>• Policy seeking to maintain the amenity and open nature of townships</li> <li>• Provision for a wide range of activities</li> <li>• Consideration of servicing and infrastructure</li> </ul>	<p><u>Rural Areas</u></p> <ul style="list-style-type: none"> <li>• Focus on retaining environmental quality</li> <li>• Seek to protect productive potential of higher quality soils and land</li> <li>• Policy focus that urban activities should not intrude into the rural environment.</li> <li>• Reverse sensitivity is addressed</li> </ul> <p><u>Settlements</u></p> <ul style="list-style-type: none"> <li>• Focus on maintaining environmental quality and settlement character</li> <li>• Allowance of intermingling of activities where this does not impact on amenity</li> <li>• Policy focus for development on ensuring no new unplanned settlements are created and that settlement expansions should fit into the visual environment</li> </ul>

28. The three districts take a different approach to zoning as outlined in the table below.

Buller	Grey	Westland
<ul style="list-style-type: none"> <li>• Most settlements zoned residential with commercial and industrial as appropriate.</li> <li>• Punakaiki is subject to a Scenically Sensitive Residential Zone</li> </ul>	<ul style="list-style-type: none"> <li>• Some settlements zoned residential/commercial/industrial (generally fully reticulated at the time of Plan development).</li> <li>• Some settlements zoned Township Zone (generally where they had on site servicing at time of Plan development, but some of these settlements are now reticulated)</li> </ul>	<ul style="list-style-type: none"> <li>• Settlements zoned either Small Settlement or Coastal Settlement.</li> <li>• Major tourism sites – Franz Josef/ Fox Glacier and Haast use a combination of Residential Zone and a Tourist Commercial Zone.</li> <li>• Franz Josef and Kumara Junction have some special provisions for particular locales</li> </ul>

		brought in by private plan change.
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29. Despite the differences there are some key themes across the three plans.

30. In terms of key issues, key themes across the three plans are:

- Ensuring the long term productive value of soil resources
- Maintaining viable rural communities
- Managing different landuses to avoid incompatible outcomes
- Effects of land uses on water quality, natural character, landscape and other natural resources
- Increased traffic and shading of rural roads
- Increased erosion and instability of sites
- Reduction in rural character and amenity as a consequence of subdivision and development
- Conflict between new activities and established activities
- Demands for servicing where rural residential development occurs
- Ensuring that the character and amenity values of settlements and townships are maintained
- Providing for a mix of uses in settlements and townships
- Recognising servicing constraints for settlements and townships.

31. In terms of the Objectives these focus on the themes of the rural issues, in particular:

- Providing for a range of lifestyle options in settlements and townships
- Maintaining character, amenity and heritage values of settlements, townships and rural areas
- Maintaining productive values in rural areas
- Providing for a range of rural activities that maintain amenity and character in rural areas, settlements and townships.

### **Efficiency and Effectiveness of Current Plans**

#### ***Grey***

32. An efficiency and effectiveness review of its district plan was undertaken in 2010 by the Grey District Council. This identified the concern that the current rural environment rules are very enabling of development and that some tightening to ensure non-rural activities do not preferentially locate in rural areas is required. The report identified that the rural environment section of the Grey Plan was not achieving the desired environmental outcomes due to being too enabling without discernment in relation to activities.

33. Particular concerns in the report related to the ad hoc development of rural lifestyle blocks, the establishment of commercial and industrial activities within the rural environment creating impacts on rural character and amenity.

34. Since 2010 more non- rural (particularly industrial) activities have located in rural areas and this has impacted on the viability of areas such as Kaiata Park which is zoned and serviced for industrial uses.

#### ***Westland***

35. An issues and options paper was prepared for a proposed district plan review in Westland District in 2009. This identified significant lifestyle subdivision was occurring in the rural areas and that the absence of a rural lifestyle zone was creating issues of conflict and reverse sensitivity between rural residential and farming/rural operations.

36. The paper also identified that there was development occurring around the edge of settlements where incremental residential development was occurring which was affecting the character of the settlements. This was identified as a particular issue at Kumara, Okarito, Hannah's Clearing Fox Glacier, Franz Josef, and the Haast area. At this time it was suggested

that design guidelines should be considered for the settlements to protect their character and that a review of performance standards was required.

37. A lack of industrial zoned land in Hokitika – and other settlements, and the effect this was having on industrial locating in rural areas was identified as a further problem.
38. The paper also identified that there are a number of rural communities that are threatened by natural hazards and that further natural hazard provisions for communities such as Okarito were warranted. Since this 2009 report in some locations there has been very substantial shoreline retreat since the existing district plan was written. Bruce Bay/Maitahi and Hunt's Beach, are examples, with settlements like Okuru and Hannah's Clearing also at risk.

### ***Buller***

39. No specific review of effectiveness of efficiency of the Buller Plan has been undertaken. However discussions with Buller staff, and feedback from consultation to date does indicate that, though to a lesser extent than Grey and Westland, there is an issue in Buller with non rural activities establishing in rural environments. Like Westland, Buller has no rural lifestyle zone, and rural residential properties are located next to farming and rural operations. Because the rural rules are relatively permissive for industrial development, this has led to reverse sensitivity issues. This issue has also partly arisen as a consequence of Buller having very little industrial zoned land so that the default location for such activities is the Rural Zone.
40. In Buller, there are also a number of coastal communities at significant threat from natural hazards. For example Granity, Little Wanganui and Ngakawau. Like in Westland, these communities need to be managed to reduce the risk from natural hazard events, and options for retreat need to be provided.

### **Approaches of other Councils**

41. A review of other Council's approaches to rural areas and settlements within their District Plans has been undertaken.
42. Additional key themes of relevance to Te Tai o Poutini Plan identified are:
  - Recognise the close economic, social and physical links between the rural area and settlements and the non-residential activities within these areas.
  - The role of rural areas and settlements in supporting tourism and the visitor economy
  - Specific provisions for Papakainga housing
  - Recognising that local, regional and nationally significant infrastructure is located in rural areas, and this can be affected by nearby sensitive land uses. For example wastewater treatment plants and disposal fields, water supply dams, transmission infrastructure and electricity generation sites.
  - Seeking that commercial and industrial activities should generally relate to the settlement that they are located in and support the local economy
  - Recognising that ad hoc development of new settlements within rural areas may not be desirable from a rural character and infrastructure perspective, and that planned growth of existing settlements (including for holiday homes and baches) is more appropriate.

### **PROPOSED APPROACH TO ZONES**

43. Within the Zone framework allowed by the National Planning Standards there are a number of Rural Zones and also a Settlement Zone (which is considered a Rural Zone). The Zones that staff believe are appropriate for the West Coast context, their definitions and where they could be applied are outlined below.
44. **General Rural Zone** – Areas used predominantly for primary production activities, including intensive indoor primary production. This zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
45. The General Rural Zone is expected to be the most widespread zone used in Te Tai o Poutini Plan covering most of the rural area.

46. **Rural Production Zone** – As for General Rural Zone except the activities may rely more on the productive nature of the land.
47. The Rural Production Zone could be used in areas of highly productive land with provisions aimed at protecting its productive potential for current and future uses.
48. **Rural Lifestyle Zone** - Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General Rural and Rural Production zones, while still enabling primary production to occur.
49. The Rural Lifestyle Zone could be used on the edges of settlements, townships and the main centres. It would replace the current Grey District Rural Residential Zone. It could also be used where the density/mix of development in a small community is not sufficient to warrant the use of a Settlement Zone.
50. **Settlement Zone** – Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.
51. The Settlement Zone is proposed for all areas currently zoned Small Settlement and Coastal Settlement in the Westland Plan, and those zoned Township Zone in the Grey Plan. It is also proposed to cover the settlements (outside of Westport and Reefton) within the Buller District. These settlements are currently zoned with urban zones – predominantly residential zone with many commercial activities operating under resource consent or existing use rights.
52. It is not proposed to use the Settlement Zone for the communities of Fox Glacier, Franz Josef and Punakaiki. These communities all have Special Zones within their current district plans, recognising the unique values of these areas, and the large visitor numbers. It is proposed to continue this approach in Te Tai o Poutini Plan with a Special Zone for this group of communities. This is discussed further in the paper on Approach to Special Zones, also on this agenda.

#### **PRECINCTS WITHIN SETTLEMENT AND RURAL ZONES**

53. Because the Settlement Zone will need to cover a wide range of characters of communities from Karamea to Jackson's Bay/Okāhu the use of Precincts (essentially a subzone) is considered appropriate.

##### ***Coastal Settlement Precinct***

54. At this stage Westland District Council staff have identified that a Precinct would be appropriate to recognise the special coastal character and amenity of the settlements currently zoned Coastal Settlement in the Westland Plan.
55. There may be other locations in Grey and Buller where the Coastal Settlement Precinct may also be appropriate.

##### ***Communal Living Precinct***

56. The Gloriavale Christian Community is currently located within the Rural Environment in Grey District. The community now is home to more than 600 residents and provides on site servicing (wastewater, water supply) and schooling for its residents. It is also the location of several industrial businesses, as well as two large farms. Expansion of the community to other locations is also being considered.
57. As discussed in the Approach to Special Zones paper on this agenda, staff consider that a Special Zone is not able to be justified under the National Planning Standards, but the nature of the community is such that it would not fit easily within a Settlement Zone. Instead a Communal Living Precinct within the General Rural Zone is being looked into by staff as a proposed approach.

##### ***Settlement Centre Precinct***

58. Some of the settlements on the West Coast have reached a size, or degree of commercial activity development, whereby the identification of a settlement centre may be warranted, to direct and concentrate the commercial activity.

59. This is a particular issue in Grey and Westland, where Small Settlement and Township Zone rules have been very permissive of commercial activity, and this combined with the changing economy has led to some significant commercial development in some locales. Good examples include Blackball (Grey) and Kumara (Westland), where tourism development has driven a resurgence of commercial activity in these communities.
60. With the exception of Karamea, Buller has not zoned commercial areas in its settlements, so there are a range of current commercial activities operating under resource consent or existing use rights.
61. Providing for a Settlement Centre Precinct could be the first step towards providing a more cohesive sense of place for these settlements – provisions in the Precinct could be more enabling of commercial and community facility development, while still retaining the flexibility of the Settlement Zone.
62. Feedback is sought from the Committee as to whether it thinks the Settlement Centre Precinct approach has merit.

## DEVELOPMENT OF DRAFT ISSUES AND OBJECTIVES

63. In light of the discussion above and with feedback from the Technical Advisory Team the following proposed draft Key Issues and Objectives are proposed:

### *Issues*

**Draft Rural Issue 1:** How to provide for productive land use and other complementary activities while ensuring the adverse effects on the rural environment do not result in incompatibility between different land uses.

64. This issue reflects that the rural areas have a predominant focus on production, but may be appropriate locations for other activities.

**Draft Rural Issue 2:** How to provide for rural lifestyle development and the maintenance of rural communities while protecting rural character and amenity and avoiding issues of reverse sensitivity.

65. This issue reflects that rural lifestyle development is now common on the West Coast – and subject to continued demand, however because rural areas are working environments, there can be issues of reverse sensitivity. In addition it reflects that the locations where rural lifestyle is allowed for can impact – positively or negatively - on rural communities.

**Draft Rural Issue 3:** How to provide for commercial and industrial activities within settlements and rural areas so that they do not detract from the character and amenity of these areas.

66. This issue reflects that industrial and commercial activities do locate in rural areas and settlements, but that there can be impacts from such developments.

**Draft Rural Issue 4:** How to manage development and redevelopment of rural settlements and communities while maintaining their distinctive character and amenity and recognising natural hazards.

67. This issue recognises that the rural settlements are distinctive and that as they develop or redevelop, character and amenity are important to maintain. It also recognises that some settlements are threatened by natural hazards and that natural hazards create limitations for how some settlements can develop.

### *Objectives*

**Draft Rural Objective 1:** To provide for a range of activities that maintain the amenity and rural character values of the rural environment, while retaining productive land and rural activities, and supporting a productive rural working environment.

**Draft Rural Objective 2:** To provide for low-density rural lifestyle living on the outskirts of townships and settlements where this will support township viability and not lead to conflicts with productive rural landuse or rural character.

**Draft Rural Objective 3:** To maintain and enhance the distinctive character and amenity of West Coast settlements and townships while allowing them to grow and adapt as economic activity and drivers change.

**Draft Rural Objective 4:** To support the expansion of existing settlements and townships where this does not increase the exposure to natural hazards and to implement hazard management to reduce the risk where existing development is located in high risk locations.

68. Feedback on these draft Issues and Objectives is sought from the Committee.

## **DIRECTION FOR POLICIES AND RULES**

69. When considering the Policies and Rules that will affect the rural areas and settlements, there are a number of key directions sought from the Committee.

### ***Industrial Activities in Rural Areas and Settlements***

70. A key question for Te Tai o Poutini Plan is the extent to which industrial development unrelated to rural activities should be able to locate in the rural areas. As discussed in paragraphs 30-32 and at previous Committee meetings in relation to Industrial Objectives, this is seen as a problem in particular in Grey, where industrial development in rural areas close to Greymouth has undermined urban industrial zones and investment in infrastructure. Non-rural industrial development in rural areas has also affected the rural character of some locations.
71. In Westland, a similar "spilling out" of industrial activities has occurred around Hokitika, although this may be largely driven by an absence of industrial zoned land as identified in its 2009 policy options paper.
72. Buller also has little industrial zoned land, Reefton in particular has had a range of industrial activities "spill out" into the adjacent rural area due to lack of industrial zoned land. This is largely supported by the current policy approach in the existing Buller District Plan. As a consequence across Buller the rural area is peppered with a range of non-rural industrial activities.
73. Feedback from the Committee is sought around the direction on industrial activities in rural zones and settlements and in particular whether the same direction should be applied across all three districts, or whether the Committee would prefer that the more permissive regime for non-rural industrial activities be provided in specific locations.

### ***Rural Residential Development***

74. Rural residential development (lots around 5000m<sup>2</sup> – 1 hectare) is not specifically provided for in the Buller or Westland Plans, although it has been a significant part of the last 10 years of residential development. It is proposed to amend this in Te Tai o Poutini Plan by bringing these rural residential areas into the Rural Lifestyle Zone.
75. However guidance is sought from the Committee in terms of how much emphasis the Plan takes in terms of providing additionally zoned Rural Lifestyle areas. Such lifestyle living is a popular choice now, but it does come at the cost of rural production values and potential reverse sensitivity for rural activities. This relates to the issue of industrial activities in rural areas also - where rural zones provide permissively for industrial activities, then reverse sensitivity issues with rural lifestyle living will be more significant.
76. Feedback from the Committee is sought as to whether Rural Lifestyle zoning should be predominantly focussed around the edge of the main centres (where it is currently developing) or whether there is the potential for its use around smaller settlements as well.

## **NEXT STEPS**

77. Feedback from the Committee is sought in relation to the wording of the draft Issues and Objectives and in providing some direction for policies and rules for rural areas and settlements.
78. Consultation is currently underway through a questionnaire and the completion of the planned roadshow to Grey and Buller District settlements in September. The future form and approach

to zoning in settlements is a key question in that consultation, as it was during the roadshow undertaken in Westland and central Grey District during March.

79. Following the consultation process feedback will be brought back to the Committee. This combined with the direction from today's meeting, will enable the preparation of draft Policies and Rules for consideration by the Committee later in the year.

## **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the wording of the draft Issues and Objectives for Rural Areas and Settlements.
3. That the Committee provide initial direction for policy and rules for Rural Areas and Settlements.

## Appendix 1: Rural Areas of the West Coast

### 1. Westland

Location	<ul style="list-style-type: none"> <li>the rural area is a relatively thin strip of land lying between the Southern Alps and the Tasman Sea.</li> </ul>
DOC Estate	<ul style="list-style-type: none"> <li>85% of the District is Conservation Estate, south of Bruce Bay is nearly all DOC owned land</li> </ul>
Main productive areas	<ul style="list-style-type: none"> <li>No LUC 1-3 units</li> <li>the areas around Hokitika, Kokotahi, Ross, Kakapotahi, Harihari, Whataroa, the lower Waiho and Fox Glacier are the main productive areas. (LUC Class 4)</li> </ul>
Hazards	<ul style="list-style-type: none"> <li>Many rural areas are subject to flood hazards, coastal hazards, land instability and the Alpine fault are also located in specific areas</li> </ul>
Forestry	<ul style="list-style-type: none"> <li>large areas of exotic forestry in particular around Harihari and Ross.</li> </ul>
Threatened environments	<ul style="list-style-type: none"> <li>no ecosystems identified in the Westland District that have 30% or less remaining in indigenous cover</li> </ul>
Outstanding landscapes	<ul style="list-style-type: none"> <li>the majority of the land is in public ownership, there are some areas of outstanding landscapes on areas of private land.</li> </ul>
Tourism	<ul style="list-style-type: none"> <li>Areas around Haast, Okarito, Fox Glacier, Franz Josef and Hokitika are the main tourism hot spots</li> </ul>
Mining	<ul style="list-style-type: none"> <li>Mainly alluvial gold mining on farmland, also in recently harvested forestry. Pounamu in the Arahura River. Garnets in many locations. Aotea Stone in the Makaawhio River. Black sand mining widespread.</li> </ul>
Rural Residential	<ul style="list-style-type: none"> <li>Mainly around Hokitika – Kaniere – Kumara Junction</li> </ul>

### 2. Grey

Location	<ul style="list-style-type: none"> <li>the rural area is essentially the wider Grey/Māwhera River Valley and environs</li> </ul>
DOC Estate	<ul style="list-style-type: none"> <li>65% Conservation Estate</li> </ul>
Main productive areas	<ul style="list-style-type: none"> <li>most productive Land Use Capability Units (Class 3) Land/soils found in the Grey Valley riverflats from Ngahere to Ikamatua with pockets of land in the Upper Grey Valley.</li> </ul>
Hazards	<ul style="list-style-type: none"> <li>Some coastal erosion affecting settlements as well as flooding hazards over rural land.</li> </ul>
Forestry	<ul style="list-style-type: none"> <li>Forestry is a significant activity in Grey and there are several sawmills. Exotic forestry is mainly located in the Arnold Valley and south of Nelson Creek.</li> </ul>
Threatened environments	<ul style="list-style-type: none"> <li>No ecosystems identified in the Grey District that have 20% or less remaining in indigenous cover (some 20-30%)</li> </ul>
Outstanding landscapes	<ul style="list-style-type: none"> <li>Though much of these areas are Conservation Estate there is private land identified as Outstanding Landscape.</li> </ul>
Tourism	<ul style="list-style-type: none"> <li>Tourism mainly associated with Lake Brunner, historic mining sites and new biking/hiking trails.</li> </ul>
Mining	<ul style="list-style-type: none"> <li>The Grey District is the location of some of the most significant coal deposits in the country, as well as alluvial gold and other minerals. Both coal and alluvial gold mining are undertaken.</li> </ul>
Rural Residential	<ul style="list-style-type: none"> <li>The Grey/Māwhera Valley is more densely populated than the Buller or Westland Districts, with a number of settlements scattered throughout. The proximity to Greymouth has also meant that industrial activities in particular have been locating on lower cost rural land close to the town. Rural residential development spread has also been significant.</li> </ul>

### 3. Buller

Location	<ul style="list-style-type: none"> <li>extends along the coast from Punakaiki to north of Karamea and inland from the northern Grey Valley and upper Buller River catchment to Westport.</li> </ul>
DOC Estate	<ul style="list-style-type: none"> <li>82% of the district is Conservation Estate</li> </ul>
Main productive areas	<ul style="list-style-type: none"> <li>most productive Land Use Capability Units (Class 3) land/soils found around Westport, the Māwheraiti Valley, the Inangahua Valley, Little Wanganui and around Karamea.</li> </ul>
Hazards	<ul style="list-style-type: none"> <li>substantial flooding hazard for many settlements, coastal hazards, land instability and Alpine Fault inland</li> </ul>
Forestry	<ul style="list-style-type: none"> <li>Small pockets mainly around Westport</li> </ul>
Threatened environments	<ul style="list-style-type: none"> <li>The Threatened Environments classification identifies an area around Little Wanganui to Karamea where there is less than 20% of the ecosystem remaining in indigenous cover, but this is the only area in the district with that classification</li> </ul>
Outstanding landscapes	<ul style="list-style-type: none"> <li>Most of these areas are Conservation Estate but there is private land identified as Outstanding Landscape – particularly at Paparoa and Karamea.</li> </ul>
Tourism	<ul style="list-style-type: none"> <li>mainly associated with Punakaiki, Oparara Arches and walks/cycle trails in the Paparoa and Kahurangi National Parks and Victoria Forest Park</li> </ul>
Mining	<ul style="list-style-type: none"> <li>Substantial mineral resources, however most of this is on public Conservation Land with the Buller Coalfield still being actively mined at Stockton. Alluvial gold mining also still occurs. Gold, antimony, tungston and coal near Reefton.</li> </ul>
Rural Residential	<ul style="list-style-type: none"> <li>Mainly around Westport</li> </ul>

## Appendix 2: Settlements and Townships of the West Coast

Settlement	Size and Character	Current Zone	Proposed Zone under TTPP
<b>Buller</b>			
Punakaiki 	Tourism focus Small permanent resident population (70) +cribs, hotel, motel, B&B accommodation. Small commercial. 450,000 visitors/year. High natural character and landscape values, bush coastal, Coastal erosion. Partially serviced. Parking dominates area around the rocks. Has a development plan (split across 2 districts – most of Punakaiki is in Buller – development plan looks across district boundaries)	Scenically sensitive residential & scenically sensitive commercial in Buller  Residential in Grey	Special Zone – encompassing whole area across the two districts
Granity 	Population 237 Coastal character Coastal erosion Has a community hall and shops and a school interspersed without a clear centre Many older houses Minimal signage Strong visual connection to sea Community strung out along coast and state highway Railway line	Residential	Settlement
Karamea 	Population 375 Rural character Strong visual connection to surrounding rural area Residential interspersed with rural Tourism -Great Walk, Oparara Arches Has shops and a distinct settlement centre at Market Cross Other commercial including Accommodation – hotel, motels Productive soils	Residential Rural Small area of commercial	Settlement Potential Precinct for settlement centre

Settlement	Size and Character	Current Zone	Proposed Zone under TTPP
<p><b>Buller</b> Ngakawau</p> 	<p>Population 300 combined with Hector Mining support – coal terminus link to Stockton “foot of the mountains” Ngakawau has a coastal character with visual connection to the coast and low coastal vegetation Older houses Some holiday homes Ngakawau Hall and domain</p>	<p>Residential Area of industrial behind Ngakawau (Stockton mine facilities)</p>	<p>Settlement  Buller Coal Field Special Zone for Coal Terminus</p>
<p>Hector</p> 	<p>Access to Charming Creek walks Coastal edge but more bushy town character than Ngakawau Kerb and channel on some streets Compact village feel with gridded streets abandoned houses on the edge of the settlement below the mountains Country music museum</p>	<p>Residential</p>	<p>Settlement</p>
<p>Seddonville</p> 	<p>End of Old Ghost Road Cycle Trail est 9,000 visitors/pa Dispersed rural character – open area Flat valley floor surrounded by mountains with wide vistas Hotel Holiday Park Bike shop Large subdivided area not developed</p>	<p>Residential</p>	<p>Settlement Rural lifestyle on edge?</p>

Settlement	Size and Character	Current Zone	Proposed Zone under TTPP
<b>Buller</b>			
Cape Foulwind 	Coastal village and some visual connection to the sea Pub A range of visitor accommodations Holcim Residential Baches Potential rural lifestyle use of part of ex Holcim site Quarry nearby Close to Westport Sensitive coastal environment (seal colony and birdlife)	Rural Cement Zone	Settlement Rural lifestyle for larger lots Industrial on part of ex Holcim site (contaminated land?) Rural – Minerals Precinct (Quarry)
Mokihinui 	Flat open coastal village Visual links to sea Low height of buildings – baches cemetery Population 186 Has 2 campgrounds Café New development supporting Cycle Tourism closer to highway	Residential	Settlement Possible Coastal Settlement Precinct
Little Wanganui 	Whitebaiting area. Has a pub/cafe. Beach subdivision has coastal character but area on Karamea Road has more rural village feel 105 occupied and 60 unoccupied dwellings – 207 people. Coastal erosion Productive soils adjacent	residential	Settlement Possible Coastal Settlement Precinct at beach area

Settlement	Size and Character	Current Zone	Proposed Zone under TTPP
<b>Buller</b>			
<p>Waimangaroa</p> 	<p>Has a school Old mining town Population 285 Historic feel – memorial, some commercial Community hall Access to historic Denniston Plateau mines Productive soils nearby</p>	Residential (and rural)	Settlement
<p>Springs Junction - Maruia</p> 	<p>183 in wider area Very small rural hamlet Truck stop fuel and motel Not really a defined settlement but small groups of houses strung along the valley, the area around the motel is the biggest concentration Productive Soils</p>	residential	<p>Settlement</p> <p>Not sure how to deal with commercial activity at the junction. Settlement Centre? Commercial Zone?</p>
<p>Inangahua</p> 	<p>Population 144 Rural village with quite a bushy environment Has a general store (closed) and school and community hall Productive Soils</p>	Residential	Settlement

Settlement	Size and Character	Current Zone	Proposed Zone under TTPP
<b>Buller</b>			
Charleston 	Coastal village and character Baches and permanent residents Tourism facilities Camping ground Fire station State highway development very vehicle focused – could do with more amenity Large subdivided area not developed Potential for expansion as fewer natural hazard constraints than Punakaiki	Residential and rural	Settlement  Possible Settlement Centre Precinct
Ikamatua 	Mining Pub Shop 2 Churches Industrial Railway station and siding Coal load out Petrol Station Fire Station Golf club Rural Service Centre Population less than 200	Residential Industrial Commercial	Settlement  Possible Settlement Centre Precinct to cover commercial activities  Possible Industrial

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Grey</b>			
Ahaura 	Population 372 School Pub Campground History Park Truck stop Rural service centre Productive Soils	Township Zone	Settlement  Potential Precinct for settlement centre to cover commercial activities
Totara Flat 	Rural hamlet Wide open rural vista on valley floor Houses straggling along highway Community hall where main group of houses are Productive Soils	Township Zone	Settlement
Nelson Creek 	Rural Clearing in bush - hamlet Hotel Ngahere main centre nearby Awesome recreation area including campground and very popular swimming hole	Township Zone	Settlement  Open Space Zone around campground

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Grey</b>			
<p>Ngahere</p> 	<p>Timber Mill  Rail siding  Industrial  Train station (Dredge Road)  Rural service centre  Population 363  Productive Soils</p>	<p>Township Zone</p>	<p>Settlement  Industrial</p> <p>Potential Precinct for settlement centre to cover commercial activities</p>
<p>Blackball</p> 	<p>Population 291  Tourism – Paparoa Track  Destination  Large village surrounded by mountains  Multiple accommodation  Mining heritage and historic hotel  Blackball Hilton  Blackball salami  BnBs  Campground  Multiple café/bars  Church</p>	<p>Township Zone</p>	<p>Settlement</p> <p>Potential Precinct for Settlement centre - museum through to park (both sides of road) to cover existing and long term commercial activities.</p>
<p>Barrytown</p> 	<p>Population 237  School  Settlers Hall  Multiple accommodation – backpackers  BnB  Coastal views  Gateway to the Paparoas</p>	<p>Township Zone  Rural Residential (Blue Waves)</p>	<p>Settlement</p>

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Grey</b>			
Rapahoe 	Campground Multiple accommodation Strong coastal character and coastal views Port Elizabeth Walkway ends here Coastal erosion Reasonably large settlement with strong beach residential character	Township Commercial by beach (Rapahoe Hotel) Industrial by railway line	Settlement
Runanga 	Population 1245 (incl Dunollie and Rapahoe) Large village/suburb School Multiple shops Community hall Park Club/pub Industrial (not well located)	Residential Commercial	Urban: Residential Commercial Neighbourhood Centre Zone  Rural lifestyle on edges
Dunollie 	Multiple shops Accommodation Bushy feel on edges Pub Spring Creek mine nearby Large village/suburb	Residential Commercial	Urban: Residential Commercial Neighbourhood Centre Zone  Rural lifestyle on edges Minerals Precinct for Spring Creek mine

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Grey</b>			
Taylorville 	Rural/bushy No services in township A few BnBs Close to Brunner mine and Grey River (tourism)	Township Zone	Settlement Rural residential
Kaiata 	Strip of development along main road and Omoto Valley Road Birchfield Coal Mine – Coal sales and workshop only Timber Mill – wood sales only No services in township Various industrial among residential Productive Soils	Residential Rural residential Commercial	Urban: Residential Commercial (existing sites) Future Urban Zone?
Kaiata Park 	Industrial Park with yard based commercial area and bush living/rural residential	Rural residential Commercial industrial	Urban: Residential Commercial Industrial  Rural lifestyle  Future Urban Zone?

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Grey</b>			
Stillwater 	Railway siding and timbermill -Inland Port  No services in township  Productive Soils	Township industrial	Urban: Residential Industrial  Future Urban Zone?  Care to protect Productive Soils
Dobson 	Population 678 incl. Taylorville and surrounds Large village – some commuting to Greymouth Railway line Large substation School Service station Some local shops Club Bowling club Productive Soils	Residential Rural residential Commercial Industrial Industrial rural	Residential Commercial Industrial Neighbourhood Centre Zone Future Urban Zone towards Greymouth Rural lifestyle on edge Care to protect Productive Soils
Moana 	Population 270 300 baches 80,000 visitors per year Motor camp Service Centre Parks Hotel and Bar New development (service centre) Ongoing residential development Sensitive lake environment (water quality, ecological values)	Residential Rural Commercial	Settlement  Potential Precinct for settlement centre to cover commercial activities

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Grey</b>			
Inchbonnie 	Rural Hamlet – cluster of houses Rural valley floor surrounded by mountains	Residential and commercial	Settlement?
Iveagh Bay/Te Kinga 	Baches Rural Residential Campground BnBs Sensitive lake environment (water quality, ecological values)	Residential Rural Residential	Settlement Rural lifestyle
Gladstone 	Largely rural residential with a coastal strip extension of Greymouth Suburb but not reticulated (kerb and channel and urban sized lots) Plywood mill Large underutilized industrial zone	Township  Industrial Rural Residential	Urban: Residential Commercial Industrial Rural lifestyle

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Grey</b>			
<p>Gloriavale</p> 	<p>Population More than 600</p> <p>Some industrial –rendering plant and food manufacturing</p> <p>Airstrip</p> <p>Residential dormitory style</p> <p>Community buildings including a school and childcare facilities</p> <p>Farming activities</p> <p>Have bought a second site at Lake Brunner</p>	<p>Rural</p>	<p>Precinct within Rural Zone</p>
<p>Camerons</p> 	<p>Rural village and rural residential</p> <p>Accommodation</p> <p>Community hall</p> <p>No services provided – all on site</p> <p>Coastal hazards but part of community on elevated terrace</p>	<p>Township rural</p>	<p>Settlement</p> <p>Rural lifestyle</p>

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Grey</b>			
Rutherglen 	Rural residential accommodation No services Shantytown	Rural residential	Rural lifestyle

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Westland</b>			
Otira 	Population 54 Railway station Hotel Backpackers Mountain village Founded for construction workers. Mainly a base for tramping and mountaineering Natural hazards	Rural due to natural hazards	Settlement with hazards overlay
Kumara 	Population 309 incl. Kumara and Kumara Junction Rural service centre + tourism Hotel Motel backpackers Service station Store Small bush living/rural residential area at Kumara Junction	Small Settlement Small Settlement (with special lot size rules) at Kumara Junction	Settlement Rural Lifestyle (Kumara Junction)  Potential Precinct for settlement centre to cover commercial activities

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Westland</b>			
Arahura 	Population 80 Marae Residential (plan to relocate to terrace by Marae) Urupa Coastal village character Strong views and connection to the coast and Arahura River	Small Settlement Rural	Maori Special Purpose Settlement for any non-Maori Land residential sites Rural
Kaniere 	Population 483 school hotel service station accommodation industrial (Westroads) residential subdivisions rural residential Effectively a suburb of Hokitika which has expanded to join into Kaniere	Small Settlement	Urban: Residential, Commercial, Industrial, Rural Lifestyle Neighbourhood Centre Zone
Woodstock 	Hotel and BnBs Residential Other side of the river so while population is included with Kaniere is a separate entity Rural settlement character	Small Settlement	Settlement

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Westland</b>			
Ruatapu 	Timber mill – Westco Lumber Rural village Residential Hotel up the road in rural zone	Small Settlement	Settlement (including Hotel) Industrial for timber mill site
Kokatahi 	School Hall Hotel B&B Rural service centre Flat valley floor location Rural visitas Higher value productive land around the settlement	Small Settlement	Settlement
Lake Kaniere 	Bach community accommodation sensitive lakeside environment campground walking tracks and aquatic recreation	Small Settlement	Settlement

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Westland</b>			
Ross 	Population 297 End of West Coast Wilderness Trail 11000 visitors p/a and increasing Historic gold town –underground and sluicing Accommodation School Museum Rural service centre Commercial Historic cemetery Adjacent alluvial gold mining and lime quarry	Small Settlement	Settlement Rural Lifestyle  Potential Precinct for settlement centre to cover commercial activities
Kakapotahi 	Rural hamlet Large lots within wider rural environment Residential activities only	Rural	Rural Lifestyle?
Harihari 	Population 330 South Westland Area School Shops Service Station Rural Service Town Hotel Increasing tourism  Landslide/rockfall hazards	Small Settlement	Settlement  Potential Precinct for settlement centre to cover commercial activities

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Westland</b>			
Whataroa 	Population 288 numerous tourism facilities accommodation retail residential service station Rural service town within wider rural environment	Small Settlement	Settlement  Potential Precinct for settlement centre to cover commercial activities
Okarito 	Population 30 Residential baches camping tourism businesses accommodation Coastal village with backdrop of hills Strong coastal connection Flood and coastal hazards  Sensitive environment (Roiwi habitat), large wetland	Coastal Settlement	Settlement - Coastal Settlement Precinct.
Franz Josef 	Population 330 Major tourism service area Many accommodation 250,000 visitors per year And up to 6000 per day Village within mountain environment Hot pools Range of natural hazards Masterplan under development	Residential Zone Tourist Zone	Special Zone

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Westland</b>			
Fox Glacier 	Population 306 Residential Commercial Service industrial Major tourism service centre Fewer hazards than Franz Josef Rural service town also Scope for expansion	Residential Zone Tourist Zone	Special Zone
Bruce Bay 	Population 33 Community hall accommodation coastal Cribs residential Marae and extensive area of Māori owned land Multiple locations of settlement Coastal Hazards	Coastal Settlement	Settlement - Coastal Settlement Precinct.  Maori Special Zone
Haast 	Population 240 Residential Commercial Accommodation Aerodrome 3 settlements in one (Haast Township, Haast Junction and Haast Beach) DOC Visitor Centre Major entry to the coast via Haast Pass New emergency services hub – medical centre and fire station South Westland Service Town	Tourist Zone Residential Zone Rural at Waitototo	Settlement Zone  Settlement Centre Precinct

Settlement	Size and Character	Current Zone	Proposed Zone
<b>Westland</b>			
Hannah's Clearing 	Coastal community – mix of residential and baches School Residential 30 houses accommodation and ecotourism ventures Surrounded by DOC Estate Coastal erosion issues whitebaiting	Small Settlement	Settlement
Jackson Bay/Okahu -Neil's Beach - Okuru  Neil's Beach  Okuru  Jackson's Bay -Okahu	Jackson Bay Port – only sheltered open sea anchorage on the West Coast Fishing village Mainly baches Airfield at Neil's Beach Shop (Cray Pot) accommodation and ecotourism ventures whitebaiting Jackson Bay becoming popular with people from Otago – growth in recreational boating and fishing Coastal erosion at Neil's Beach and Okuru	Coastal Settlement	Settlement –Coastal Settlement Precinct  Port Zone for Jackson Bay Port?



Prepared for: Te Tai o Poutini Plan Committee  
Prepared by: Lois Easton, Principal Planner  
Date: 30 July 2020  
Subject: **Technical Plan Changes to District Plans – Responsibility and Process**

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### **SUMMARY**

This report updates the Committee on legal advice around Plan Changes to the three existing District Plans and the process they will need to undertake.

It also provides information to the Committee on the ongoing role of the Committee as regards Te Tai o Poutini Plan once it is in place.

### **Recommendations**

1. That the information be received.

Lois Easton

**Principal Planner**

## **INTRODUCTION**

1. As a result of an enquiry regarding a potential Private Plan Change to the Grey District Plan, staff sought a legal opinion as regards the process for Plan Changes to the existing 3 district plans, and where decision making for this falls.

## **PLAN CHANGES TO EXISTING DISTRICT PLANS**

2. The full legal opinion is attached at Appendix One. This can be summarised as follows:
  - All Plan Making and Plan Change functions for the three district councils has been transferred to the West Coast Regional Council (WCRC).
  - The decision making on the Combined Te Tai o Poutini Plan has been transferred to the Te Tai o Poutini Plan Committee
  - The decision making on any Plan Changes for the three district plans sits with the WCRC full Council and they are unable to transfer this power to either Te Tai o Poutini Plan Committee, or back to the district councils.
3. The immediate effect of this is that any Plan Changes initiated by any other than the WCRC have the status of Private Plan Changes. This includes Plan Changes initiated by the three district councils.

## **Potential Plan Changes**

4. Staff are currently aware of the following Plan Changes potentially in the wings, and there may be other private or Council-initiated Plan Changes that we are not aware of:
  - Westland DC Franz Josef/ Hokitika Racecourse zoning/ masterplans
  - Private Plan Change to rezone land at Franz Josef
  - Private Plan Change to rezone rural land by Moana in Grey
5. Once a firm timeline and scope of any Plan Change is confirmed, staff will advise the WCRC full Council through a report, including the proposed timing and process. This information will also be provided to Te Tai o Poutini Plan Committee, for information.

## **Process for Plan Changes**

6. Internal staff discussions at the West Coast Regional Council have been undertaken to work out a process to handle these Plan Changes when they arise.
7. At this stage it has been agreed that the Te Tai o Poutini Plan staff will be responsible for oversight of any Plan Changes for the three district plans.
8. However, there is no funding allocated in the Te Tai o Poutini Plan budget for Plan Changes to the existing plans, and these will need to be funded in their entirety by the initiator, including cost recovery for WCRC time and any consultants costs.
9. In order to keep costs down it is proposed that where possible WCRC Councillor Commissioners will be used to hear submissions.
10. Discussions are ongoing with the district councils as to other ways to minimise costs, for example, district council staff summarising submissions and further submissions.
11. However there will be costs associated with preparation of Section 42A Hearings Reports and hearings of submissions.
12. Given capacity issues with staffing at the WCRC, it is likely that consultants will be required to assist in preparation of the hearings report.
13. Costs incurred by consultants and WCRC staff for the Plan Change process will be charged to the Plan Change initiator as per the WCRC fees and charges.
14. If there are appeals to any plan change, any and all costs for defending the plan change will need to be borne by the relevant district council. Who is involved in defending any plan change will be worked out on a case by case basis.

## **PLAN CHANGES TO THE FUTURE TE TAI O POUTINI PLAN**

15. The Order in Council process which transferred the Plan making function to the WCRC and onto the TTPP Committee does envisage an ongoing need and role for the Committee beyond the initial preparation of the TTPP.
16. Once Te Tai o Poutini Plan is operative, this Committee remains the controlling authority for the Plan content. This means that the Committee could chose to make

Plan Changes – for example as a result of effectiveness and efficiency monitoring undertaken.

17. The Order in Council specifically identifies the "*periodic amendment and review*" of the Plan as being within the mandate of the Committee. The terms of reference also specify the role of the Committee in monitoring the Plan.
18. It is therefore anticipated that post TTPP production, there will be an ongoing requirement for the Committee to meet – albeit less frequently. This could be perhaps quarterly or six monthly, with its main role to monitor the implementation of the Plan and oversee any Plan Changes.
19. As a result of this monitoring and review role, the Committee could initiate Plan Changes to the TTPP.
20. Should there be legislative change that requires Plan Changes, the Committee will need to undertake these.
21. If any of the three district councils wishes to make a Plan Change, this would be, in effect, a Private Plan Change, with decisions made by the Committee. As per any Private Plan Change, the Committee could decide to:
  - refer it resource consent,
  - accept the Plan Change for notification and the Plan Change process, or
  - adopt the Plan Change as if it was initiated by the Committee.
22. This ongoing role will require a budget and some staffing within the WCRC.
23. Given this ongoing role, there may be value in the four Councils having further discussion about whether there are other additional roles for the TTPP Committee which could assist in the future to achieve integrated management of natural and physical resources on the West Coast.

## **Recommendations**

1. That the information be received.

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## ROSS DOWLING MARQUET GRIFFIN

BARRISTERS AND SOLICITORS

3 June 2020

Project Manager  
Te Tai o Poutini Plan

Email: [joa@wrc.govt.nz](mailto:joa@wrc.govt.nz)

**For: Jo Armstrong**

Dear Jo,

**Te Tai o Poutini Plan**

### Introduction

1. I refer to our telephone conversation and your email of 25 May 2020.

### Issues

2. Whether the Te Tai o Poutini Plan Committee ("TTPPC") should be making the planning decisions on plan changes for the existing Grey, Buller and Westland District Plans;
3. Whether TTPPC should have any input in current planning decisions for the existing Grey, Buller and Westland District Plans, e.g. ensuring they are consistent with the direction of Te Tai o Poutini Plan development, having a vote on final decisions etc.; and
4. Whether the District Councils can make decisions which will be inconsistent with Te Tai o Poutini Plan prior to TTPP becoming operative.

### Reorganisation Order

5. The Local Government Reorganisation Scheme (West Coast Region) Order 2019 provides:
  - 5.1. The obligations of the Buller, Grey and Westland District Councils under section 73 and Schedule 1 of the RMA for there to be a district plan at all times for each district and for the preparation, notification, adoption,

periodic amendment and review of the district plan, are transferred to the West Coast Regional Council (“WCRC”);

- 5.2. The transferred obligations for the preparation, notification, adoption, periodic amendment and review of new district plans will be met by the preparation, notification, adoption, periodic amendment and review of a new combined district plan for the 3 districts under section 80 of the RMA;
  - 5.3. A joint committee is created between the four West Coast councils and local iwi known as the Tai Poutini Plan Committee; and
  - 5.4. WCRC must delegate to the Tai Poutini Plan Committee its combined district plan obligations.
6. The purpose and terms of reference for the Tai Poutini Plan Committee are to:
- 6.1. Prepare and notify a combined district plan;
  - 6.2. Hear and consider all submissions received on the proposed combined district plan;
  - 6.3. Adopt a final combined district plan;
  - 6.4. Monitor implementation of the combined district plan and the need for any amendments; and
  - 6.5. Undertake amendments and reviews of the combined district plan, or ensure these are undertaken as required.
7. There are three critical relevant elements in the Reorganisation Order:
- 7.1. District council functions under section 73 and Schedule 1 of the RMA are vested in the Regional Council;
  - 7.2. The function of preparing a combined district plan must be delegated to the Tai Poutini Plan Committee; and
  - 7.3. The functions, powers and duties of the Tai Poutini Plan Committee relate only to a combined plan for three West Coast districts.

## Section 73 of the RMA

8. This section reads:

**“73 Preparation and change of district plans**

- (1) *There must at all times be 1 district plan for each district, prepared in the manner set out in the relevant Part of Schedule 1.*
- (1A) *A district plan may be changed in the manner set out in the relevant Part of Schedule 1.*
- (1B) *A territorial authority given a direction under section 25A(2) must prepare a change to its district plan in a way that implements the direction.*
- (2) *Any person may request a territorial authority to change a district plan, and the plan may be changed in the manner set out in Part 2 or 5 of Schedule 1.*
- (2A) *A request for a plan change may be made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977 if the territorial authority—*
- (a) *is also the administering body in which the recreation reserve land is vested; and*
- (b) *agrees that the request and application may be made jointly.*
- (3) *A district plan may be prepared in territorial sections.*
- (4) *A local authority must amend a proposed district plan or district plan to give effect to a regional policy statement, if—*
- (a) *the statement contains a provision to which the plan does not give effect; and*
- (b) *one of the following occurs:*
- (i) *the statement is reviewed under section 79 and not changed or replaced; or*
- (ii) *the statement is reviewed under section 79 and is changed or replaced and the change or replacement becomes operative; or*
- (iii) *the statement is changed or varied and becomes operative.*
- (5) *A local authority must comply with subsection (4)—*
- (a) *within the time specified in the statement, if a time is specified; or*
- (b) *as soon as reasonably practicable, in any other case.”*

9. The key points to note about section 73, in the context of the Reorganisation Order, are:

- 9.1. For “*territorial authority*”, WCRC must be substituted in section 73;
  - 9.2. The functions in section 73 include the change of district plans under Schedule 1;
  - 9.3. Schedule 1 enables the relevant local authority (in this case WCRC) to change a district plan; and
  - 9.4. Any person can request the local authority (i.e. WCRC) to change a plan under Schedule 1.
10. It follows that, under the Reorganisation Order, the initiation of plan changes to district plans is to be undertaken by the Regional Council. Likewise, if a request is made to change one of the West Coast district plans, that plan change request must be processed by WCRC.
  11. The change of current district plans is not a function which the Reorganisation Order vests in the Tai Poutini Plan Committee.
  12. Nor is the West Coast Regional Council required to delegate the review or change of any of the three district plans to the committee.
  13. In short, the Reorganisation Order does not contemplate the Tai Poutini Plan Committee dealing with existing district plans, including the in periodic amendment and review. That function is the Regional Council's.
  14. The Tai Poutini Committee's mandate is the new combined plan. The Reorganisation Order does not give it a role in changing the three current plans.

### **Answers**

15. The answers to the specific questions posed are:
  - 15.1. The Tai Poutini Plan Committee does not have a role in making planning decisions for the existing Grey, Buller and Westland District Plans. The WCRC does.
  - 15.2. The Tai Poutini Plan Committee does not have a decision-making role on review or changes to the existing district plans.

- 15.3. The District Councils no longer have decision-making ability in relation to the review or amendment of existing district plans. Those functions belong solely to the Regional Council.
- 15.4. There is an inherent risk that planning decisions which result in changes to existing district plans will be inconsistent with the future combined plan. Once operative the new Te Tai o Poutini Plan will supersede the current district plans, subject to any existing use rights created under the former plans.

### **Additional Matters**

16. I have considered whether it is possible for the Regional Council to delegate the review or amendment of existing District Plans to the Tai Poutini Plan Committee. That is not envisioned by the Reorganisation Order. It is at least arguable that such a delegation would be unlawful.
17. I have also considered whether the Tai Poutini Plan Committee could make a submission on proposed changes to existing District Plans. That is also not envisioned by the Reorganisation Order and is therefore arguably unlawful.
18. It may be possible however for the Regional Council to appoint one or more members of the Tai Poutini Plan Committee as Hearings Commissioners for any plan changes. Such appointments would need to be made with care to ensure that there is no element of predetermination.

### **Conclusion**

19. Please contact me if you wish to discuss further.

Yours faithfully

**ROSS DOWLING MARQUET GRIFFIN**

Per



**A J Logan**  
Partner

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# Te Tai o Poutini PLAN

*A combined district plan for the West Coast*

Prepared for: Te Tai o Poutini Plan Committee  
Prepared by: Jo Armstrong  
Date: 30 July 2020  
Subject: **Te Tai o Poutini Plan Approach to Consultation**

## **SUMMARY**

Consultation on the Plan has been occurring since the project began. This paper identifies the types of consultation that occur at different phases of the planning, and briefly explains the funding available for consultation in the 2020/21 financial year. An indicative programme of consultation for the next 12 months is also included.

## **RECOMMENDATIONS**

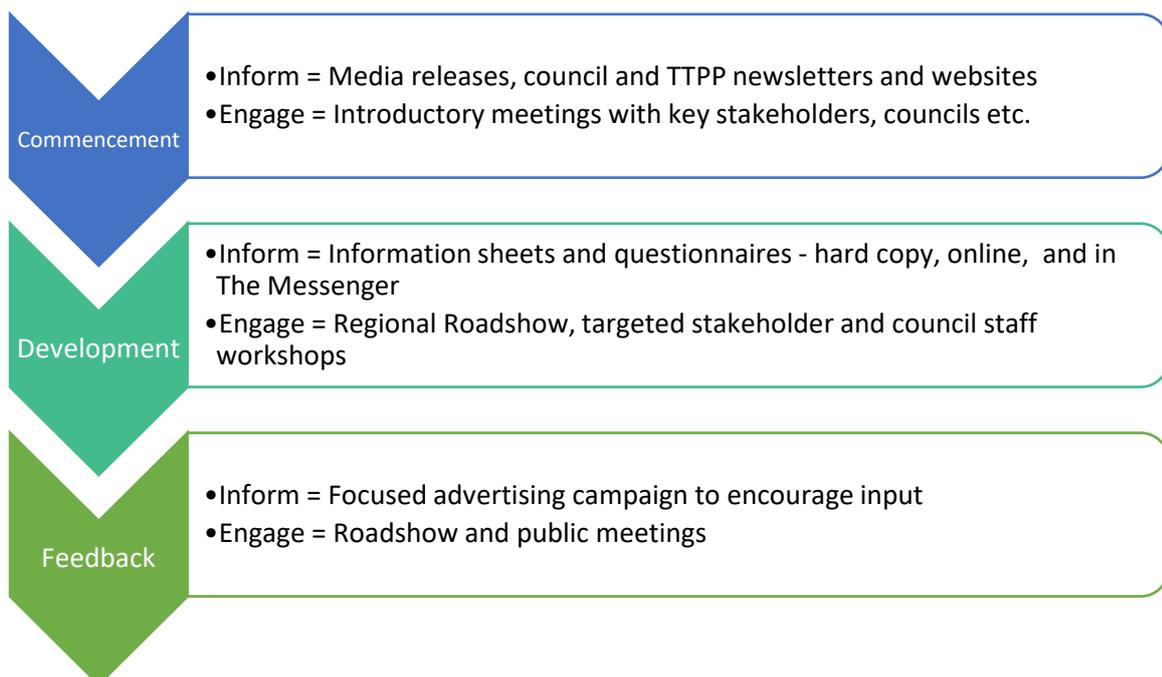
1. That the Committee receives this report

## INTRODUCTION

1. Te Tai o Poutini Plan consultation has been occurring in a variety of ways, with groups and individuals, since the project began.
2. The general approach is a continuous, evolving cycle of Inform and Engage. The planning team undertakes these activities in different ways, with different people at different stages of the planning process.
3. This paper updates on the approach to consultation and outlines the consultation plan for the next 12 months under the current budget.

## CONSULTATION

1. There are three distinct project phases, Commencement, Development and Feedback, which involve consultation prior to the proposed plan being produced. Once the proposed plan is published we move into the proscribed submissions, mediation and hearings process under Schedule 1 of the RMA.
2. During the Commencement phase a variety of tools were used to explain Te Tai o Poutini Plan and the intended process for developing it. Early meetings were held with key stakeholders, as well as broad advertising to the community.
3. In the current Development phase of the Plan consultation is focussed on face-to-face input primarily from people with identified interests in plan topics e.g. heritage groups, plus on-going broad communications. This is the stage where draft Issues, Objectives, Policies and Rules are developed, and input is sought from people who use the district plans and can suggest options for workable rules. Some of these groups may become protagonists once the proposed plan is published, so it is important to work closely with them on plan development, to increase opportunities for shared understanding and reduce issues of contention.
4. The final phase prior to release of the proposed plan is the Feedback phase. Consultation is focused on inviting as many people as possible to comment on the draft Issues, Objectives, Policies and Rules. Experience has taught us that the general public engage best when they have something concrete to provide feedback on. This is a genuine opportunity for the Committee and planning team to discuss the options with the community and make alterations before the proposed plan is published and the official submissions process begins.
5. The following diagram indicates the consultation activities undertaken at each phase of the project. Inform activities are cumulative, once begun, they continue into following phases.



## THE CONSULTATION BUDGET

6. The stakeholder engagement budget for 2020/21 is \$17,000, having been reduced from the original request for \$35,000. During the Development phase, this budget is targeted to delivery of face-to-face consultation. Approximately \$1000 per month is allocated to travel and accommodation, enabling our Principal Planner to present at numerous workshops, Technical Advisory Team and TTPP Committee Meetings.
7. The remaining \$5000 will be used for workshop resources, and to complete the Roadshow that was interrupted by the pandemic. Roadshow costs will include redesigning and printing advertising material, media advertising costs and travel related costs for the planning team. It is not anticipated that there will be funds remaining for other types of engagement in the 2020/21 financial year.

## 2020-2021 CONSULTATION PLAN

8. Based on the budget available the following consultation plan has been developed to provide the key input needed for the development of the draft provisions in the work programme.

### Consultation Objectives:

- Raise the profile of Te Tai o Poutini Plan with potentially affected stakeholders
- Seek input into the development of specific provisions of the Plan around: Infrastructure; mining; biodiversity management; heritage; Poutini Ngāi Tahu Provisions; settlements; and town centres

### Key Milestones:

- Complete consultation roadshow in Grey/Buller September 2020
- Report to Committee on feedback to date October 2020
- Undertake all identified workshops by 30 June 2021

### Key Consultation Methods:

- Quarterly Email newsletter to stakeholder mail-list
- Website with questionnaires and information sheets
- West Coast Messenger publication questionnaires for general public feedback
- Topic Specific Workshops with targeted stakeholder groups and representatives
- Regular media releases to all West Coast Newspapers after each Committee meeting
- Letters to the editor and local comment from elected members

### Programme of Activities:

Email newsletter: July, October, January, April

Press releases: monthly after Committee meeting

West Coast Messenger Questionnaires 6 weekly from 24 June to 29 July

Towns and Settlements Roadshow September.

Stakeholder workshops last week of the month. We often facilitate more than one workshop per topic to encompass different audiences and reduce travel for participants. Planned workshops for 2020/21:

- Infrastructure stakeholders July
- Mining stakeholders July
- Environmental stakeholders August
- Heritage stakeholders August
- Farming and agricultural stakeholders October

- District Council Infrastructure Staff – Financial Contributions October
- Public Access stakeholders – November
- Poutini Ngāi Tahu hui – November
- Developers and Plan Users - February 2021
- Town Centre Businesses – March 2021
- Buller Coalfield Stakeholders – May 2021
- Natural hazards stakeholders – commencing May 2021

## **RECOMMENDATIONS**

1. That the Committee receives this report