



# Te Tai o Poutini PLAN

*A combined district plan for the West Coast*

## Te Tai o Poutini Plan Committee Meeting

Thursday 13 August 2020, 1.30-3.30pm (via Zoom)

And adjourned to  
Tuesday 25 August 2020, 1.00-4.00pm  
Arahura Marae

### AGENDA

<b>13 August</b>		
<b>1.30</b>	Welcome and Apologies	<b>Chair</b>
<b>1.32</b>	Confirm previous minutes	<b>Chair</b>
<b>1.35</b>	Matters arising from previous meeting	<b>Chair</b>
<b>1.40</b>	Financial Report	<b>Project Manager</b>
<b>1.50</b>	Project Manager's Report	<b>Project Manager</b>
<b>2.00</b>	Technical Report – Special Zones	<b>Principal Planner</b>
<b>2.45</b>	Technical Report – Financial Contributions	<b>Principal Planner</b>
<b>3.30</b>	<b>Meeting adjourns until Tuesday 25 August, 1.00-4.00pm</b>	
<b>25 August</b>		
<b>12.30</b>	Light lunch will be available on arrival	
<b>1.00</b>	Presentation – Cultural Landscapes	<b>Paul Madgwick, Francois Tumahai and Philippa Lynch</b>
<b>1.45</b>	Technical Report – General Residential Zone Rules	<b>Principal Planner</b>
<b>2.30</b>	Technical Report – General Industrial Zone Rules	<b>Principal Planner</b>
<b>3.15</b>	Technical Report – Natural Heritage Strategic Issues and Objectives	<b>Principal Planner</b>
<b>4.00</b>	<b>Meeting Ends</b>	

### Meeting Dates for 2020

Friday 11 September (via Zoom)

Thursday 24 September (Buller District Council)

Wednesday 14 October (via Zoom)

Thursday 29 October (Grey District Council)

Friday 13 November (via Zoom)

Tuesday 26 November (West Coast Regional Council)

Wednesday 14 December (Westland District Council)

**MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE  
HELD ON 30 JULY 2020, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,  
COMMENCING AT 10.30 A.M.**

**PRESENT:**

R. Williams (Chairman), A. Birchfield, J. Cleine, S. Roche, T. Gibson, B. Smith, A. Becker, L. Coll McLaughlin, P. Madgwick, F Tumahai

**IN ATTENDANCE:**

J. Armstrong (Project Manager), L. Easton, E. Bretherton, R. Mallinson (WCRC) left meeting at 12.30), S. Bastion (WDC) Sharon Mason

**WELCOME**

The Chairman welcomed everyone to the meeting. 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.

**APOLOGIES:**

There were no apologies

**CONFIRMATION OF MINUTES**

**Moved** (Birchfield / Gibson)

*That the minutes of the meeting dated 24 June 2020, be confirmed as correct.*

Carried

**MATTERS ARISING**

There were no matters arising from the minutes.

An alternative date for the August meeting is required. It was agreed that J. Armstrong and T. Jellyman would work on this and advise members of the new date.

**Deed of Agreement and Conflicts of Interest Register**

The Chairman advised that the Deed of Agreement (DOA) has been around since of the conception of TTPPC. He stated that all councils have approved the DOA and it is now a matter of all Councils signing the DOA. S. Mason suggested that each Council provide a copy of their resolution to this committee, as well as the Mayors, Chairs and iwi with copies of the resolutions as evidence of signing.

**Conflict of Interest Register**

The Chairman stated that it is important that this register is kept up to date and that all members ensure that their interests are kept up to date at each meeting.

**Technical Update – Significant Natural Areas Assessment Process**

L. Easton spoke to this report. L. Easton confirmed that the desk top study will cost \$75,000. Cr Birchfield stated that he will be voting against this as he feels it should be deferred. L. Easton answered questions. Extensive discussion took place and it was agreed that identification of SNA's would commence along with Stage 1 of the desk top study, but this would be brought back to the TTPPC before any field assessments are undertaken. Mayor Gibson stated that she wishes we did not have to identify SNAs on private land, but it was now required under the Regional Policy Statement. P. Madgwick stated he is in favour of Option A,

and feels this work should be done now. Cr Becker supports option A, but only if a workshop is held prior to any field work commencing. Mayor Gibson agreed with the amendment.

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**Moved** (Cleine / Roche)

1. *That the Committee receives the report.*
2. *That the Significant Natural Areas desk top study be progressed now and brought back to the Committee prior to any field assessment work being undertaken.*
3. *That costings for undertaking SNA assessment on stewardship land are sought, and that funding be sought from DoC to undertake this work.*

Mayor Smith moved an amendment to the motion, which F. Tumahai seconded.

**Amendment Moved** (Smith / Tumahai)

*That the field assessment excludes land excluded from the sale in the Arahura Purchase and The land grant under the South Island Landless Natives Land Act.*

Because Mayor Cleine and Cr Roche did not support the amendment, that meant that the amendment would need to be decided separately before the original substantive motion could be put.

The amendment was then put to the vote and the vote was 6 / 3

**Original substantive motion incorporating the agreed amendment**

The original substantive motion, now including the agreed amendment, was then put to the vote, the vote was carried 7/ 2. Cr Roche explained that she was not in favour of the amendment, but supports SNA identification proceeding now and would therefore support the substantive motion including the amendment

*Against, Crs Birchfield, and Mayor Cleine  
Carried*

**Technical Overview – Transport Issues, Objectives and Policies**

E. Bretherton spoke to this report and answered questions.

**Moved** (Becker / Coll McLaughlin)

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.*

*Carried*

**Te Tai o Poutini Plan Approach to Consultation**

J. Armstrong spoke to this report.

**Moved** (Tumahai / Smith) *That the Committee receive the report.*

*Carried*

The meeting adjourned for lunch and reconvened at 12.30 p.m.

**Technical Update – Rural Areas and Settlements – Issues and Objectives**

L. Easton spoke to this report and answered questions from those present.

**Moved** (Birchfield / Roche)

3

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.*

*Carried*

**Technical Update – Technical Plan Changes to District Plans – Responsibility and Process**

L. Easton spoke to this report.

**Moved** (Birchfield / Becker) *That the information be received.*

*Carried*

**GENERAL BUSINESS**

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

The meeting closed at 2.00 pm.

The Chairman thanked everyone for their attendance.

**NEXT MEETING**

The next meeting will be held via Zoom on Thursday 13 August commencing at 1.30 p.m.

.....  
Chairman

.....  
Date

**Action Points**

- Press Release

**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)

## ONE DISTRICT PLAN

### 12 FOR THE TWELVE MONTHS ENDED 30 JUNE 2020

	<b>ACTUAL</b> Year to Date	<b>BUDGET</b> Year to Date	<b>YEAR TO DATE</b> Variance	<b>BUDGET</b> Full Year
<b>INCOME</b>				
Rates Levied	400,000	400,000	-	400,000
Council Contributions	50,000	50,000	-	50,000
Local Govt commission Grant	150,000	200,000	- 50,000	200,000
	<u>600,000</u>	<u>650,000</u>	<u>- 50,000</u>	<u>650,000</u>
<b>EXPENDITURE</b>				
Salaries	211,346	300,000	88,654	300,000
Senior Consultant Planner	108,885	100,000	- 8,885	100,000
Governance	66,062	75,000	8,938	75,000
Stakeholder Engagement	21,625	25,000	3,375	25,000
Organisational Overheads	150,000	150,000	-	150,000
	<u>557,917</u>	<u>650,000</u>	<u>92,083</u>	<u>650,000</u>
<b>Net Surplus / (Deficit)</b>	<u>42,083</u>	<u>-</u>	<u>- 142,083</u>	<u>-</u>



# Project Manager Update

**20 June 2020 – 31 July 2020**

**Prepared By:** Jo Armstrong  
**Date Prepared:** 31 July 2020

## Accomplishments this Period

- The planning team continue to work on the non-residential activities in residential areas, infrastructure, heritage, transport, designations, mineral extraction, open space, natural heritage, tourism and the natural hazards sections of the plan.
- All papers are discussed with, and modified by, the Technical Advisory Team before coming to the Committee. Feedback from your TAT representatives indicates that some of you talk through the Committee papers with them either before or after your meetings. We encourage you all to engage with the TAT to discuss the planning aspirations for your district and region.
- I am extremely grateful to the editor of The Messenger for working with me to publish six TTPP questionnaires during June and July. We have had a good response from the community, including hard copy responses from the paper, more online activity with responses sent via our website, and broader community interest in attending upcoming workshops.
- Four stakeholder workshops to garner feedback on the TTPP provisions for infrastructure and mining were held in the last week of July.
- The workshop with mining industry representatives provided an opportunity to discuss the activities they undertake and how the Plan objectives and policies reflect them. Attendees all supported our planning approach to zoning, and liked the idea of setting clear direction in a strategic chapter in the Plan.
- The infrastructure workshop with key providers was extremely well represented by national policy staff. Attendees provided feedback on the proposed Issues, Objectives and Policies and discussed options for standards and rule. Infrastructure providers are generally supportive of the draft provisions, while the energy providers commented that they would like the energy provisions to be in a sub chapter. The need to identify SNAs was expressed, as understanding where these are is key to the development of infrastructure.
- Two workshops for district council staff were held in Greymouth and Westport. Planning, engineering, port and airport staff attended, along with representatives of the local district health board. These workshops provided an opportunity to identify operational issues with road and three waters infrastructure, and brainstorm how rules in TTPP could support better outcomes for users
- The new by-line– *a combined district plan for the West Coast*, has been added to our templates, website and advertising.
- Planning for the final leg of the Roadshow through northern Grey and Buller is well advanced. Contacts to help us advertise the drop-in sessions have been identified at each settlement and

are willing to put up posters and encourage attendance. Posters and media advertising has been developed. The final itinerary for the Roadshow is attached, and we encourage you to attend the public meetings and your local drop-in session.

- The Planning Team presented to Westland District Council on 23 July. The background to TTPP and its decision making structure were explained, prior to a discussion about the Plan's content, with particular focus on areas of interest to Hokitika and Westland. We will be presenting to Grey and Buller District Councils in September.

### Plans for Next Period

- Policy work on topics mentioned above will continue
- Stakeholder engagement – preparing for ecosystems and historic heritage workshops
- Roadshow preparation continues
- TAT meeting at Grey District Council on 26 August
- Poutini Ngāi Tahu will present on cultural landscapes at the August TTPP Committee meeting
- TTPPC meetings on Thursday 13 August 1.30-3.30pm via Zoom and in person at a time and place to be determined. This postponement is to enable councils to host the Governor General.

### Key Issues, Risks & Concerns

Item	Action/Resolution	Responsible	Completion Date
Not getting key stakeholder buy-in	Contact and meet with them individually. Plan a stakeholder workshop and on-going engagement process	Project Manager	28 February 2020
Not producing a notified plan in a timely manner	Set achievable milestones and monitor/report progress. Identify additional expertise/capacity	Project Manager Planning Team	30 June 2024
Decision makers can't agree	Get agreement on pieces of work prior to plan completion	Chairman	Ongoing
Budget insufficient for timely plan delivery	Work with TTPPC to recommend budget, and with WCRC to raise rate to achieve deliverables	Project Manager TTPP Committee CE WCRC	Annually Jan/Feb
Project extended due to inability to retain unspent 2019/20 research budget	Ensure 2021/22 research budget is sufficient to complete all remaining research required for robust Plan	Project Manager TTPP Committee CE WCRC	Annually Jan/Feb
Changes to national legislation	Planning team keep selves, Committee and Community updated on changes to legislation and the implications for TTPP	Project Manager Planning Team	Ongoing
Staff safety at public consultation	Committee members to proactively address & redirect aggressive behavior towards staff	TTPP Committee	Ongoing
National emergencies such as Covid-19 lock down	Staff and Committee ensure personal safety and continue to work remotely as able	Project Manager TTPP Committee	Ongoing
Committee delay or reduce scope of required research	Committee ensure timely research is enabled	TTPP Committee	Ongoing

### Status

Overall	Project timing affected by delay in beginning SNA research. Budget for 2020/21 accepted. Research budget over 3 years reduced and this may delay Plan completion. Planning team making good progress with TAT and TTPPC input.
Schedule	Work programme set and achieving on schedule. Lockdown may have an ongoing effect as delayed stakeholder engagement and research impact schedule.
Resources	We are receiving good input from the TAT. Loss of some 2019/20 research funding makes seeking external party co-funding a priority.
Scope	Deliver efficient, effective and consistent Te Tai o Poutini Plan

**Please note that the schedule and scope have been downgraded from green to orange. This is in response to the reduction in budget for 2020/21 and postponement of the SNA**

research. Both may affect the schedule by extending the project (see Schedule below), and insufficient research will impact the ability to deliver an effective plan. Project may get back on schedule if there is sufficient funding to begin ground-based SNA work in late 2020.

## Schedule

Stage	Target Completion	Revised Completion	Comments
Complete project initiation documentation	30-Apr-19	19-July-2019	TTPPC approved
Identify and contact key stakeholders	03-May-19	Ongoing	Connection made with all key stakeholders and started a second round of contact with other interested parties
Contract senior planning consultant	01-Aug-19	29-July-2019	Contract in place 29/7/19 -30/6/20
Recruit permanent senior planner	30-Sep-19	7-Sep-2019	Started at WCRC on 14 October 2019
Set up Te Tai o Poutini Plan website and communications package	30-Sep-19	30 November 2019	Development complete. Available at <a href="http://www.ttpc.westcoast.govt.nz">www.ttpc.westcoast.govt.nz</a>
Set planning milestones	31-Oct-19	30 August 2019	Presented at August TTPPC meeting
Hold key stakeholder workshop for Settlements section	28-Feb-20	23 October and 21 November 2019	Greymouth and Hokitika, then Westport
Hold Community information meetings	31-Mar-20	16-27 March 2020	Roadshow in March 2020 and opportunities to coincide with council-community meetings and local events Outcome of Roadshow to be presented to May TTPPC meeting
Hold key stakeholder workshops for Infrastructure section	30-Apr-20	31-Jul-20	Greymouth and Hokitika, then Westport. Delayed due to Covid-19 Lockdown
Draft Provisions (Issues, Objectives, Policy and Rules) for Urban Areas developed	31-May-20	31-May-20	For presentation to May TTPPC meeting
Workshop discussion with environmental interests re biodiversity provisions	30-Jul-20	31-Aug-20	Delayed due to Covid-19 Lockdown
Draft Provisions (Issues, Objectives, Policy and Rules) for Rural Zones and Settlement Zones developed	31 – Aug-20		For presentation to August TTPPC meeting
Hold key stakeholder workshops for mining and extractive industries	31-Aug-20	31-Jul-20	Due to work programme changes during Covid-19 lockdown
Historic Heritage Workshops	31-Aug-20		
Conclude TTPC Roadshow	30 –Sep-20		Postponed due to COVID-19
Potential Committee Field Trip	30 –Sep-20		To look at specific matters to help with decisions
Workshop with agricultural interests re biodiversity provisions	30-Oct-20		
Contact with landowners re SNA assessment, landowner meetings	30-Oct-20	30-Oct-21	This will be to seek permission to do field assessments. It is dependent on undertaking the desk top assessment first.
Commence field work for SNA assessments	30- Nov-20	30 Nov 21	It is anticipated that field work will be undertaken over summer 20-21, summer 21-22 and summer 22-23. This will be delayed until



Stage	Target Completion	Revised Completion	Comments
			desktop study is completed
Zoning changes proposed	31-Dec-21		Specific zone change proposals will come to the Committee through 2021
Targeted stakeholder consultation on draft provisions of Te Tai o Poutini Plan	30-May-22	30 May 2023	Targeted consultation with stakeholders on draft provisions from mid 2021-mid 2022 with the aim of addressing concerns at this more informal stage
Iwi review of draft Te Tai o Poutini Plan	30-July-22	30 July 2023	This is in addition to hui and consultation throughout the development process and is a mandatory step
Full "draft" Te Tai o Poutini Plan to Committee	30-Sep-22	30 Sep 2023	Full draft (so that this term of the Committee has overseen the drafting of the whole plan). A draft Plan will not have legal status, but will show all the cumulative decisions of the Committee
[Local Body Elections]	Oct-22		
Community Consultation on "Draft" Te Tai o Poutini Plan	31-Nov-22	31 Nov 2023	Roadshow in October/November 2022 with a "draft" Plan to discuss with community
Amendment of "Draft" Plan to "Proposed Plan" provisions	30-May-22	31 Nov 2023	Feedback to Committee on results of consultation, any legal opinions on contentious provisions and decisions on final provisions
Notify Te Tai o Poutini Plan	30-Jun-23	30 June 24	Indicative time only – this will be the "Proposed" Plan
Submissions Te Tai o Poutini Plan	30-Aug-23	30 Aug 24	40 working days for submissions is the legal requirement
Further Submissions	30-Oct-23	30 Oct 24	Submissions must be summarised and published and then there is a 20 working day period for further submissions
Hearings Te Tai o Poutini Plan	30-Feb-24	30 Feb 25	Indicative time only
Decisions Te Tai o Poutini Plan	31-August-24	31 Aug 25	Indicative time only
Appeal Period	30-Sep-24	30 Sep 25	Indicative time only
Appeals and Mediation Te Tai o Poutini Plan	31-June-25	31 June 26	Indicative time only. However the aim would be to complete the entire "Proposed – submissions-hearings –appeals-mediation-consent orders to Operative Plan" process within 1 term of the Committee
[Local Body Elections]	Oct-25		

### Actions required



## Te Tai o Poutini PLAN

A combined district plan for the West Coast



# Te Tai o Poutini PLAN

*A combined district plan for the West Coast*

Prepared for: Te Tai o Poutini Plan Committee  
 Prepared by: Lois Easton, Principal Planner  
 Date: 13 August 2020  
 Subject: **Technical Update - Special Purpose Zones: Approach**

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## SUMMARY

This report gives an update on the technical work being undertaken on Special Zones and outlines the proposed approach to Special Zones and some special precincts in Te Tai o Poutini Plan.

Special Zones are proposed as follows:

National Planning Standard Special Purpose Zones:

- Future Urban Zone - Areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use.
- Hospital Zone - Areas used predominantly for the operation and development of locally or regionally important medical, surgical or psychiatric care facilities, as well as health care services and facilities, administrative and commercial activities associated with these facilities.
- Māori Purpose Zone - Areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities.
- Port Zone - Areas used predominantly for the operation and development of ports as well as operational areas and facilities, administrative, commercial and industrial activities associated with ports.
- Stadium Zone - Areas used predominantly for the operation and development of large-scale sports and recreation facilities, buildings and structures. It may accommodate a range of large-scale sports, leisure, entertainment, art, recreation, and/or event and cultural activities.

West Coast Specific Special Purpose Zones:

- Buller Coal Field Special Purpose Zone
- High Use Visitor Zone (Fox Glacier, Franz Josef, and Punakāiki ) potentially with a Commercial Precinct and a Residential Precinct

## RECOMMENDATIONS

1. That the Committee receive the report
2. That the Committee provide feedback on the proposed approach to Special Purpose Zones.

Lois Easton

**Principal Planner**

## INTRODUCTION

1. To date the Committee has looked at matters around standard land use zones – commercial, residential, industrial and open space zones. A further paper on this agenda discusses rural zones.
2. Special Zones recognise that there are particular activities, which are so significant and different from more general land uses, that a specific zone, essentially for that activity, is justified.
3. The use of Special Zones means that activities that might be expected and normal within the zone would generally be able to occur without resource consent.

## National Direction

4. The National Planning Standards set the main direction around zones and the ability to have special zones. The Standards are relatively prescriptive in terms of numbers and types of zones. As well as the standard zones, they do provide for Special Purpose Zones, and the ability – provided a high test is met – to provide for additional zones.
5. The Special Purpose Zones available through the National Planning Standards are:
  - Airport Zone
  - Corrections Zone
  - Future Urban Zone
  - Hospital Zone
  - Māori Purpose Zone
  - Port Zone
  - Stadium Zone
  - Tertiary Education Zone
6. The standards only allow for additional special purpose zones when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:
  - a. are significant to the district, region or country
  - b. are impractical to be managed through another zone
  - c. are impractical to be managed through a combination of special layers
7. Where any additional special purpose zone is created then the Standards require that provisions developed for that zone must manage the use, development, and protection of natural and physical resources within that zone in accordance with Part 2 of the RMA.

## Regional Direction

8. The West Coast Regional Policy Statement (RPS), which is now operative, while not specifically identifying zones, does provide some context for where Special Purpose Zones could be considered.
9. In relation to Poutini Ngāi Tahu – and supporting the use of a Māori Purpose Special Zone the RPS has the following Objectives and Policies in the Resource Management Issues of Significance to Poutini Ngāi Tahu Chapter:

***Objective 2*** Recognise and provide for the relationship of Poutini Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga within the West Coast Region.

***Policy 1*** Acting cooperatively and in good faith, the Regional and district councils will continue to provide opportunities for active involvement of tangata whenua in resource management processes under the RMA.

***Policy 3*** The special relationship that Poutini Ngāi Tahu have with te taiao (the environment), and their economic, cultural, and spiritual values, including their role as kaitiaki, will be given particular consideration in resource management decisions and practices.

**Policy 4** *The aspirations of Poutini Ngāi Tahu concerning the development of papakāinga housing on Poutini Ngāi Tahu land will be recognised and supported.*

Punakāiki

10. The RPS also has a specific objective and policy in the Use and Development of Resources Chapter around reverse sensitivity that would support the use of Special Purpose Zones as a mechanism to achieve this – particularly as relates to minerals and regionally significant infrastructure. These are:

**Objective 2** *Incompatible use and development of natural and physical resources are managed to avoid or minimise conflict*

**Policy 2** *To recognise that natural and physical resources important for the West Coast's economy need to be protected from significant negative impacts of new subdivision, use and development by:*

- a) *Avoiding, remedying or mitigating reverse sensitivity effects arising from new activities located near existing:*
  - i) *primary production activities;*
  - ii) *industrial and commercial activities;*
  - iii) *minerals extraction\*;*
  - iv) *significant tourism infrastructure;*
  - v) *regionally significant infrastructure;*
- b) *Managing new activities to retain the potential future use of:*
  - i) *land with significant mineral resources; or*
  - ii) *land which is likely to be needed for regionally significant infrastructure.*

*\*Minerals extraction includes aggregates and other mining activities*

11. The Regionally Significant Infrastructure Chapter further creates a context for the use of Special Zones for these areas with the following Policies:

**Policy 2** *When considering regional and district plan development and resource consent applications for regionally and nationally significant electricity transmission distribution and renewable electricity generation infrastructure, have particular regard to the constraints imposed by the locational, technical and operational requirements of the infrastructure, including within areas of natural character (including outstanding natural character), outstanding natural features or landscapes, or areas of significant indigenous biodiversity.*

**Policy 3** *Recognise that RSI important to the West Coast's wellbeing needs to be protected from the reverse sensitivity effects arising from incompatible new subdivision, use and development, and the adverse effects of other activities, which would compromise the effective operation, maintenance, upgrading, or development of the infrastructure.*

### **Existing Plan Provisions**

12. While the Grey District Plan has no Special Zones, there are a number of Special Zones currently in place in the existing Buller and Westland district plans as outlined below:

#### Buller

- Scenically Sensitive Residential Zone – covering the community of Punakāiki
- Scenically Sensitive Commercial Zone – covering the commercial area of Punakāiki
- Port Zone – covering Westport Port and an area of surrounding land alongside the Buller/Kawatiri River
- Cement Production Zone – covering the former Holcim Cement Works site and its associated quarry
- Rural Airport Zone – covering the flight path and Westport Airport
- Paparoa Character Area – covering the rural area within the wider Paparoa Range
- Natural Environments Character Area – covering significant ecological sites on Department of Conservation and privately owned land

### Westland

- Airport Protection Zone – covering the flight path and Hokitika Airport
- Tourist Zone – covering predominantly commercial areas of Franz Josef, Fox and Haast with what are effectively Precincts (with different Rules) for the Franz Alpine Resort and Stony Creek developments – these were introduced by Plan Change
- Coastal Settlement Zone – covering small coastal settlements in South Westland – Te Wāhi Pounamu World Heritage Area
- Waiho River Severe Flood Hazard Zone – covering an area of extreme flood hazard around the Waiho River

### **Approach of Other Councils**

13. A brief scan of other district plans identifies that the use of special purpose zones is very widespread with a very large number of types of zones. Few plans have been produced under the National Planning Standards – only New Plymouth and the draft Porirua Plan are that new.
14. These new plans use a range of the National Planning Standards Special Purpose Zones. An additional Special Purpose Zone identified in the New Plymouth District Plan is:
  - Major Facilities Zone – covering the major hydrocarbon industrial complexes of Methanex Motunui and Waitara Valley, McKee Mangahewa Production Station, Pohokura Production Station, Ōmata Tank Farm and Paritutu Tank Farm. These are identified as regionally or nationally significant facilities.
15. This zone would seem to meet the criteria for an additional special zone outlined in the National Planning Standards.

### **Proposed Approach to Current Special Zones**

16. In order to be consistent with the National Planning Standards, the current suite of special zones can not all be brought through into Te Tai o Poutini Plan. Staff have undertaken an initial analysis of the existing special zones and propose that these areas are largely rezoned as outlined in the table below.
17. The approach proposed recognises that the National Planning Standards require environmental matters such as landscape, natural character and ecological values to be managed separately from zoning. This means that areas such as Outstanding Natural Landscapes, Significant Natural Areas, the Coastal Environment and Natural Hazard Areas will be subject to what are called Overlays (they sit over the zone, and follow natural rather than legal boundaries) and their rules apply regardless of the zone.
18. For this reason, it is proposed, for example, that land zoned Waiho River Flood Zone can be zoned Rural – but will have a Natural Hazard Flood Overlay on it which will manage the natural hazard matters. Similarly the Paparua Character Area can be zoned Rural, but with the natural character matters covered by the Outstanding Natural Landscape and Coastal Environment Overlays which address the landscape and coastal issues.

<b>Current Special Zone</b>	<b>Proposed Te Tai o Poutini Plan Zone</b>
<b>Buller</b>	
Scenically Sensitive Residential Zone	New High Use Visitor Special Zone – residential precinct The Outstanding Natural Landscape Overlay and the Coastal Environment Overlay will govern landscape matters. Ecological matters will be managed through the Significant Natural Areas Overlay.
Scenically Sensitive Commercial Zone	New High Use Visitor Special Zone – commercial precinct The Outstanding Natural Landscape Overlay and the

<b>Current Special Zone</b>	<b>Proposed Te Tai o Poutini Plan Zone</b>
	Coastal Environment Overlay will govern landscape matters. Ecological matters will be managed through the Significant Natural Areas Overlay.
Port Zone	Port Zone
Cement Production Zone	Rezone to appropriate "standard" zones – e.g. Rural, Rural Lifestyle, Industrial
Rural Airport Zone	Use of a Designation to cover the Airport. Rural Underlying Zone. Overlay to identify the flight path area.
Paparoa Character Area	Open Space Zone for DOC Land Rural Zone for private land The Outstanding Natural Landscape Overlay and the Coastal Environment Overlay will govern landscape matters. Ecological matters will be managed through the Significant Natural Areas Overlay.
Natural Environments Character Area	Open Space Zone for DOC Land Rural Zone for private land The Outstanding Natural Landscape Overlay and the Coastal Environment Overlay will govern landscape matters. Ecological matters will be managed through the Significant Natural Areas Overlay.
<b>Westland</b>	
Airport Protection Zone	Use of a Designation to cover the Airport. Rural Underlying Zone. Overlay to identify the flight path area. Noise contours to be developed for Hokitika Airport and included as an Overlay.
Tourist Zone	High Use Visitor Special Zone – commercial precinct. New High Use Visitor Special Zone – residential precinct for the Stony Creek/Franz Josef Developments Areas and any other residential development.
Coastal Settlement Zone	Settlement Zone – Coastal Settlement Precinct. The Outstanding Natural Landscape Overlay and the Coastal Environment Overlay will govern landscape matters. Ecological matters will be managed through the Significant Natural Areas Overlay.
Waiho River Severe Flood Hazard Zone	Rural Zone Natural Hazards Overlay to manage the severe flood

Current Special Zone	Proposed Te Tai o Poutini Plan Zone
	hazard.

### Overall Approach to Special Zones

19. When looking more widely at the potential Special Zones and the requirements of particular areas staff recommend additional uses of Special Zones in addition to those outlined in the table above.
20. The full list of proposed Special Zones and where staff suggest they are used are outlined below.

### Zones Provided for in the National Planning Standards

#### Future Urban Zone.

21. This is defined as: Areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use.
22. This zone is proposed to apply to areas identified for future urban development and managed retreat for:
  - near Westport on the Alma Road terrace and potentially around Sergeants Hill;
  - in the Grey Valley around Dobson and Kaiata
  - at Seaview near Hokitika (though staff are also looking at expanding the settlement with some immediate re zoning as well as identifying "future" areas)
  - Any other locations identified as part of the Natural Hazards work programme for managed retreat.
23. Key to the intent of the Future Urban Zone is preventing development that would limit its future urban use. For example subdivision into rural residential style development that prevents future cost effective infrastructure servicing by roading networks and water/wastewater infrastructure. In particular the zone aims to protect the land for comprehensive development as part of any managed retreat to that location.

#### Hospital Zone

24. This is defined as: Areas used predominantly for the operation and development of locally or regionally important medical, surgical or psychiatric care facilities, as well as health care services and facilities, administrative and commercial activities associated with these facilities.
25. Staff propose that this zone apply to the Grey Base Hospital, Westport Hospital and possibly Reefton Hospital. Currently these areas are zoned Commercial (Grey Base Hospital) and Residential (Westport and Reefton Hospitals).
26. A Hospital Zone would generally be more permissive of hospital type activities (e.g. helicopter facilities, ancillary retail or service facilities such as physiotherapy) than a residential zone. It would also be more permissive of residential activities (such as accommodation) than a commercial zone. Objectives and Policies would focus on enabling the hospital activity, while protecting the amenity of the surrounding area.

#### Māori Purpose Zone.

27. This is defined as: Areas used predominantly for a range of activities that specifically meet Māori cultural needs, including but not limited to rural, residential and commercial activities.
28. It is proposed that this zone applies to:
  - a. All Native Reserves except the Māwhera Incorporation Land leased land in the Greymouth urban area (which would be zoned Commercial, Town Centre or Industrial as appropriate for the use). This is primarily land that was set aside under the Arahura Land Purchase Deed in 1860. It includes Arahura Mārae, kāinga and associated land around the Arahura River.

- b. Bruce Bay/Manakiaua grant under the South Island Landless Natives Act (SILNA). This land is at Manakiaua River and includes some areas of Schedule 2 Wetland next to Lake Kini.
  - c. Land Returned to Poutini Ngāi Tahu under the Ngāi Tahu Claims Settlement Act [Arawhata Site Nos 1 and 2 and Bruce Bay Sites 1-6 as identified in Schedule 111 in the Ngāi Tahu Claims Settlement Act.]
  - d. the Te Tauraka Waka a Māui Mārae and associated land at Maitahi/ Bruce Bay.
29. Currently these areas are zoned a mix of Rural Zone (most of the land), Coastal Settlement Zone (Bruce Bay land) or Settlement Zone (Arahura kāinga).
30. A Māori Purpose Zone would provide that "normal" activities for Māori lifestyle and tikanga would be permitted – for example Marae, papakāinga, kaumatua housing, kura, kohanga reo and wānanga, as well as services such as medical facilities and other community activities. It also creates the potential for co-governance (between the rūnanga and the district council for these areas), and this will be discussed further with the Committee in future reports.

#### Port Zone

31. This is defined as: Areas used predominantly for the operation and development of ports as well as operational areas and facilities, administrative, commercial and industrial activities associated with ports.
32. This zone is proposed for Greymouth and Westport Ports.
33. The Ports of Greymouth and Westport are significant transport, communications and employment features on the West Coast. The Port Zone is intended to encompass the area around the ports, and that, which is needed to support the port function.
34. Marine services, fishing and leisure boats are current key parts of the current port functions. It is important to allow for changes in the types of activities associated with the ports over time.
35. Provisions for this zone would focus around enabling efficient port operations, reverse sensitivity issues as well as providing for appropriate public access to support wider revitalisation initiatives in Greymouth and Westport town centres. The provisions should also reflect the outcomes of the current feasibility study around uses of the ports.

#### Stadium Zone

36. This is defined as: Areas used predominantly for the operation and development of large-scale sports and recreation facilities, buildings and structures. It may accommodate a range of large-scale sports, leisure, entertainment, art, recreation, and/or event and cultural activities.
37. Staff propose that this zone apply to the Westland Recreation Centre and the Pulse Energy Centre. Currently these areas are zoned Residential with Designations over the facilities.
38. The current district plans are largely silent on these important community facilities.
39. The Designations that are currently in place do not align with the scale and extent of the activities now being undertaken on the sites. Rather than undertake a comprehensive review of the Designations (which is a substantive piece of unplanned work and would need to anticipate any future development activities) inclusion within a Stadium Zone recognises the significance of the facility and investment in it by the community and provides clear performance standards within which the facilities will need to operate.

#### ***Special Zones Not Included in Te Tai o Poutini Plan***

40. At this stage staff do not propose to use the other Special Purpose Zones the National Planning Standards provide for:
- Airport Zone. It is expected that Designations for the airport will cover most of their activities. However if the proposed redevelopment of land near Hokitika Airport for commercial/industrial uses is likely to go ahead then, this area will need to be appropriately zoned in those locations.



- Corrections Zone. The Johnson Street facility in Greymouth, Revell St PD worker facility in Hokitika, and the Russell St facility in Westport would all seem to be appropriately zoned Commercial.
- Tertiary Education Zone – Tai Poutini Polytechnic is located in Commercial Zones in Greymouth and Westport and this seems to be adequate for their needs.

### ***West Coast Specific Special Zones***

41. As outlined in paragraph 5, the National Planning Standards allow for us to identify West Coast specific Special Purpose Zones provided they meet the required criteria.
42. Staff consider that there are two West Coast specific locations and activities which do meet these criteria as outlined below.

#### **Buller Coalfield Special Purpose Zone**

43. As discussed in May, in relation to the mineral extraction topic, staff believe that the Stockton Mine – and the wider Buller Coal field across the Stockton Plateau meets the criteria for a Special Purpose Zone. The exact extent of the zone – and whether it should include parts of the Denniston Plateau, has not yet been worked through.
44. Staff consider this area meets the tests for an additional Special Purpose Zone for the following reasons.
  - a. Stockton Mine is the single largest coal mine in the country, occupies an area of approximately 1000 hectares, has been used for coal mining for more than 100 years and still has many decades of activity in its future. Staff believe therefore it meets the test of being significant to the district, region and country.
  - b. Stockton is currently zoned rural, but operates under a Mining Licence issued prior to the RMA. This will expire in 2027 and therefore the operation will need to gain resource consents. Staff consider it is impractical to include such a large mine in the Rural Zone – either all its activities would be an inappropriate activity class or the Rural Zone rules would be distorted in providing for the activity. The activity is of such a scale and multiplicity of individual activities (buildings, hazardous substances storage, massive earthworks, revegetation, many large truck movements, noise, glare, 24 hour operations) that it is not practical to manage it within a zone that includes other, non-mining, activities.
  - c. Staff cannot identify a practical way to manage the mine through a combination of spatial layers.
45. A brief discussion with Ministry for the Environment staff indicates they concur with the staff assessment that a Special Purpose Zone is appropriate. A similar discussion around Stockton Mine specifically with Department of Conservation staff indicates that do not oppose the proposal in relation to that area also.
46. Staff have also considered whether it would be possible to extend any Special Zone to include areas of the Paparoa Coal Field. At this stage staff consider that those areas can be effectively managed through a precinct as is discussed in paragraphs 55-57 below. However until the detailed provisions and mapping is undertaken, as well as consultation with key stakeholders, staff propose no firm decision should be made on this matter.

#### **High Use Visitor Special Purpose Zone**

47. Staff consider that the communities of Franz Josef, Fox Glacier and Punakāiki meet the criteria for a Special Purpose Zone.
48. Staff consider these locations meet the tests for an additional Special Purpose Zone for the following reasons.
  - a. They are significant to the district, region and country, firstly for their substantial tourism function, but because they are the locations of internationally significant natural heritage features for which the settlements have been a base for many decades.

- i. Fox Glacier and Franz Josef are the centre of visitor activity in Westland, receiving 700,000 visitors per year.
  - ii. Punakāiki is the centre of visitor activity in Buller, receiving 450,000 visitors per year.
- b. Staff consider these areas are impractical to be managed through another zone. This is reflected in the existing district plans which have special zones for these locations.

The alternative zone to use would be the Settlement Zone, but this zone is designed for Settlements of around 50-300 people with a predominantly residential population.

While these settlements have 50-300 permanent residents, the residential population is largely meaningless in the face of the number of visitors, and the requirements that go with that around accommodation, commercial activities and tourism support such as helicopters.

In order to accommodate these areas either the tourism support activities would be an inappropriate activity class or the Settlement Zone rules would be distorted in providing for the activity.

- c. Staff do not consider that standard Commercial Zone rules would address the issue either – the combination of activities does not fit within the normal parameters for Commercial Zones on the West Coast. In order to accommodate these areas either the tourism support activities would be an inappropriate activity class or the Commercial Zone rules would be distorted in providing for the activity.
  - d. Staff do not believe an Overlay is the appropriate way to manage these locations either. While there are landscape issues, which can be managed through an overlay, the high use visitor numbers is what drives the differences in these areas, and how they need to be managed.
49. Depending on the details that we work through for this Zone it could just apply to the Commercial area - or it could have Commercial and Residential Precincts.

### **Is there a Case for other Special Purpose Zones?**

50. Staff have carefully considered whether there are other locations or activities which might warrant a Special Purpose Zone identification. We have concluded that other activities/locations will not meet the required test, but that special provision through the use of Precincts (a type of sub-zone) will provide appropriately for these locations and activities, as discussed below.

### ***Gloriavale Christian Community***

51. As briefly mentioned at the July meeting of this Committee, staff have considered whether the Gloriavale Christian Community warrants a Special Purpose Zone, but have come to the conclusion that this would not meet the tests in the National Planning Standards.
52. The community is made up of a number of activities:
- Communal residential (currently 600+ people but with a high birth rate, so the numbers are increasing very fast)
  - A School and crèche;
  - Community buildings;
  - Industrial activities (rendering plant);
  - Airstrip and planes;
  - Engineering workshop;

- Honey processing and packaging;
  - Food processing and packaging;
  - Deer farming;
  - Dairy farming;
  - Recreational facilities (community and also commercial hunting lodges); and
  - On site wastewater and water supply facilities at a community scale.
53. In addition the community are investigating further industrial activities on the site, and are developing plans for their new site (Lake Brunner Station).
  54. Currently the sites are zoned rural and this may be an appropriate zone to be retained for much of the land where there are fairly ordinary farming operations. However the community area does not meet many of the rural rules and multiple resource consents are currently required.
  55. For the community itself (and the new communities proposed at Lake Brunner Station) staff have looked into a Settlement Zone – but think this would not work well. This is because they aren't actually well located for a Settlement, and apart from the school, the site doesn't have traditional settlement infrastructure or layout.
  56. Instead staff propose that a Precinct within the Rural Zone is probably appropriate. This could be reasonably enabling of activities such as the residential and community buildings and educational facilities, while also ensuring appropriate oversight of industrial activities, and the development of wastewater and water supply facilities.
  57. Staff have considered the implications if the community were to vacate the sites. Then having the sites zoned Rural (but with the community living precinct) would be better than Settlement. If the community vacated the sites the dormitory style accommodation could be converted to something like a backpackers lodge, or outdoor pursuits facility fairly easily.
  58. We therefore propose that there be a Communal Living Precinct within the Rural Zone, which covers the existing and planned built areas on the Gloriavale Christian Community sites at Haupiri and Lake Brunner.

### ***Quarry and Mining Sites***

59. There can be no doubt that quarrying and mining are both very significant to the districts and region on the West Coast.
60. However outside of the Buller Plateaux staff believe that they do not meet the tests in the National Planning Standards for requiring a separate zone. This is particularly because mining and quarrying are anticipated activities in many rural areas of the West Coast, as activities such as alluvial mining is widespread.
61. Staff do consider that there are some locations – with significant and ongoing quarrying and mining activities, that warrant specific provision within the Plan. Staff therefore propose to include a Quarrying and Mineral Extraction Precinct within the Rural Zone (and potentially as a Multi Zone Precinct also operating in the Open Space Zone) – to cover:
  - the main quarries for protection works and road building– such as the Regional Council quarries at Whataroa, Okuru, Camelback and Inchbonnie.
  - Significant gravel and lime quarries such as the Fulton Hogan, WestReef and Avery gravel quarries, and the former Holcim lime quarry.
  - The major locations of mining activity where this is being undertaken in fixed location for example, the Strongman Mine, Island Block Mine, Giles Creek Mine, Mt Davy/Liverpool Mine, Echo Mine, Reddale Mine, Heaphy's Mine and consented coal mines on the Denniston and Stockton Plateaux – Cascade Mine (outside of the Stockton Mine LINZ footprint) and Escarpment Mine.
  - This could include sites, such as Spring Creek, Pike River, Roa, Terrace and Waiuta where mining could be undertaken again in the future.
  - Given the size of the Ross Alluvial Gold mine it may also be appropriate to consider placing that within this precinct as well.

**NEXT STEPS**

62. Once the approach to Special Purpose Zones is confirmed, targeted consultation with key stakeholders will be undertaken to identify appropriate provisions for each Special Purpose Zone before bringing proposals back to the Committee.

**RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the proposed approach to Special Purpose Zones.



# Te Tai o Poutini PLAN

*A combined district plan for the West Coast*

Prepared for: Te Tai o Poutini Plan Committee  
Prepared by: Lois Easton, Principal Planner  
Date: 13 August 2020  
Subject: **Technical Update - Financial Contributions: Approach**

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## **SUMMARY**

This report brings gives an update on the technical work being undertaken on Financial Contributions and outlines the proposed approach to Financial Contributions in Te Tai o Poutini Plan.

## **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the proposed approach to Financial Contributions.

Lois Easton

**Principal Planner**

## **INTRODUCTION**

1. The Resource Management Act (RMA) allows for councils to require the payment of financial contributions to achieve the environmental outcomes expressed through its objectives and policies.
2. Types of environmental outcomes that have been accepted include safe and efficient infrastructure servicing of development and providing for recreational needs of new development as well as contributions to undertake environmental improvements to offset or compensate for adverse environmental effects.
3. The use of subdivision provisions in plans has been one of the key ways that councils have been able to assess the need for a contribution to be paid, and for collection to occur. Generally, the need for a financial contribution would be identified through a subdivision consent application, and collection would occur prior to the release of any s224C certificate from the council.

## **Financial Contributions vs. Development Contributions for Infrastructure**

4. The introduction of the Local Government Act 2002 (LGA) provided a new avenue for councils to require monetary contributions for infrastructure. Under a council's Development Contributions policy, subdivision may trigger the need for a payment to council. For instance, the trigger could be when the subdivision developer seeks a service connection, which may be a necessary pre-condition for obtaining certification under s224.
5. Development contributions are authorised under the LGA through long term council plans (LTP) or conditions of consent attached under s220. Such contributions are based on a new developments demand on council's network infrastructure, which can include community infrastructure, open space and reserves. Great care is needed to ensure that a financial contribution is not imposed on a development for the same purpose as a development contribution.
6. Decisions on the wider approach (Development vs Financial Contributions) for infrastructure taken by each Council are outside the mandate of Te Tai o Poutini Plan. At this stage all three Councils have indicated that they do want to see Financial Contributions for infrastructure provisions within the TTPP. Therefore this paper is prepared on that basis.

## **Risks of Relying Solely on Financial Contributions for Infrastructure**

7. Financial contributions provisions have moved in and out and back into the RMA depending on the government of the time. The previous National Government repealed the provisions and from April 2022 the ability to take financial contributions was to be removed from the Act.
8. The current government has repealed the previous removal and the April 2022 end date is no longer in place.
9. However, given these backwards and forwards changes, it is considered possible that they could be removed again in the future. While this Committee has no jurisdiction over the decision of individual Councils to pursue Development Contributions, it is noted that there is a level of financial risk in relying entirely on the RMA provisions, when these could well be again subject to change by a future government.

## **National Direction**

10. Under s108(2)(a) of the RMA, financial contribution conditions can be imposed. Such conditions must be in accordance with the purposes specified in the plan and the level of contribution needs to be determined as set out in the plan. It should be noted however that financial contributions policies in proposed plans do not have legal effect until a decision on submissions has been made and notified (s86B).
11. Financial contribution conditions either require a contribution of money or land, or can be a combination of the two (s108(9)).
12. Financial contributions can assist with the costs of providing infrastructure for developments and providing for the recreational needs of the community. Funds can also be used to provide upgraded or additional servicing or to acquire or enhance

land or assets for recreation and community purposes. Councils must specifically use these monies collected for the purposes they are intended.

13. Financial contributions can be taken to provide off site 'offset' mitigation, e.g., where the adverse effects of replacing a bridge on a riverbed habitat cannot be avoided or satisfactorily mitigated, a financial contribution could be used to improve the riverbed habitat elsewhere as part of a wider riverbed restoration programme.

### **Regional Direction**

14. The Regional Policy Statement has specific policy around environmental offsets and environmental compensation for work in Significant Natural Areas, which guide those aspects of any financial contributions regime. Specific relevant policy is as follows:

**Policy 4.** *Provided that Policy 2 is met, and the adverse effects on a SNA cannot be avoided, remedied or mitigated, in accordance with Policy 3, then consider biodiversity offsetting if the following criteria are met:*

- a. *Irreplaceable or significant indigenous biological diversity is maintained and*
- b. *There must be a high degree of certainty that the offset can be successfully delivered; and*
- c. *The offset must be shown to be in accordance with the 6 key principles of:*
  - i. *Additionality: the offset will achieve indigenous biological diversity outcomes beyond results that would have occurred if the offset was not proposed;*
  - ii. *Permanence: the positive ecological outcomes of the offset last at least as long as the impact of the activity, preferably in perpetuity;*
  - iii. *No-net loss: the offset achieves no net loss and preferably a net gain in indigenous biological diversity;*
  - iv. *Equivalence: the offset is applied so that the ecological values being achieved are the same or similar to those being lost;*
  - v. *Landscape context: the offset is close to the location of the development<sup>5</sup>; and*
  - vi. *The delay between the loss of the indigenous biological diversity through the proposal and the gain or maturation of the offset's indigenous biological diversity outcomes is minimised*
- d. *The offset maintains the values of the SNA*

**Policy 5:** *Provided that Policy 2 is met, in the absence of being able to satisfy Policies 3 and 4, consider the use of biodiversity compensation provided that it meets the following:*

- a. *Irreplaceable or significant indigenous biological diversity is maintained; and*
- b. *The compensation is at least proportionate to the adverse effect; and*
- c. *The compensation is undertaken where it will result in the best practicable ecological outcome, and is preferably:*
  - i. *Close to the location of development; or*
  - ii. *Within the same Ecological District; and*
- d. *The compensation will achieve positive indigenous biological diversity outcomes that would not have occurred without that compensation; and*
- e. *The positive ecological outcomes of the compensation last for at least as long as the adverse effects of the activity; and*

- f. The delay between the loss of indigenous biological diversity through the proposal and the gain or maturation of the compensation's indigenous biological diversity outcomes is minimised.*

### **Current Approach to Financial Contributions in West Coast Plans**

15. All three Plans contain provisions around Financial Contributions. Currently these are the sole source of revenue from development for infrastructure servicing needs, as none of the three Councils are taking Development Contributions under the LGA.
16. The approach of each of the three Councils is different, and summarised below. Full provisions are included in Appendix One.

#### ***Westland.***

17. Rules provide that financial contributions can be taken apply to all Papakāinga housing and Subdivision consents with some contributions also applied to new residential building within the rural zone and mining activities in the rural zone.
18. There are a wide range of infrastructure contributions – road upgrading; access and new roads; sewerage upgrading; sewerage connection and new systems; and potable water supply.
19. Infrastructure contributions are for 100% of the full cost except for road and sewerage upgrading where only 50% of the costs are sought. Staff have advised this is unaffordable for the Council and a key provision they would like to alter.
20. Cash in lieu of on-site car parking is required at current market value of 35m<sup>2</sup> of land in the zone per parking or loading space required by the vehicle parking standards of the plan.
21. Contributions of full costs are required for electricity and telephone works.
22. Landscaping and planting, fencing and screening are also identified as full cost contributions.
23. Earthworks are identified as a full cost contribution – for a combination of infrastructure development and remediation of environmental effects
24. Recreation facilities require 5% of the value of each new allotment/the value of 4000m<sup>2</sup> of each allotment, whichever is the lesser (Min and max charge stated in the Annual Plan).
25. Esplanade reserves and strips require full costs of vesting/contributing & value of land, surveying & conveyancing to a max 20m width.
26. Protection of natural areas and significant landscapes – where required not exceeding the amount calculated for recreational facilities contributions.
27. Protection of heritage items or wāhi tapu – where required not exceeding the amount calculated for recreational facilities contributions.
28. Verandahs in Hokitika town centre are also specified as a financial contribution
29. Mining requires financial contributions for landscaping, land restoration and roading as matters of discretion.

#### ***Grey***

30. Financial contributions are District Wide.
31. Infrastructure, Esplanade and Earthworks contributions are the same as Westland except:
  - a. Road upgrading 50% of costs of road formation and land acquisition, 100% of costs for newly created separate frontages, kerb and channel, berms, footpaths, crossings and street lighting
  - b. Sewerage upgrading 100% of costs
32. Cash in lieu of car parking costs are current market value of 25m<sup>2</sup> of land in the zone per parking or loading space and construction costs with a maximum amount of \$1500 + GST/carpark.
33. Reserve contributions are 2% of the value of each new allotment/the value of 4000m<sup>2</sup> of each allotment, whichever is the lesser.



34. Development Contributions for recreation/community/reserves - Developments of a value of over \$500,000 are subject to a financial contribution of up to 0.5% of the value of the building work, paid at the time of issue of the building consent.
35. There is a general provision to take a financial contribution to avoid, remedy or mitigate identified adverse effects of any activity.

### ***Buller***

36. Financial contributions are District Wide.
37. Infrastructure, Esplanade and Earthworks contributions are the same as Westland except:
  - a. Road upgrading -100% of costs
  - b. Sewerage upgrading 100% of costs
  - c. Street lighting is specifically identified with 100% of costs
  - d. Private ways and accessways are specifically identified with 100% of costs
38. Cash in lieu of carparking – Current market value of 35m<sup>2</sup> of land in the zone per parking or loading space.
39. Landscaping and planting, fencing and screening are also identified as full cost contributions.
40. Contributions of full costs are required for electricity and telephone works.
41. Open Space, Recreation and Reserves Contributions
  - Where >10 allotments land suitable for development of a reserve
  - For each additional allotment of <1ha 7.5% of land value
  - For each additional allotment of 1-5ha 5% of land value
  - For each additional allotment over 5ha 2.5% of land value of no greater than 10ha each allotment
  - Development Contribution for recreation/community/reserves - Developments of a value of over \$500,000 shall be subject to a financial contribution of up to 0.5% of the value of the building work.

### **Other Councils Approach to Financial and Development Contributions**

42. Staff have looked around nationally to see what approach other Councils are taking. The majority use Development Contributions under the LGA as that framework has been in place for 17 years. The Councils who are still using Financial Contributions for the impacts of development on infrastructure are outlined in the table in Appendix 2.
43. Many of these Councils are also still on a first generation plan, so the most useful comparisons are the Councils who have retained financial contributions provisions in recent second or third generation plans produced in the last 5 years –Southland, Whakatāne, Ōpōtiki, South Waikato and Hamilton.
44. It is important to note all of these Councils except Ōpōtiki also use Development Contributions under the LGA.
45. Looking at the five most recent Plans to include financial contributions, the rule framework is outlined in the table below. Of these, probably the most applicable to the West Coast situation are Whakatāne, Opōtiki and South Waikato.

<b>Council</b>	<b>Approach</b>
Southland	<ul style="list-style-type: none"> <li>• Also have Development Contributions under the LGA.</li> <li>• Require contributions to offsetting the effects of a subdivision, land use or development on roading and reserve infrastructure.</li> <li>• Financial contributions for environmental compensation for adverse effects on roading and reserve infrastructure associated with the subdivision, land use or development that cannot be avoided, remedied or otherwise mitigated, so that a positive environmental outcome is achieved.               <ul style="list-style-type: none"> <li>○ Based on a set of criteria, but no formula or specific sums</li> </ul> </li> <li>• Financial contributions to add to the quality and diversity of open spaces and recreation areas available to communities within the District.               <ul style="list-style-type: none"> <li>○ Quite complex formula for reserve contributions based on</li> </ul> </li> </ul>

	sufficiency of existing reserves
Whakatāne	<ul style="list-style-type: none"> <li>• Also have Development Contributions under the LGA.</li> <li>• Require all works and services on or within the site to be funded by the developer.</li> <li>• Require all upgrading or extensions not within the LTP or Annual Plan to be funded by the developer.</li> <li>• No financial contribution required for upgrades or extensions budgeted for in the current Annual Plan.</li> <li>• No financial contribution is payable if the infrastructure upgrades are budgeted in the current Annual Plan.</li> <li>• Upgrades and extensions not in the Annual Plan (but in the LTP) must be funded by the developer – but provision to negotiate for some future Council contribution.</li> <li>• Fixed sum financial contribution per new lot or dwelling for reserves programme. This is identified in the Long Term Plan or Annual Plan for the Service Area.</li> <li>• Reserves contributions in land are 130m<sup>2</sup> land per additional lot or an amount not less in value than this.</li> </ul>
Ōpōtiki	<p>Financial contributions for subdivision and land use consents for the following purposes:</p> <ul style="list-style-type: none"> <li>• The mitigation of potential adverse effects arising from the activity, including any shortfall in on-site carparking (formula used for contribution based on 25m<sup>2</sup> of land and cost of construction).</li> <li>• Ensuring positive effects on the environment to offset adverse effects.</li> <li>• Ensuring that infrastructural services within the District continue to operate in a safe and efficient manner, such that the developer pays for the additional demand on infrastructure services.</li> <li>• Roothing <ul style="list-style-type: none"> <li>○ Where Service Lanes are identified in District Plan the cost of formation and vesting of land;</li> <li>○ Full costs of new roading and upgrading according to a formula in the Plan);</li> <li>○ Identification of specific roads that are at capacity for traffic for their structure. Further subdivision on these roads requires a financial contribution of the full cost to upgrade the road to Council standards to accommodate additional loadings.</li> </ul> </li> <li>• Water Supply, Sewerage and Stormwater Treatment <ul style="list-style-type: none"> <li>○ Developer responsible for installation of services in any subdivision and development and the costs of connection to Council systems.</li> <li>○ Financial contribution in the form of money or upgrading of services with different formulas for residential development and non residential activities.</li> </ul> </li> <li>• Reserve purposes, such that the developer pays for the additional demand on the reserves in the District. <ul style="list-style-type: none"> <li>○ A contribution has been calculated based on a formula - \$790 per new lot created</li> </ul> </li> </ul>
South Waikato	<ul style="list-style-type: none"> <li>• Also have Development Contributions.</li> <li>• All roads and utilities required to serve the development funded by the developer.</li> <li>• Upgrade contributions for roading, 3 waters, urban and rural reserves.</li> <li>• Formulae for upgrade contributions for 3 waters.</li> <li>• Formula for reserves contributions based on value of the reserves asset and number of UAGC units in the district.</li> </ul>

Hamilton	<ul style="list-style-type: none"> <li>• Also have Development Contributions.</li> <li>• Require financial contributions for providing and/or upgrading public network utility services and transport infrastructure. Contribution rules have criteria and discretion is substantial on the amount charged based on an asset evaluation.</li> <li>• Require financial contributions for providing and/or upgrading public reserves. Contribution rules have criteria and discretion is substantial on the amount charged based on an asset evaluation.</li> <li>• Contributions for securing environmental compensation generating positive effects to offset any adverse effects of the subdivision, use or development that cannot be avoided, remedied or otherwise mitigated.</li> </ul>
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### Proposed Approach for Te Tai o Poutini Plan

46. Staff from all three of the Councils have indicated their desire to include financial contributions for infrastructure servicing in Te Tai o Poutini Plan, regardless of whether they also eventually progress to a development contributions framework in the future.
47. It is important to recognise that there are different infrastructure development states and financial situations in the three districts, so should the Councils not want to standardise charges across the three districts (which looks most difficult for reserve contributions) allowance for this is needed within the framework.
48. On that basis it is proposed that financial contributions be included within the draft Plan for the following purposes:
  - a. Offsetting the effects of a subdivision, land use or development on roading, three waters (water supply, wastewater, stormwater) and reserve infrastructure.
  - b. Environmental compensation for adverse effects on roading, three waters and reserve infrastructure associated with the subdivision, land use or development that cannot be avoided, remedied or otherwise mitigated, so that a positive environmental outcome is achieved.
  - c. To add to the quality and diversity of open spaces, recreation areas and community facilities available to communities within the District.
  - d. To provide for environmental offsetting and compensation where adverse environmental effects occur.
49. To achieve the above purposes the following approach to develop the Plan provisions is proposed:
  - a. Identify a common list of matters for which infrastructure financial contributions will be taken upon subdivision being:
    - i. Roading
    - ii. Cycle and walkway access
    - iii. Parking
    - iv. Service lanes
    - v. Parks and reserves
    - vi. Recreation facilities
    - vii. Community facilities
    - viii. Water supply
    - ix. Wastewater
    - x. Stormwater – quality and quantity

Note this list is much shorter than the current Plans – reflecting that some matters listed in the current Plans under the financial contributions provisions (e.g. verandahs on buildings, or connections to electricity and telecommunications networks) aren't actually financial contributions, and should be addressed in other parts of the Plan.

- b. Enable financial contributions to be taken for both land use consents and subdivision consents;

- c. Provide for financial contributions for environmental offsetting and compensation;
- d. Provide for additional financial contributions to cover the cost of items in an LTP but not in the current Annual Plan year (i.e. required earlier than provided for);
- e. Provide a level of specificity of financial contribution requirements for the individual Councils and/or specific locations;
- f. Include a formula but not the \$ amount in the financial contributions rules (which could differ by Council if necessary);
- g. Provide guidance on how decisions will be made to waive/reduce financial contributions.

## **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the proposed approach to Financial Contributions.

### Appendix One: Comparison of Financial Contributions Approach across the Current Plans

Maximum Financial Contributions	Westland	Grey	Buller
Road upgrading	<ul style="list-style-type: none"> <li>• 50% of upgrading works to meet increased traffic including road formation and land acquisition.</li> <li>• 50% of the cost of work to create separate road frontages, kerb and channel, berms, footpaths, crossings and street lighting.</li> </ul>	<ul style="list-style-type: none"> <li>• 50% of upgrading works including road formation and land acquisition</li> <li>• 100% of the cost of work for newly created separate frontages, kerb and channel, berms, footpaths, crossings and street lighting</li> </ul>	<ul style="list-style-type: none"> <li>• The full actual cost of upgrading to meet the required standard to make the road suitable for increased traffic including, where appropriate, the cost of vesting any land as road for widening purposes.</li> </ul>
Access and new roads	<ul style="list-style-type: none"> <li>• Full costs for suitable access from a formed road or proposed formed road. Includes any construction of new roads.</li> <li>• Access to state highways to Transit NZ stds and specifications.</li> <li>• Carparks to avoid vehicles reversing onto the State Highway and arterial and collector roads except for residential activities.</li> <li>• Full cost of constructing any new roads required include land acquisition and vesting in Council</li> <li>• Reciprocal rights of way in urban areas to be sealed.</li> </ul>	<ul style="list-style-type: none"> <li>• Full cost of providing formed access to the site. Access to the roads in accordance with the Code of Practice for Subdivision</li> <li>• Full cost of providing any required new roads – construction, land acquisition and vesting</li> </ul>	<ul style="list-style-type: none"> <li>• The full actual cost of constructing the new road, including the cost of the vesting in the Council of the necessary land for the road.</li> </ul>
Sewerage	<ul style="list-style-type: none"> <li>• cost of connection of allotments and buildings to a sewerage system that is available and has adequate capacity</li> <li>• 50% contribution to the cost of upgrading the system where there is insufficient capacity</li> <li>• Where no sewerage system available,</li> </ul>	<ul style="list-style-type: none"> <li>• Full cost of connection of allotments and buildings to a sewerage system that is available and has adequate capacity</li> <li>• Where there is insufficient capacity unspecified contribution to the cost of upgrading</li> </ul>	<ul style="list-style-type: none"> <li>• Full cost of connection of allotments and buildings to a sewerage system that is available and has adequate capacity</li> <li>• Where there is insufficient capacity unspecified contribution to the cost of upgrading</li> </ul>

Maximum Financial Contributions	Westland	Grey	Buller
	<p>the full cost of disposal including design, investigation, land acquisition, increasing the capacity if necessary and providing sewerage within the subdivision or buildings</p>	<ul style="list-style-type: none"> <li>Where no sewerage system available, the full cost of disposal including design, investigation, land acquisition, increasing the capacity if necessary and providing sewerage within the subdivision or buildings</li> </ul>	<ul style="list-style-type: none"> <li>Where no sewerage system available, the full cost of disposal including design, investigation, land acquisition, increasing the capacity if necessary and providing sewerage within the subdivision or buildings</li> </ul>
Stormwater	<ul style="list-style-type: none"> <li>Where a piped outfall is available the full actual cost of reticulation control structures within the subdivision or land use</li> <li>Where a piped outfall is not available or there is insufficient capacity, the full cost of providing for stormwater disposal and increasing capacity if necessary, together with the full actual cost of reticulation and control structures within the subdivision or building.</li> </ul>	<ul style="list-style-type: none"> <li>Where a piped outfall is available the full actual cost of reticulation control structures within the subdivision or land use</li> <li>Where a piped outfall is not available or there is insufficient capacity, the full cost of providing for stormwater disposal and increasing capacity if necessary, together with the full actual cost of reticulation and control structures within the subdivision or building</li> </ul>	<ul style="list-style-type: none"> <li>Where a piped outfall is available the full actual cost of reticulation control structures within the subdivision or land use</li> <li>Where a piped outfall is not available or there is insufficient capacity, the full cost of providing for stormwater disposal and increasing capacity if necessary, together with the full actual cost of reticulation and control structures within the subdivision or building</li> </ul>
Water Supply	<ul style="list-style-type: none"> <li>Where a piped water supply is available and sufficient, the full actual costs of providing all the necessary reticulation to serve the allotments, sites and buildings.</li> <li>Where no supply available, or insufficient capacity, the full cost of providing all necessary reticulation to service the allotments, sites and buildings together with the</li> </ul>	<ul style="list-style-type: none"> <li>Where a piped water supply is available and sufficient, the full actual costs of providing all the necessary reticulation to serve the allotments, sites and buildings.</li> <li>Where no supply available, or insufficient capacity, the full cost of providing all necessary reticulation to service the allotments, sites and buildings</li> </ul>	<ul style="list-style-type: none"> <li>Where a piped water supply is available and sufficient, the full actual costs of providing all the necessary reticulation to serve the allotments, sites and buildings.</li> <li>Where no supply available, or insufficient capacity, the full cost of providing all necessary reticulation to service the</li> </ul>

<b>Maximum Financial Contributions</b>	<b>Westland</b>	<b>Grey</b>	<b>Buller</b>
	<ul style="list-style-type: none"> <li>• cost of reticulation within the subdivision or land use.</li> </ul>		allotments, sites and buildings
Supply of Electricity	<ul style="list-style-type: none"> <li>• The full cost of providing electricity supply underground to and within the subdivision or buildings</li> </ul>	<b>NA</b>	<ul style="list-style-type: none"> <li>• The full cost of providing electricity supply underground to and within the subdivision or buildings</li> </ul>
Telephone Links	<ul style="list-style-type: none"> <li>• The full costs of providing telephone links to and within the subdivision or buildings</li> </ul>	<b>NA</b>	<ul style="list-style-type: none"> <li>• The full costs of providing telephone links to and within the subdivision or buildings</li> </ul>
Earthworks	<ul style="list-style-type: none"> <li>• The full cost of carrying out earthworks to the appropriate standard for building areas, road access, stormwater control, land stability, to enable better utilisation of land, and to ensure that earthworks do not adversely affect significant habitats, vegetation, ecosystems, landscapes and natural features.</li> <li>• Includes the full cost of clearing, cleaning, filling or compacting land in order to mitigate the effects of former activities and make the site suitable for its proposed activity</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• The full cost of carrying out earthworks to the appropriate standard for building areas, road access, stormwater control, land stability, to enable better utilisation of land, and to ensure that earthworks do not adversely affect significant habitats, vegetation, ecosystems, landscapes and natural features</li> </ul>	<ul style="list-style-type: none"> <li>• The full cost of carrying out earthworks to the appropriate standard for building areas, road access, stormwater control, land stability, to enable better utilisation of land, and to ensure that earthworks do not adversely affect significant habitats, vegetation, ecosystems, landscapes and natural features</li> </ul>
Landscaping or Planting	<ul style="list-style-type: none"> <li>• Full costs of carrying out landscaping to reduce adverse effects, enhance amenities and improve land stability</li> </ul>	<b>NA</b>	<ul style="list-style-type: none"> <li>• Full costs of carrying out landscaping to reduce adverse effects, enhance amenities and improve land stability</li> </ul>
Fencing or screening	<ul style="list-style-type: none"> <li>• Full costs of carrying out fencing or</li> </ul>	<b>NA</b>	<ul style="list-style-type: none"> <li>• Full costs of carrying out fencing</li> </ul>

Maximum Financial Contributions	Westland	Grey	Buller
	screening to minimise adverse effects where subdivision or land use may impact on heritage, conservation, landscape, public vistas/views or screening of activities or between Management Areas		or screening to minimise adverse effects where subdivision or land use may impact on heritage, conservation, landscape, public vistas/views or screening of activities or between Management Areas
Protection of Natural Areas and Significant Landscapes	<ul style="list-style-type: none"> <li>Condition requiring natural areas and/or significant landscape features to be set aside and protected (e.g. by covenant and/or fencing) to the value of the amount calculated for contributions towards recreation facilities</li> </ul>	<b>NA</b>	
Recreation facilities	<ul style="list-style-type: none"> <li>A percentage figure published in the Annual Plan not exceeding 5% of the value of each new allotment or the value of 4000m<sup>2</sup> of each allotment, whichever is the lesser. (Min and max charge stated in the Annual Plan)</li> </ul>	<p><b>[Reserves Contributions]</b></p> <ul style="list-style-type: none"> <li>Two percent of the value of each additional allotment in a subdivision or, in the case of a</li> <li>subdivision in the Rural or Rural Residential Environmental Area, 2% of the value of each</li> <li>additional allotment or the value of 4000 square metres of each additional allotment in a</li> <li>subdivision, whichever is the lesser.</li> </ul> <p><b>[Development Contribution]</b></p> <ul style="list-style-type: none"> <li>Developments of a value of over \$500,000 shall be subject to a financial contribution of up to 0.5% of the value of</li> </ul>	<p><b>[Open Space, Recreation and Reserves]</b></p> <ul style="list-style-type: none"> <li>Where over 10 allotments are created land suitable for development into a reserve to serve the expected population. <ul style="list-style-type: none"> <li>For each additional allotment of less than 1ha, the amount of a financial contribution shall be 7.5% of the land value.</li> <li>For each additional allotment of 1ha to 5ha, the amount of a financial contribution shall be 5% of the land value.</li> </ul> </li> </ul>



Maximum Financial Contributions	Westland	Grey	Buller
		<p>the building work. The value of other financial contributions conditional on the development will be considered with regard to the amount of development contribution required. The financial contribution shall be paid at the time of the issue of the building consent.</p> <ul style="list-style-type: none"> <li>The financial contribution upgrading shall only be spent by Council on the provision and development of Council's reserves, recreational facilities and community facilities in an area of locality affected by any such development.</li> </ul>	<p>iii. For each additional allotment over 5ha, the amount of a financial contribution shall be 2.5% of the land value of no greater than 10ha of each allotment.</p> <p><b>[Development Contribution]</b></p> <ul style="list-style-type: none"> <li>Amount of contribution: Developments of a value of over \$500,000 shall be subject to a financial contribution of 0.5% of the value of the development.</li> <li>The financial contribution shall only be spent by Council on the provision and development of reserves, recreational facilities and community facilities within the District.</li> </ul>
Esplanade Reserves and Esplanade Strips	<ul style="list-style-type: none"> <li>Full costs of vesting or contributing a reserve or strip of max 20m width including the value of the land or interest in land and the costs of survey and conveyancing</li> </ul>	<ul style="list-style-type: none"> <li>The full actual costs of vesting or contributing a reserve or strip of not greater than 20 metre width (width to be determined in accordance with the esplanade reserve provisions</li> <li>in the section relating to subdivision) including the value of the land or interest in land and the costs of survey and conveyancing.</li> </ul>	<ul style="list-style-type: none"> <li>Full costs of vesting or contributing a reserve or strip of max 20m width including the value of the land or interest in land and the costs of survey and conveyancing</li> </ul>
Cash in Lieu of	<ul style="list-style-type: none"> <li>Current market value of 35m<sup>2</sup> of land in the zone per parking or loading</li> </ul>	<ul style="list-style-type: none"> <li>The actual cost of providing 25m<sup>2</sup> for a carpark calculated at the current market</li> </ul>	<ul style="list-style-type: none"> <li>Current market value</li> <li>of 35m<sup>2</sup> of land in the zone per</li> </ul>

<b>Maximum Financial Contributions</b>	<b>Westland</b>	<b>Grey</b>	<b>Buller</b>
Carparking	space required by the vehicle parking standards of the plan	value of the land subject to development. and construction costs required by NZS 4404: 1981. This amount being to a maximum of \$1,500.00 plus GST per carpark.	parking or loading space required by the off-street parking requirements of the Plan.
Verandahs	<ul style="list-style-type: none"> <li>Constructed as per Appendix H</li> </ul>	<b>NA</b>	<b>NA</b>
Street Lighting	<b>NA</b>	<b>NA</b>	<ul style="list-style-type: none"> <li>The full actual cost of providing the street lighting.</li> </ul>
Private Ways and Accessways	<b>NA</b>	<b>NA</b>	<ul style="list-style-type: none"> <li>The full actual cost of constructing and maintaining private ways and accessways to the appropriate standard.</li> </ul>
Heritage Items	<ul style="list-style-type: none"> <li>Amount to protect heritage items or wāhi tapu where subdivision or land use consent is sought not exceeding the value of the amount calculated for contributions towards recreation facilities.</li> </ul>	<ul style="list-style-type: none"> <li>The full actual costs of carrying out the protection works.</li> </ul>	
Avoid, remedy or mitigate identified adverse effects		<ul style="list-style-type: none"> <li>General provision. No upper limit.</li> </ul>	

### Appendix 2 Other Council Approaches to Financial Contributions.

Council	Age of RMA Plan	Purpose of Financial Contributions	Matters of Note
Southland District Council	Operative Jan 2018	<p>Offsetting the effects of a subdivision, land use or development on roading and reserve infrastructure.</p> <p>Environmental compensation for adverse effects on roading and reserve infrastructure associated with the subdivision, land use or development that cannot be avoided, remedied or otherwise mitigated, so that a positive environmental outcome is achieved.</p> <p>To add to the quality and diversity of open spaces and recreation areas available to communities within the District.</p>	Also have development contributions
Whakatane District Council	Operative 2017	<p>roads, public carparking provision service lanes water wastewater stormwater reserves (excluding esplanade reserves)</p>	<p>Also have development contributions. Only take financial contributions where development is not served by existing infrastructure or if infrastructure is required earlier than provided for in the Long Term Plan.</p> <p>No financial contribution is payable if the infrastructure upgrades are budgeted in the current Annual Plan</p>
Hamilton	18 Oct 2017	<p>Providing and/or upgrading public network utility services and transport infrastructure.</p> <p>Providing and/or upgrading public reserves.</p> <p>Securing environmental compensation generating positive effects to offset any adverse effects of the subdivision, use or development that cannot be avoided, remedied or otherwise mitigated.</p>	Also have development contributions
Opotiki District	Proposed 2016 (at	<p>roads carparking</p>	

<b>Council</b>	<b>Age of RMA Plan</b>	<b>Purpose of Financial Contributions</b>	<b>Matters of Note</b>
Council	appeals stage)	water supply wastewater stormwater reserves	
South Waikato	Operative July 2015	Upgrade contributions for roading, 3 waters, urban and rural reserves	Publish a specific list of the cost of financial contributions annually as part of Annual Plan. Rules refer to this.
Ashburton	August 2014	Parks Walking and cycling networks	Also have development contributions
Kaipara	Operative 2013	Reserves Community facilities (libraries, halls, leisure facilities and public toilets) Public access Roads water supply wastewater stormwater Effects on ecosystems, landscape, archaeological sites, heritage or cultural values Effects of renewable energy generation on natural heritage and landscape	Have both Development Contributions and Financial Contributions. Are progressively phasing out Financial Contributions for infrastructure.
Western Bay of Plenty	Operative 2012	Wastewater Stormwater Water Supply Transportation Recreation Effects on indigenous biodiversity	Financial Contributions based on a schedule of works outlined in Asset Management Plans
Napier District	Operative 2011	Effects on infrastructure Effects on water quality in specific locations (Ahuriri Estuary) Effects on amenity (provision of reserves) Effects of increased urban density on reserves and community	

<b>Council</b>	<b>Age of RMA Plan</b>	<b>Purpose of Financial Contributions</b>	<b>Matters of Note</b>
		facilities (provision of cash for improvements)	
Selwyn District Council	Plan Change 30 Operative 2010	Environmental compensation	Development contributions for reserves, network infrastructure and community infrastructure
Timaru	Operative 2005	Specific financial contributions for particular upgrades (ie named roads)	
Waimakiriri	Operative 2005 (under review)	Offset effects – to offset other environmental effects that cannot be avoided, remedied or mitigated Water Supply Systems – actual works required Drainage Schemes and Stormwater Systems – actual works required Sewerage Systems – actual works required Provision for Access – actual works required Financial contribution in lieu of on-site car parking or loading required under Rule	Also have development contributions
Kapiti Coast District Council	Operative 2001	Reserves, roads, streets and bridges, stormwater drainage, sewage and water supply services	Based on 1995 calculations Detailed amounts listed in the rules
Wellington City Council	Operative 2000	Charge financial contributions on both land use and subdivision consents.  Stormwater Wastewater Water supply Traffic Reserves	Also have development contributions Publish a guide to development impact fees which the rules refer to (produce this with their LTP three yearly).  Rules set a maximum impact fee (\$ amount) for each area that can be charged
Matamata – Paiko	Original rules from 1995! Not yet reviewed	Roads Reserves Engineering services	Call them development contributions in their District Plan which is a bit strange but I think reflects the age of the Plan

Council	Age of RMA Plan	Purpose of Financial Contributions	Matters of Note
		Earthworks Carparking	



Prepared for: Te Tai o Poutini Plan Committee Meeting

Prepared by: Lois Easton, Principal Planner

Date: 25 August 2020

Subject: **Te Tai o Poutini Plan – Poutini Ngāi Tahu Cultural Landscapes**

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### **SUMMARY**

This report introduces Poutini Ngāi Tahu Cultural Landscapes. Kaiwhakahaere Tumahai of Te Rūnanga o Ngāti Waewae and Kaiwhakahaere Madgwick of Te Rūnanga o Makaawhio will present alongside Philippa Lynch the Manager of Poutini Environmental.

Cultural landscapes are proposed for inclusion within Te Tai o Poutini Plan, with a policy direction from the Poutini Ngāi Tahu section as well as policy woven through the zone and district wide matters chapters.

### **RECOMMENDATIONS**

1. That the Committee receive the report

Lois Easton

**Principal Planner**

## INTRODUCTION

1. This report introduces Poutini Ngāi Tahu Cultural Landscapes.
2. Kaiwhakahaere Tumahai of Te Rūnanga o Ngāti Waewae and Kaiwhakahaere Madgwick of Te Rūnanga o Makaawhio will present alongside Philippa Lynch, the Manager of Poutini Environmental.
3. It is proposed to include measures around Cultural Landscapes within Te Tai o Poutini Plan.

## BACKGROUND

### What are cultural landscapes?

4. The traditions of Poutini Ngāi Tahu tupuna (ancestors) are embedded in the landscape. Indicators of these intergenerational landscapes include pā and kāinga, ara tawhito (traditional trails), pounamu, mahinga kai, wāhi tapu and wāhi ingoa (place names).
5. Cultural landscapes are usually living, working landscapes which have both a historical and contemporary connection. Protection of Poutini Ngāi Tahu cultural landscape values involves acknowledging the past but also enabling the ability for present and future generations to also be able to connect with these landscapes.
6. An important component of understanding cultural landscapes is that they are not areas that are locked up to preserve the past. The history and tradition needs to be recognised and the associated values maintained. The relationship of Poutini Ngāi Tahu with these landscapes will continue and develop over time. New cultural landscapes can also be created.

### Statutory provisions relating to cultural landscapes

7. Section 6(e) of the RMA requires the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga to be recognised and provided for as a matter of national importance. Recognition of cultural landscapes is one way of providing for the matters in section 6(e) of the RMA.
8. Some cultural landscapes may also be recognised and provided for under section 6(b) of the RMA which relates to protecting outstanding natural features and landscapes. It is important to understand that not all cultural landscapes are outstanding natural features and landscapes and not all outstanding natural features and landscapes are cultural landscapes.
9. Cultural landscape values can also be recognised and provided for in relation to other matters of national importance within section 6 of the RMA, such as heritage protection and management of freshwater resources and the coastal environment.
10. Cultural landscapes are recognised in the New Zealand Coastal Policy Statement 2010.
11. The West Coast Regional Policy Statement includes policy supporting the inclusion of cultural landscapes in TTPP as follows:

*Objective 4.5: To recognise and provide for the relationships of Poutini Ngāi Tahu with cultural landscapes.*

*Policy 4. 6: Cultural landscapes are appropriately identified, and effects of activities are managed in a way that provides for the cultural relationships of Poutini Ngāi Tahu.*

*Method 4.6: Regional and district councils will consult with Poutini Ngāi Tahu about appropriate provision for cultural landscapes in regional and district plans.*

12. Ngāi Tahu Cultural landscape provisions have already been included in other Te Waipounamu/South Island Plans including Dunedin and Christchurch District Plans.
13. The Ngāi Tahu Claims Settlement Act 1998 includes Statutory Acknowledgements. Statutory Acknowledgements recognise the mana of Ngāi Tahu in relation to a range



of sites and areas. Statutory Acknowledgements include land, geographic features, lakes, rivers, wetlands and coastal marine areas, with Ngāi Tahu has a particular association. Statutory Acknowledgement Areas form important components of cultural landscapes but are not the only areas with values.

14. Cultural landscapes are proposed for inclusion within Te Tai o Poutini Plan, with a policy direction from the Poutini Ngāi Tahu section as well as policy woven through the zone and district wide matters chapters. Connections with Poutini Ngāi Tahu cultural landscapes may take a variety of forms, and the measures needed to maintain the connection may vary accordingly.
15. Work has already been undertaken by Poutini Ngāi Tahu to gather information and confirm the GPS location of areas across the Poutini Ngāi Tahu rohe.

#### **NEXT STEPS**

16. Cultural landscape maps will be prepared by Poutini Ngāi Tahu.
17. The proposed approach to Poutini Ngāi Tahu matters will be brought to the September meeting of the Committee. More detailed draft provisions will be brought to the Committee in subsequent months.
18. Collaboration with Poutini Ngāi Tahu is ongoing and will include detailed input to draft provisions.

#### **RECOMMENDATIONS**

1. That the Committee receive the report.



# 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: 25 August 2020  
Subject: **Te Tai o Poutini Plan Technical Update – General Residential Zone Rules**

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## **SUMMARY**

This report gives an update on the technical work being undertaken on the General Residential Zone Rules in Te Tai o Poutini Plan.

The Objectives and Policies for the Residential Zones were developed as a draft at the January and March 2020 Committee meetings. These set the framework for the rules within the zones.

Discussion and direction on non-residential activities within these zones was provided at the March 2020 and May 2020 meetings. This has been further discussed at the Technical Advisory Team in the development of the draft rules.

There are three proposed Residential Zones and this report outlines draft permitted activity performance standards and rules for the General Residential Zone only.

Feedback from the Committee on these draft proposals is sought, and the consultation process will also inform their further development underway.

## **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the draft Permitted Activity performance standards and Rules for the General Residential zone.

Lois Easton

**Principal Planner**

## INTRODUCTION

1. This report gives an update on the technical work being undertaken on the General Residential Zone permitted activity performance standards and rules within Te Tai o Poutini Plan.
2. At the Committee meetings in January and March 2020, draft Residential Objectives and Policies were considered by the Committee and are attached at Appendix One. The March and May 2020 meetings considered options around the direction for Non Residential Activities in these zones, and these have informed the preparation of the draft proposals in this paper. The Committee feedback has been discussed with the Technical Advisory Team, and the draft Rules represent their recommended view.
3. There are three types of residential zones proposed to be included within Te Tai o Poutini Plan:
  - A General Residential Zone. This would be the default residential zone, and most widespread across the three districts. Most of the residential areas in Westport, Reefton, Greymouth and Hokitika would fall into this zone.
  - A Large Lot Residential Zone. This zone would be typified by large lots (around 2000m<sup>2</sup>), but full urban services such as urban roads (with kerb and channel), wastewater, water supply and stormwater systems. They differ from a General Residential Zone in terms of lot size, and from a Rural Lifestyle Zone by the presence of urban services. The lot size is kept large due to the constraints on servicing capacity – whereby 3 waters systems do not have sufficient capacity to allow General Residential sized sections. Currently the area around Paroa (zoned Rural Residential in the Grey Plan) is the main area identified as being suitable for this zone.
  - A Medium Density Residential Zone. This zone would be typified by allowances to develop multi-unit developments such as terraced housing, pensioner/kaumatua units and low-level (3 story) apartments. Currently the residential area abutting the Greymouth CBD, an area around Grey Base hospital, an area of higher land behind the Hokitika town centre and an area of the Seaview land at Hokitika have been identified as potential locations for this zone. There may also be suitable locations near the Westport and Reefton Town Centres, and Westport Hospital. The main purpose of this zone is to provide for housing choice, particularly for older adults and smaller households, but in locations where there is good amenity such as shops and recreation facilities to offset the smaller dwelling and site size.
4. This paper brings the draft General Residential Zone rules to the Committee for feedback.

## RULES FRAMEWORK IN THE PLAN

5. The RMA sets up a Rules Framework that we will need to follow for the Plan. This is set out as follows:

Rule Type	Explanation
<b>Permitted Activity</b>	<p>They should be normal activities expected to be undertaken in the zone. e.g. residential activities in a residential zone.</p> <p>Permitted Activities are subject to <b>Performance Standards</b> – which are things that an activity must meet to be Permitted. In the zones performance standards cover things like: height, building coverage, noise, distance from boundaries, parking requirements, light.</p> <p>Provided an activity meets all the Performance Standards, no resource consent is required. If any Performance Standard cannot be met, the activity is not Permitted.</p>
<b>Controlled Activities</b>	<p>These activities require resource consent but it <u>must</u> be granted. Conditions can be placed on the consent in relation to the <b>Matters for Control</b> - a specific list of things that will be considered as part of the</p>

	<p>resource consent.</p> <p>Controlled activities are expected activities in a zone, but because of their potential environmental effects they require resource consent and consent conditions.</p> <p>Controlled Activities must be granted within 10 working days of application.</p>
<b>Restricted Discretionary Activities</b>	<p>These activities require a resource consent that can be granted or declined.</p> <p>Restricted Discretionary Activities are activities that should be OK to go on in the zone, but there may be circumstances where the activity could be declined – or where significant conditions on consent could be required.</p> <p>Restricted Discretionary Activities are where the Plan restricts the matters that are considered as part of the resource consent to a list of <b>Matters of Discretion</b> where adverse effects could occur. Restricted Discretionary Activities should be consistent with the policies and objectives of the Plan, and are often subject to <b>Assessment Criteria</b> to help the applicant understand what is needed in a resource consent application.</p> <p>Restricted Discretionary Activities are usually <b>non-notified</b>, or if they are, this is often <b>Limited Notification to Affected Parties</b> such as neighbours rather than full public notification.</p>
<b>Discretionary Activities</b>	<p>These activities require a resource consent that can be granted or declined.</p> <p>Discretionary Activities need a convincing case to gain resource consent, (a robust Assessment of Environmental Effects). Applications for Discretionary Activities might need special expert reports (e.g. traffic engineer, landscape architect) and may be <b>non-notified</b>, <b>Limited Notified to Affected Parties</b> (such as neighbours), or <b>Publicly Notified</b>.</p> <p>Discretionary Activities need to be consistent with the policies and objectives of the Plan and are often subject to <b>Assessment Criteria</b> to help the applicant understand what is needed in a resource consent application.</p>
<b>Non-complying Activities</b>	<p>These activities require a resource consent that can be granted or declined, however the status of non-complying is telling the applicant that they will probably be declined.</p> <p>Non-complying activities need an exceptionally convincing case for resource consent to be granted – they must not be inconsistent with the Plan or have more than minor environmental effects. A range of high quality technical reports would be expected to be included with any non-complying activity application.</p> <p>Non-complying activities are often <b>Limited Notified to Affected Parties</b> (such as neighbours), or <b>Publicly Notified</b>.</p>
<b>Prohibited Activities</b>	<p>These are activities where resource consent is unable to be applied for. They are not allowed.</p>

## DRAFT GENERAL RESIDENTIAL ZONE RULES

6. The draft General Residential Zone Rules are attached at Appendix 2. These are laid out in the format we are considering for the final Plan. Any feedback on this in terms of ease of readability and use is also welcome.

### Overview of the Zone

7. The General Residential Zone encompasses the majority of the areas where people live in the main towns on the West Coast - Hokitika, Greymouth, Westport and Reefton. Generally these areas are characterised by low height built form. This, combined with generally wide gridded streets, creates a very open character with vistas of the mountains being a defining characteristic of the areas. While there are non-residential activities present in the General Residential Zone, these are low-key activities with minimal impacts on the amenity and character of the zone.
8. Home business, retirement villages and community activities that support the social wellbeing of the community may also occur in the Zone where these are compatible with residential amenity values. Non-residential activities that are incompatible with residential amenity values or which are more appropriately located within the Town Centre Zone, Commercial Zone, Mixed Use Zone, General Industrial Zone or Neighbourhood Centre Zone are discouraged.
9. Following the discussion with the Committee around Non Residential Activities, there is one Precinct proposed within the General Residential Zone.
- The Visitor Accommodation Precinct that is designed to be the main location within the General Residential Zone where visitor accommodation other than homestay accommodation is located. Staff have identified potential locations in Hokitika (along State Highway 6) and Greymouth (along State Highway 6 and Cowper Street) where this Precinct would be appropriate. These are locations where visitor accommodation has already developed in the residential zone, and has affected the character of the area to be a more visitor-focussed location. The identification of a "Precinct" approach where visitor accommodation provisions are more enabling reflects the feedback provided by the Committee at the May 2020 meeting.

### Proposed Draft Rules

10. The key elements of the rules are the Permitted Activity standards. These have been worked through in detail with the Technical Advisory Team of Council staff. The proposed draft standards are summarised in the table below with a comparison to provisions in the current three district plans. For the full standard please refer to Appendix 2.

### Permitted Activities

Effect Being Managed	Summary of draft TTPP Permitted Activity Standard	Differences from current plans
Height	Maximum 10m.	Westland – 9m and 3.5m for an accessory building  Grey – currently no height limits, recession plane only. Text in the Plan says this allows for "a two story building".  Buller – 10m, maximum 3.5m for accessory building/minor dwelling
Height in Relation to Boundaries	45 degree recession plane to commence 2.5m above any site boundary except where neighbour's consent is provided	All plans 45 degree recession plane to commence 2.5m above any site boundary

Dwelling density	Residential unit density is no more than <ul style="list-style-type: none"> <li>i. 1 unit per 350m<sup>2</sup> net site area; or</li> <li>ii. 1 unit per 300m<sup>2</sup> net site area where two or more adjoining sites are developed;</li> <li>iii. 1 minor residential unit per 500m<sup>2</sup> net site area</li> </ul>	Grey – 350m <sup>2</sup> exclusive of access, except 300m <sup>2</sup> where two or more adjoining sites are developed. 200m <sup>2</sup> for each elderly persons housing unit with a gross floor area less than 65m <sup>2</sup> . Westland – currently 300m <sup>2</sup> Buller – currently two dwellings per site
Yards/setbacks	Buildings are setback a minimum 4.5m from road boundaries, except that a roof overhang may encroach 750mm; Buildings are setback a minimum of 1m from all other site boundaries, except that: <ul style="list-style-type: none"> <li>i. duplexes do not require a setback from the side boundary of the other duplex unit; and</li> <li>ii. setbacks are not required from adjacent residential boundaries where neighbour's consent is provided to the Council under Section 87AAB of the Act</li> </ul>	Grey – 4.5m from road boundaries, no side or rear yards. Westland – 4.5m from road boundaries, a rear yard of 3m except for accessory buildings, side yards one of 1.5m and one of 3m except for accessory buildings. Buller – 5m front yard rule and 1m setbacks from all other boundaries. Roof overhangs can encroach 750mm
Site coverage	Maximum site coverage is 40%	Westland and Buller – 40% Grey -50%
Outdoor space	A minimum of 30m <sup>2</sup> of outdoor living space is provided per residential unit and 12m <sup>2</sup> per minor residential unit.	Westland – 30m <sup>2</sup> Buller and Grey –not specifically regulated
Heavy vehicle storage	No more than one heavy vehicle is stored on site	Buller – not currently regulated Grey – 1 vehicle per site Westland – not currently regulated
Minor structures	Masts, poles, aerials and pouwhenua must not exceed 7m in height; Any antenna dish must be less than 1m in diameter; Any ornamental or garden structure must not exceed 2.4 m in height; and Any other structure must not exceed 5m <sup>2</sup> and 2m in height	(Included in exclusions from the definition of building) Westland – 6m for a mast, pole or aerial, 5m <sup>2</sup> on a horizontal plane and 1.2m in height for other constructions, Grey – 6.3m for a mast, pole or aerial, 5m <sup>2</sup> in area and 1.2m in height for other structures Buller - Masts, poles, radio and telephone aerials less than 6m above ground level, Structures which are both less than 10m <sup>2</sup> in area, and less than 2m in height.
Fences, walls and	2m height for fences and walls 1.5m for retaining walls	(Included in exclusions from the

retaining walls		definition of building) All plans 2m for fences Grey – 1.5m for retaining walls Westland and Buller – 2m for retaining walls
Relocated Buildings	Constructed within last 10 years, of new materials, foundations comply with the building code.	Grey – Constructed within last 10 years, of new materials, foundations comply with the building code Westland and Buller - Discretionary
Home Business – hours of operation	i. 7am-7pm weekdays; and ii. 8am - 5pm weekends and public holidays;  Except where businesses are located entirely within a building and people working outside these hours live on site and there are no visitors, customers or deliveries outside of these hours.	Buller – 7am-10pm weekday, 8am-8pm weekends and public holidays  Grey – maximum 50 hours/week between 8am-5pm weekdays and 9am-12pm Saturday and Sunday.  Westland – 7am – 7pm weekday, 8am-5pm weekends and public holidays
Home business – vehicle movements	Maximum 4 heavy vehicle movements and 20 light vehicle movements per day	Westland – currently no controls on vehicle movements (control through maximum number of workers instead) Grey – currently max 2 heavy vehicle movements per day, also limits other vehicles to 10 movements per day Buller – currently max 4 heavy vehicle movements per day, max 30 vehicle movements/day (local road) or 40 vehicle movements/day (collector/arterial or strategic road).
Visitor accommodation	Homestay – 5 guest maximum	Westland and Grey– Discretionary Activity  Buller – Permitted Activity provided general standards are met.
Community facilities	All performance standards for Noise, Glare, Signs, Parking and Temporary Activities are able to be met. Maximum of 4 heavy vehicle movements and 20 light vehicle movements are generated per day; No external storage of products.	Westland – recreational activities Permitted provided they comply with all other performance standards in the zone  Grey and Buller– Permitted provided they comply with all other performance standards in the zone

11. Alongside the Permitted Activity Standards, there are a range of proposed Rules where resource consent would be required for an activity to occur. These are summarised in the table below:

#### Activities Requiring Resource Consent

Effect Being Managed	Summary of draft TPP Rule	Differences from current plans
Minor structures that are not	Controlled Activity	Buller – Permitted 10m, Discretionary

Permitted	<ul style="list-style-type: none"> <li>• Max 10m height</li> <li>• Meets all general Permitted Activity Standards</li> </ul> <p>Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Minor structures not Permitted or Controlled</li> </ul>	<p>12m height</p> <p>Westland –Discretionary 5m height limit for accessory buildings otherwise Non-complying.</p> <p>Grey –no height limit. Recession Planes only. Discretionary where Permitted Activity Standards not met.</p>
Relocated Buildings not Permitted	<p>Controlled Activity:</p> <ul style="list-style-type: none"> <li>• More than 10 years old</li> <li>• Meets all general Permitted Activity Standards</li> </ul>	<p>Westland and Buller – Discretionary</p> <p>Grey - Controlled</p>
Residential Activities and Buildings not Permitted	<p>Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Intrude into recession planes</li> <li>• Are less than 1m from internal boundaries</li> <li>• Meets all other general Permitted Activity Performance Standards</li> </ul> <p>Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Where noise, glare and parking Permitted standards are met</li> </ul> <p>Non-complying Activity</p> <ul style="list-style-type: none"> <li>• Where not Permitted, Restricted Discretionary or Discretionary</li> </ul>	<p>Grey – Discretionary where Permitted Activity Standards not met.</p> <p>Westland –Discretionary where intrudes into recession planes, infringes yards or exceeds height limits to 12m (residential buildings) or 5m (accessory buildings), otherwise non-complying</p> <p>Buller</p> <ul style="list-style-type: none"> <li>• Where doesn't meet Recession Planes or Setbacks Controlled, Discretionary or Non-complying depending on the extent of intrusion</li> <li>• Height Discretionary max 12m height, otherwise Non-complying</li> <li>• Density Controlled 3 dwellings/site, Discretionary 4 dwellings/site, otherwise Non Complying</li> </ul>
Visitor Accommodation in the Visitor Accommodation Precinct	<p>Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Ancillary to a residential activity</li> <li>• Generates no heavy vehicle movements</li> <li>• Meets general performance standards + noise, glare, signs and parking permitted standards</li> </ul> <p>Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Where noise, glare and parking Permitted standards are met</li> </ul> <p>Non-complying Activity</p> <ul style="list-style-type: none"> <li>• Where not Permitted, Restricted Discretionary or Discretionary</li> </ul>	<p>Grey – subject to the same rules as Home Businesses. Max 50m<sup>2</sup>/33% of the gross floor area of all buildings on site. Discretionary where Permitted Activity Standards not met.</p> <p>Westland – Discretionary or Non Complying depending on which standards are breached.</p> <p>Buller -subject to the same rules as Home Businesses. Max 250m<sup>2</sup> of the gross floor area of all buildings on site. Non-complying where Permitted Activity Standards not met.</p>
Community Facilities that are not Permitted	<p>Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Must be notified to adjoining neighbours and may be publicly notified</li> </ul>	<p>Grey – subject to the same rules as Home Businesses. Max 50m<sup>2</sup>/33% of the gross floor area of all buildings on site. Discretionary where Permitted</p>



		Activity Standards not met. Westland –Discretionary or Non Complying depending on which standards are breached. Buller – Non-complying where Permitted Activity Standards not met
Home Business not Permitted	Discretionary Activity <ul style="list-style-type: none"> <li>Where noise, glare and parking Permitted standards are met</li> </ul> Non-complying Activity <ul style="list-style-type: none"> <li>Where not Permitted, Restricted Discretionary or Discretionary</li> </ul>	Grey – Discretionary Westland -Discretionary or Non-complying depending on which standards are breached Buller – Non-complying where Permitted Activity Standards not met
Industrial Activities	Non-complying Activity	Buller – subject to same rules as Home Businesses. Max 250m <sup>2</sup> gross ground floor area. Non-complying where Permitted Activity Standards not met. Westland – Non-complying Grey – subject to the same rules as Home Businesses. Max 50m <sup>2</sup> /33% of the gross floor area of all buildings on site. Discretionary where Permitted Activity Standards not met.
Commercial Activities not Home Business	Non-complying Activity	Buller – subject to same rules as Home Businesses. Max 250m <sup>2</sup> gross ground floor area. Non-complying where Permitted Activity Standards not met Westland – Non-complying Grey – Discretionary
Any other activity not meeting another Rule in the zone	Non-complying Activity	Buller and Westland – Non-complying Grey - Discretionary

## NEXT STEPS

12. Feedback from the Committee is sought in relation to the wording of the draft Rules.
13. This will then be included with draft provisions for the next round of consultation.

## RECOMMENDATIONS

1. That the Committee receive the report
2. That the Committee provide feedback on the draft Permitted Activity Performance Standards and Rules for the Residential Zones.



## Appendix One: Residential Zones - Objectives and Policies

### Overview

The Residential Zones of the West Coast towns are where more than half of the West Coast community live. As such they are an important living environment, and form the largest single area of urban areas. There are three residential zones in the Plan - the General Residential Zone, the Medium Density Residential Zone and the Large Lot Residential Zone.

Residential Zone Objectives	
RESZ - O1	To provide for a variety of housing forms and densities to enable individual residential lifestyle options.
RESZ - O2	To maintain or enhance the distinctive character, amenity and heritage values of residential areas and protect these areas from the adverse effects of inappropriate development.
RESZ - O3	To provide for a range of non-residential activities within residential zones where the effects are compatible with the residential character, scale and amenities.
Residential Zone Policies	
RESZ - P1	A range of housing forms, densities and types which provide for a diversity of households are suitable for residential zones provided they are of a scale and density that fits with the surrounding residential character and does not adversely impact on neighbouring properties.
RESZ - P2	Activities in the Residential Zone should: <ol style="list-style-type: none"> <li>1. Maintain or enhance residential character;</li> <li>2. Minimise nuisance from noise, light spill and vibration</li> <li>3. Maintain and enhance the natural and cultural heritage features of the zone;</li> <li>4. Maintain reasonable levels of sunlight and daylight access for residential properties;</li> <li>5. Maintain reasonable levels of privacy for residential properties;</li> <li>6. Maintain visual amenity by avoiding accessory buildings dominating streetscape and urban form; and</li> <li>7. Provide safe, efficient and easily accessible movement for pedestrians, cyclists and vehicles</li> </ol>
RESZ - P3	The design and location of residential development should support resilience of communities including energy efficiency and generation, enabling use of garden rainwater tanks and low impact stormwater management principles.
RESZ - P4	Enable existing non-residential activities and home occupations to continue and new non - residential activities to establish provided they do not have a significant adverse effect on the character and amenity of residential zones, particularly in relation to scale, car parking, vehicle movements, noise, vibration, visual appearance, glare and odour.
RESZ - P5	Non-residential activities which involve noxious, offensive and dangerous activities and those with a significant negative impact on amenity shall not be located in residential areas.

<b>RESZ - P6</b>	Enable community based facilities and visitor accommodation to locate in residential areas where they are in keeping with the character and amenity values while minimising adverse effects on residential areas.
<b>RESZ - P7</b>	Provide for a diverse range of independent housing options that are suitable for the particular needs and characteristics of senior persons throughout residential areas.
<b>RESZ - P8</b>	Recognise that housing for senior persons can require higher densities than typical residential development, in order to be affordable and, where required, to enable provision of assisted living and care services.
<b>RESZ - P9</b>	New residential development and redevelopment should connect to existing infrastructure investment where possible.
<b>RESZ - P10</b>	Ensure that developments are serviced with all required infrastructure in an effective and efficient manner. Where new infrastructure such as roads and three waters (wastewater, water supply, stormwater) is provided to serve multiple households this should generally be vested in the appropriate public agency.
<b>RESZ - P11</b>	Enable the housing needs of Poutini Ngāi Tahu whānau to be met throughout residential areas though papakainga housing where there is an ongoing relationship with ancestral lands.
<b>RESZ - P12</b>	New residential development and redevelopment should support and where possible improve accessibility and connectivity within settlements.
<b>RESZ - P13</b>	New residential development should be located outside of areas of significant natural hazard risk, and away from wāhi tapu, wāhi taonga, areas of significant biodiversity, and outstanding landscapes unless effects on these areas are minimised.
<b>RESZ - P14</b>	Enable limited low density residential development adjacent to existing residential towns and small settlements, which complements the surrounding environment, is able to be efficiently serviced by public infrastructure and is in locations not subject to significant risks to life or safety and property damage from natural hazards.
<b>RESZ - P15</b>	Where cultural landscapes are identified in residential areas or development, ensure activities are managed in a way that provides for the cultural relationships of Poutini Ngāi Tahu including; <ol style="list-style-type: none"> <li>1. protection of wāhi tapu and taonga sites scheduled in the Plan using culturally appropriate methods;</li> <li>2. identification and utilisation of opportunities to enhance sites, values and other taonga of cultural significance to Ngāi Tahu; and</li> <li>3. protection of the relationship of tangata whenua with freshwater, including cultural wellbeing and customary use opportunities.</li> </ol>
<b>RESZ - P16</b>	Avoid reverse sensitivity effects from residential development adjacent to strategic infrastructure including: <ol style="list-style-type: none"> <li>1. Hokitika, Greymouth and Westport Airports;</li> <li>2. the rail network;</li> <li>3. the arterial road network;</li> <li>4. the Ports of Westport and Greymouth;</li> <li>5. wastewater treatment plants;</li> <li>6. landfills;</li> <li>7. potable water supply plants;</li> <li>8. the National Grid.</li> </ol>

## Appendix Two General Residential Zone - Rules

Rules		
<p>Note: There may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity is provided in General Approach.</p>		
Permitted Activities		
Activity Status Permitted	Performance Standards	Activity Status Where Performance Standard Not Achieved
<p><b>GRZ - R1 Residential Activities, Residential Units and Accessory Buildings</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. Performance Standards a to i are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>a. Maximum building height above ground level of 10m</li> <li>b. Residential unit density is no more than 1 unit per 350m<sup>2</sup> net site area; or 1 unit per 300m<sup>2</sup> net site area where two or more adjoining sites are developed;</li> <li>c. Buildings are setback a minimum 4.5m from road boundaries, except that a roof overhang may encroach 750mm;</li> <li>d. Maximum site coverage is 40%</li> <li>e. A minimum of 30m<sup>2</sup> of outdoor living space is provided per residential unit and 12m<sup>2</sup> per minor residential unit which is separate to the outdoor space for the principal dwelling and excluding any parking and manoeuvring areas.</li> <li>f. No more than one heavy vehicle is stored on site</li> </ol>	<p><b>Discretionary</b> [cross reference to rule]</p>

	<p>g. No building shall project beyond a building envelope defined by a 45 degree recession plane to commence 2.5m above any site boundary except where neighbour's consent is provided to the Council under Section 87AAB of the Act</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> <li>1. road boundaries</li> <li>2. buildings on adjoining sites that have a common wall along the boundary</li> <li>3. boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard.</li> <li>4. boundaries adjoining any site in a Commercial, Mixed Use, General Industrial or Rural Zone.</li> <li>5. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (eg finials, spires) provided these do not exceed the recession plane by more than 3m vertically</li> <li>6. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically.</li> </ol> <p>h. Buildings are setback a minimum of 1m from all other site boundaries, except that:</p> <ol style="list-style-type: none"> <li>i. duplexes do not require a setback from the side boundary of the other duplex unit; and</li> <li>ii. ii) setbacks are not required from adjacent residential boundaries where neighbour's consent is provided to the Council under Section 87AAB of the Act;</li> </ol> <p>i. there is no more than 1 minor residential unit with a maximum gross floor area of 65m<sup>2</sup> per 500m<sup>2</sup> net site area</p>	<p><b>Restricted Discretionary</b> [cross reference to rule]</p>
<p><b>GRZ - R2 Minor Structures</b> Where:</p> <ol style="list-style-type: none"> <li>1. Performance Standards a to d are able to be met; and</li> <li>2. All performance standards for rule GRZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>a. Masts, poles, aerials and pou whenua must not exceed 7m in height;</li> <li>b. Any antenna dish must be less than 1m in diameter;</li> <li>c. Any ornamental or garden structure must not exceed 2.4 m in height; and</li> <li>d. Any other structure must not exceed 10m<sup>2</sup> and 2m in height.</li> </ol>	<p><b>Controlled</b> [cross reference to rule]</p>
<p><b>GRZ - R3 Fences, Walls and Retaining Walls</b> Where:</p> <ol style="list-style-type: none"> <li>1. Performance Standards a and b are able to be met; and</li> <li>2. All performance standards for</li> </ol>	<ol style="list-style-type: none"> <li>a. Fences, walls and retaining walls are a maximum 2m height above ground level; and</li> <li>b. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.</li> </ol>	<p><b>Discretionary</b> [cross reference to rule]</p>

rule GRZ - R1 are able to be met		
<b>GRZ - R4 Relocated Buildings</b> Where: 1. Performance Standards a to c are able to be met; and 2. All performance standards for rule GRZ - R1 are able to be met	a. The building was constructed within the 10 years prior to location on the site; and b. is constructed of new materials; and c. is established on foundations complying with the Building Code at the time of relocation	<b>Controlled</b> [cross reference to rule]
<b>GRZ - R5 Home Business</b> 1. Where this is ancillary to a residential activity; and 2. All performance standards for rules GRZ - R1, Noise, Glare and Parking are able to be met.	a. Hours of operation are limited to: i. 7am-7pm weekdays; and ii. 8am - 5pm weekends and public holidays; Except where: i. The entire activity is located within a building; ii. Each person engaged in the activity outside the above hours resides permanently on site; and iii. There are no visitors, customers or deliveries to the activity outside of the above hours b. A maximum of 4 heavy vehicle movements and 20 light vehicle movements are generated per day; c. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place. d. No external generation of dust, odour or smoke occurs as part of the activity.	<b>Discretionary</b> [cross reference to rule]
<b>GRZ - R6 Visitor Accommodation</b> 1. Where this is ancillary to a residential activity; and 2. All performance standards for rules GRZ - R1, Noise, Glare, Signs and Parking are able to be met.	a. The accommodation is homestay accommodation with a permanent resident living on site; b. There is a maximum of 5 guests at any one time; c. Notification to the District Council is required prior to the activity commencing; and d. Records of letting activity must be kept and provided to the Council on request; e. No heavy vehicle movements are generated	<b>Restricted Discretionary in the Visitor Accommodation Precinct</b> <b>Discretionary elsewhere</b> [cross reference to rule]  <b>NOTE THERE WILL BE NO VISITOR ACCOMMODATION PRECINCT IN BULLER</b>
<b>GRZ - R7 Community Facilities</b> 1. All performance standards for rules GRZ - R1, Noise, Glare, Signs, Parking and Temporary Activities are able to be met.	a. A maximum of 4 heavy vehicle movements and 20 light vehicle movements are generated per day; b. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place.	<b>Restricted Discretionary Activity</b> [cross reference to rule]
<b>Controlled Activities</b>		
<b>Activity Status Controlled</b>	<b>Matters for Control</b>	<b>Activity Status Where Compliance Not Achieved</b>

<p><b>GRZ - R8 Minor Structures not meeting Rule GRZ - R2</b> Where:</p> <ol style="list-style-type: none"> <li>The minor structure does not exceed 10m in height; and</li> <li>All performance standards for rule GRZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>Design and location of structures</li> <li>Landscape measures</li> </ol>	<p><b>Discretionary</b> [cross reference to rule]</p>
<p><b>GRZ -R9 Relocated Buildings not meeting Rule GRZ - R4</b> Where:</p> <ol style="list-style-type: none"> <li>All performance standards for rule GRZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>Design and location of structures</li> <li>Landscape measures</li> <li>Appearance of buildings</li> </ol>	<p><b>N/A</b></p>
<p><b>Restricted Discretionary Activities</b></p>		
<p><b>Activity Status Restricted Discretionary</b></p>	<p><b>Matters of Discretion</b></p>	<p><b>Activity Status Where Compliance Not Achieved</b></p>
<p><b>GRZ - R10 Residential Activities, Residential Units and Ancillary Buildings not meeting Rule GRZ-R1</b> Where:</p> <ol style="list-style-type: none"> <li>The building projects into the 45 degree recession plane; or</li> <li>The building is set back less than 1m from internal boundaries; and</li> <li>All other performance standards for rule GRZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>Design and location of buildings;</li> <li>Design and location of parking and access;</li> <li>Landscape measures</li> </ol>	<p><b>Discretionary</b> [cross reference to rule]</p>
<p><b>GRZ - R11 Visitor Accommodation in the Visitor Accommodation Precinct not meeting Rule GRZ - R6</b> Where:</p> <ol style="list-style-type: none"> <li>This is ancillary to a residential activity</li> </ol>	<ol style="list-style-type: none"> <li>Design and location of buildings</li> <li>Design and location of parking and access</li> <li>Landscape measures</li> <li>Maximum number of guests at any one time</li> </ol>	<p><b>Discretionary</b> [cross reference to rule]</p>



<p>2. No heavy vehicle movements are generated</p> <p>3. All other performance standards for rules GRZ - R1, Noise, Glare, Signs and Parking are able to be met</p>		
<p><b>GRZ - R12 Community Facilities not meeting Rule GRZ - R7</b></p>	<p>a. Design and location of buildings</p> <p>b. Design and location of parking and access</p> <p>c. Landscape measures</p> <p>d. Hours of operation</p> <p>e. Acoustic and noise insulation requirements</p> <p><b>Notification:</b> Applications for community facilities will always be notified to adjoining neighbours and may be publicly notified.</p>	<p>N/A</p>
<p><b>Discretionary Activities</b></p>		
<p><b>GRZ - R13 Residential Activity, Residential Units, Fences, Walls and Minor Structures not meeting Permitted, Controlled or Restricted Discretionary Standards</b> Where:</p>		
<p>1. District - wide Permitted Activity standards for Noise, Glare and Parking are met</p>		
<p><b>GRZ - R14 Home Business not meeting Rule GRZ - R5</b> Where:</p>		
<p>1. District - wide Permitted Activity standards for Noise, Glare and Parking are met</p>		
<p><b>GRZ - R15 Visitor Accommodation not meeting the Permitted or Restricted Discretionary Standards</b> Where:</p>		
<p>1. District - wide Permitted Activity standards for Noise, Glare and Parking are met</p>		
<p><b>Non-complying Activities</b></p>		
<p><b>GRZ - R15 Visitor Accommodation not meeting the Permitted, Restricted Discretionary or Discretionary Activity Rules</b></p>		
<p><b>GRZ - R16 Any Commercial Activity not meeting another Rule in the Zone</b></p>		
<p><b>GRZ - R17 Any Activity including Industrial Activities not meeting another Rule in the Zone</b></p>		



Prepared for: Te Tai o Poutini Plan Committee Meeting  
Prepared by: Lois Easton, Principal Planner  
Date: 25 August 2020  
Subject: **Te Tai o Poutini Plan Technical Update – General Industrial Zone Rule**

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## **SUMMARY**

This report gives an update on the technical work being undertaken on Industrial Zone Rules in Te Tai o Poutini Plan.

The Objectives and Policies for the Industrial Zones were developed as a draft at the January and March 2020 Committee meetings. These set the framework for the rules within the zones.

There are two proposed Industrial Zones – General Industrial and Heavy Industrial and this report outlines draft permitted activity performance standards and rules for the General Industrial Zone.

Feedback from the Committee on these draft proposals is sought, and the consultation process will also inform their further development underway.

## **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the draft Permitted Activity performance standards and Rules for the General Industrial Zone.

Lois Easton

**Principal Planner**

## INTRODUCTION

1. This report gives an update on the technical work being undertaken on industrial zone permitted activity performance standards and rules within Te Tai o Poutini Plan.
2. At the Committee meetings in January and March 2020, draft Industrial Objectives and Policies were considered by the Committee and are attached at Appendix One.
3. There are two types of industrial zones proposed to be included within Te Tai o Poutini Plan:
  - A General Industrial Zone. This would be the default industrial zone, and most widespread across the three districts. Most of the industrial areas in Westport, Reefton, Greymouth and Hokitika would fall into this zone.
  - A Heavy Industrial Zone. This zone would only be used in a small number of locations to provide for heavy industrial development.
4. This paper brings the draft rules for the General Industrial Zone to the Committee.

## RULES FRAMEWORK IN THE PLAN

5. The RMA sets up a Rules Framework that we will need to follow for the Plan. This is set out as follows:

Rule Type	Explanation
<b>Permitted Activity</b>	<p>They should be normal activities expected to be undertaken in the zone. e.g. residential activities in a residential zone.</p> <p>Permitted Activities are subject to <b>Performance Standards</b> – which are things that an activity must meet to be Permitted. In the zones performance standards cover things like: height, building coverage, noise, distance from boundaries, parking requirements, light.</p> <p>Provided an activity meets all the Performance Standards, no resource consent is required.</p>
<b>Controlled Activities</b>	<p>These activities require resource consent but it <u>must</u> be granted.</p> <p>Controlled activities are expected activities in a zone, but because of their potential environmental effects they require a resource consent.</p> <p>A Controlled Activity resource consent is subject to <b>Matters for Control</b> - a specific list of things that will be considered as part of the resource consent.</p> <p>Controlled Activities must be granted within 10 working days of application.</p>
<b>Restricted Discretionary Activities</b>	<p>These activities require a resource consent that can be granted <u>or</u> declined.</p> <p>Restricted Discretionary Activities are activities that should be OK to go on in the zone, but there may be circumstances where the activity could be declined – or where significant conditions on consent could be required.</p> <p>Restricted Discretionary Activities are where the Plan restricts the matters that are considered as part of the resource consent to a list of <b>Matters of Discretion</b> where adverse effects could occur. Restricted Discretionary Activities should be consistent with the policies and objectives of the Plan, and are often subject to <b>Assessment Criteria</b> to help the applicant understand what is needed in a resource consent application.</p> <p>Restricted Discretionary Activities are usually <b>non-notified</b>, or if they</p>

	are, this is often <b>Limited Notification to Affected Parties</b> such as neighbours rather than full public notification.
<b>Discretionary Activities</b>	<p>These activities require a resource consent that can be granted or declined.</p> <p>Discretionary Activities need a convincing case to gain resource consent, (a robust Assessment of Environmental Effects). Applications for Discretionary Activities might need special expert reports (e.g. traffic engineer, landscape architect) and may be <b>non-notified, Limited Notified to Affected Parties</b> (such as neighbours), or <b>Publicly Notified</b>.</p> <p>Discretionary Activities need to be consistent with the policies and objectives of the Plan and are often subject to <b>Assessment Criteria</b> to help the applicant understand what is needed in a resource consent application.</p>
<b>Non Complying Activities</b>	<p>These activities require a resource consent that can be granted or declined, however the status of non-complying is telling the applicant that they will probably be declined.</p> <p>Non-complying activities need an exceptionally convincing case for resource consent to be granted – they must not be inconsistent with the Plan. A range of high quality technical reports would be expected to be included with any non-complying activity application.</p> <p>Non-complying activities are often <b>Limited Notified to Affected Parties</b> (such as neighbours), or <b>Publicly Notified</b>.</p>
<b>Prohibited Activities</b>	These are activities where resource consent is unable to be applied for. They are not allowed.

## DRAFT GENERAL INDUSTRIAL ZONE RULES

- The draft General Industrial Zone Rules are attached at Appendix 2. These are laid out in the format we are considering for the final Plan. Any feedback on this in terms of ease of readability and use is also welcome.

### Overview of the Zone

- The General Industrial Zone is intended to provide for a range of industrial activities, with provision for some activities that support industrial activities and/or activities that are compatible with the adverse effects generated by industrial activities (such as noise, odour, dust, fumes and smoke).
- General Industrial land is located near key transport routes - around the Ports of Westport and Greymouth; at Kaiata Park; Greymouth South and Karoro in Greymouth; in the Town Belt East, Airport and Seaview Industrial Park at Hokitika; at the Stafford Street and Sergeant's Hill Industrial areas at Westport; and the Hattie St and Buller Road industrial areas in Reefton. Smaller industrial areas are also located at settlements throughout the three districts.
- Lower standards of amenity are characteristic of industrial zones and out-of-zone activities locating in industrial zones can lead to reverse sensitivity effects. A key attribute of the zone is that it contains sites large enough to accommodate large-scale industrial activities and internalise adverse effects on adjoining zones. However, given that the General Industrial Zone contains a number of businesses and has a high level of employment, small-scale food and beverage stores are provided for.

### Proposed Draft Rules

10. The key elements of the rules are the Permitted Activity standards. These have worked through in detail with the technical advisory team of Council staff. Key matters the team have considered include:
- The impact of industrial areas on the amenity and quality of the environment of adjacent areas
  - The appropriate standards of amenity and environmental quality within industrial areas
  - Recognising that the priority for use of industrial land should be industrial uses – and that residential activities are most impacted by the lower amenity standards within industrial areas
  - Recognising that the location of retail areas should generally be town centres and commercial zones but that provision for food and drink outlets to support industrial users, and sales of goods produced at manufacturing and industrial sites can be appropriate.
  - That land zoned for Heavy Industry should be retained for that purpose, and that it's internal amenity may well be lower than General Industrial Land.
  - The National Planning Standards have some standard definitions which must be used (e.g. the definition of Building, Industrial Activity) which mean some changes to how activities are classified needs to be reflected in the rules.
11. The proposed draft standards are outlined in the table below with a comparison with the provisions in the current three district plans. It should be noted that in Westland and Grey there is not currently a "pure" industrial zone, but instead the current Plan rules apply to both commercial and industrial areas in Grey, and in Westland this is a mixed commercial/industrial zone.

### **Permitted Activities**

<b>Effect Being Managed</b>	<b>Proposed TTPP Permitted Activity Standard</b>	<b>Differences from current plans</b>
Height	Maximum 20m.	Westland – 15m Grey – 20m. Buller – 35m, and 20m for Sergeant's Hill.
Height in Relation to Boundaries	35 degree recession plane to commence 2.5m above any site boundary except where neighbour's consent is provided	Grey and Buller – Recession plane at an angle of 35 degrees from a point 2.5m above the boundary of a Commercial or Residential Zone Westland – recession plane varies depending on angle of site boundary (range from 35 degrees to 60 degrees)
Yards/setbacks	10m setback from any State Highway 5m setback from any other road boundary 4.5m from a Residential Zone boundary 4 m from the rail corridor boundary	Grey – 4.5m from residential boundary. Westland – 3m side or rear yard where adjoins a residential boundary Buller – 5m front yard, 10m side and rear yards where adjoins another zone. 20m setback from State Highway 67
Site coverage	Maximum site coverage is 80%	Buller – 75% Grey – no rule Westland –no limit
External Storage	Service & storage areas shall not be visible from any residentially zoned site or public place, (excl.	Westland- All screened by a 1.8m fence or landscaping so not visible from adjoining residential zone boundary or

Effect Being Managed	Proposed TTPP Permitted Activity Standard	Differences from current plans
	buildings/structures over 5m height)	<p>any public place</p> <p>Grey - Screened by 2m wall or close boarded fence planting and fencing from areas adjacent to or visible from a Residential Environment</p> <p>Buller - Service &amp; storage areas shall not be visible from any residentially zoned site or public place, (excl. buildings/structures over 5m height)</p>
Blasting and Vibration	<p>No blasting or Vibration shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays.</p> <p>[Note the Noise Rules may regular vibration further]</p>	<p>Buller – No blasting shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays. No vibration shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays.</p> <p>Grey – Vibration shall not exceed a peak particle velocity of 5mm/sec measured in the frequency range 3-12 Hz at the boundary of any dwelling, rest home, hospital or school. Air blast over pressure shall not exceed a peak sound pressure level of 120 dBC at the boundary of any dwelling, rest home, hospital or school.</p> <p>Westland – not regulated</p>
Dust Nuisance	No visible evidence of suspended solids or particulate matter in the air or deposited particulate matter beyond the zone boundary that the activity occurs in.	<p>Buller - a dust, fume or smoke nuisance shall not be created by an activity where:</p> <ul style="list-style-type: none"> <li>• There is visible evidence of suspended solids or particulate matter in the air beyond the zone boundary that the activity occurs in; or</li> <li>• There is visible evidence of deposited particulate matter or dust which can be traced to an activity and which settles on any ground, building or structure on any site within Residential or Commercial Zones.</li> </ul> <p>Grey and Westland – not regulated</p>
Landscape Treatment	The area adjoining the road frontage of all sites and on internal boundaries with residential zones shall contain landscaping with a minimum width of 2 metres except that this does not apply to any emergency services facility or vehicle access to the site.	<p>Grey: All sites landscaped on road boundaries and on internal boundaries with residential environmental area to min 2m depth. Landscaped areas on residential boundaries should screen the buildings from adjoining sites.</p> <p>Buller: Sergeant’s Hill – At the time of</p>

Effect Being Managed	Proposed TTPP Permitted Activity Standard	Differences from current plans
	<p><b>Advice Note:</b></p> <ol style="list-style-type: none"> <li>Any landscaping required by this rule may be located in common areas, where the development comprises land and/or buildings in separate unit titles.</li> <li>Stormwater facilities that support multiple values such water quality treatment, biodiversity enhancement and landscape amenity, should be incorporated into landscaped areas, where practicable, to achieve effective stormwater management in an integrated manner.</li> </ol>	<p>subdivision, or within 12 months of first activity or development, landscaping shall be provided generally in accordance with the Concept Plan</p> <p>Westland –not regulated</p>
Stormwater Treatment	Stormwater run-off associated with any industrial activity or building, including earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality	<p>Grey and Westland – no specific rule, incorporated into infrastructure standards</p> <p>Buller – Stormwater run-off associated with any permitted or controlled activity, including earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality.</p>
Minor structures	<p>Masts, poles, aerials and pou whenua must not exceed 7m in height;</p> <p>Any antenna dish must be less than 1m in diameter;</p> <p>Any ornamental or garden structure must not exceed 2.4 m in height; and</p> <p>Any other structure must not exceed 5m<sup>2</sup> and 2m in height</p>	<p>(Included in exclusions from the definition of building)</p> <p>Westland – 6m for a mast, pole or aerial, 5m<sup>2</sup> on a horizontal plane and 1.2m in height for other constructions,</p> <p>Grey – 6.3m for a mast, pole or aerial, 5m<sup>2</sup> in area and 1.2m in height for other structures</p> <p>Buller - Masts, poles, radio and telephone aerials less than 6m above ground level, Structures which are both less than 10m<sup>2</sup> in area, and less than 2m in height.</p>
Fences, walls and retaining walls	2m height for fences and walls	<p>(Included in exclusions from the definition of building)</p> <p>All plans 2m for fences</p> <p>Grey – 1.5m for retaining walls</p> <p>Westland and Buller – 2m for retaining walls</p>
Relocated Buildings	Constructed within last 10 years, of new materials, foundations comply with the building code	<p>Grey – Constructed within last 10 years, of new materials, foundations comply with the building code</p> <p>Westland and Buller – Discretionary Activity</p>
Commercial	Any retail activity shall occupy no more	Westland and Grey – Mixed Zone

<b>Effect Being Managed</b>	<b>Proposed TPPP Permitted Activity Standard</b>	<b>Differences from current plans</b>
Activities	than 250m <sup>2</sup> or 25% of the Gross Floor Area of all buildings on the same site, whichever is the lesser	means that commercial and industrial activities both occur in the same areas  Buller – no specific restriction on retail activities
Ancillary Residential Activities	One single residential unit per site which is ancillary to the commercial or industrial activity;  Any residential unit required to meet sound proofing design standards.	Westland – Discretionary Activity  Grey – must be ancillary to the commercial or industrial activity or have a 300m <sup>2</sup> site area for the residential dwelling  Buller – Controlled Activity
Community Facilities, [incl. Emergency Management Facilities; Carparking Lots & Buildings; Trade and Industry Training; Community Corrections Facility; Gymnasium, Public Transport Facility]	Permitted subject to the general performance standards above.	All Councils - Not specifically regulated. Effectively Permitted.  Relates to the definitions of Commercial and Industrial Activities. These are now set by the National Planning Standards so clarity that these activities can locate in Industrial Areas is required.

12. Alongside the Permitted Activity Standards, there are a range of proposed Rules where resource consent would be required for an activity to occur. These are summarised in the table below:

#### **Activities Requiring Resource Consent**

<b>Effect Being Managed</b>	<b>Summary of draft TPPP Rule</b>	<b>Differences from current plans</b>
Relocated Buildings	Controlled Activity: <ul style="list-style-type: none"> <li>• More than 10 years old</li> <li>• Meets all general Permitted Activity Standards</li> </ul>	Westland and Buller – Discretionary  Grey - Controlled
Industrial Activities and Buildings	Restricted Discretionary Activity <ul style="list-style-type: none"> <li>• Intrudes into recession planes</li> <li>• Meets all other general Permitted Activity Performance Standards</li> </ul> Non-complying Activity <ul style="list-style-type: none"> <li>• Where not Permitted or Restricted Discretionary</li> </ul>	Westland – Discretionary for height to 20m (5m for accessory buildings), or exceeds yard and site coverage standards, Non complying where breaches other standards  Buller – Discretionary where 4m front yard, Non-complying where breaches other standards.  Grey - Discretionary



Minor structures that are not Permitted	<p>Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Max 20m height</li> <li>• Meets all general Permitted Activity Standards</li> </ul> <p>Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Where meets the Permitted Activity standards for Noise and Glare</li> </ul> <p>Non-complying Activity</p> <ul style="list-style-type: none"> <li>• Where not Permitted, Restricted Discretionary or Discretionary</li> </ul>	<p>Westland - Discretionary for height to 20m (5m for accessory buildings), or exceeds yard and site coverage standards, Non-complying where breaches other standards</p> <p>Buller – Discretionary where 4m front yard, Non-complying where breaches other standards.</p> <p>Grey - Discretionary</p>
Fences, Walls and Retaining Walls not Permitted	<p>Restricted Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Meets all general Permitted Activity Standards</li> </ul> <p>Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Not Permitted or Restricted Discretionary but meeting Permitted Activity standards for Noise and Glare</li> </ul> <p>Non-complying</p> <ul style="list-style-type: none"> <li>• Not Permitted, Restricted Discretionary or Discretionary</li> </ul>	<p>Westland – Discretionary</p> <p>Buller -Discretionary where 4m front yard, Non-complying where breaches other standards.</p> <p>Grey - Discretionary</p>
Community Facilities	<p>Discretionary Activity</p> <ul style="list-style-type: none"> <li>• Not Permitted or Restricted Discretionary but meeting Permitted Activity standards for Noise and Glare</li> </ul> <p>Non-complying</p> <ul style="list-style-type: none"> <li>• Not Permitted or Discretionary</li> </ul>	<p>Westland and Buller – Non complying</p> <p>Grey - Discretionary</p>
Any Activity not subject to another Rule	<p>Non-complying Activities</p> <ul style="list-style-type: none"> <li>• Any activity which isn't Permitted, Controlled, Restricted Discretionary or Discretionary</li> </ul>	<p>Westland and Buller - Any activity which isn't Permitted, Controlled, Restricted Discretionary or Discretionary</p> <p>Grey - Any activity, which isn't Permitted, Controlled or Restricted Discretionary, is Discretionary.</p>

### NEXT STEPS

13. Feedback from the Committee is sought in relation to the wording of the draft Rules.
14. This will then be included with draft provisions for the next round of consultation.

### RECOMMENDATIONS

1. That the Committee receive the report
2. That the Committee provide feedback on the draft Permitted Activity Performance Standards and Rules for the General Industrial Zone.

## Appendix One: Industrial Zones - Objectives and Policies

### Overview

Industrial Zones are key to employment and the function of industry. There are different types of industrial uses, and one of the common issues for towns on the West Coast is the changing nature of industrial activities.

The Plan provides for two types of Industrial Zones - a General Industrial Zone and a Heavy Industrial Zone.

Industrial Zone Objectives	
INZ - O1	To provide for the efficient and effective operation and development of industrial activities in the industrial zones in a manner that maintains a standard of amenity appropriate to these areas and which will not compromise the amenity of adjoining areas.
INZ - O2	To encourage new industrial development to locate within industrial zoned land, and where new land is proposed for industrial zoning ensure that this maximises the efficient use of existing infrastructure.

Also the Urban Form and Development Strategic Objective **UFD-01**

Industrial Zone Policies	
INZ - P1	Recognise the substantial investment in infrastructure by ensuring that any new industrial areas are located where they support the efficient use of infrastructure.
INZ - P2	New industrial areas should not be located in areas subject to significant risks from natural hazards, in wāhi tapu or significant natural areas.
INZ - P3	Where new industrial areas are developed these shall fund and install infrastructure to the standards required by the Councils and the Plan. Where there is significant infrastructure serving multiple properties under different ownership this should be vested in the Council for ongoing maintenance and renewal.
INZ - P4	Where suitable land for industrial use is available within industrial zones, industrial activities should in the first instance be located in those zones, and not proliferate through the rural areas and settlements.
INZ - P5	Where cultural landscapes are identified in industrial areas or developments, ensure activities are managed in a way that provides for the cultural relationships of Poutini Ngāi Tahu including: <ol style="list-style-type: none"> <li>1. protection of wāhi tapu and taonga sites scheduled in the Plan using culturally appropriate methods; and</li> <li>2. identification and utilisation of opportunities to enhance sites, values and other taonga of cultural significance to Poutini Ngāi Tahu; and</li> <li>3. protection of the relationship of tangata whenua with freshwater, including cultural wellbeing and customary use opportunities.</li> </ol>
INZ - P6	Provide for a wide range of industrial activities within the Industrial zone, while ensuring an acceptable level of environmental quality and amenity within the zones.
INZ - P7	Avoid activities that may be incompatible with other industrial activities from establishing in the Industrial Zone, to ensure the safe and

	<p>efficient operation of industrial activities. This includes:</p> <ol style="list-style-type: none"> <li>1. Excluding activities (such as residential, visitor accommodation and community activities) that conflict with the intended purpose of the zone, through the potential for reverse sensitivity effects; or by reducing the land available for industrial and service activities.</li> <li>2. Excluding retail and commercial activities that do not directly support or are related to industrial and service activities, and to avoid the use of industrial land for non-industrial purposes.</li> <li>3. Restricting residential activities in the zone to only custodial units for people whose duties require them to live on site</li> </ol>
<b>INZ - P8</b>	<p>Support the redevelopment of brownfield sites for mixed use activities where:</p> <ol style="list-style-type: none"> <li>1. A reduction in industrial land supply will not affect the ability to meet the anticipated needs of industrial activities including those with specific locational requirements.</li> <li>2. The mixed use development would not hinder the establishment or ongoing operation of surrounding industrial activities.</li> <li>3. The anticipated amenity values of the adjoining industrial zone are not compromised.</li> <li>4. There is good walking and cycling access to commercial and community services, and open space.</li> <li>5. If necessary, contaminated land is remediated in accordance with national and regional standards.</li> <li>6. The redevelopment does not impact on the vitality and strategic role of town centres as the focal points for commercial and other activities, and the efficient and effective use of land and/or community and transport infrastructure investment in centres.</li> </ol>
<b>INZ - P9</b>	<p>Impose performance standards on development and land use in the Industrial Zones that protects the amenity values of the commercial, residential and rural areas surrounding the Industrial Zones.</p>
<b>INZ - P10</b>	<p>Industrial sites at the gateways to Hokitika (SH6), Greymouth (SH6) and Westport (SH 67), and where in close proximity to residential areas, should enhance the visual amenity of the street frontage through the inclusion of landscaping and tree planting.</p>
<b>INZ - P11</b>	<p>Over the long-term, promote sporadic industrial activities in primarily residential areas to relocate to industrial areas.</p>

## Appendix Two General Industrial Zone - Rules

Permitted Activities		
Activity Status Permitted	Performance Standards	Activity Status Where Performance Standards Not Achieved
<p><b>GIZ - R1 Industrial Activities, Industrial Buildings and Community Facilities [incl. Emergency Management Facilities; Carparking Lots &amp; Buildings; Trade and Industry Training; Community Corrections Facilities; Gymnasium and Public Transport Facilities]</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Performance Standards a to i are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>Maximum building height above ground level of 20m;</li> <li>Maximum site coverage is 80%;</li> <li>Buildings are setback a minimum 5m from road boundaries, 10m from State Highways, 4.5m from any Residential Zone or Settlement Zone boundary and 4m from the Rail Corridor;</li> <li>All external storage shall be screened by a 1.8m fence or landscaping so that it is not visible from any adjoining Residential Zone boundary or any public place;</li> <li>No blasting or vibration shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays;</li> <li>No visible evidence of suspended solids or particulate matter in the air or deposited particulate matter beyond the zone boundary that the activity occurs in;</li> <li>The area adjoining the road frontage of all sites shall contain landscaping with a minimum width of 2 metres except that this does not apply to any emergency services facility or vehicle access to the site;</li> <li>Stormwater run-off associated with any industrial activity or building, including earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality</li> </ol> <p><b>Advice Notes:</b></p> <ol style="list-style-type: none"> <li>Any landscaping required by this rule may be located in common areas, where the development comprises land and/or buildings in separate unit titles.</li> <li>Stormwater facilities that support multiple values such water quality treatment, biodiversity enhancement and landscape amenity, should be incorporated into landscaped areas, where practicable, to achieve effective stormwater management in an integrated manner.</li> </ol>	<p><b>Discretionary Activity [cross reference to rule]</b></p>

	<p>i. No building shall project beyond a building envelope defined by a 35 degree recession plane to commence 2.5m above any site boundary except where neighbour's consent is provided to the Council under Section 87AAB of the Act.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> <li>1. road boundaries</li> <li>2. buildings on adjoining sites that have a common wall along the boundary</li> <li>3. boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard.</li> <li>4. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (eg finials, spires) provided these do not exceed the recession plane by more than 3m vertically</li> <li>5. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically</li> </ol>	<b>Restricted Discretionary [cross reference to rule]</b>
<p><b>GIZ - R2 Minor Structures</b> Where:</p> <ol style="list-style-type: none"> <li>1. Performance Standards a to d are able to be met; and</li> <li>2. All performance standards for rule GIZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>a. Masts, poles, aerials and pou whenua must not exceed 7m in height;</li> <li>b. Any antenna dish must be less than 1m in diameter;</li> <li>c. Any ornamental or garden structure must not exceed 2.4 m in height; and</li> <li>d. Any other structure must not exceed 5m<sup>2</sup> and 2m in height.</li> </ol>	<b>Restricted Discretionary [cross reference to rule]</b>
<p><b>GIZ - R3 Fences, Walls and Retaining Walls</b> Where:</p> <ol style="list-style-type: none"> <li>1. Performance Standards a to c are able to be met; and</li> <li>2. All performance standards for rule GIZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>a. Fences and walls are a maximum 2m height above ground level;</li> <li>b. Retaining walls are a maximum of 1.5m height above ground level; and</li> <li>c. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.</li> </ol>	<b>Restricted Discretionary [cross reference to rule]</b>
<p><b>GIZ - R4 Commercial Activities</b> Where:</p> <ol style="list-style-type: none"> <li>1. Performance Standard a is able to be met; and</li> <li>2. All performance standards for rule GIZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>a. Any retail activity shall occupy no more than 250m<sup>2</sup> or 25% of the Gross Floor Area of all buildings on the same site, whichever is the lesser</li> </ol>	<b>Non Complying [cross reference to rule]</b>
<p><b>GIZ - R5 Ancillary Residential Activities</b> Where:</p> <ol style="list-style-type: none"> <li>1. Performance Standard a is able to be met; and</li> </ol>	<ol style="list-style-type: none"> <li>a. One single residential unit per site is provided;</li> <li>b. The residential activity is ancillary to the commercial or industrial activity on the site;</li> <li>c. Any residential unit shall be designed and constructed to ensure noise from</li> </ol>	<b>Non Complying [cross reference to rule]</b>

<p>2. All performance standards for rule GIZ - R1 are able to be met</p>	<p>activities on adjacent sites during night time will not exceed 35 dBA LAeq (15 min) in bedrooms and 40 dBA LAeq (15 min) in other habitable rooms. This indoor design level must be achieved with windows and doors open unless adequate alternative ventilation that complies with the Building Code is provided.</p> <p><b>Advice Note:</b> Noise from any ventilation system shall not cause the internal noise criteria to be exceeded.</p>	
<p><b>GIZ - R6 Relocated Buildings</b> Where:</p> <ol style="list-style-type: none"> <li>1. Performance Standards a to c are able to be met; and</li> <li>2. All performance standards for rule GIZ - R1 are able to be met.</li> </ol>	<ol style="list-style-type: none"> <li>a. The building was constructed within the 10 years prior to location on the site; and</li> <li>b. is constructed of new materials; and</li> <li>c. is established on foundations complying with the Building Code at the time of relocation</li> </ol>	<b>Controlled [cross reference to rule]</b>
<b>Controlled Activities</b>		
<b>Activity Status Controlled</b>	<b>Matters for Control</b>	<b>Activity Status Where Compliance Not Achieved</b>
<p><b>GIZ - R7 Relocated Buildings</b> Where:</p> <ol style="list-style-type: none"> <li>1. All performance standards for rule GIZ - R1 are able to be met.</li> </ol>	<ol style="list-style-type: none"> <li>a. Design and location of structures</li> <li>b. Landscape measures</li> <li>c. Appearance of buildings</li> </ol>	N/A
<b>Restricted Discretionary Activities</b>		
<b>Activity Status Restricted Discretionary</b>	<b>Matters of Discretion</b>	<b>Activity Status Where Compliance Not Achieved</b>
<p><b>GIZ - R8 Industrial Activities and Buildings, not meeting GIZ - R1</b> Where:</p> <ol style="list-style-type: none"> <li>1. The building projects into the 35 degree recession plane; and</li> <li>2. All other performance standards for rule GIZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>a. Design and location of buildings;</li> <li>b. Design and location of parking and access;</li> <li>c. Landscape measures</li> </ol>	<b>Discretionary [cross reference to rule]</b>

<p><b>GIZ - R9 Minor Structures not meeting Rule GIZ - R2</b> Where:</p> <ol style="list-style-type: none"> <li>1. The minor structure does not exceed 20m in height; and</li> <li>2. All other performance standards for rule GRZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>a. Design and location of structures</li> <li>b. Landscape measures</li> </ol>	<p><b>Discretionary</b> <b>[cross reference to rule]</b></p>
<p><b>GIZ - R10 Fences Walls and Retaining Walls not meeting Rule GIZ - R3</b> Where:</p> <ol style="list-style-type: none"> <li>1. All performance standards for rule GRZ - R1 are able to be met</li> </ol>	<ol style="list-style-type: none"> <li>a. Design and location of structures</li> <li>b. Landscape measures</li> </ol>	<p><b>Discretionary</b> <b>[cross reference to rule]</b></p>
<p><b>Discretionary Activities</b></p>		
<p><b>GIZ - R11 Buildings, Minor Structures and Fences not meeting Permitted or Restricted Discretionary Standards</b> Where:</p> <ol style="list-style-type: none"> <li>1. District - wide Permitted Activity standards for Noise and Glare are met.</li> </ol>		
<p><b>GIZ - R12 Community Facilities not meeting the Permitted Activity Standards</b> Where:</p> <ol style="list-style-type: none"> <li>1. District - wide Permitted Activity standards for Noise and Glare are met.</li> </ol>		
<p><b>Non-complying Activities</b></p>		
<p><b>GIZ - R13 Any Activity that is not a Permitted Activity, a Controlled Activity, a Restricted Discretionary Activity or a Discretionary Activity is a Non Complying Activity.</b></p>		



Prepared for: Te Tai o Poutini Plan Committee  
Prepared by: Lois Easton, Principal Planner  
Date: 25 August 2020  
Subject: **Technical Update – Natural Heritage Strategic Direction**

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### **SUMMARY**

This report gives an update on the technical work being undertaken on Natural Heritage matters – ecosystems, landscape, natural character, natural features and the coastal environment, and outlines the proposed strategic approach to Natural Heritage in Te Tai o Poutini Plan.

### **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the proposed approach to the Strategic Direction for Natural Heritage.

Lois Easton

**Principal Planner**



## INTRODUCTION

1. The management of natural heritage matters (ecosystems, landscape, natural features, natural character and the coastal environment) are mandatory matters that need to be addressed in Te Tai o Poutini Plan (TTPP).
2. However it is important to recognise that protection of values does not automatically mean that no activities can occur in the areas where these values are found. How these areas are regulated will have a substantial impact on the social, economic, cultural and environmental wellbeing of the West Coast.
3. Enabling West Coast communities to provide for their wellbeing while also protecting significant and outstanding natural areas is a key issue across the three Districts, needing a strategic management approach in TTPP.
4. Accordingly it is proposed to include Natural Heritage as a Strategic Direction section of Te Tai o Poutini Plan. The Strategic Objectives in these sections are intended to set the overarching framework for the Plan, under which other Objectives and Policies sit.
5. As such, the Natural Heritage section is intended to set the overarching framework for a range of mandatory provisions for:
  - Ecosystems and Indigenous Biodiversity
  - Natural Character
  - Natural Features and Landscapes
  - Coastal Environment

## BACKGROUND AND CONTEXT

6. Land tenure and the split between Department of Conservation land, private land and Māori owned land is a key part of the context for the Natural Heritage Section. A discussion on this is attached at Appendix One. In summary however 85% of the West Coast is in DOC Estate and 95% is covered in indigenous vegetation. This is a key context for the Natural Heritage strategic section.

## NATIONAL AND REGIONAL DIRECTION

7. There are substantial provisions in Section 6 (recognise and provide for matters of National Importance) and Section 7 (other matters which we must have particular regard to) of the Resource Management Act (RMA), in relation to Natural Heritage.
8. Te Tai o Poutini Plan is required to give effect to the New Zealand Coastal Policy Statement (NZCPS). This also has a range of natural heritage provisions that will affect the Plan.
9. The recently operative West Coast Regional Policy Statement 2020 is the final document that the TTPP is required to give effect to.
10. This sets Objectives and Policies for each of the natural heritage areas. The full Objectives and Policies are contained in Appendix 2, however these can be summarised as follow:
  - Directing the use of regionally consistent criteria to identify the range of significant natural heritage areas and features
  - Protecting significant and outstanding natural heritage areas and features
  - Providing for sustainable use and development in all types of natural heritage areas
  - Providing for kaitiakitanga and customary use (including access to mahinga kai) for Poutini Ngāi Tahu
11. This creates a long list of provisions and considerations for natural heritage in TTPP. The key question is how to balance all those matters.
12. Under Section 31 of the RMA *the establishment... of objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the district* is a key purpose in the administration of the RMA in relation to territorial functions.
13. While this is often viewed as primarily relating to integration between regulatory and management agencies (e.g. District and Regional Councils) to achieve integrated management, in the context of a district plan, the objectives, policies and methods

for natural heritage need to contribute to that overall framework that recognises the social, cultural and economic needs of the Coast also.

## **CURRENT APPROACHES TO MANAGING NATURAL HERITAGE**

### **Existing West Coast District Plans**

14. All three Plans contain provisions around Natural Heritage. The full provisions are contained in Appendix Three. Key points from the provisions are outlined below.

#### ***Westland.***

15. Issues, objectives and policies have a focus on the protection of natural heritage values from adverse effects of inappropriate subdivision, use and development. Policies are quite strongly protective and directive.
16. Identification of some types of locations (e.g. unmodified coastal areas) where development is inappropriate.
17. Includes criteria to help identify significant and outstanding areas and features.

#### ***Grey***

18. Issues, objectives and policies have a focus on the protection of natural heritage values from adverse effects of inappropriate subdivision, use and development. Policies are quite strongly protective.
19. Includes criteria to help identify significant and outstanding areas and features.
20. Includes criteria to assess whether an activity is appropriate or not.

#### ***Buller***

21. The Operative Plan issues, objectives and policies have a focus on the protection of these values from adverse effects and discouraging inappropriate activities and control of modification of significant areas. Policies are quite strongly protective.
22. The recent Plan Changes (140,141) include a focus on:
  - a. enabling appropriate subdivision use and development provided adverse effects are addressed;
  - b. recognising cultural, economic and social wellbeing of people;
  - c. creating greater certainty of outcome for communities; and
  - d. including criteria to identify areas of important natural heritage and to determine appropriate activities.

### **Strategic Approach to Managing Natural Heritage in Other Council Plans**

23. The requirement to include a Strategic Direction framework in a District Plan is a relatively new thing – introduced via the National Planning Standards. Only two Plans so far have been produced under the new Standards – the New Plymouth and Porirua District Plans.
24. The New Plymouth District Plan includes a Natural Environment Strategic Direction section, which sets a framework focussed on:
  - Recognising the role that the natural environment contributes to the district's sense of place and identity and that when the natural environment is sustained it provides for social, economic and cultural wellbeing
  - Supporting an integrated approach where land use activities impact on waterbodies and the coastal environment
  - Enabling Tangata Whenua to exercise their customary responsibilities as mana whenua and kaitiaki in managing the natural environment
25. The Porirua District Council Draft Plan contains a Natural Environmental Matters Strategic Direction Section. This sets a framework as follows:
  - Recognising the role that the natural environment contributes to the district's sense of place and identity
  - Recognising and protecting Ngāti Toa Rangatira's cultural and spiritual values
  - Recognising the role that Open Space plays in providing for recreational, natural, ecological and landscape values

- Preventing further degradation of Porirua Harbour, maintaining and enhancing its' wellbeing.

## **PROPOSED STRATEGIC APPROACH TO NATURAL HERITAGE IN TE TAI O POUTINI PLAN**

26. As outlined in the Introduction, it is proposed to have a Strategic Direction section around Natural Heritage in Te Tai o Poutini Plan.
27. The other Strategic Direction sections currently proposed are:
  - a. Agriculture
  - b. Connections and Resilience
  - c. Mineral Extraction
  - d. Tourism
  - e. Urban Development
28. This, alongside the other Strategic Direction sections will set the framework and context for the range of natural heritage provisions in the Plan. Accordingly Strategic Issues and Objectives are proposed to be developed.

### **Strategic Direction – Matters to Consider**

#### *Safeguarding the relationship and mana of Poutini Ngāi Tahu and their lands*

29. Section 6 (a-c) of the RMA relates to the need to protect significant and outstanding natural areas and specific values, but this also needs to be looked at with awareness of Section 6 (e) - *recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.*
30. The nature of land and development on the West Coast means that many ancestral lands are currently undeveloped and covered by vegetation.
31. If Māori Land is treated in the same way as private land in relation to key matters of natural heritage then this undermines the mana of Poutini Ngāi Tahu who have been exercising kaitiakitanga over these areas for hundreds of years. The intrinsic values that exist and result in areas being identified as "significant" or "outstanding" are there because of this exercise of kaitiakitanga within tikanga Māori.
32. How to ensure that provisions to address RMA Section 6(c) do not conflict with, or prevent the implementation of Sections 6 (e) and 6 (f) therefore is a key issue.

#### *Ensuring that significant and outstanding values are protected*

33. The overriding direction of the RMA is to protect the significant and outstanding values associated with natural heritage matters. Where these exist on private land, such protections will limit development rights for landowners. But in many cases effective protection – which includes ensuring pests and weeds are managed, stock are excluded and existing uses do not degrade areas, requires the willing input of landowners. This is the ethic of stewardship talked about in Section 7 of the Act, and arguably without it, many of the Section 6 requirements will not be achieved.
34. Many landowners are concerned about the impact of further regulation on themselves and their land. The West Coast is a large and remote area, and no Council can effectively police all aspects of its regulation without the goodwill and engagement of the wider community. In relation to breaches of Permitted Activity rules in particular Councils rely heavily on community reporting. Without buy-in from the community and landowners to protection mechanisms within TTPP, they could well be undermined.
35. How to protect natural heritage values while enabling the ethic of stewardship is therefore a key strategic issue.

#### *Integrated Management and Achieving Wellbeing Outcomes*

36. It needs to be recognised that the very large area of DOC administered land is already being managed for natural heritage values. How to manage the limited amount of private and Maori owned land available for development will therefore be the main focus of the Strategic Direction provisions within Te Tai o Poutini Plan.

37. Alongside the RMA provisions, the planning context set by the NZ Coastal Policy Statement and Regional Policy Statement also sets a strong framework for protection of natural heritage on the West Coast.
38. However this needs to sit within the integrated management framework that recognises the economic, cultural and social needs of the Coast also. So achieving the purposes of the RMA, while allowing cultural, economic and social development on the Coast is a key outcome being sought.
39. How to achieve integrated management of natural heritage resources is therefore a key strategic issue.

*Creating certainty where development is and isn't acceptable*

40. There are undoubtedly some types of ecosystems, landscapes and features where, though there are some intrinsic values, the extent of representation and quality of habitat of this ecosystem type, feature or landscape within existing protected land, means that in context, development of these areas should not result in the types of significant adverse effects the RMA and RPS are seeking to avoid.
41. Being clear about where development is likely to be acceptable in most circumstances (and where it is not), would give a good degree of certainty to landowners and those such as the minerals, infrastructure and farming sectors, something they have been seeking.
42. How to create certainty about where development is likely to be acceptable, and to what scale, is therefore a key strategic issue.

**Proposed Strategic Issues for Te Tai o Poutini Plan**

43. In light of the discussion above, the following wording for the four key strategic issues is proposed.

**Issue 1:** How to provide for the protection of significant natural heritage areas and features where this is located on Māori owned land while ensuring that the relationship of Māori with their culture, traditions and customary rights are also protected

**Issue 2:** How to protect the significant and outstanding values of natural heritage in such a way that fosters an ethic of stewardship and enables positive actions by landowners.

**Issue 3:** How to achieve integrated management and enable wellbeing outcomes alongside each other – both protecting significant natural heritage, while allowing for, and where possible enabling, economic, cultural and social development of West Coast Communities.

**Issue 4:** How to create certainty for landowners and development sectors around what natural heritage areas and features are significant and should be protected, and what types and locations of development are likely to be acceptable.

**Strategic Objectives**

44. Strategic Objectives must respond to these key issues, as well as being consistent with the overarching planning context of the RMA and RPS. To this end the following draft Strategic Objectives are proposed:

***Draft Strategic Objective 1:***

*To ensure that the culture, traditions and customary rights of Poutini Ngāi Tahu in relation to natural heritage areas and features are protected and provided for and that the ability to exercise kaitiakitanga is maintained and enhanced.*

45. This objective reflects the key requirements of the RMA and the relationship between Poutini Ngāi Tahu with their lands and taonga.

***Draft Strategic Objective 2:***

*To protect areas of significant natural heritage on the West Coast while recognising:*

- *the substantial contribution that is already made by the existence of public conservation land in protecting significant areas, habitats and features;*
- *the need to support the ethic of stewardship and enable positive actions by landowners in protecting natural heritage values on their land.*

46. This objective specifically identifies that protection of natural heritage on the Coast needs to be looked at within the context of land tenure and recognise the positive effects of the conservation estate on achieving the requirements of the RMA.

***Draft Strategic Objective 3:***

*To clearly identify:*

- *unique and important natural heritage areas and features on the West Coast;*  
*and*
- *areas where subdivision, use and development to enable community economic, cultural and social wellbeing can be sustainably managed.*

47. This objective sets a framework around making it clear what the constraints on land use and development are, and where they are less or more significant. This is key to providing for enabling provisions where significant values are not found.

**NEXT STEPS**

48. Feedback from the Committee on the draft Strategic Issues and Strategic Objectives is sought. Along with other Strategic Direction components of the Plan, these set the framework for the detailed provisions in the Plan.
49. These detailed provisions will include specific Objectives, Policies and Rules for each of the natural heritage matters (ecosystems, landscape, natural character, natural features and the coastal environment).

**RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the proposed approach to Strategic Direction for Natural Heritage.

## **Appendix One: West Coast Land Tenure Context**

### ***DOC Estate***

1. The West Coast is the region in New Zealand with both the greatest area of remaining native vegetation, and the single largest area of Department of Conservation (DOC) administered land. One quarter of New Zealand's protected lands are on the West Coast - 85% of the West Coast is in DOC Estate and 95% is covered in indigenous vegetation.
2. There are 5 National Parks within the Region, covering an area of approximately 600,000 hectares, as well as a number of special protected areas, wilderness areas, scenic and historic reserves and an estimated 700,000 ha of Stewardship (unclassified) land.
3. The DOC Estate also covers an estimated 60% of the coastal environment on the West Coast – approximately 75% of Westland, 20% of Grey and 50% of the coastal environment in Buller.
4. The DOC Estate is also where the vast majority of the region's Outstanding Landscapes, and Outstanding Natural Features can be found. An estimated 95% of the Outstanding Landscapes and Outstanding Natural Features can be found there.
5. Because of the provisions in the Resource Management Act exempting DOC from needing to meet the Land Use provisions in district plans, only DOC concessionaires, or activities that generate significant effects beyond DOC estate boundaries will be subject to the provisions in Te Tai o Poutini Plan.

### ***Private Land***

6. The majority of private land is located in the lowland parts of the West Coast. More than 70% is found within flatter and more fertile lowland land classes (LUC 3,4 and 6). In comparison less than 5% of the land in steep hill and mountain country classes (LUC 7 and 8) is private land. This has the effect that while the West Coast is over 85% protected under the Conservation Act in DOC estate, the remaining 15% found in the lowland area is where many unique ecosystems, habitats and other natural heritage features are found.
7. For some species these lowland areas are their critical habitats, and for others (e.g. native fish) the connection between their breeding areas at the coast and their upstream habitat means that activities in the lowlands can have critical environmental effects.
8. In addition some types of threatened habitats and landscapes (e.g. wetlands, dune systems) are only found in the lowland parts of the West Coast.
9. Despite the long history of human occupation on the West Coast, a large amount of the private land (estimated 20-30%) remains relatively undeveloped – some in primary forest, but a large area in cutover forest previously mined or cleared for other activities.

### ***Maori Land***

10. Maori Land makes up less than 2% of the land not in DOC estate on the West Coast. This is predominantly Maori Reserves that were excluded from the land purchase of most of Te Wai Pounamu. A lot of this land is very remote and remains in its original state, however it does include areas where mārae and kāinga are still located. It also includes areas such as the Greymouth town centre, which is located on leasehold land owned by Māwhera Incorporation.
11. This land continues to be managed in accordance with tikanga Māori values by Poutini Ngāi Tahu. It is the key location where Poutini Ngāi Tahu are able to continue their uninterrupted relationship with their ancestral lands, water, sites, wāhi tapu and other taonga.
12. Of this land approximately 80% is covered in native vegetation and approximately 50% falls within an outstanding landscape.
13. How TTPP addresses the combination of Section 6 requirements around this land is of critical concern to Poutini Ngāi Tahu.

## Appendix Two: West Coast Regional Policy Statement Relevant Objectives and Policies

### Chapter 7: Indigenous Ecosystems and Biodiversity

#### OBJECTIVES

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
2. Protect significant indigenous vegetation and significant habitats of indigenous fauna.
3. Provide for sustainable subdivision use and development to enable people and communities to maintain or enhance their economic, social, and cultural wellbeing in areas of significant indigenous vegetation and significant habitats of indigenous fauna.
4. Maintain the region's terrestrial and freshwater indigenous biological diversity

#### POLICIES

1.
  - a) 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 the district plans.
  - b) Significant wetlands will be identified using the criteria in Appendix 2; they will be known as Significant Natural Areas (SNAs), and will be mapped in the relevant regional plan.
2. Activities shall be designed and undertaken in a way that does not cause:
  - a) The prevention of an indigenous species' or a community's ability to persist in their habitats within their natural range in the Ecological District, or
    - a) A change of the Threatened Environment Classification to category two or below at the Ecological District Level;<sup>2</sup> or
    - b) Further measurable reduction in the proportion of indigenous cover on those land environments in category one or two of the Threatened Environment Classification at the Ecological District Level;<sup>3</sup> or
    - c) A reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Classification Categories
3. Provided that Policy 2 is met, when managing the adverse effects of activities on indigenous biological diversity within SNAs:
  - a) Adverse effects shall be avoided where possible; and
  - b) Adverse effects that cannot be avoided shall be remedied where possible; and
  - c) Adverse effects that cannot be remedied shall be mitigated.
  - d) In relation to adverse effects that cannot be avoided, remedied or mitigated, biodiversity offsetting in accordance with Policy 4 is considered; and
  - e) If biodiversity offsetting in accordance with Policy 4 is not achievable for any indigenous biological diversity attribute on which there are residual adverse effects, biodiversity compensation in accordance with Policy 5 is considered.
4. Provided that Policy 2 is met, and the adverse effects on a SNA cannot be avoided, remedied or mitigated, in accordance with Policy 3, then consider biodiversity offsetting if the following criteria are met:
  - a) Irreplaceable or significant indigenous biological diversity is maintained; and
  - b) There must be a high degree of certainty that the offset can be successfully delivered; and

2 The Threatened Environment Classification system is managed by Landcare Research. (Walker S. et al 2007. Guide for users of the Threatened Environment Classification. [Lincoln, Canterbury], Landcare Research New Zealand. 1 – 35 p.)

3 ibid

- c) The offset must be shown to be in accordance with the six key principles of:
    - i. **Additionality:** the offset will achieve indigenous biological diversity outcomes beyond results that would have occurred if the offset was not proposed;
    - ii. **Permanence:** the positive ecological outcomes of the offset last at least as long as the impact of the activity, preferably in perpetuity;
    - iii. **No-net-loss:** the offset achieves no net loss and preferably a net gain in indigenous biological diversity;
    - iv. **Equivalence:** the offset is applied so that the ecological values being achieved are the same or similar to those being lost;
    - v. **Landscape context:** the offset is close to the location of the development<sup>5</sup>; and
    - vi. The delay between the loss of indigenous biological diversity through the proposal and the gain or maturation of the offset's indigenous biological diversity outcomes is minimised.
  - d) The offset maintains the values of the SNA.
5. Provided that Policy 2 is met, in the absence of being able to satisfy Policies 3 and 4, consider the use of biodiversity compensation provided that it meets the following:
    - a) Irreplaceable or significant indigenous biological diversity is maintained; and
    - b) The compensation is at least proportionate to the adverse effect; and
    - c) The compensation is undertaken where it will result in the best practicable ecological outcome, and is preferably:
      - i. Close to the location of development; or
      - ii. Within the same Ecological District; and
    - a) The compensation will achieve positive indigenous biological diversity outcomes that would not have occurred without that compensation; and
    - b) The positive ecological outcomes of the compensation last for at least as long as the adverse effects of the activity; and
    - c) The delay between the loss of indigenous biological diversity through the proposal and the gain or maturation of the compensation's indigenous biological diversity outcomes is minimised.
  6. Allow for subdivision, use or development within SNAs, including by:
    - a) Allowing existing lawfully established activities to continue provided the adverse effects are the same or similar in scale, character or intensity;
    - b) Allowing activities with no more than minor adverse effects provided that the values of the SNA are maintained.
  7. Provide for subdivision, use or development within land areas or water bodies containing indigenous biological diversity that does not meet any of the significance criteria in Appendix 1 or 2, by:
    - a) Allowing activities with no more than minor adverse effects;
    - b) Avoiding, remedying or mitigating more than minor adverse effects;
    - c) Where there are significant residual adverse effects, considering any proposal for indigenous biological diversity offsetting or compensation.
  8. Maintain indigenous biological diversity, ecosystems and habitats in the region by:
    - a) Recognising that it is more efficient to maintain rather than to restore indigenous biological diversity;
    - b) Encouraging restoration or enhancement of indigenous biological diversity and/or habitats, where practicable; and
    - c) Advocating for a co-ordinated and integrated approach to reducing the threat status of indigenous biological diversity.
  9. Give effect to Objective 2 of Chapter 3 by:

<sup>5</sup> Maseyk, F., Ussher, G., Kessels, G., Christensen, M., Brown, M., for the Biodiversity Working Group on behalf of the BioManagers Group, September 2018. Biodiversity Offsetting under the Resource Management Act: A guidance document. Pages 4, 5, 25.



- a) Providing for the kaitiakitanga role of Poutini Ngāi Tahu in the management of indigenous biological diversity;
- b) Provided that Policy 2 is met, recognising and providing for subdivision, use and development in a SNA where it is for the purpose of papakainga, cultural harvest or mahinga kai gathering by papatipu rūnanga in a manner that accords with tikanga and kaitiakitanga;
- c) Where practicable, provide for Poutini Ngāi Tahu customary use of indigenous species in a manner that accords with tikanga and kaitiakitanga, within the framework of the regional and district council's RMA functions.

## **7 A. Natural Character**

### **OBJECTIVES**

1. Protect the natural character of the region's wetlands, and lakes and rivers and their margins, from inappropriate subdivision, use and development.
2. Provide for appropriate subdivision, use and development to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.

### **POLICIES**

1. Use regionally consistent criteria to identify the elements, patterns, processes and qualities of the natural character of wetlands, and lakes and rivers and their margins.
2. Protect the elements, patterns, processes and qualities that together contribute to the natural character of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development.
3. When determining if an activity is appropriate, the following matters must be considered:
  - a) The degree and significance of actual or potential adverse effects on the elements, patterns, processes and qualities that contribute to natural character;
  - b) The value, importance or significance of the natural character at the local, or regional level;
  - c) The degree of naturalness;
  - d) The potential for cumulative effects to diminish natural character, and the efficacy of measures proposed to avoid, remedy or mitigate such effects; and
  - e) The vulnerability of the natural character to change, and its capacity to accommodate change, without compromising its values.
4. Allow activities which have no more than minor adverse effects on natural character.

## **7B. Natural features and landscapes**

### **OBJECTIVES**

1. Protect the region's outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development.
2. Provide for appropriate subdivision, use and development on, in or adjacent to outstanding natural features and outstanding natural landscapes to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.

### **POLICIES**

1. Use regionally consistent criteria to identify outstanding natural features and outstanding natural landscapes.
2. Protect the values which together contribute to a natural feature or landscape being outstanding, from inappropriate subdivision, use and development.

3. When determining if an activity is appropriate, the following matters must be considered:
  - a) Whether the activity will cause the loss of those values that contribute to making the natural feature or landscape outstanding;
  - b) The extent to which the outstanding natural feature or landscape will be modified or damaged including the duration, frequency, magnitude or scale of any effect;
  - c) The irreversibility of any adverse effects on the values that contribute to making the natural feature or landscape outstanding;
  - d) The resilience of the outstanding natural feature or landscape to change;
  - e) Whether the activity will lead to cumulative adverse effects on the outstanding natural feature or landscape;
4. Allow activities in outstanding natural features and outstanding natural landscapes which have no more than minor adverse effects.

## **9. Coastal Environment**

### **OBJECTIVES**

1. Within the coastal environment:
  - a) Protect indigenous biological diversity;
  - b) Preserve natural character, and protect it from inappropriate subdivision, use and development; and
  - c) Protect natural features and natural landscapes from inappropriate subdivision, use and development.
2. Provide for appropriate subdivision, use and development in the coastal environment to enable people and communities to maintain or enhance their economic, social, and cultural wellbeing.
3. Ensure that any new subdivision, use or development in the coastal environment has appropriate regard to the level of coastal hazard risks.
4. Ensure that coastal hazard risks potentially affecting existing development are managed so as to enable the safety, and social and economic wellbeing of people and communities.

### **POLICIES**

1. Within the coastal environment protect indigenous biological diversity, and natural character, natural features and natural landscapes from inappropriate subdivision, use and development by:
  - a) Identifying in regional and district plans areas of significant indigenous biological diversity, outstanding and high natural character and outstanding natural features and landscapes, recognising the matters set out in Policies 11, 13 and 15 of the NZCPS;
  - b) Avoiding adverse effects on significant indigenous biological diversity, areas of outstanding natural character and outstanding natural landscapes and features; and
  - c) Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on indigenous biological diversity, natural character, natural features and natural landscapes;
2. (1) In the case of the National Grid, operation, maintenance or minor upgrading of existing National Grid infrastructure shall be enabled.
  - (2) In the case of the National Grid, following a route, site and method selection process and having regard to the technical and operational constraints of the network, new development or major upgrades of the National Grid shall seek to avoid adverse effects, and otherwise remedy or mitigate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and areas of high and outstanding natural character located within the coastal environment. In some circumstances, adverse effects on the values of those areas must be avoided.
3. Provide for subdivision, use or development in the coastal environment:

- a) Which maintains or enhances the social, economic and cultural well-being of people and communities;
  - b) Which:
    - i. Requires the use of the natural and physical resources in the coastal environment; or
    - ii. Has a technical, functional or operational requirement to be located within the coastal environment;
  - c) Recognising that minor or transitory effects associated with subdivision, use and development may not be an adverse effect within those areas described in Policy 1.b).
  - d) By allowing subdivision, use and development where the adverse effects are no more than minor within those areas described in Policy 1.c).
  - e) By allowing lawfully established activities to continue provided the adverse effects are the same or similar in scale, character or intensity.
4. Provide for new and existing renewable electricity generation activities in the coastal environment, including by having particular regard to:
    - a) The need to be located where the renewable energy resource is available;
    - b) The technical, functional or operational needs of renewable electricity generation activities.
  5. To give effect to Objective 2 of Chapter 3 of this RPS, manage land and water use in the coastal environment in a way that avoids significant adverse effects (other than those arising from the development, operation, maintenance, or upgrading of RSI and local roads) and avoids, remedies or mitigates other adverse water quality effects on sites that are significant to Poutini Ngāi Tahu, including the following:
    - a) Estuaries, hāpua lagoons, and other coastal wetlands; and
    - b) Shellfish beds and fishing areas.
  6. Where new subdivision, use or development in the coastal environment may be adversely affected by coastal hazards, adopt a risk management approach taking into account, where applicable:
    - a) Official, nationally recognised guidelines for sea level rise;
    - b) The type and life-cycle of the proposed development, including whether it is short-term, long term, or permanent;
    - c) Whether the predicted impacts are likely to have material or significant consequences;
    - d) The acceptability of those potential consequences, given their likelihood; and;
    - e) Whether there are suitable options to avoid increasing the risk of harm from coastal hazards, and whether future adaptation options are feasible.
  7. Coastal hazard risks should be assessed over at least a 100 year timeframe.
  8. In areas of significant existing development likely to be affected by coastal hazards, a range of options for reducing coastal hazard risk should be assessed.
  9. Consider opportunities for the restoration or rehabilitation of natural character.

## Appendix Three: Current Plan Issues, Objectives and Policies for Ecosystems and Biodiversity, Landscape, Natural Features, Natural Character and the Coastal Environment

### *Existing Plan Natural Character Issues, Objectives and Policies*

	Buller	Grey	Westland
Issues	<p>[Operative Plan] 4.7.1.1. Some land use activities require a coastal location, but such land use may adversely affect the maintenance and enhancement of the natural character of the coastal environment and people's enjoyment of it. [Plan Change 140] The relatively unmodified coastal environment of the Buller district provides an abundance of natural habitat, natural character and landscapes. Management of the coastal environment should not unnecessarily restrict appropriate subdivision, use and development. [Plan Change 141] The potential for activities on, or adjoining, waterbodies, wetlands and their margins diminishing the amenity, ecological, cultural or natural character values of these areas.</p>	<p>6.2.2 Activities on lakes, rivers and wetlands and their margins can adversely affect that natural character, habitats of indigenous fauna and flora, iwi values, bank stability and amenity and recreation values</p> <p>7.2.1 The adverse affects of inappropriate use, development and subdivision affecting the natural character of the coastal environment.</p>	N/A
Objectives	<p>[Operative Plan] 4.7.5.1. To maintain or enhance the natural character of the coastal environment by avoiding, remedying or mitigating the adverse effects of land use activities and subdivision requiring a coastal location. [Plan Change 140] Objective 1: Appropriate Development of the Coastal Environment To enable appropriate subdivision, use and</p>	<p>Objective: 6.3.1 Preservation of the natural character of lakes, rivers and wetlands and their margins from inappropriate use, development and subdivision Objective 7.3 To preserve the natural character of the coastal environment and the protection of it from inappropriate subdivision, use or development</p>	<p>Objective 3.12.1 To preserve the natural character and unique qualities of the coastal environment by taking into account the effects of subdivision, use or development on these values.</p>

	Buller	Grey	Westland
	<p>development where adverse effects on the natural character of the district's coastal environments can be avoided or mitigated. [Plan Change 141]</p> <p>Objective 2: Protection of Natural Character of Waterbodies, Wetlands and their Margins. To enable appropriate subdivision, use and development of waterbodies, wetlands and there margins where adverse effects on significant natural character, ecological, recreational, amenity, and cultural values are avoided or mitigated.</p> <p>Objective 4- Activities on the Surface of Waterbodies To enable activities on the surface of waterbodies where adverse effects on significant natural character, ecological, recreational, amenity and cultural values are avoided or mitigated.</p>		
Policies	<p>[Operative Plan]</p> <p>4.4.14.3. To control the modification of significant natural wetlands to protect their natural character, landscape values, and their significance as areas of indigenous vegetation and habitats for indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.</p> <p>4.4.14.6. Council has identified the following lakes, coastal estuaries and other waterways as places where the use of motorised craft is inappropriate because of the disturbance to wildlife, conflict with other users, degradation</p>	<p>Policies:</p> <p>6.4.3 The adverse effects of activities on natural character of margins should be avoided, remedied or mitigated in terms of:</p> <ul style="list-style-type: none"> <li>a) recreation values</li> <li>b) conservation values</li> <li>c) continued public acces</li> <li>d) retention of indigenous vegetation and habitats</li> <li>e) water quality</li> <li>f) heritage sites</li> <li>g) cultural and spiritual values</li> </ul> <p>6.4.4 Structures that do not have an operational reason to be located on the margins of rivers and</p>	<p>Policy 4.3.E Any further subdivision or development within the coastal environment should be restricted to areas already significantly modified or where located in relatively unmodified areas, where any adverse environmental impact can be satisfactorily mitigated.</p> <p>Policy 4.3.F Any future urban subdivision or development within the coastal environment should generally occur only in areas already modified and any development in unmodified areas must avoid, remedy or mitigate any adverse effects on the natural character of the</p>

	Buller	Grey	Westland
	<p>of natural character and disruption of natural quiet</p> <p>4.4.14.6.1. There be no provision for motorised craft use on:</p> <ul style="list-style-type: none"> <li>• Lake Christobel</li> <li>• Lake Hanlon</li> <li>• Kohaihai River</li> </ul> <p>4.4.14.6.2. In the following water bodies, the use of motorised water craft with an engine capacity of less than 5 horse power is permitted:</p> <ul style="list-style-type: none"> <li>• Lake Daniells</li> <li>• Punakaiki River: upstream of the road bridge.</li> <li>• Pororari River: upstream of the road bridge.</li> <li>• Otomahana Lagoon</li> <li>• Orowaiti River: upstream of the rail bridge.</li> <li>• Okari: upstream of the road bridge.</li> </ul> <p>4.4.14.7. To protect and enhance riparian margins adjacent to rivers, streams, lakes, wetlands and the coast for the purposes of:</p> <p>(i) Maintenance of the natural character of waterways, natural habitats and water quality including the mitigation of adverse effects of contaminant discharges and other natural and aesthetic and amenity values associated with the adjacent waterway.</p> <p>(ii) Public recreation.</p> <p>(iii) Public access.</p> <p>(iv) Maintenance of bank stability and reduction in sedimentation.</p> <p>4.8.7.3. To control the modification of significant natural wetlands to protect their</p>	<p>lakes, and in wetlands, should avoid this location, particularly in unmodified areas.</p> <p>6.4.5 Any modification of wetlands is undertaken in a manner that protects their natural character and in particular, those components of the natural character that comprise indigenous vegetation, habitat for indigenous fauna, life supporting capacity for indigenous ecosystems and ecological functioning.</p> <p>7.4.1 Development, use of subdivision affecting the natural character of the coastal environment shall have particular regard to the following:</p> <p>a) the extent of existing and likely potential modification as a result of human presence in the area, such as port development and operation</p> <p>b) the presence of significant indigenous vegetation or natural habitats</p> <p>c) The life supporting capacity of ecosystems</p> <p>d) the presence of distinctive landscapes, seascapes and landforms</p> <p>e) the presence of special spiritual, heritage, cultural values including those of significance to Maori</p> <p>f) the maintenance and enhancement of high water quality</p> <p>g) coastal natural hazards</p> <p>7.4.2. Any development within the coastal area should take place in modified areas such as existing settlements in preference to unmodified areas</p> <p>7.4.3. Development in unmodified areas should only take place where the setting is integral to the development proposal and adverse effects on those items identified in Policy 7.4.1 can be avoided,</p>	<p>Westland coastal environment.</p> <p>Policy 4.9.C To control the modification of natural wetlands to protect their natural character, landscape values and their significance as areas of indigenous vegetation and habitat for indigenous fauna and to sustain their life supporting capacity as indigenous ecosystems.</p> <p>Policy 4.10 A. Development, use or subdivision affecting the natural character of the coastal environment shall have particular regard to the following:</p> <ul style="list-style-type: none"> <li>-coastal processes and natural landforms</li> <li>-ecosystem functioning and health</li> <li>-indigenous vegetation and habitat</li> <li>-open space and amenity values</li> <li>-protected status</li> <li>-buffering</li> </ul> <p>Policy 4.10 B. The adverse effects of subdivision, use or development on the natural character of the coastal environment shall be avoided or mitigated, in particular, in highly sensitive areas such as wetlands and lagoons.</p> <p>Policy 4.13.C [Mineral Resources]. Ensure the life supporting capacity of ecosystems is safeguarded and adverse effects of mineral related activities and associated earthworks on natural features and landscapes, indigenous vegetation and habitat and natural character of the coast, waterways and their margins,</p>

	Buller	Grey	Westland
	<p>natural character, landscape values, and their significance as areas of indigenous vegetation and habitats of indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.</p> <p>[Plan Change 140]</p> <p>Policy 1: Performance Standards To impose performance standards on development and land use in the Papanui Character Area, that provides the community with a level of certainty and maintains natural character and amenity values.</p> <p>Policy 2: Criteria for Determining Appropriate Subdivision, Use and Development To manage the scale, location and design of subdivision, use and development in the coastal environment and determine its appropriateness based on the following:</p> <ul style="list-style-type: none"> <li>a) the extent of existing modification and likely potential modification of natural character as a result of the proposed activity...</li> </ul> <p>[Plan Change 141]</p> <p>Policy 6: Protection of Waterbodies, Wetlands and their Riparian Margins To avoid or mitigate the adverse effects of subdivision, use and development, that would detract from or compromise significant natural character, ecological functioning, recreational, amenity and cultural values of waterbodies, wetlands and their margins.</p>	<p>remedied or mitigated</p>	<p>historic and cultural sites, public access and amenity values are avoided, remedied or mitigated.</p>

	Buller	Grey	Westland
	<p><b>Policy 7: Activities on the Surface of Waterbodies</b></p> <p>To enable the use of the surface of waterbodies provided the adverse effects of these activities on natural character, ecological, cultural and amenity values of waterways and their margins are avoided, remedied or mitigated.</p>		

*Existing Plan Landscape and Natural Feature Issues Objectives and Policies*

	Buller	Grey	Westland
Issues	<p>[Operative Plan]</p> <p>4.9.1.1. Protection of the outstanding landscape values and natural feature of Buller District from the adverse effects of inappropriate subdivision, use and development.</p> <p>[Plan Change 140]</p> <p>Issue: The relatively unmodified coastal environment of the Buller district provides an abundance of natural habitat, natural character and landscapes. Management of the coastal environment should not unnecessarily restrict appropriate subdivision, use and development.</p> <p>[Plan Change 141]</p> <p>Issue: To achieve the management and protection of significant indigenous vegetation and habitats and Outstanding Natural Features and Landscapes from inappropriate subdivision, use and development, while ensuring that land use and development is not constrained in a way that impedes the social and economic well-being of communities.</p>	<p>4.2.1 Outstanding natural features and landscapes can be adversely affected by development pressures</p>	<p>3.6 Mineral extraction and exploration activities can adversely affect the natural landscape and ecosystems, amenity value, and water quality.</p> <p>3.8. Land use activities can adversely affect the quality, versatility or retention of topsoil, the natural landscape and ecosystems and amenity values</p> <p>3.10 Adverse effects of a variety of activities on the integrity of the existing landscape and character of Westland.</p>



	Buller	Grey	Westland
	<p>[Operative Plan]</p> <p>4.9.3.1. To protect the distinctive character and unique values of outstanding landscapes and natural features.</p> <p>[Plan Change 140]</p> <p>Objective 1: Appropriate Development of the Coastal Environment</p> <p>To enable appropriate subdivision, use and development where adverse effects on the natural character of the district's coastal environments can be avoided or mitigated.</p> <p>[Plan Change 141]</p> <p>Objective 6: Protection of Outstanding Natural Features and Landscapes</p> <p>To enable appropriate subdivision, use and development where the adverse effects on areas of Outstanding Natural Features and Landscapes are avoided or mitigated.</p>	<p>4.3.1 The protection of outstanding natural features and landscapes in the Grey District from inappropriate subdivision, use and development</p>	<p>Objectives</p> <p>3.6.3 To avoid, remedy or mitigate mining's adverse effects on natural environments, landscapes and waterways.</p> <p>3.10.1 To ensure development does not impinge on the integrity of landscapes in Westland</p> <p>3.10.2 To maintain and protect the existing scenic and open and diverse character of Westland District, dominated by natural dynamic processes</p> <p>3.10.3 To ensure that land uses, buildings and development have regard to the natural landscapes in which they are located or seek to be located.</p>
Policies	<p>[Operative Plan]</p> <p>4.9.4.1. To discourage activities which would significantly alter the character of outstanding landscapes.</p> <p>4.9.4.2. Character areas shall be identified in the Plan and shall reflect the distinctive landscape elements and natural values held for each region.</p> <p>[Plan Change 140]</p> <p>Policy 1: Performance Standards</p> <p>To impose performance standards on development and land use in the Paparoa Character Area, that provides the community with a level of certainty and maintains natural</p>	<p>4.4.1 To recognise areas of outstanding natural features and landscapes in accordance with the criteria listed below (criteria listed).</p> <p>4.4.2 Proposed subdivision, use and development should be undertaken in accordance with Objective 4.3.1, and in a manner that avoids, remedies, or mitigates adverse effects on outstanding natural features and landscapes identified in Table 4.1 or outstanding natural features and landscapes that through a resource consent process are determined by Council to exist within the areas identified in Table 4.2 (DOC and Crown Land) having regard to the criteria in Policy 4.4.1 (a) – (f)</p> <p>13.4.2 Any subdivision should avoid, remedy or</p>	<p>4.3.A Urban development should be located in areas of low natural landscape value, low natural hazard risk and areas that do not have high public servicing costs.</p> <p>4.3.D Any expansion of settlements beyond the current policy unit zone boundaries shall take into account the significant landscape and visual qualities of that area.</p> <p>4.8.A The continuity of the mountains to sea landscape in Westland particularly in the south of the District and significant landscape elements shall be protected by ensuring development takes into account the landscape setting.</p>

	Buller	Grey	Westland
	<p>character and amenity values.</p> <p>Policy 2: Criteria for Determining Appropriate Subdivision, Use and Development To manage the scale, location and design of subdivision, use and development in the coastal environment and determine its appropriateness based on the following:</p> <p style="padding-left: 40px;">c) the presence of outstanding natural features or landscapes...</p> <p>[Plan Change 141]</p> <p>Policy 10: Criteria for Determining Outstanding Natural Features and Landscapes To identify Outstanding Natural Features and Landscapes of the district, which contribute to the distinctive character and visual amenity of the district, through consideration of biophysical, sensory and associative values including:</p> <ul style="list-style-type: none"> <li>-natural science values</li> <li>-legibility values</li> <li>-aesthetic values</li> <li>-transient values</li> <li>-cultural values</li> <li>-shared and recognised values; and</li> <li>-historic values</li> </ul> <p>Policy 11: Criteria for Determining Appropriate Subdivision, Use or Development To manage the scale, location and design of subdivision, use and development within Outstanding Natural Features and Landscapes and determine its appropriateness based on the following:</p>	<p>mitigate the likely adverse effects on significant indigenous vegetation and habitats, outstanding landscape features, and the natural character of waterbodies and the coastal environment.</p>	<p>4.8.B The contribution of indigenous vegetation to the landscape character of the district shall be recognised and its clearance controlled.</p> <p>4.8.C Council will protect significant landscape areas, including natural features, in the District. All significant landscape areas shall meet the following criteria: - intactness; scientific or other cultural value; distinctiveness; representativeness; protected status; buffering; visual sensitivity; visual coherence</p> <p>Policy 4.9.C To control the modification of natural wetlands to protect their natural character, landscape values and their significance as areas of indigenous vegetation and habitat for indigenous fauna and to sustain their life supporting capacity as indigenous ecosystems.</p> <p>Policy 4.9.D Council will protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and outstanding natural features in the District. Council will, in particular target those indigenous vegetation types occurring in alluvial and coastal areas. All areas of significant indigenous vegetation and habitats shall meet one or more of the following criteria [criteria follow].</p>

	Buller	Grey	Westland
	<ul style="list-style-type: none"> <li>a) the value, importance or significance of the feature or landscape at the local, regional or national level;</li> <li>b) the degree and significance of actual or potential adverse effects on outstanding natural features and landscapes, including cumulative effects, and the efficacy of measures to avoid, remedy or mitigate such effects;</li> <li>c) the benefits to be derived from the use and development at the local, regional and national scale;</li> <li>d) The degree of existing modification of the natural feature or landscape from its natural character</li> <li>e) The vulnerability of a natural feature or landscape to change, and its capacity to accommodate change, without compromising the value of the feature or landscape;</li> <li>f) The need for the proposed activity to occur in the particular location.</li> </ul>		

*Existing Plan Ecosystems and Indigenous Biodiversity Issues, Objectives and Policies*

	Buller	Grey	Westland
Issues	<p>[Operative Plan]</p> <p>4.8.1.1. Recognising the importance of ecosystems and natural habitats and their contribution to the character and quality of the</p>	<p>5.2.1. Some of the areas of indigenous vegetation and habitats of fauna can be susceptible to damage from:</p> <ul style="list-style-type: none"> <li>a) pest and predators, including;</li> </ul>	<p>3.6 Mineral extraction and exploration activities can adversely affect the natural landscape and ecosystems, amenity value, and water quality.</p>

	Buller	Grey	Westland
	natural and physical environment, and to the wellbeing of the people and communities of Buller. [Plan Change 141]	<ul style="list-style-type: none"> <li>i. the presence of possums, mustelids, feral cats and pigs</li> <li>ii. the spread of weed species</li> <li>iii. escape or release of feral species</li> </ul> <ul style="list-style-type: none"> <li>b) land development activities such as farming, forestry and mining</li> <li>c) stock grazing</li> </ul>	<p>3.7 Utilisation of natural areas (including habitats) may in some instances threaten the health and integrity of the resource.</p> <p>3.8 Land use activities can adversely affect the quality, versatility or retention of topsoil, the natural landscape and ecosystems and amenity values.</p>
Objectives	<p>[Operative Plan]</p> <p>1. To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to recognise their importance to the character and quality of the natural and physical environment and to the wellbeing of the people and communities in Buller.</p> <p>[Plan Change 141]</p> <p>1. To enable appropriate subdivision, use and development within areas of significant vegetation and significant habitats of indigenous fauna, where indigenous biodiversity is maintained.</p> <p>3. To recognise the economic, social and cultural well-being of people, and in particular the rural community, depends on, among other things, making reasonable use of land.</p>	5.3.1. The protection and where possible enhancement of areas of significant indigenous vegetation and habitats of indigenous fauna.	<p>3.7.1 To recognise and provide for the unique values and importance of natural environments and ecosystems in Westland.</p> <p>3.7.2 To recognise that the people of the district can provide for their needs within the context of sustainable management.</p> <p>3.7.3 To protect the integrity, functioning, and health of indigenous ecosystems and maintain the current diversity of indigenous flora and fauna.</p>
Policies	<p>[Operative Plan]</p> <p>4.8.7.1 The effects of land use activities on natural habitats and ecosystems shall be taken into account when considering development proposals which impact on these areas.</p>	<p>5.4.1 To identify areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>5.4.2 To recognise such areas in accordance with the following criteria: representativeness,</p>	<p>4.7.B Landuse activities in the rural area should avoid, mitigate and remedy their adverse effects on adjoining landuses, the community and ecosystems</p> <p>4.9.A Adverse effects on the integrity,</p>

	Buller	Grey	Westland
	<p>4.8.7.2 The protection and enhancement of the natural values of wetlands, estuarine habitats, whitebait spawning areas, significant indigenous vegetation and significant habitats of indigenous fauna shall be encouraged.</p> <p>4.8.7.3 To control the modification of significant natural wetlands to protect their natural character, landscape values, and their significance as areas of indigenous vegetation and habitats of indigenous fauna and to sustain their life supporting capacity as indigenous ecosystems.</p> <p>4.8.7.4 Use the following criteria as guidelines to identify areas of significant indigenous vegetation and significant habitats of indigenous fauna: representativeness, distinctiveness, intactness, size, protected status, connectivity, threat, migratory habitat, scientific or cultural value</p> <p>4.8.7.5 Using the significance criteria as a guideline compile a schedule of significant natural areas.</p> <p>4.8.7.6 In the interim make decisions on resource consents which recognise and provide for the protection of: Significant indigenous vegetation and habitat Natural values associated with riparian margins</p> <p>4.8.7.7 To protect areas of significant indigenous vegetation and habitats from inappropriate use, subdivision and development.</p> <p>4.8.7.8 To encourage the retention of existing</p>	<p>rarity/distinctiveness, ecological context; sustainability.</p> <p>5.4.3 To avoid, remedy or mitigate adverse effects on the ecological integrity, functioning and habitat values and natural character of areas of significant indigenous vegetation and habitats of indigenous fauna</p> <p>5.4.4 To reduce the effect that pests, including the introduction of new pests, can have on significant areas of indigenous vegetation and habitats of fauna.</p>	<p>functioning and health of natural habitats and ecosystems and indigenous species shall be avoided, or where avoidance is not practical, remedied or mitigated.</p> <p>4.9.B The protection and enhancement of areas of significant indigenous vegetation and habitats of indigenous fauna, and outstanding natural features in the district will be encouraged.</p> <p>4.9.C To control the modification of natural wetlands to protect their natural character, landscape values and their significance as areas for indigenous vegetation and habitat for indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.</p> <p>4.9.D Council will protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and outstanding natural features in the District. Council will, in particular, target those indigenous vegetation types occurring in alluvial and coastal areas. All areas of significant indigenous vegetation and habitats shall meet one or more of the following criteria: Intactness, Size, Representativeness, Distinctiveness, Protected Status, Connectivity, Threat, Migratory Species, Scientific or other Cultural Value</p> <p>4.13.A The establishment of mineral related activities should incorporate, as an integral component, measures to protect water</p>

	Buller	Grey	Westland
	<p>indigenous vegetation on the margins of waterways, wetlands and the coast and the enhancement of these areas through the use of indigenous vegetation where rehabilitation plantings are to be carried out. 4.8.7.9 [notable trees policy]</p> <p>[Plan Change 141]</p> <ol style="list-style-type: none"> <li>1. To promote the protection of significant indigenous vegetation and significant habitats of indigenous fauna through the resource consent process.</li> <li>2. To identify areas of significant vegetation and significant habitats of indigenous fauna that are significant for one or more of the following reasons (Representativeness, Rarity/Distinctiveness, Diversity and Patters, Ecological Context).</li> <li>3. To maintain indigenous biodiversity values having regard to the following matters in determining appropriate subdivision, use and development: <ol style="list-style-type: none"> <li>a) Actual or potential impacts on the significance of the affected area and on ecological values (including habitat, vegetation and fauna), cultural, intrinsic and/or amenity values;</li> <li>b) the sustainability of the habitat or area of vegetation proposed to be modified or damaged or any adjoining habitat or area of vegetation to an area proposed to be affected</li> <li>c) The representativeness of the affected</li> </ol> </li> </ol>		<p>quality and ecosystems, and appropriate rehabilitation of disturbed areas. 4.13.C Ensure that the life supporting capacity of ecosystems is safeguarded and adverse effects of mineral related activities and associated earthworks on natural features and landscapes, indigenous vegetation and habitat, the natural character of the coast, waterways and their margins, historic and cultural sites, public access and amenity values are avoided, remedied or mitigated.</p>

	Buller	Grey	Westland
	<p>vegetation or habitat and impact on its inter-relationship or continuity with other habitats or areas of indigenous vegetation</p> <p>d) Whether the affected area retains the presence of rare or distinctive, threatened or at risk, indigenous flora or fauna species</p> <p>e) the extent to which the proposal is the minimum necessary to protect significant indigenous vegetation and significant habitats of indigenous fauna</p> <p>f) Where adverse effects cannot be adequately avoided or mitigated, ensuring any residual effects that are more than minor, are offset in a similar ecological context (in accordance with best practice principles) to achieve no “net loss” of indigenous biodiversity</p> <p>g) the social and economic benefits to be derived from the use and development of the affected area.</p> <p>4. To recognise the need for land use and development to function efficiently and effectively while ensuring that any potential adverse effects on areas of significant indigenous vegetation and/or significant habitats of indigenous fauna are avoided, remedied or mitigated,</p> <p>5. To provide for activities which have less than minor effects on significant indigenous biodiversity.</p>		

*Existing Plan Coastal Environment Issues, Objectives and Policies*

	Buller	Grey	Westland
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	Buller	Grey	Westland
Issues	<p>[Operative Plan] 4.7.1.1. Some land use activities require a coastal location, but such land use may adversely affect the maintenance and enhancement of the natural character of the coastal environment and people's enjoyment of it.</p> <p>[Plan Change 140] The relatively unmodified coastal environment of the Buller district provides an abundance of natural habitat, natural character and landscapes. Management of the coastal environment should not unnecessarily restrict appropriate subdivision, use and development.</p>	7.2.1. The adverse affects of inappropriate use, development and subdivision affecting the natural character of the coastal environment.	3.12 Threats to the character and quality of the coastal environment as a result of land use and resource development, and public access for recreation activities.
Objectives	<p>[Operative Plan] 4.7.5.1. To maintain or enhance the natural character of the coastal environment by avoiding, remedying or mitigating the adverse effects of land use activities and subdivision requiring a coastal location.</p> <p>[Plan Change 140] Objective 1: To enable appropriate subdivision, use and development where adverse effects on the natural character of the district's coastal environments can be avoided or mitigated. Objective 2: To maintain and enhance public access to and along the coastline where it is practicable and achievable.</p>	7.3.1. To preserve the natural character of the coastal environment and the protection of it from inappropriate subdivision, use or development.	3.12.1 To preserve the natural character and unique qualities of the coastal environment by taking into account the effects of subdivision, use or development on these values.
Policies	<p>[Operative Plan] 4.7.6.1. The subdivision, use and development</p>	7.4.1. Development, use or subdivision affecting the natural character of the coastal environment shall	4.3.E Any further subdivision or development within the coastal environment should be



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	<p>of land in the coastal environment shall be tightly controlled within the Paparoa Character Area.</p> <p>4.7.6.2. Sensitive coastal environments including areas of importance for mahinga kai shall be protected from the adverse effects of land use activities.</p> <p>4.7.6.3. The protection and enhancement of whitebait spawning habitats shall be encouraged in conjunction with the other regulatory agencies.</p> <p>4.7.6.4. The maintenance and enhancement of public access to and along the coastline shall be encouraged except where restrictions are necessary to ensure public safety or to avoid the potential adverse effects of people and/or vehicles on the coastal environment.</p> <p>4.7.6.5. Alternative methods of refuse and sewage disposal for settlements within the coastal environment shall be investigated where landfill discharges enter waterways and/or where raw sewage is discharged directly to the sea.</p> <p>4.7.6.6. Co-operation and co-ordination with the West Coast Regional Council in noise management within the Coastal Marine Area.</p> <p>4.7.6.7. The needs of existing and future activities requiring a coastal location shall be recognised.</p> <p>[Plan Change 140]</p>	<p>have particular regard to the following:</p> <p>a) The extent of existing and likely potential modification as a result of human presence in the area, such as port development and operation.</p> <p>b) The presence of significant indigenous vegetation or natural habitats.</p> <p>c) The life supporting capacity of ecosystems.</p> <p>d) The presence of distinctive landscapes, seascapes and landforms.</p> <p>e) The presence of special spiritual, heritage, cultural values including those of significance to Maori.</p> <p>f) The maintenance and enhancement of high water quality.</p> <p>g) Coastal natural hazard areas.</p> <p>7.4.2. Any development within the coastal area should take place in modified areas such as existing settlements in preference to unmodified areas.</p> <p>7.4.3. Development in unmodified areas should only take place where the setting is integral to the development proposal and adverse effects on those items identified in Policy 1 can be avoided, remedied or mitigated.</p> <p>7.4.4. Improvement and enhancement of public access by taking of, where appropriate, esplanade reserves on coastal subdivision.</p>	<p>restricted to areas already significantly modified, or where located in relatively unmodified areas, where any adverse environmental impact can be satisfactorily mitigated.</p> <p>4.3.F Any future urban subdivision or development within the coastal environment should generally occur only in areas already modified, and any development in unmodified areas must avoid, remedy or mitigate any adverse effects on the natural character of the Westland coastal environment.</p> <p>4.9.D Council will protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and outstanding natural features in the District. Council will, in particular, target those indigenous vegetation types occurring in alluvial and coastal areas.</p> <p>4.10.A Development, use or subdivision affecting the natural character of the coastal environment shall have particular regard to the following:</p> <p><u>Coastal processes and natural landforms</u> The area is distinctive for natural coastal processes which may also provide a defence to hazards such as beach erosion, shoreline recession, coastal entrance stability, sand drift, coastal inundation, slope and cliff instability.</p> <p><u>Ecosystem functioning and health</u> The area is ecologically representative and/or</p>

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			<p>by its connection to one or more significant areas, makes a major contribution to the overall functioning or value of these areas.</p> <p><u>Indigenous vegetation and habitat</u> The area supports significant indigenous vegetation and/or natural habitat that is important for migratory species or for breeding, feeding or other vulnerable stages of indigenous species.</p> <p><u>Open space and amenity values</u> The area contains popular areas of open space and/or significant historic, cultural, recreational or scientific values.</p> <p><u>Protected Status</u> The area has been set aside by NZ statute or covenant for protection and preservation or is a recognised wilderness area.</p> <p><u>Buffering</u> The area is well protected from other human based modifying influences.</p> <p>4.10.B The adverse effects of subdivision, use or development on the natural character of the coastal environment shall be avoided or mitigated, in particular, in highly sensitive areas such as Wetlands and lagoons.</p> <p>4.10.C The maintenance and enhancement of public access and areas of open space shall be encouraged to and along the coastline where these will contribute to enjoyment of the coastal environment by the public.</p> <p>4.10.D Development, within the coastal area</p>

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			<p>should take place in modified areas such as existing settlements in preference to unmodified areas.</p> <p>4.10.E Development in unmodified areas should only take place where the setting is integral to the development proposal and adverse effects can be avoided, remedied or mitigated.</p>