



Te Tai o Poutini PLAN

A combined district plan for the West Coast

**Te Tai o Poutini Plan Committee Meeting
To be held at West Coast Regional Council
388 Main South Road, Paroa, Greymouth
29 June 2021
AGENDA**

10.45	Welcome and Apologies	Chair
	Confirm previous minutes	Chair
	Matters arising from previous meeting	Chair
10.50	Topics for Committee members to declare an interest in. Under discussion today are rules for: Noise Light SNAs	Chair
10.55	Financial Report	Project Manager
11.00	Technical Report – Ecosystems and Biodiversity	Principal Planner
11.30	Technical Report – Outstanding Natural Landscapes and Features Objectives and Policies	Principal Planner
12.00	Technical Report – Noise Policies and Rules	Principal Planner
12.30	Lunch	
1.00	Technical Report – Light Policies and Rules	Principal Planner
1.30	Review of Strategic Objectives Chapter	Principal Planner
1.45	Project Manager’s Report	Project Manager
1.55	General Business	Chair
2.00	Meeting Ends	

Meeting Dates for 2021

July	Monday 26	Grey District Council
August	Tuesday 31	Westland District Council
September	Tuesday 28	West Coast Regional Council
October	Friday 29	Buller District Council
November	Tuesday 30	Te Tauraka Waka a Maui Marae
December	Thursday 16	Grey District Council

THE WEST COAST REGIONAL COUNCIL

MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD ON 25 MAY 2021, AT THE ARAHURA MARAE & VIA ZOOM, COMMENCING AT 10.45 A.M.

PRESENT:

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

IN ATTENDANCE:

J. Armstrong (Project Manager), L. Easton, E. Bretherton (WCRC), P. Morris (GDC), S. Bastion (WDC), S. Mason (BDC), H. Mabin (WCRC), J. Paterson (WCRC), T. Jellyman (WCRC)

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 (Becker / Cleine) *That the minutes of the meeting dated 5 May 2021, be confirmed as correct.*

Carried

MATTERS ARISING

There were no matters arising.

Declarations of Interest

The Chairman advised that the routine register of interests from Local Authorities will come through automatically to this committee.

The Chairman declared that he is Director on Allied Concrete Ltd

Mayor Cleine advised that he is a shareholder in Bathurst Resources.

F. Tumahai advised that he has recently been appointed as a Director to Bathurst Resources Ltd.

Financial Report

J. Armstrong spoke to this report and advised that net surplus correct \$142471. Tracking as expected. J. Armstrong \$6,000 to \$7,000 is to be spent on GIS work in June.

Moved (Smith / Cleine) *That the financial report is received.*

Carried

Te Tai o Poutini Plan: Issues and Options for Natural Hazards

E. Bretherton spoke to this report and displayed a presentation to the meeting. She outlined statutory context, natural hazard issues, definitions, flooding overlays, insurance issues. It was agreed a comment from insurers would be sort. E. Bretherton spoke about coastal inundation, erosion and storm surge. E. Bretherton advised that more information on seawall regulations will be investigated. P. Madgwick stated that modelling needs to be evidenced based. E. Bretherton advised that methodology regarding this will be peer reviewed. Cr Birchfield

stated that hazard maps must show areas that are prone to flooding. E. Bretherton advised that further work and information on overlays will be provided. Mayor Smith spoke of the importance of looking at implications around these issues.

Coastal tsunami modelling was displayed with red zone being used as an overlay as this is based on evacuation modelling.

Landslide, debris flow and rock fall issues and high risk areas were discussed. It was noted that NZTA have carried out drone photography on state highways. The Chairman spoke of the importance of linking in with NZTA as a source of information. It was confirmed that a coast wide review has not ever been done. J. Paterson advised that she has a proposal drafted. P. Madgwick stated that modelling must also be based on history. Mayor Cleine suggested costs could be passed onto developers.

Active Fault rupture hazards were discussed with maps displayed. It was noted that option B is likely to be the preferred option but it was suggested that a range of buffers is considered. P. Madgwick spoke of the importance of buffers in areas like Franz Josef.

Lake tsunami hazards were displayed. Option A is preferred. It was noted that a Liquefaction mapping project is underway. It was noted that Option A is the preferred option.

High wildfire hazard areas were displayed.

E. Bretherton outlined the next steps to the meeting.

Moved (Coll McLaughlin / Tumahai)

1. *That the Committee receives the report.*
2. *That the Committee gives direction on the approach to be taken for Natural Hazards in Te Tai o Poutini Plan.*

Carried

Technical Update: Outstanding Natural Landscape, Outstanding Natural Features, Outstanding Natural Character

L. Easton spoke to this report. She stated that to "give effect" to something means that it must be implemented. It was noted that protection does not mean, no use.

L. Easton spoke of the Brown Report which was commissioned in 2013. L. Easton advised that this work was used in developing the Regional Policy Statement.

L. Easton advised that there is a national methodology which identifies Outstanding Natural Features. She advised that further GIS analysis is yet to be done.

L. Easton stated that it is likely these issues will be contentious and therefore, a high standard of Section 32 analysis will be needed

S. Bastion stated it is important to differential National Parks from other DOC areas.

P. Madgwick stated that everything is open and fair game for private landowners. He expressed concern a lot of this is on Maori land and this is not able enabling. P. Madgwick suggested that the bare minimum is done. The Chairman stated that this committee needs to provide judgement. Cr Becker asked if landscape areas can be rated as low value. L. Easton stated that the TAT are aware that this matter may end up in court and peer reviews could be considered but staff judgment is that this are unlikely to make a significant difference to Outstanding Landscape identification. Mayor Smith stated this is a West Coast plan and can only come into effect if the committee votes for it. He stated that care needs to be taken on what is agreed upon. Cr Becker expressed concern with how much this could cost in the Environment Court. The Chairman stated that judgement comes from this committee and matters have to be carefully weighed up. Mayor Gibson expressed concern about conflicting peer reviews. Mayor Cleine feels that the focus needs to be on what rules are put in place.

Moved (Williams / Martin)

1. *That the Committee receives the information.*
2. *That the Committee provides feedback on the proposed approach to Outstanding Natural Landscape, Outstanding Natural Features and Natural Character in the Te Tai o Poutini Plan.*

Carried

Technical Update: Sites of Significance to Māori: Draft Rules

L. Easton spoke to this report. It was noted that P. Forsyth and F. Tumahai have been working on this along with Ngai Tahu GIS planners. L. Easton advised that further work is required on LIMS with the three district

councils to ensure the new plan provisions will be included on LIMs. F. Tumahai advised that a schedule will be put in place. P. Madgwick highlighted various areas of concern which will be identified in the schedule, including the scattering of human ashes. He stated it is important that these type of matters are built into the rules. L. Easton advised that the policy has been amended where required by the Committee. Matters relating to DoC were discussed and clarified.

Moved (Madgwick / Tumahai)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the wording of the draft Rules for Sites of Significance to Māori.*

Carried

Technical Update: Signs Provisions

L. Easton spoke to this report and advised that a considerable relaxation of sign provisions has been made. L. Easton stated that a lot of irritants have been removed. Mayor Gibson stated she is pleased to see progress in this area. L. Easton advised that official signs have been made a permitted activity. She stated that they have tried to reduce complexity in this area. It was noted that flashing and revolving signs will still require a restricted discretionary resource consent. L. Easton advised that a lot of signage issues are a judgement call. It was noted that protest signs should be excluded, as some of these could be temporary signs under the permitted activity rule. L. Easton provided further information relating to sign classifications. It was agreed that further work would be done on wayfinding signs. It was also agreed that flexibility is required if signage has been endorsed by a Council and this would be considered an official sign. Mayor Smith stated that signage for major attractions is very important and he feels this is needed. L. Easton advised that clear and enabling rules will be helpful. P. Madgwick feels wayfinding signs do need to be defined.

Moved (Tumahai / Birchfield)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the proposed objectives, policies and rules for Signs.*

Carried

Technical Update: Mineral Extraction – Approach and Rules

L. Easton spoke to this report and advised that further consultation is to be arranged with the wider minerals sector. She stated that permitted activity rules for mining and quarrying are being sought via a special zone approach. L. Easton advised that there have been differing views across the sector with regard to a special zone. She asked the committee if they are happy to continue with this approach. L. Easton spoke of the importance of getting defined boundaries of various coalfields. She advised that there is still time to work through this and final decisions are not yet required. Cr Birchfield feels that a boundary for Ross and Stockton could be achieved. It was agreed that the Paparoa zone is fairly simple. L. Easton stated that she has been working with Bathurst Minerals and this is progressing well but the Ross Goldfield has been slightly harder. S. Mason requested that further work is undertaken for Te Kuha Mine. F. Tumahai spoke of acid mine drainage work at Stockton and it was confirmed that consents would be applied for under the Land and Water Plan. It was noted that Reefton area needs to be considered. L. Easton advised that a zone cannot be obtained without a boundary. She requested help with this matter.

Mayor Smith stated that he is very supportive of a mining zone.

L. Easton advised that a paper map would be very helpful and a clearly justifiable boundary will be needed to support the section 32 analysis. She stated that aerial photography is helpful, but clear and justifiable boundaries are needed.

L. Easton answered questions about mining on road reserve.

L. Easton spoke of the preliminary draft rules. She stated it is likely this will become a mineral extraction zones, for Buller and Paparoa Coalfield specific zones. L. Easton explained existing use rights, management plans, permitted activities, rural zones, controlled activities, discretionary activities. L. Easton provided extensive information and spoke of what is required going forward. L. Easton advised that the format of this report is what the final version of the Plan will look like. Next step is to get mapping done and bring it back to the meeting.

Moved (Roche / Cleine)

1. *That the Committee receives the report.*
2. *That the Committee confirms that it wishes to proceed with including a Mineral Extraction Zone in the Te Tai o Poutini Plan.*
3. *That the Committee confirm whether it wishes to include a Paparoa Coalfield Zone in the Te Tai o Poutini Plan.*
4. *That the Committee confirms it would like include the Ross Goldfield for specific identification in the Te Tai o Poutini Plan.*
5. *That the Committee provides feedback on the draft Rules for Mineral Extraction.*
6. *That the Reefton Coal and Gold areas are identified and that Te Kuha is also included in the Buller Coalfield Zone.*

Carried

Approach to Re-Zoning

L. Easton spoke to this report and advised that there have been approaches from private landowners requesting re-zoning. She stated that technical work and justification is required for re-zoning work. L. Easton spoke of the importance of having clear principles when considering re-zoning. L. Easton answered questions relating re-zoning requests and the type of requests received. L. Easton advised that zoning maps are likely to be finished just prior to the plan being completed. Cr Coll McLaughlin stated that it is important that landowners are kept informed.

Discussion took place on noise contours.

Moved (Gibson / Roche)

1. *That the Committee receives the report.*
2. *That the Committee endorses the Zoning Principles within Te Tai o Poutini Plan outlined in this report.*

Carried

Te Tai o Poutini Plan – Confidentiality of Information

J. Armstrong spoke to this report. She stated that as more research comes through it is going to affect people's properties. J. Armstrong reminded the committee that they are bound by rules around confidentiality. The Chairman advised that the TTPP has now accelerated progress. J. Armstrong advised that it is likely that the committee will go into confidential at future meetings. Cr Birchfield feels that the process should be kept open as he feels ratepayers are paying for this work. He is against going into committee to discuss SNA's. The Chairman advised that in the coming 12 months this committee will be privy to private information and it is important that this is kept confidential.

Moved (Roche / Tumahai)

1. *That the information is received.*
2. *That the Committee acknowledges confidentiality requirements apply to the TTPP decision making process, and will hold each other accountable to maintain them.*

*Against Cr Birchfield, Mayor Smith
Carried*

Project Manager's Report

J. Armstrong spoke to her report, she spoke of recent meetings she has attended and the various agencies that she has met with. She thanked Mayor Gibson for introducing her to local developers.

J. Armstrong advised her team is under pressure at the moment as the TTPP is a complicated project. The Chairman agreed and stated that acceleration of the timetable has contributed to this. He asked the committee to be aware of the work that goes on behind the scenes.

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

Carried

GENERAL BUSINESS

Discussion took place on the approval process for GIS services. The Chairman asked that meeting if they are all happy with this.

Moved (Tumahai / Roche)

That the Committee authorises the contract with the Property Group for GIS services is signed by the Acting Chief Executive of the West Coast Regional Council.

Carried

L. Easton advised that the SNA maps draft report is expected by the end of the month and it is likely the report will come to the committee next month. She advised that a workshop is scheduled for SNA's in the near future.

The meeting closed at 2.08 p.m.

The Chairman thanked everyone for their attendance.

NEXT MEETING

The next meeting will be held at on Tuesday 29 June, at the West Coast Regional Council, commencing at 9.30 a.m.

.....
Chairman

.....
Date

Meeting Dates for 2021

	Type of meeting	Day, Date and Time	Venue
July	In Person	Monday 26	Grey District Council
August	In Person	Tuesday 31	Westland District Council
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December	In Person	Thursday 16	Grey District Council



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Jo Armstrong
Date: 29 June 2021
Subject: Financial Report

SUMMARY

This report includes the financial statement to 30 April 2021, and a forecast of expected expenditure through to 30 June 2021.

The full year forecast is projecting a variance to budget of \$(21,404)

RECOMMENDATION

1. That the Committee receive the report
2. That the Committee authorises the contract with Marshall Day for Noise Contour Assessment is signed by the Acting Chief Executive of West Coast Regional Council.

Jo Armstrong

Project Manager

TTPP financials:

Statement of financial performance to April 2021						
	Year to date			Full year		
	Actual	Budget	Variance	Forecast	Budget	Variance
INCOME						
Carry forward Credit Balance 19/20	76,736	83,333	(6,598)	92,083	100,000	(7,917)
DOC contribution	30,000	0	30,000	30,000	0	30,000
Targeted Rate	212,752	208,333	4,419	255,303	250,000	5,303
General Rate Contribution - WCRC	125,000	125,000	0	150,000	150,000	0
	444,488	416,667	27,822	527,386	500,000	27,386
EXPENDITURE						
Employee costs	210,802	206,667	(4,135)	261,273	248,000	(13,273)
Consultant Planner	97,916	83,333	(14,583)	100,000	100,000	(0)
Governance	55,689	54,167	(1,522)	65,689	65,000	(689)
Research	129,565	83,333	(46,232)	136,515	100,000	(36,515)
Stakeholder Engagement	11,854	14,167	2,313	14,225	17,000	2,775
Communications Platforms	8,061	8,333	272	8,061	10,000	1,939
Legal Advice	4,664	1,667	(2,997)	4,664	2,000	(2,664)
Share of WRC Overhead	125,000	125,000	0	150,000	150,000	0
	643,551	576,667	(66,884)	740,426	692,000	(48,426)
Net Surplus / (Deficit)	(199,062)	(160,000)	(39,062)	(213,040)	(192,000)	(21,040)
Borrowing requirement	199,062	160,000	39,062	213,040	192,000	21,040

Notes to the financials

1. We have included a full year forecast in the financials. The forecast is made up of year-to-date April actuals plus expected May and June transactions.
2. The forecast presents an updated projection of year end actuals.
3. Projected full year variances of note include:
 - a. the final 2019/20 carry forward surplus was \$92,083 which was \$7,917 under the budgeted projection of \$100,000
 - b. we received an unbudgeted \$30,000 contribution from DOC. This is offset by an unbudgeted \$30,000 increase in Research expenditure
 - c. the actual targeted rate struck and attributed to TTPP is \$255,303. This is \$5,303 over the budgeted projection of \$250,000
4. Expenditure full year variances of note include:
 - a. Employee costs are \$13,273 over budget. I will work with WCRC to understand this variance and seek to develop a plan to remedy it.
 - b. Research costs are \$36,515 over budget. As above, this includes the \$30,000 DOC contribution towards the assessment of conservation land. In addition, the GIS work has commenced in June
 - c. Legal advice - we have sought legal opinions on three matters. The cost of \$4,366 was significantly higher than for similar work undertaken previously, as the work took additional hours. This cost will produce an over spend for legal advice.
5. Requests for Proposals for planned 2021/22 research are being developed, and work allocated for a variety of budgeted projects. Having assessed responses for the Noise Contour work, we are awarding the contract to Marshall Day, and have included a recommendation to that effect.



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: June 2021
Subject: **Technical Update – Ecosystems and Indigenous Biodiversity**

SUMMARY

This report gives an update on the technical work being undertaken on ecosystems and indigenous biodiversity and discusses how these could be managed through Te Tai o Poutini Plan.

The report updates the work done to date identifying potential Significant Natural Areas and also outlines a range of options forward for this topic.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the Committee provide direction around Rule options in relation to ecosystems and indigenous biodiversity in Te Tai o Poutini Plan.

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. The Committee has previously provided feedback on an overall approach to this through draft Strategic Objectives for Natural Heritage.
3. The draft Strategic Objectives are attached at Appendix One.
4. These draft Objectives recognise that protection of values does not automatically mean that no activities can occur in the areas where these values are found and provide the overarching framework to guide the development of the detailed provisions for natural heritage matters.
5. This report looks specifically at the matters around ecosystems and biodiversity natural heritage "matters of national importance" under the RMA and the overall approach to how they are managed in TTPP.

NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY (NPSIB)

6. The NPSIB was due for release in August – however recent announcements from the relevant Ministers appear to see this being delayed with it now due to be finalised by the end of the year.
7. The draft NPSIB included assessment criteria for SNAs and a requirement that Significant Natural Areas (SNAs) be included within District Plans within 5 years from the date of enactment.
8. There has been considerable discussion around SNAs over the last month in the media, initially focussed on Northland, but more recently the West Coast. Minister Shaw (Associate Minister for the Environment – Biodiversity) made comments in response to the Northland issues in the media, which initially were being more widely interpreted than he intended.
9. To clarify the Government position, a letter has been sent by the Ministers Shaw and Mahuta (Minister of Local Government), who are jointly responsible for the NPSIB, to all Councils and this is attached at Appendix Two. This letter confirms that SNAs will be required to be identified, with the key matter to be resolved being around the process for SNAs on Māori Land.
10. Through the work undertaken on the West Coast, Poutini Ngāi Tahu Land has specifically been excluded from SNA evaluation – and separate provisions which better recognise tino rangatiratanga on this land are proposed to address management of important natural heritage in these areas.
11. However, if the NPSIB has a significantly different approach to the draft (e.g., by setting substantially less restrictive criteria for SNA identification) then this may provide some grounds to consider the consistency of the RPS direction with the national direction and which takes precedence.
12. Staff suggest a legal opinion on this once the NPSIB is released may provide useful information for the Committee in decision making.

BACKGROUND

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

*"recognise and provide for the following matters of national importance:
...(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:..."*

And

*"have particular regard to—
...(a) kaitiakitanga:
...(aa) the ethic of stewardship:..."*

... (d) *intrinsic values of ecosystems:..*”

14. Policy 7 (1) (a) of the West Coast Regional Policy Statement (RPS), which TTPP is required to implement, specifically identifies that Significant Natural Areas (SNAs) will be identified and mapped in the district plans on the West Coast. It states:

*Policy 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 district plans***

15. In accordance with that approach, a preliminary desk top assessment of “potential” SNAs has been undertaken by Wildlands Consultants.

IDENTIFICATION OF POTENTIAL SIGNIFICANT NATURAL AREAS

16. The brief for the work undertaken by Wildlands was in two stages. In the first stage, an assessment of private land, Land Information New Zealand (LINZ) land and a limited area of Department of Conservation (DOC) administered land was assessed. Some DOC land was included at this stage, where staff considered it would provide a better context for the assessment of private land within the same ecological district.
17. The second stage of the work involved the assessment of the remaining DOC land on the West Coast, funded largely by DOC as a Variation to the original contract.
18. This work has now been completed in draft, with the draft Maps attached at Appendix Three. Key matters to note from the methodology as follows:
- The sites were assessed against the criteria in the West Coast Regional Policy Statement;
 - Assessment for a range of the criteria is at an ecological district level – there are 44 ecological districts in the West Coast region;
 - Wetlands were generally not assessed as this work is primarily a function of the West Coast Regional Council under the National Policy Statement and National Environmental Standard for Freshwater Management;
 - Poutini Ngāi Tahu Land has been excluded from the assessment;
 - Stand-alone trees in pasture have not been assessed;
 - Mapping was done at a 1:5000 scale based on the available aerial photography;
 - Potential SNA site mapping has not considered property ownership boundaries, but has rather followed the extent of indigenous habitat on the ground. This may result in numerous properties throughout the District with narrow “slivers” of SNA on them. The consultants suggest that these slivers are removed through GIS processing before landowner consultation is undertaken.
 - There were a large number of sites where there was insufficient desktop information available to assess the significance of the sites against the RPS criteria – all of these sites are recommended for field assessment to check significance and they represent 23% of the area identified as “potential” SNA. A further 52% of the area is recommended for checking for correct boundaries.

IMPLICATIONS OF ASSESSMENT AND RPS REQUIREMENTS

19. The Wildlands desktop assessment has identified the majority of the native vegetation on the West Coast as a “potential” SNA – with the rider that field checking of nearly all sites is needed.
20. A total of 92 DOC administered sites and 171 non DOC/private land sites have been identified by the consultants as needing assessment to confirm significance and/or to confirm the boundaries
21. There are no plans for the field assessment of DOC Administered land with the TTPP focus being on the land outside the DOC estate.

22. Prior to any detailed field assessment TTPP staff believe a "drive by" field assessment and correction of site boundaries should be undertaken, as this would be expected to eliminate some areas as not meeting the criteria.
23. The extent of potential SNAs does however raise the more substantive question about what is the best policy approach for managing significant indigenous vegetation and habitats of indigenous fauna on the West Coast.
24. To date policy development was based on the assumption that there would be a large area of "not significant" vegetation – so that that SNAs and other indigenous vegetation would be managed differently in TTPP.
25. If in fact the vast majority of vegetation could be considered "significant" – then this policy approach may not be appropriate.
26. However the RPS requirements are very clear. Staff consider that it would be difficult to defend not mapping and identifying SNAs in TTPP.
27. Section 21 of the RMA places a requirement on all bodies working under the RMA to avoid unreasonable delay and to put in place matters under the RMA for which time limits are not prescribed to do so as promptly as is reasonable in the circumstances.
28. Staff are concerned that if SNAs are not included in TTPP, then there is a high risk of a parallel situation occurring for SNAs, as the West Coast Regional Council faced with Regionally Significant Wetlands, where an appeal by the Department of Conservation and Forest and Bird resulted in the Environment Court requiring a list of wetlands, which had not been field assessed – or discussed with affected landowners, to be placed in the Regional Plan without any further consultation or notification back to landowners.

APPROACH FORWARD FOR INDIGENOUS BIODIVERSITY IN TTPP

29. While the high-level policy direction of the RMA, RPS and draft NPSIB is clear that Significant Natural Areas must be identified and their values protected, there are options for how this is achieved through Te Tai o Poutini Plan.
30. As a Matter of National Importance, and one which has been well traversed through the Environment Court, it is clear that Rules will be required, however as discussed in previous papers, Rules alone will not protect these values. Ideally a package of measures – regulatory and non-regulatory would be developed, to support significant indigenous biodiversity values.
31. Many Councils have a comprehensive package of non-regulatory measures (e.g., rates relief, advice and education programmes, assistance with pest control, fencing and covenanting, fee waivers for resource consents etc.) to support Rules within their Plans.
32. However, decisions on these matters are up to the individual West Coast Councils, and these methods cannot be directed by TTPP.
33. The main incentive which is available for TTPP is the inclusion of subdivision incentive provisions – whereby additional lots are allowed to be subdivided off where areas are legally protected through a covenant. This kind of incentive is included in a number of plans nationally and provides at least a potential financial benefit to landowners who have an SNA on their property. In developing Options for management of significant indigenous biodiversity staff recommend that these subdivision incentives be included.

POTENTIAL OPTIONS FOR SIGNIFICANT INDIGENOUS BIODIVERSITY

34. Staff have reviewed the range of approaches currently taken in the West Coast District Plans, and how other Councils nationally have managed this issue.
35. When looking across the range of approaches, and considering the RMA, RPS and likely NPSIB requirements, staff suggest that there are four main options for vegetation clearance which could be taken in relation to the Rules.
36. These options have been developed reflecting the fact that essentially most of the native vegetation on the West Coast has been identified as a "potential" SNA. While it is expected that this area would reduce somewhat with field checks, the widespread extent means that in practice a similar number of landowners will be affected regardless of the Option chosen.

Option 1: Rules focus on Significant Natural Areas with limited Permitted Activities in these areas and resource consents required for most activities undertaken within the Significant Natural Area. This approach is most similar to that which currently operates in Grey District, although the Significant Natural Areas, which are mapped and have rules applying, are not shown in the District Plan.

Option 2: General Restricted Discretionary vegetation clearance rules across all native vegetation with varying resource consent requirements for SNAs – with the most restrictive rules applying only to SNAs where these meet the highest value criteria in the RPS (a Threatened Environment Classification of category two or below or has species in Threat Categories 1-3a present). This approach is most similar to the tiered approach for vegetation clearance that currently operates in Buller District.

Option 3: General vegetation clearance rules across all native vegetation with limited Permitted Activities and resource consents required for most activities. This approach is most similar to that which currently operates in Westland District.

Option 4 “the Hurunui Approach”. General vegetation clearance rules across all native vegetation with limited Permitted Activities, resource consents required for most activities. Provision for a Biodiversity Management Plan to be developed for any site – vegetation clearance undertaken in accordance with this Plan to be a Permitted Activity. This approach is also in place in Opotiki District Council, in their Plan made operative in 2020.

Subdivision Incentives to Support Significant Natural Areas

37. Under all these options staff propose that incentives within the subdivision rules be included to support the legal and physical protection of Significant Natural Areas. At this stage staff suggest a similar approach to that being used by New Plymouth District Council where additional “bonus lots” are provided for subdivision where this results in legal (covenant) and physical (fencing) protection of an SNA.
38. In the New Plymouth situation, an additional 4000m² lot is provided for as a Controlled Activity (i.e., consent must be granted); a Restricted Discretionary Activity where two - three 4000m² lots are created; and a Discretionary Activity where four 4000m² lots are created.

Field Assessment of Significant Natural Areas – Implications of Options

39. Options 1 and 2 have specific rules protecting SNAs and as a consequence staff consider that in implementing these options the opportunity should be provided for landowners to have a field assessment of their property in relation to the SNA criteria.
40. Options 3 and 4 have general native vegetation clearance rules – with SNA rules only in relation to providing incentives for protection through the subdivision rules. For these options while it would be good practice to undertake a detailed field assessment, a simple “drive by” to eliminate non-significant areas could be sufficient. Any need for detailed ecological assessment would be undertaken as part of resource consents.

A summary of some pros and cons of each option are outlined in the table below:

Option 1	Option 2	Option 3	Option 4
Pros: <ul style="list-style-type: none"> • Those landowners without identified SNAs are less restricted in their land use. 	Pros: <ul style="list-style-type: none"> • Makes it clear which are the highest value SNAs. 	Pros: <ul style="list-style-type: none"> • SNAs are only associated with positive measures in the Plan – subdivision incentives for their protection. 	Pros: <ul style="list-style-type: none"> • Provides a path for landowners to have greater certainty about land use options for their property and

			<p>a less onerous consent process</p> <ul style="list-style-type: none"> • SNAs are only associated with positive measures in the Plan – subdivision incentives for their protection • Biodiversity Management Plans fit with wider Farm Environment Plan approach being developed nationally
<p>Cons:</p> <ul style="list-style-type: none"> • SNAs associated with “punitive” measures in the Plan – landowner goodwill degraded because SNAs are seen as a negative • There may be very few landowners who have native vegetation on their property that is not an SNA. 	<p>Cons:</p> <ul style="list-style-type: none"> • Highest value SNAs associated with “punitive” measures in the Plan – landowner goodwill degraded because SNAs are seen as a negative • Those landowners without identified SNAs still require resource consent to undertake vegetation clearance – although this may only be a small number of landowners 	<p>Cons:</p> <p>Those landowners without identified SNAs still require resource consent to undertake vegetation clearance – although this may only be a small number of landowners</p>	<p>Cons:</p> <ul style="list-style-type: none"> • Those landowners without identified SNAs still require resource consent to undertake vegetation clearance – although this may only be a small number of landowners • Resourcing required to develop property scale Biodiversity Management Plans

NEXT STEPS FOR SNAS

41. Feedback from the Committee on the options for approach is sought. Option 1 and 2 would require progression of detailed field assessment of SNAs however for Options 3 and 4 a simple “drive by” assessment may be sufficient.

Appendix One: Draft Natural Heritage Strategic Objectives

Natural Heritage Strategic Objectives	
NH - 01	To ensure that the rights interests and values of Poutini Ngai Tahu to natural heritage areas and features are protected and provided for and that the ability to exercise kaitiakitanga and tino rangatiratanga is maintained and enhanced.
NH - 02	To protect areas of significant natural heritage on the West Coast while recognising: <ul style="list-style-type: none">• the substantial contribution that is made by the existence of conservation land in protecting significant areas, habitats and features• the need to support the ethic of stewardship and enable positive effects of the conservation estate on achieving the requirements of the RMA
NH - 03	To clearly identify: <ul style="list-style-type: none">• 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.

For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.

APPENDIX TWO: LETTER FROM MINISTERS SHAW AND MAHUTA

Hon James Shaw

Minister of Climate Change
Associate Minister for the Environment (Biodiversity)



11 June 2021

Local authorities
Local Government New Zealand

Dear local authorities,

Progress on the National Policy Statement for Indigenous Biodiversity

Thank you for your continued work to protect indigenous biodiversity in your regions and districts. We recognise this work can be challenging and we have heard your calls for improved clarity on the progress of the National Policy Statement for Indigenous Biodiversity (NPSIB).

Almost 4,000 of our native plants and wildlife are currently threatened or at risk of extinction. The NPSIB will be crucial part of our Government's plan to halt the loss of indigenous biodiversity and protect what is unique about Aotearoa New Zealand.

The requirement to protect areas with significant habitats of indigenous biodiversity has existed under the Resource Management Act (RMA) for several decades. However, we acknowledge that local councils are at different stages in the process of meeting this requirement. Part of the reason for this is that no previous Government has provided guidance to councils on how they should identify those areas of significant indigenous biodiversity.

In most cases, the NPSIB requirement to identify Significant Natural Areas (SNAs) is not new. A large number of councils have already identified the equivalent areas. Many others are legally required to do so because the regional policy statement applying in their region requires it.

The NPSIB will provide standardised ecological criteria and process that would apply across the country on how SNAs should be identified. The criteria can be used to ensure consistency between local plans, and effective implementation of the RMA and the Aotearoa New Zealand Biodiversity Strategy.

The NPSIB will also enable councils and tangata whenua to work together to identify and protect biodiversity on Māori land. It will also ensure that the processes councils will need to follow to identify and manage an SNA is transparent and inclusive. Put simply, the NPSIB will provide councils with the regulatory tools to identify and protect SNAs.

Since public consultation concluded in March 2020, officials have been working through the 7000+ submissions and further developing the policy to ensure the NPSIB hits the right

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balance of protecting biodiversity while providing for the social, economic, environmental and cultural wellbeing of people and communities.

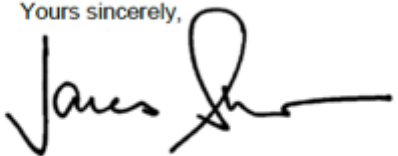
The next phase of development is to test this thinking through an exposure draft process in the coming months. We will be looking for feedback on the workability and practicality of implementation of the proposal. This will be an opportunity to work together to get this important work right. Our intention is to finalise the NPSIB by the end of this year.

Following gazettal, the implementation of the NPSIB will focus on supporting councils, iwi/Māori and other landowners to work together to identify, protect and restore the ngahere and the precious native plants and animals that live there. An implementation plan will also be developed to support local communities. The government's intention is to release this alongside the final NPSIB.

As New Zealanders, we all love getting out in nature. We also need development to occur in a way that meets the needs of current and future generations. One should not come at the expense of the other. That's what the NPSIB will help to ensure.

Once finalised, the NPSIB will be crucial to our efforts to reverse the decline of Aotearoa New Zealand's unique biodiversity and protect our natural taonga for generations to come. The NPSIB has been decades in the making and we look forward to working with you as it is finalised and we turn our attention to its implementation.

Yours sincerely,

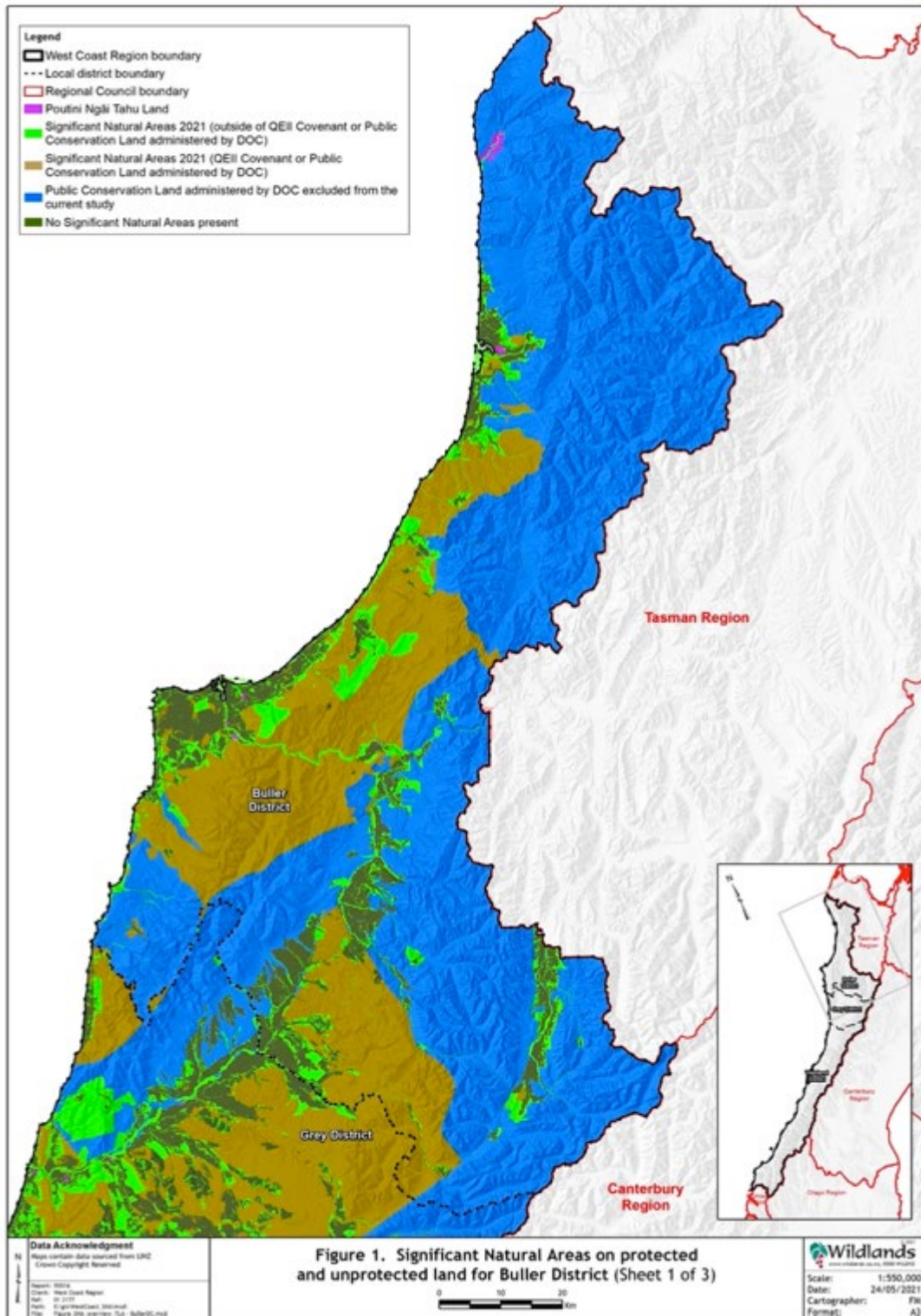


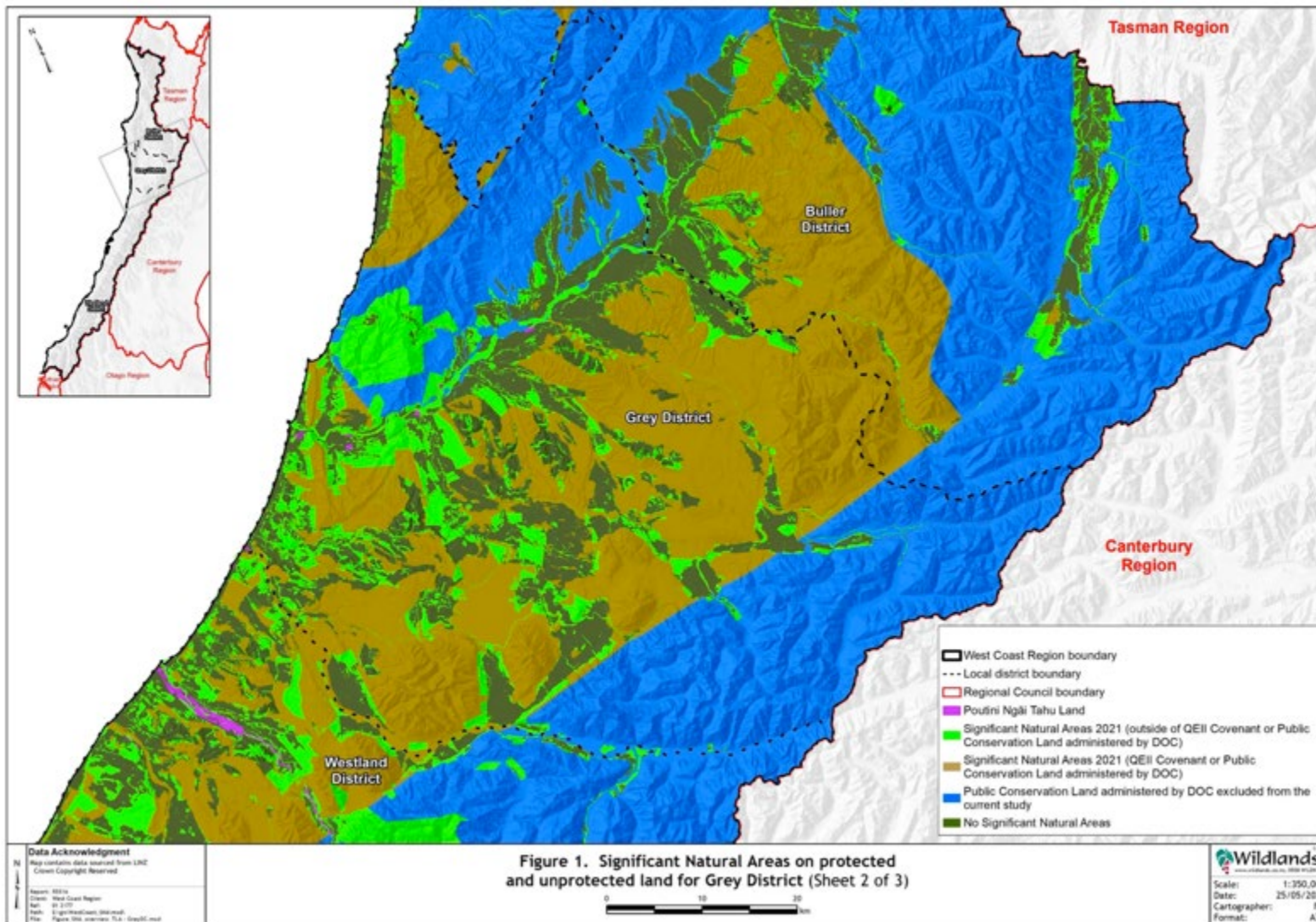
Hon James Shaw
**Associate Minister for the Environment
(Biodiversity)**

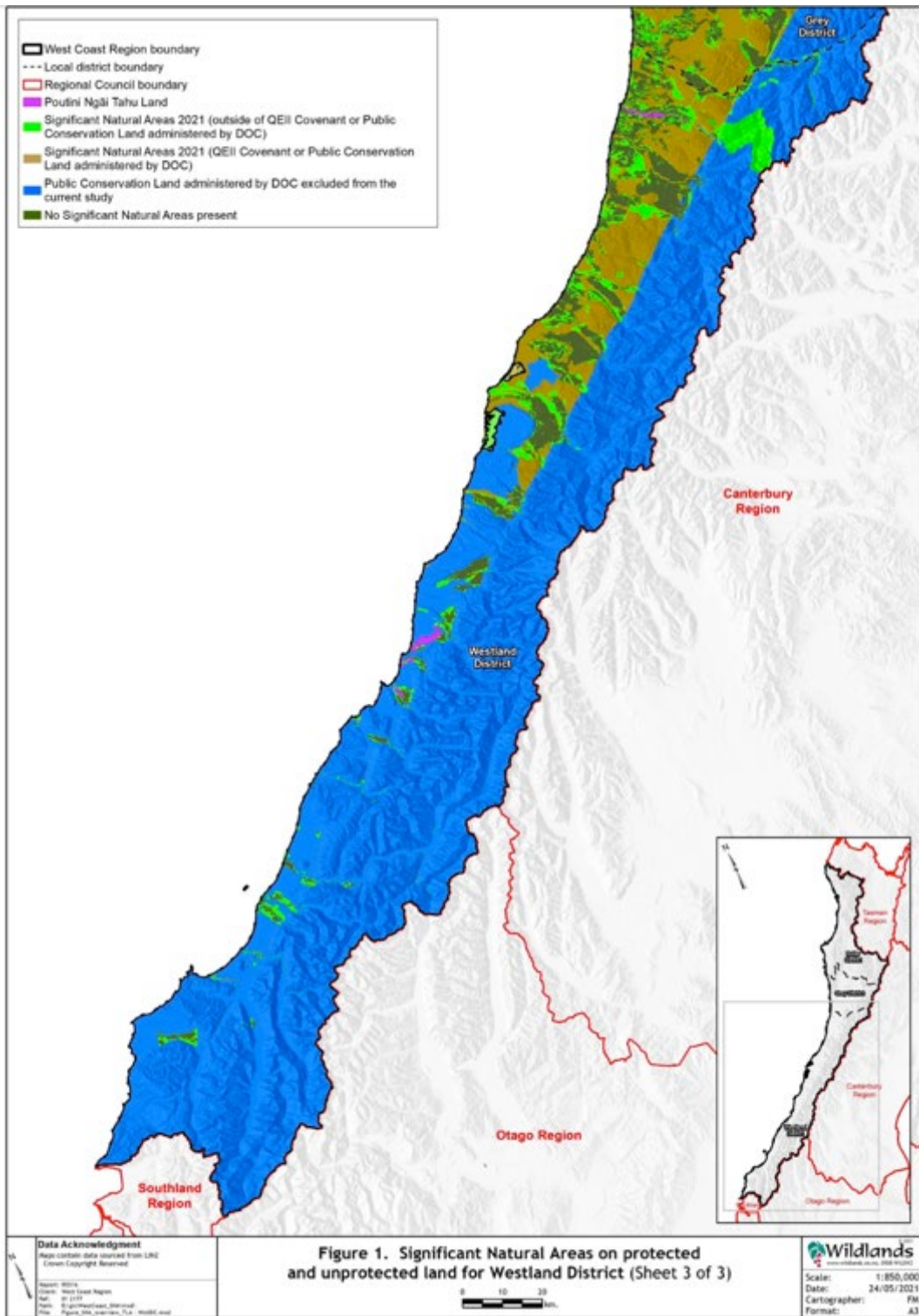


Hon Nanaia Mahuta
Minister of Local Government

APPENDIX THREE: DRAFT MAPS SHOWING "POTENTIAL" SNAS ON THE WEST COAST









Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Technical Advisory Team
Prepared by: Lois Easton, Principal Planner
Date: June 2021
Subject: **Technical Update Outstanding Landscapes and Outstanding Natural Features**

SUMMARY

This report gives an update on work being undertaken in relation to Outstanding Natural Landscapes and Outstanding Natural Features in Te Tai o Poutini Plan.

The report brings proposed draft Objectives and Policies to the Committee for feedback.

RECOMMENDATIONS

1. That the Committee receive the report
2. That the Committee provide feedback on the Objectives and Policies for Outstanding Natural Landscape and Outstanding Natural Features in Te Tai o Poutini Plan.

Lois Easton

Principal Planner

INTRODUCTION

1. At the May meeting of the Committee the overall approach to outstanding natural landscape (ONLS) and outstanding natural features (ONFs) was discussed, within the wider context of other key natural heritage matters.
2. 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).
3. The Committee has previously provided feedback on an overall approach to this through draft Strategic Objectives for Natural Heritage.
4. The focus is on protecting the values, processes and features that define these matters, recognising that change and development can be accommodated and that the greatest priority for protection is those identified priority areas in the Coastal Environment.
5. It should also be acknowledged that because the areas identified as Outstanding are almost always vegetated, that areas identified as part of the Significant Natural Areas assessment are in many instances also likely to fall within the Outstanding Natural Landscape/Outstanding Natural Character identification. In other words, these matters all layer on top of each other largely affecting the same properties – and in particular the DOC administered lands.
6. In the Coastal Environment and around river flood plains in particular natural hazards must also be added to this list of layers.
7. The draft Strategic Objectives are attached at Appendix One.

CONTEXT FOR DEVELOPMENT OF OBJECTIVES AND POLICIES

8. There are a number of key matters considered in developing the approach to these matters for Te Tai o Poutini Plan. An analysis of the key policy context and drivers is included in Appendix Two.
9. The Strategic Objectives recognise that the very large area of DOC administered land is already being managed for natural heritage values. Based on the preliminary outstanding landscape assessment for the West Coast Region (Stephen Brown 2013 – to be refined) 50,000 ha of private land within the region is potentially covered by an ONL. A much smaller area of private land is within an ONF.
10. The West Coast Regional Policy Statement (RPS) sets a clear direction that development within ONLs and ONFs is possible, and the focus on management is for the protection of the values which make the landscape or natural feature outstanding. The RPS anticipates development being able to occur within ONLs and ONFs and outlines an approach for assessing the appropriateness of activities.
11. The New Zealand Coastal Policy Statements creates an additional protective layer over ONLs and ONFs in the coastal environment in particular with a direction to avoid adverse effects on these.
12. Vegetation modification, buildings and earthworks are the principal matters which impact on landscape and natural feature values. However, landscape impacts are often more easily able to be mitigated (e.g. with planting) – or potentially offset than may be the case of impacts on other natural heritage matters.
13. As with other s6 matters, Section 6 (e) - recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga also applies and has equal status.

Location of Outstanding Natural Features and Outstanding Natural Landscapes

14. Work undertaken in 2013 by Brown Ltd identified Outstanding Natural Landscapes on the West Coast.
15. Because of the age of the initial work – and the fact that change has occurred in some areas since that time, a review and update of the Outstanding Natural Landscape boundaries is currently underway.
16. In terms of Outstanding Natural Features, the Geoscience Society of NZ Best Practice Guide is being applied to assess the features identified in the Geopreservation Inventory. Areas identified as “outstanding” are those areas of international and national significance.

17. As was discussed at the May meeting of the Committee, the overwhelming majority of land identified as "outstanding" falls within Public Conservation Land.

DRAFT OBJECTIVE AND POLICIES Objectives

18. Objectives and Policies need to both give effect to the RPS Objectives and Policies and fit with the wider strategic direction for natural heritage. One objective and nine policies are proposed to address this matter.

Draft Objective 1: To protect the values of outstanding natural landscapes and outstanding natural features on the West Coast, while allowing subdivision, use and development where the values of that make the landscape or feature outstanding can be maintained or enhanced.

19. This objective places an emphasis on the values that make an area outstanding being the focus of protection – recognising that modification of these landscapes and features can occur while the values are maintained.

Draft Policy 1: Allow activities within outstanding natural features and landscapes where:

- a. they are for existing land uses and activities, conservation activities, Ngāi Tahu cultural activities, natural hazard mitigation activities, or the alteration, maintenance or removal of existing buildings or structures; and
 - b. they do not adversely affect the values that contribute to a natural feature or landscape being outstanding.
20. This policy provides a framework for Permitted Activity provisions – recognising that there are some activities either currently occurring within these areas, or which are able to be undertaken without impacting on the values of the landscape or feature.

Draft Policy 2: Control activities that have the potential to degrade those values contributing to outstanding natural features and outstanding natural landscapes by requiring activities and structures to be subject to an assessment of effects on values through the resource consent process.

Draft Policy 3 Avoid significant adverse effects on the values that contribute to outstanding natural features and outstanding natural landscapes in the first instance. Where adverse effects cannot be avoided, ensure that the adverse effects are remedied, mitigated or offset.

21. These two policies help set the framework for the rules and in particular that they focus on assessing and avoiding significant adverse effects on the values of the features and landscapes.
22. Policy 3 also provides for the possibility of offsetting in relation to landscape and natural features. This is a common approach for native vegetation and biodiversity values (where an activity such as mineral extraction or infrastructure has a functional need to locate in an area) – offsetting is a tool which can be used. An example of offsetting in a landscape context could be where an activity such as a quarry for protection works needs to occur in an Outstanding Natural Landscape (because that's where the hard rock is) – an offset could be removing wilding pines in another area of outstanding natural landscape – or restoring the landscape values elsewhere through native planting.

Draft Policy 4: Recognise that there are a number of existing settlements, Poutini Ngāi Tahu land and farms located within outstanding natural landscapes or outstanding natural features and allow for new activities in these areas where the values that contribute to the outstanding natural landscape or feature are not adversely affected.

23. This policy specifically supports new activities in locations where existing settlements, Poutini Ngāi Tahu land and farms are found within Outstanding Natural Landscapes.

Draft Policy 5: Require that new buildings, structures, native vegetation clearance or earthworks within outstanding natural features or landscapes minimise any adverse visual effects by:

- a. ensuring the scale, design and materials of the building and/or structure are appropriate in the location;
 - b. limiting the prominence or visibility of buildings and structures, including by integrating them into the outstanding natural feature or landscape; and
 - c. restoring native vegetation or reinstating earthworks;.
24. This policy outlines the types of ways building and development can fit into an ONL or ONF and the types of mitigation measures that could be used.

Draft Policy 6: Protect outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use and subdivision:

- a. the scale of modification to the landscape;
- b. whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;
- c. whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;
- d. whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;
- e. the temporary or permanent nature of any adverse effects;
- f. the functional, technical or locational need of any activity to be sited in the particular location;
- g. any historical, spiritual or cultural association held by Poutini Ngāi Tahu;
- h. any positive effects the development has on the identified characteristics and qualities; and
- i. the measures proposed to mitigate the effects on the values and characteristics, including:
 - i. the location, design and scale of any buildings or structures, or earthworks;
 - ii. the intensity of any activity; and
 - iii. the finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing.

25. This policy sets out the key matters for assessment of any resource consents required within ONLs and ONFs.

Draft Policy 7: Enable the use of Māori Purpose Zoned land in outstanding natural landscapes and on outstanding natural features where land use and subdivision is consistent with tikanga and mātauranga Māori and minimises adverse effects on the outstanding values of the landscape or feature.

26. This policy fits with the overall approach to Māori Purpose Zone land that is being taken in the Plan.

Draft Policy 8: Consider the incorporation of mātauranga Māori principles into the design, development and/or operation of activities in outstanding natural features and landscapes with cultural, spiritual and/or historic values, interests or associations of importance to Poutini Ngāi Tahu and opportunities for tangata whenua to exercise their customary responsibilities as mana whenua and kaitiaki in respect of the feature or landscape.

27. This policy would largely affect buildings on Department of Conservation land – much of which is within ONLs.

NEXT STEPS

28. GIS work is underway reviewing the boundaries of the 2013 ONL identification to ensure that they are up to date reflecting current land use.
29. Once this is complete the Technical Advisory Team will consider if there are any further areas where a technical landscape architect review of boundaries is required.
30. GIS analysis will also be undertaken to identify the extent of private land affected by the ONL and ONF identification, and this information will be brought back to the Committee alongside rule options for consideration.

Appendix One: Draft Natural Heritage Strategic Objectives

Natural Heritage Strategic Objectives	
NH - 01	To ensure that the rights interests and values of Poutini Ngai Tahu to natural heritage areas and features are protected and provided for and that the ability to exercise kaitiakitanga and tino rangatiratanga is maintained and enhanced.
NH - 02	To protect areas of significant natural heritage on the West Coast while recognising: <ul style="list-style-type: none">• the substantial contribution that is made by the existence of conservation land in protecting significant areas, habitats and features• the need to support the ethic of stewardship and enable positive effects of the conservation estate on achieving the requirements of the RMA
NH - 03	To clearly identify: <ul style="list-style-type: none">• 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.

For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.

Appendix Two: Analysis of Key Policy and Drivers for Outstanding Natural Landscapes and Outstanding Natural Features

BACKGROUND

1. The West Coast region has a land area of 2,300,000 ha with the Department of Conservation managing 1,912,000 ha or 84% of this land leaving approximately 388,000 ha (16%) of land on the West Coast not under their control. In addition, there is roughly 40,647 km of streams and rivers in the region, of which 33,094 km (81%) are in Department of Conservation managed lands. In a national context, one quarter of New Zealand's protected land, and 10% of the total length of rivers in New Zealand, is located on the West Coast. Compared to other regions, the West Coast is rich in its level of natural landscapes and natural features.

NATIONAL AND REGIONAL DIRECTION

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

*"recognise and provide for the following matters of national importance:
b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*

New Zealand Coastal Policy Statement Direction 2010

3. The Plan must be prepared in accordance with the New Zealand Coastal Policy Statement. There are a number of specific Objectives and Policies which are relevant to landscape, natural features and natural character.
4. It is notable that the requirements are substantial, and exceedingly restrictive. In particular Policy 13 which directs that adverse effects on outstanding natural landscapes and features in the coastal environment are avoided.
5. There is substantial case law which has been established around implementation of these provisions under the RMA, with the "King Salmon" decision in relation to Section 6 matters being particularly useful. Probably the key matters to note for consideration around developing policy for this area is:
 - "Give effect to" means "implement"
 - "avoid" means "not allowing"

WEST COAST REGIONAL POLICY STATEMENT PROVISIONS

6. Chapter 7B of the West Coast Regional Policy Statement (WCRPS) contains the provisions on natural features and landscapes. The Objectives and Policies are as follow:

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.*

CURRENT DISTRICT PLAN PROVISIONS

7. The current district plans have relatively few provisions around landscape and natural features.
8. All three Councils consider landscape and natural features in assessment criteria on resource consents.
9. Grey is the only plan to identify specific outstanding landscapes, the other two plans have policy criteria to identify outstanding landscapes.

WHERE ARE THE WEST COAST OUTSTANDING NATURAL LANDSCAPES AND OUTSTANDING NATURAL FEATURES?

10. Work is currently underway to identify the Outstanding Natural Landscapes and Outstanding Natural Features. This involves:
 - Updating the boundaries of the ONLs identified in the 2013 Stephen Brown Landscape Assessment;
 - Identifying Outstanding Natural Features using the Outstanding Natural Features Best Practice Guidance 2019.
 - Identifying the extent of the Coastal Environment – as this will have a significant impact on management of ONLs and ONFs in this area.
11. Regardless of the outcome of the update of the boundaries of the ONLs it is probably safe to assume that:
 - Large areas of the public conservation land will be covered by the Outstanding Natural Landscape overlay
 - Significant areas (perhaps in the order of 50,000 hectares) of private land are likely to fall within the Outstanding Natural Landscape overlay – the vast majority of which will be vegetated;
 - Outstanding Natural Features will be more discrete in their location – with perhaps 2/3rds on public conservation land and 1/3 on private land;
 - Within the coastal environment, a very high threshold exists for development – to avoid adverse effects on ONLs and ONFs;
 - When the Brown work is considered, the main area of existing development where an ONL has been identified within a likely Coastal Environment are:
 - i. the Punkaiki residential area
 - ii. Fox River/Paparoas
 - iii. Golden Sands Road, Barrytown
 - iv. Bruce Bay
 - v. Neil’s Beach
 - vi. Jackson Bay.
 - Careful consideration of the ONL boundaries will need to be undertaken in these locations and there may be a need for a Peer Review.

OTHER COUNCIL APPROACHES

12. A review of how other Councils have managed these issues has been undertaken – with an emphasis on recent plans, and localities where there are similar situations with large areas of publicly owned land and significant areas of outstanding landscapes.
13. Some key things which this review identifies are that:
 - ONLs and ONFs are included in nearly all modern plans

- Some Districts such as Queenstown Lakes and Mackenzie have nearly their whole districts located within areas of Outstanding Landscape and have developed very detailed provisions to enable development to still occur – this includes things such as design standards, colour controls and material controls. Both the Queenstown Lakes and Mackenzie Landscape provisions have been the subject of extensive Environment Court litigation – this may also have been a substantial factor in the detail of their provisions.
- Districts such as Southland, Tasman and Marlborough also have extensive areas of outstanding natural landscapes but the nature of the landscape (bushy rather than open) may assist with mitigating visual impacts of development. They have lesser reliance on very detailed policy provisions.



Te Tai o Poutini PLAN

A combined district plan for the West Coast

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Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Lois Easton, Principal Planner
Date: June 2021
Subject: **Technical Update - Noise Provisions**

SUMMARY

This report gives an update on the technical work being undertaken on the objectives, policies and rules for Noise in Te Tai o Poutini Plan.

Noise is a District-Wide Matter and currently there are similar approaches in the three West Coast Councils Plans. Noise standards nationally have been updated and monitoring methods changed, however this is a matter where relatively minor changes are required to bring the approach of the three current plans together.

RECOMMENDATIONS

1. That the Committee receive the report
2. That the Committee provide feedback on the proposed objectives, policies and rules for Noise.

INTRODUCTION

1. This report gives an update on the technical work being undertaken on the objectives, policies and rules for Noise in Te Tai o Poutini Plan.
2. Within the current three plans Noise is dealt with within the Zone rules, however the National Planning Standards provide for a separate chapter.

CONTEXT

3. The generation of noise is often an intrinsic part of the operation and function of the diverse range of activities that operate on the West Coast, but it may cause adverse effects on character, amenity and the health and wellbeing of people and communities, such as causing sleep disturbance. Noise is often identified as an annoyance and is a common cause of complaint and issues of reverse sensitivity with noise are very prevalent nationally.
4. The three current District Plans have a fairly similar approach Noise -currently there are no objectives or policies and the rules are very similar with the same noise standards– the main difference relating to the hours of “quiet” vs hours of “more noise”.
5. Appendix One outlines a more detailed analysis of the matters considered when drafting Objectives, Policies and Rules for Noise.
6. Key matters to note are that the provisions assume the proposed noise contours for the main airports and consider reverse sensitivity of noise against inherently noisy locations such as the Port, the State Highway and Railway Corridor and near rifle ranges and speedways.

DRAFT OBJECTIVES AND POLICIES

7. Noise is a relatively simple matter, and the main focus of its management is outlined in the draft objectives and policies below.

Draft Objective 1: The benefits of noise generating activities are provided for in a way that is compatible with the role, function and character of each zone and does not compromise community health, safety and wellbeing.

Draft Objective 2: The function and operation of existing and permitted noise generating activities and community infrastructure are not compromised by adverse effects, including reverse sensitivity effects, from noise-sensitive activities.

Policy 1: Enable the generation of noise when it is of a type, scale and level that is appropriate to the zone, having regard to:

- a. the purpose, character and qualities of the zone that the activity is located in;
- b. the nature, frequency and duration of the noise generating activity;
- c. methods of mitigation; and
- d. the sensitivity of the surrounding environment

Policy 2: Require noise sensitive activities situated in higher noise environments to be located and designed so as to minimise adverse effects on the amenity values and health and safety of occupants and minimise sleep disturbance from noise, while taking into account:

- a. the type of noise generating activity; and
- b. other noise sources in the area; and
- c. the nature and level of occupancy of the noise sensitive activity; and
- d. mitigation measures, including acoustic insulation, screening and topography.

For the purpose of Policy 2 higher noise environments include:

1. Commercial and mixed use zones;
2. Residential dwellings in close proximity to any Industrial zone, Port Zone, Airport Zone, Stadium Zone, Buller Coalfield Zone, Mineral Extraction Zone and Hospital Zone;
3. Locations in close proximity to a State Highway, the Railway Corridor; and
4. Locations in close proximity to rifle ranges and speedways.

Policy 3: Within the Airport Noise control boundary overlay avoid:

- a. subdivision, unless it will not facilitate the establishment of additional noise sensitive activities; and
- b. noise sensitive activities, unless noise mitigation measures are implemented that avoid sleep disturbance and minimise other adverse effects on the amenity values of occupants.

Policy 4: Ensure noise effects generated by an activity are of a type, scale and level that are appropriate for the predominant role, function and character of the receiving environment by having regard to:

- a. type, scale and location of the activity in relation to any noise sensitive activities;
- b. hours of operation and duration of activity;
- c. the temporary or permanent nature of any adverse effects;
- d. the ability to internalise and/or minimise any conflict with adjacent activities.

DRAFT RULES

8. The proposed draft Rules are contained in Appendix Two.
9. Noise standards have been updated to the current noise measurement framework of using L_{Aeq} . Other than that, the levels (quiet vs noisy) are similar to those in the current District Plans.
10. Zones have been grouped into those where expectations are for differing noise environments and common standards applied for the type of environment.
11. The approach taken is that these noise standards these should apply regardless of the activity (residential or non-residential) but there are a wide range of exclusions including all those in the current district plans.
12. The noise standards are aligned in terms of timeframe with the non-residential activities' hours of operation. A list of "noises" is included in Appendix Three to help contextualise the proposed noise standards, as well as an explanation of the difference between the L10 (used in current district plans) and L_{Aeq} .
13. The rules do not provide for a daytime noise limit for the Port Zone reflecting the "enabling" direction of the Committee for this zone. They also have a wider period of "noisy" time in the commercial zones – allowing for deliveries and also evening activity such as bars and restaurants.
14. In the Airport Zone the rules anticipated there will be noise contours (65dB and 55dB) for Franz Josef Heliport and Hokitika Airport and noise insulation will be required for sensitive activities within those contours. Because noise in these airports is already flagged as an issue, the rules include some monitoring and reporting requirements for the airport operator.
15. Rule 4 – which includes the Stadium Zone and Neighbourhood Centre Precinct has relatively generous hours for the higher noise environment. These are wider than in the current Designation for the Pulse Energy Events Centre – this is really because these sites are used more on the weekends for events, but some of these sites are in residential areas.
16. There are a wide range of activities proposed to be exempt from some or all of the noise standards – helicopter landing areas, temporary military training activities, domestic and community scale wind farms and temporary activities.

NEXT STEPS

17. This paper outlines the draft Objectives, Policies and Rules for Noise. The next step will be consultation with key stakeholders.

APPENDIX ONE: KEY MATTERS CONSIDERED IN DRAFTING OBJECTIVES, POLICIES AND RULES

CURRENT PLAN APPROACHES

Westland

1. There are no specific objectives or policies. The times at which higher noise standards are provided for vary by Zone. For Residential and Township Environments higher noise limits apply between 7am and 9 m Mon-Fri and 8am and 5pm on Saturday. In the Rural Residential Zone Rural Environment this is extended further until 10pm on Saturday. In Commercial and Industrial Environments noisy times are allowed for on Sundays also (7am to 10pm). The Industrial and Commercial Environments have louder noise standards for the daytime/working hours period. Several environments have different standards depending on the zone they are adjoining which makes for quite complex rules.

Grey

2. There are no specific objectives, but noise is considered alongside a number of amenity matters in several policies.
3. Noise limits only apply to non-residential activities. In all zones higher noise standards are provided for between 7am and 10pm Mon-Fri and between 8am and 9pm on Saturday. All other times the lower standards apply. The Industrial/Commercial Zone has louder noise standards for the daytime/working hours period.
4. There are multiple types of noise exempted where this is in accordance with NZ Standards e.g., construction, helicopter landing areas

Buller

5. There are no specific objectives, but noise is considered alongside a number of amenity matters in several policies.
6. Noise limits apply to all activities but there are multiple types of noise exempted where this is in accordance with NZ Standards e.g., construction, helicopter landing areas.

OTHER COUNCIL APPROACHES

7. There are now 6 Plans (draft and Proposed) available under the National Planning Standards (Timaru, Selwyn, Porirua, New Plymouth, Far North and Nelson). A review of the provisions in these Plans has been undertaken.
8. The approach taken by other Councils to this matter varies.
 - Porirua takes detailed and extensive management of this issue, which is a reflection of its location in urban Wellington, where conflict from noise is a significant problem.
 - Selwyn has an extensive use of noise overlays to protect noisy activities – this includes the State Highway, Rail Corridor, Airport, Gun clubs and the Dairy Factory – insulation and noise abatement requirements are in place for residential and sensitive activities within these overlays.
 - Far North has fairly detailed rules with a fair few standards for various types of Permitted Activities as well as specific rules for noise from mineral extraction and horticultural activities.

KEY MATTERS TO CONSIDER IN DEVELOPING PROVISIONS

9. Noise generation can be an intrinsic part of how a diverse range of activities and industries operate and function. While it is important that these activities can generate a level of noise which is appropriate for their day-to-day operation, noise can cause adverse effects on the environment including on people's health and wellbeing such as sleep disturbance and annoyance.
10. Noise effects can vary considerably depending on the frequency, time and characteristics of the noise, its duration, and the distance between the noise source and receiver. Background levels of noise and the level of acceptability or sensitivity to noise vary depending on the receiving environment.
11. Noise may cause adverse effects depending on when and where the noise occurs in relation to other activities, its duration, the characteristics of the noise including the sound pressure level (loudness) and frequency (pitch), its steadiness, and whether it has special audible characteristics (noise that is tonal or impulsive). The sensitivities of an individual and their

expectations are other factors that determine the level of annoyance. The background sound level in different environments also influences the level of acceptability to noise, which varies throughout the district.

12. Where noise sensitive activities are established near existing noise-generating activities, or areas where higher noise levels are to be expected, reverse sensitivity effects can arise, potentially resulting in the existing noise-generating activities being constrained, in terms of their ongoing operation or expansion. This is a particular concern for important services and community facilities, including the Airports, Stadiums, State Highway, Railway Corridor and the Ports, which could be constrained if reverse sensitivity effects arise.
13. Reverse sensitivity issues also arise in relation to some key activities and businesses.
14. Westland Milk Products dairy factory is the main business that may need some protection from reverse sensitivity. Given its regional significance – processing almost all the milk produced on the West Coast buffering of the site should be provided for and careful thought will be needed ahead of any rezoning in the surrounding area.
15. Rifle ranges/gun clubs and motor sports are commonly affected by reverse sensitivity. One option to address this is to include these activities within a noise overlay.
16. The National Planning Standards have specific provisions in relation to Noise and generally noise levels arising from activities must be measured in accordance with NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics - Environmental Noise.
17. Where the noise is from plantation forestry the Resource Management (National Environment Standard for Plantation Forestry) Regulations 2017 prevail.
18. There are some noise generating activities that are not controlled by the RMA, such as aircraft in flight, or are controlled by the application of relevant New Zealand Noise Standards or sections 16 and 17 of the RMA and therefore are not managed by the District Plan.
19. However, noise associated with airfields and helipads does need to be considered.
20. Small planes and helicopters are widely used for production purposes – including fertilizer spreading, spraying and sphagnum moss harvesting. They also support conservation activities such as weed and pest control. Scenic flight, charter and increasingly helibike transport are also important activities on the West Coast.

APPENDIX TWO: DRAFT NOISE RULES

Permitted Activities		
NOISE - R1	General Standards	
<p>All activities must comply with the following relevant permitted activity standards.</p> <ol style="list-style-type: none"> 1. Noise levels arising from activities must be measured and assessed in accordance with the New Zealand Standard NZS 6801:2008 Acoustics - Measurement of environmental sound and the New Zealand Standard NZS 6802:2008 Acoustics - Environmental noise except where more specific requirements apply. 2. The noise from any construction work activity must be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999 Acoustics – Construction noise . Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise. 3. The Noise standards do not apply to: <ol style="list-style-type: none"> a. intermittent residential activities, use of lawn mowers, vehicles, machinery or equipment operated and maintained in accordance with the manufacturer’s specifications and used on an intermittent basis (e.g. spraying, harvesting, etc); b. any warning device or siren used by emergency services for emergency purposes (and routine testing and maintenance); c. people noise at recreational activities, such as sporting events or the noise from children at school or daycare facilities. This does not include any amplified noise; d. vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1998), or within a site as part of or compatible with a normal residential activity; e. trains on rail lines (public or private) and crossing bells within road reserve, including at railway yards, railway sidings or stations. However, this exemption does not apply to the loading or unloading of trains; f. any residential activity on the same site as a noise source being assessed; g. agriculture, horticulture and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis, forestry planting and forestry harvesting in the General Rural and Rural Lifestyle zones; h. non-commercial motorised watercraft operating on the surface of waterbodies; i. activities including helicopters, generators, mobile equipment and vehicles at emergency service facilities associated with emergency response, testing and maintenance and emergency response training; and j. impulsive sounds (such as hammering and bangs) and dog barking noise which are poorly assessed by reference to NZS 6802:2008 Acoustics Environmental Noise. 		<p>Activity status where compliance not achieved: N/A</p>

NOISE - R2	Emissions of Noise in All Zones	
Activity Status Permitted Where:	<ol style="list-style-type: none"> 1. The noise is emitted from a Temporary Military Training Activity where: <ol style="list-style-type: none"> a. Weapons firing and/or the use of explosives is notified to the Council, including details of the nature, duration and scale of activity, and any consultation that has been undertaken at least 10 working days prior to the activity occurring; b. Weapons firing and/or use of explosives only occur: <ol style="list-style-type: none"> i. between 7am and 7pm and achieve either a 500m minimum separation distance to, or peak sound pressure level of 95 dBC when measured at the site boundar; or ii. between 7.00pm to 7.00pm, and achieve either a 1250m minimum separation distance to, or peak sound pressure level of 85 dBC when measured when measured at the site boundary. 2. The noise is emitted from a wind turbine complying with the underlying zone noise standards of the zone and measurement is undertaken in accordance with section 7.7 of NZS 6808: 2010 Acoustics Wind Farm Noise. 3. The noise is from a helicopter landing area that meets the recommended limits and noise management provisions as set out in NZS 6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Areas. 4. The noise is from a Temporary Activity where the temporary activity occurs between 7am and 10pm only, and if operating outside of these hours complies with the underlying noise standards of the zone. 	Activity status where compliance not achieved: Restricted Discretionary
NOISE- R2	Emission of Noise in the General Residential, Medium Density Residential, Low Density Residential Zone and Natural Open Space Zone	
Activity Status Permitted Where:	<ol style="list-style-type: none"> 1. Noise generated by any activity shall not exceed the following noise limits at any point within any other site in the General Residential, Medium Density Residential, Low Density Residential and Natural Open Space zone: <ol style="list-style-type: none"> a. 7am to 7pm Monday to Friday and 8am - 5pm weekends and public holidays: 55dB L_{Aeq} b. 7pm - 7am Monday to Friday and 5pm to 8am weekends and public holidays: 45 dB L_{Aeq} c. 7pm - 7am all days - 70 dB L_{AFmax} 	Activity status where compliance not achieved: Restricted Discretionary
NOISE - R3	Emission of Noise in the General Rural, Rural Lifestyle, Settlement Zone, Māori Purpose Zone, Future Urban Zone, Sport and Recreation Zone and Open Space Zone.	

<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Noise generated by any activity shall not exceed the following noise limit at any point within any other site in the General Rural, Rural Lifestyle, Settlement Zone, Māori Purpose Zone, Future Urban Zone and Open Space Zone: <ol style="list-style-type: none"> a. 7am to 10pm Monday to Friday and 8am - 8pm weekends and public holidays: 55dB L_{Aeq} b. 10pm - 7am Monday to Friday and 8pm to 8am weekends and public holidays: 45 dB L_{Aeq} c. 10pm - 7am all days - 75 dB L_{AFmax} 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
NOISE - R4	Emission of Noise in the Commercial Zone, Town Centre Zone, Mixed Use Zone, Neighbourhood Centre Zone, Hospital Zone, Stadium Zone and Settlement Zone - Settlement Centre Precinct.
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Noise generated by any activity shall not exceed the following noise limit at the site boundary with any Residential Zone or residential activity: <ol style="list-style-type: none"> a. 6am to 11pm Monday to Friday and 7am - 10pm weekends and public holidays: 55dB L_{Aeq} b. 11pm - 6am Monday to Friday and 10pm to 7am weekends and public holidays: 45 dB L_{Aeq} c. 11pm - 6am all days - 75 dB L_{AFmax} 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
NOISE - R5	Emission of Noise within the General Industrial Zone
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Noise generated by any activity shall not exceed the following noise limit at the site boundary with any Residential Zone or residential activity: <ol style="list-style-type: none"> a. 7am to 10pm Monday to Friday and 7am - 10pm weekends and public holidays: 60dB L_{Aeq} b. 10pm - 7am Monday to Friday and 10pm to 7am weekends and public holidays: 45 dB L_{Aeq} c. 10pm - 7am all days - 75 dB L_{AFmax} 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
NOISE - R6	Emission of Noise within the Port Zone
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The maximum noise generated from activities is measured in accordance with NZS 6809: 1999 Acoustics Port Noise Management and Land Use Planning; 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>

<p>2. Noise generated by any activity shall not exceed the following noise limit at the site boundary within any Residential Zone:</p> <ul style="list-style-type: none"> a. 10pm - 7am Monday to Friday and 10pm to 7am weekends and public holidays: 45dB L_{Aeq} b. 10pm - 7am all days: 75 dB L_{AFmax} 	
NOISE - R7 Emission of Noise within the Airport Zone	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Noise from aircraft operations at Hokitika and Westport Airports and Greymouth and Karamea Aerodromes must be measured and assessed in accordance with NZS 5805: 1992 Airport Noise Management and Land Use Planning; 2. Noise from helicopter operations at Franz Josef Heliport must be measured and assessed in accordance with NZS 6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Areas; 3. The maximum noise levels from aircraft engine testing at any point within the boundary of a site within a Residential or Rural Zone shall not exceed: <ul style="list-style-type: none"> a. on any day 7.00 am to 10.00 pm exceed 55 dB L_{Aeq} (9 hour) b. on any day 10.00 pm to 7.00 am not exceed 45dB L_{Aeq} (9 hours) and 75 dB L_{Amax}; and 4. The maximum noise generated from aircraft/helicopter operations at Hokitika Airport and Franz Josef Heliport over any 90 continuous days, shall not exceed: <ul style="list-style-type: none"> a. 55 dB L_{dn} at or beyond the outer control air noise boundary shown on the planning maps; and b. 65 dB L_{dn} at or beyond the air noise boundary shown on the planning maps. 5. Standard 4 above does not apply to: <ul style="list-style-type: none"> a. aircraft landing or taking off in an emergency; and b. aircraft using the Airport as a planned or essential alternative to landing at another scheduled airport; and c. emergency flights required to rescue persons from life threatening situations or to transport patients, human organs or medical personnel in medical emergency situations; and d. flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983; and e. flights certified by the Minister of Defence as necessary for reasons of National Security in accordance with Section 4 of the Act; and f. aircraft undertaking firefighting duties; and g. military aircraft movements; and h. aircraft using the Airport in preparation for and participation in air shows. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>

<p>6. A report detailing the calculated noise levels at the airport noise control boundary overlay must be prepared by the Franz Josef Heliport and Hokitika Airport operators and forwarded to the Council every five years or on request. The first such report must be forwarded to the Council within 2 years of this standard becoming operative.</p> <p>7. In order to audit compliance with this standard, noise level monitoring must be carried out for a minimum of three months every five years with the resulting report forwarded to the Council within one month of that monitoring being completed.</p>	
<p>NOISE - R7 Emission of Noise within the Buller Coalfield Zone and Mineral Extraction Precinct</p>	
<p>Activity Status Permitted Where:</p> <p>1. The maximum noise generated from activities does not exceed the following limit at the site boundary of any Residential Zone or within 20m of any residential dwelling located in any Rural Zone, Future Urban Zone or Māori Purpose Zone:</p> <ol style="list-style-type: none"> a. 7am to 10pm Monday to Friday and 7am - 10pm weekends and public holidays: 55dB L_{Aeq} b. 10pm - 7am Monday to Friday and 10pm to 7am weekends and public holidays: 45 dB L_{Aeq} c. 10pm - 7am all days - 75 dB L_{AFmax} 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
<p>NOISE - R8 Noise Insulation Standards within the Rifle Range Protection Overlay and the Dairy Factory Protection Overlay</p>	
<p>Activity Status Permitted Where:</p> <p>1. Still working on this - think I probably should put reference to the overlay in the Zone Rules - same insulation stds as for State Highways and in Commercial/Industrial/Port Zone.</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
<p>Restricted Discretionary Activities</p>	
<p>NOISE - R9 Emission of Noise not meeting Permitted Activity Standards</p>	
<p>Activity Status Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; b. the level, hours of operation, duration and nature of the noise; 	<p>Activity status where compliance not achieved: N/A</p>

- c. the primary purpose and the frequency of use of the activity;
- d. proximity and nature of nearby activities and the adverse effects they may experience from the noise;
- e. effects on character and amenity values on the surrounding environment; and
- f. effects on the health and wellbeing of people;
- g. the temporary or permanent nature of any adverse effects;
- h. any noise reduction measures.

Notification: Applications to exceed noise standards at the boundary of a site will always be notified to adjacent affected neighbours and may be publicly notified.

Appendix Three: Some Technical Notes about Noise

Sound energy is measured in decibels (dB) with most measurements being undertaken on the A-weighted (dBA) scale as this most closely matches the human ear. The scale is logarithmic rather than linear so noise increases tenfold for every additional one decibel unit recorded.

DECIBEL	SOUND	EXAMPLE
10	Almost inaudible	A leaf falling
20	Audible	Rustles of autumnal leaves
30	Very quiet	Whispering
40		Living room, quiet classroom
50	Limited sound	Refrigerator working, car driving past
55		Percolating coffee-maker
60	Audible	Sound of human voice, machinery
70	Irritating	Television set on loud, vacuum cleaner, several people on the telephone
75	Constant sound	Busy restaurant around lunchtime
80	Unpleasant	Alarm clock, freight traffic, doorbell
85	Loud	Sawing, mixer
90	Extremely unpleasant	Truck close by, screaming, yelling, shouting
95	Noisy	Drill, violin
100	Extremely unpleasant	Machine in a factory, compressor, fighter jet at 300 m
105	Even louder	Helicopter close by, large drum
110	Extremely loud	Rock concert, chainsaw
120		Human voice at its loudest, police siren
130		Thunder
140	Pain threshold	First Monday of the month siren from close by
150	Permanent damage to hearing	Fireworks
160		Shooting with pistol or rifle
170		Avalanche firework

180		Rocket launch platform
194		Saturn rocket

The units used in New Zealand for measuring and assessing sounds in the environment are set out in NZS 6801: 2008 Acoustics - Measurement of environmental sound. In summary, these units are:

L_{max} The single highest sampled level of sound. Used in night-time emission limits as a means of ensuring sleep protection. Short duration, high-level sounds such as audible warning devices, pressure relief valves have a significant effect on L_{max} values.

L₁₀ or L₁₀ The level of sound exceeded for no more than 10% of the monitoring period. This level of sound therefore equates to an average maximum sound and is used widely in emission limits as the L₁₀ correlates well with the subjective reaction to sound.

L₉₀ or L₉₀ The level of sound exceeded for 90% of the monitoring period. This level of sound can be used to define the **background sound level**, and is influenced by constant sources such as industrial equipment and constant background city sounds, eg from air handling equipment. Noise emission limits are not generally specified in terms of an L₉₀ level.

L_{eq,T} or L_{Aeq,T} The time-averaged sound level (or equivalent sound level) over the measurement period, T, that has the same mean square sound pressure level as the time-varying sound level under consideration. Commonly referred to as an 'energy average' measure of sound exposure. This is commonly referred to as the average noise level.

All the above units are measured using 'dBA' values.

While the current district plans use L₁₀ for their noise standards, industry best practice is to now use L_{Aeq}.



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: June 2021
Subject: Technical Update - Light Provisions

SUMMARY

This report gives an update on the technical work being undertaken on the objectives, policies and rules for Light in Te Tai o Poutini Plan.

Light is a District-Wide Matter and currently there are similar approaches in the three West Coast Councils Plans. Light standards are proposed to be updated to reflect the issues generated by the move to LED lighting and issues of light spill and sky glow.

RECOMMENDATIONS

1. That the Committee receive the report
2. That the Committee provide feedback on the proposed objectives, policies and rules for Light.

INTRODUCTION

1. This report gives an update on the technical work being undertaken on the objectives, policies and rules for Light in Te Tai o Poutini Plan.
2. Within the current three plans Light is dealt with within the Zone rules, however the National Planning Standards provide for a separate chapter.

CONTEXT

3. Artificial outdoor lighting enables work, recreation, and entertainment activities to occur beyond normal daylight hours and also provides additional safety and security to sites and associated activities. However, unless used with care lighting can result in adverse effects.
4. There are three main types of obtrusive or adverse lighting effects that can cause nuisance to nearby residents, users of adjacent areas, wildlife, and astronomical observation. These are:
 - a. Light spill
 - b. Glare
 - c. Sky Glow
5. Currently the three district plans focus principally on glare and light spill – sky glow is a relatively new consideration with the increase in interest in dark sky tourism and astronomy. With advances in lighting technology, including the widespread move to LED lighting there are both new issues and methods to manage light and glare since the previous plan provisions were developed.
6. An outline of the key matters considered in developing draft Objectives, Policies and Rules is contained in Appendix One.

DRAFT OBJECTIVE AND POLICIES

7. Based on the analysis outlined in Appendix One, two Objectives and three Policies are proposed for Glare and Light:

Draft Objective 1: Artificial outdoor lighting enables night-time work, rural productive activities, recreation activities, sport, entertainment activities, transportation and public health and safety.

Draft Objective 2: Artificial lighting is located, designed and operated to maintain the character and amenity values within zones, so that it does not adversely affect the health and safety of people, the safe operation of the transport network, the habitats and ecosystems of nocturnal native fauna and views of the night sky.

Draft Policy 1: Provide for the use of artificial lighting that:

- a. allows people and communities to enjoy and use sites and facilities during night time hours and contributes to the security and safety of private and public spaces;
- b. maintains the character and amenity values of the zone and surrounding area;
- c. supports the social, cultural, and economic wellbeing or health and safety of people and communities, including road safety;
- d. minimises sky glow and light spill; and
- e. protects the health and well-being of people and ecosystems.

Draft Policy 2: Enable artificial outdoor lighting of short duration outside of daylight hours associated with temporary activities, and artificial outdoor lighting for the purpose of emergency response and public health and safety.

Draft Policy 3: Control the intensity, location and direction of any outdoor lighting to:

- a. ensure that any artificial outdoor lighting avoids conflict with existing light sensitive areas and uses;
- b. internalise light spill within the site where the outdoor lighting is located;
- c. avoid adverse effects on views of the night sky and intrinsically dark landscapes;

- d. avoid adverse effects on the significant habitats of light sensitive native fauna; and
- e. avoid adverse effects on the health and safety of people and communities in the surrounding area.

DRAFT RULES

- 8. The draft Rules are attached at Appendix Two.
- 9. Key to the draft Rules are what standard of light spill is acceptable. There are a wide range of standards for these matters and these have been used to develop an approach for Te Tai o Poutini Plan.

Type of Location	Description and recommended lux levels for lightspill	Proposed TTPP Zones/Overlays
Areas with intrinsically dark landscapes	National parks or residential areas with strict limits on light trespass Roads usually unlit Lightspill of 2 lux 10pm – 7am 1 lux (from public road lighting installations only)	Natural open space zone Areas of outstanding natural character in the coastal environment
Areas of low ambient brightness	Outer urban or rural residential areas 5 lux 10pm – 7am 1 lux	Low Density Residential Zone Settlement Zone Māori Purpose Zone Rural Lifestyle Zone Future Urban Zone General Rural Zone
Areas of medium ambient brightness	Urban residential areas 10 lux 2 lux 10pm – 7am	General Residential Zone Medium Density Residential Zone Sports and Active Recreation Zone Open Space Zone Settlement Centre Precinct Mineral Extraction Precinct Buller Coalfield Zone Neighbourhood Centre Zone
Areas of high ambient brightness	Urban areas, residential and commercial with high levels of night time activity 25 lux 5 lux 10pm – 7am	Town Centre Zone Mixed Use Zone Commercial Zone Industrial Zone Port Zone Hospital Zone Stadium Zone Airport Zone

- 10. Alongside this there are a set of standards proposed that apply to all Permitted Activities with reference to a lighting design guideline which is attached at Appendix Three.

NEXT STEPS

- 11. This paper outlines the draft Objectives, Policies and Rules for Light. The next step will be consultation with key stakeholders.

APPENDIX ONE: KEY CONTEXT FOR DEVELOPING OBJECTIVES POLICIES AND RULES BACKGROUND – TYPES OF ARTIFICIAL LIGHT IMPACTS

Light Spill

1. Light spill can be obtrusive or beneficial depending on application and can be generally described as light that strays beyond defined areas or boundaries. In certain situations, high levels of light spill can cause problems for people as it may be obtrusive, particularly where light spills into properties or enters habitable rooms. Other forms of artificial outdoor lighting, particularly wide area floodlighting, can also cause excessive light spill that may adversely affect residents within their own properties and land transport corridor users such as pedestrians, cyclists, and motorists. Conversely some degree of light spill can be beneficial, especially on arterial roads and state highways, where a certain level of light spill is required to illuminate the surrounding area for safety reasons.

Glare

2. Glare occurs when a light source directs a large percentage of the total light output directly into the eyes of an observer (e.g. motorist, pedestrian, or resident). Glare can be disabling and/or uncomfortable and sensitivity to glare can vary based on a person's health and age. Glare is also a key consideration for wildlife impacts – particularly night flying species such as petrels.

Sky glow

3. Sky glow is the result of stray light being scattered in the atmosphere either directly or reflected from the ground surface. Direct upward waste light can be reduced by careful light fitting selection, design, and orientation, however there will always be some reflected light contributing to sky glow that cannot be fully controlled or mitigated. Excessive sky glow is a problem for astronomers (and other night sky observers) because it reduces contrast and obscures the night sky so that they cannot identify stars and other celestial forms.

CURRENT PLAN APPROACHES

4. The three current District Plans provisions are included in Appendix One.

Westland

5. The Westland Plan contains no Objectives or Policies for Light, and has a standard approach across all zones. There are two rules
 - All exterior lighting shall be designed, installed and maintained so that light emitted does not cause a distraction or glare which could create a traffic hazard on any road
 - A maximum 10 lux spill to adjacent residential property is allowed for.

Grey

6. The Grey Plan has no objectives but does have one policy which refers to glare- as part of a package of amenity issues that can affect residential activities.
7. In relation to max light spill Grey has a split approach -max 2.5 lux spill in residential/rural residential and township zones but max 10 lux in commercial/industrial. It also has a requirement that exterior lighting not cause a traffic hazard.

Buller

8. The Buller Plan has no objectives and only one policy which refers to glare – as part of a package of adverse effects of commercial and industrial operations to be managed.
9. In terms of rules Buller has some specific provisions for the Scenically Sensitive Commercial Zone with requirements for hooding/shrouding to direct lightspill downwards, and detailed location specifications.
10. The Buller lux spill standard is 10 lux in all zones.
11. Buller also has some specific Prohibited Activities in relation to signs that emit glare.

OTHER COUNCILS PLANS

12. There are now 6 Plans (draft and Proposed) available under the National Planning Standards (Timaru, Selwyn, Porirua, New Plymouth, Far North and Nelson) and a review of the provisions in these Plans has been undertaken.

13. The approach taken by other Councils to this matter varies. Because of the national planning standards, all the plans have objectives and policies for light and glare. In most cases these recognise that there are light sensitive areas for amenity reasons, but also that light impacts on natural character, and some cases impacts on night sky and ecosystem health.

MATTERS TO CONSIDER IN POLICY AND RULES

14. There are a range of matters not addressed in the current district plans. Partly this is an age-of-plan matter – for example the concept of Dark Sky for star viewing as a resource is relatively new.
15. Key matters that to consider in policy and rules are as follows:
 - Amenity impacts of glare and light spill. The proposed approach is similar approach to that used in the Auckland Unitary Plan. Key to note in this is that 0.3 lux is typical of the amount of light from moonlight.
 - Traffic safety impacts.
 - Use of lighting for temporary and emergency activities.
 - Impacts on natural character. This is particularly significant in large areas of Outstanding Natural Character such as the Paparoa Range and South Westland.
 - Impacts on significant fauna. The most notable of these are probably bats, moths, penguins and the Westland petrel/tāiako all of which can be confused by lights at night-time.
 - Impacts on rural character. Rural areas are characteristically dark at night. The current Plans focus primarily on impacts on residential activities, but with the increased rural lifestyle development on the West Coast there are more types of properties/households impacted by light spill.
 - Dark sky star viewing. There are now 5 dark sky reserves in New Zealand, and this is a significant form of tourism. "Dark sky" star watching is offered as a tourism activity at Punakaiki and there is probably significant potential for this activity in other parts of the West Coast.
 - Changes in light fixtures and fittings – with the move to LED lights and the increased awareness of light spill and glare issues there are now a wide range of light fittings and fixtures available that have fewer "overspill" issues. A useful guide is attached on the last page of the appendices – this is taken from the Timaru district plan and is I think a really useful visual guide to help people understand what's good practice.

APPENDIX TWO: DRAFT LIGHT RULES

Permitted Activities	
LIGHT - R1	All Zones: General Permitted Activity Standards
<p>Where Activity Status is Permitted</p> <p>All artificial outdoor lighting must:</p> <ol style="list-style-type: none"> be oriented so that light is emitted away from any adjoining and adjacent properties; be oriented so that light is emitted away from any state highway or arterial or principal roads, or any oncoming traffic; and if the outdoor artificial light is located within the Outstanding Coastal Natural Character Overlay it must: <ol style="list-style-type: none"> be fully shielded; be installed in a manner that precludes operation between 10pm and 7am the following day; and have a colour corrected temperature of no greater than 3000K (warm white). Where an activity is located on a site which adjoins or is separated by a road from a different zone, the activity on the site must meet the relevant zone standards for light for the adjoining zone at the zone boundary. <p>Advice Notes:</p> <ol style="list-style-type: none"> Lighting limits must be measured and assessed in accordance with AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting. Where conformance with the limits set out in the Rules in this chapter is to be determined by calculation, the calculation must be undertaken by a person who is professionally qualified and competent in the discipline of illuminating engineering. Any calculation for the purposes of these Rules must be based on a maintenance factor of 1.0 (i.e. no depreciation shall be taken into account for reduction in light levels over time). 	<p>Activity Status Where Compliance Not Achieved: Restricted Discretionary</p>
LIGHT - R2	Artificial Outdoor Lighting in the General Residential, Medium Density Residential, Sports and Active Recreation, Open Space, Neighbourhood Centre and Buller Coalfield Zones and the Settlement Zone - Settlement Centre Precinct and Mineral Extraction Zone.
<p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> Outdoor artificial lighting must not exceed the following vertical or horizontal light levels: <ol style="list-style-type: none"> 7.00am – 10.00pm: 10 Lux; and 10.00pm – 7.00am: 2 Lux; <p>Measured 2m inside the boundary of any adjoining site or the closest window in the adjoining property, whichever is the closest.</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
LIGHT - R3	Artificial Outdoor Lighting in the Low Density Residential, Settlement, Māori Purpose, Rural Lifestyle, Future Urban and General Rural Zones.
<p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> Outdoor artificial lighting must not exceed the following vertical or horizontal light levels: <ol style="list-style-type: none"> 7.00am – 10.00pm: 5 Lux; and 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>

<p>b. 10.00pm – 7.00am: 1 Lux; Measured 2m inside the boundary of any adjoining site or the closest window in the adjoining property, whichever is the closest.</p>		
LIGHT - R4	Artificial Outdoor Lighting in the Town Centre, Mixed Use, Commercial, Industrial, Port, Hospital, Stadium and Airport Zones.	
<p>Activity Status Permitted Where: 1. Outdoor artificial lighting must not exceed the following vertical or horizontal light levels: a. 7.00am – 10.00pm: 25 Lux; and b. 10.00pm – 7.00am: 5 Lux; Measured 2m inside the boundary of any adjoining site or the closest window in the adjoining property, whichever is the closest.</p>		<p>Activity status where compliance not achieved: Restricted Discretionary</p>
LIGHT - R5	Artificial Outdoor Lighting in the Natural Open Space Zone, Settlement Zone - Coastal Settlement Precinct, and in all zones where the area falls within the Outstanding Coastal Natural Character Overlay.	
<p>Activity Status Permitted Where: 1. Outdoor artificial lighting must not exceed the following vertical or horizontal light levels: a. 7.00am – 10.00pm: 2 Lux; and b. 10.00pm – 7.00am: 1 Lux - where this lightspill is from public road lighting installations only. Measured at the boundary of the site.</p>		<p>Activity status where compliance not achieved: Restricted Discretionary</p>
Restricted Discretionary Activities		
LIGHT - R6	Artificial Outdoor Lighting in any zone not meeting Permitted Activity Standards outside of the Outstanding Coastal Natural Character Overlay	
<p>Activity Status Restricted Discretionary Where: 1. The artificial outdoor lighting is not located in the Outstanding Coastal Natural Character Overlay. Discretion is restricted to: a. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures; b. Effects on views to the night sky; c. Effects on visual amenity; d. Effects on the safety of the transport network; e. Effects on established uses and their operation; f. Effects on coastal natural character; g. Effects on native wildlife; and h. Any positive effects generated from the use of artificial lighting.</p>		<p>Activity status where compliance not achieved: Discretionary</p>
Discretionary Activities		

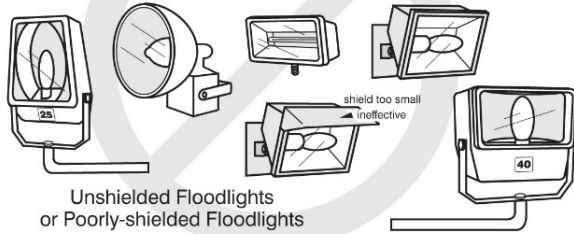
LIGHT - R7	Artificial Outdoor Lighting within the Outstanding Coastal Natural Character Overlay and not meeting the Permitted Activity Standards.
Activity Status Discretionary	Activity status where compliance not achieved: N/A

APPENDIX THREE: LIGHTING DESIGN GUIDELINE

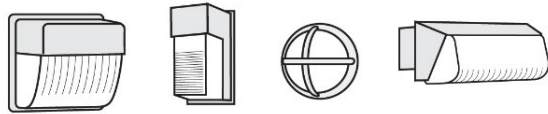
Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

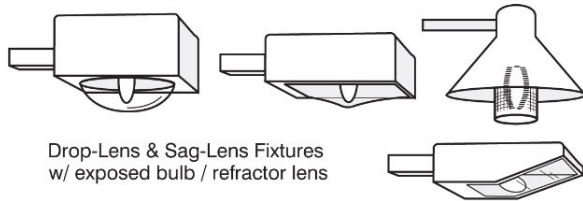
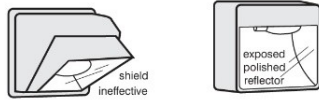
Fixtures that produce glare and light trespass



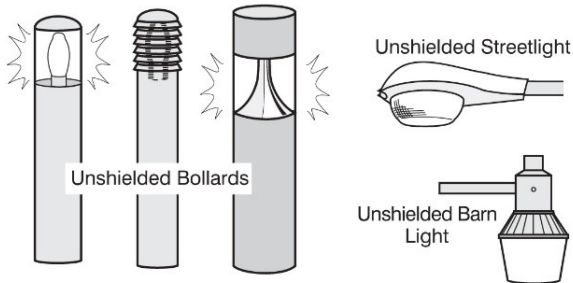
Unshielded Floodlights or Poorly-shielded Floodlights



Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures



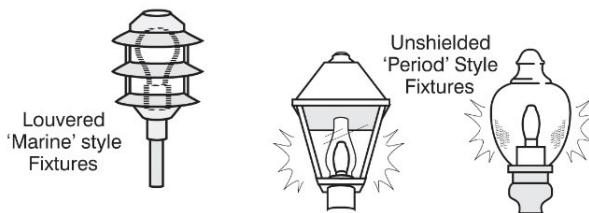
Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens



Unshielded Streetlight

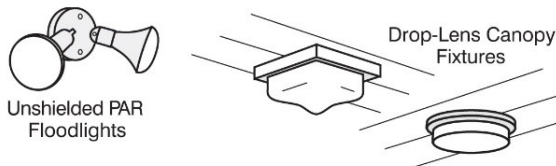
Unshielded Bollards

Unshielded Barn Light



Louvered 'Marine' style Fixtures

Unshielded 'Period' Style Fixtures

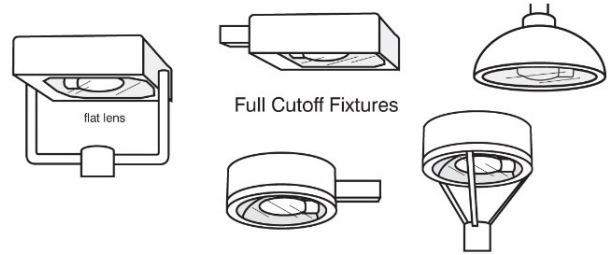


Unshielded PAR Floodlights

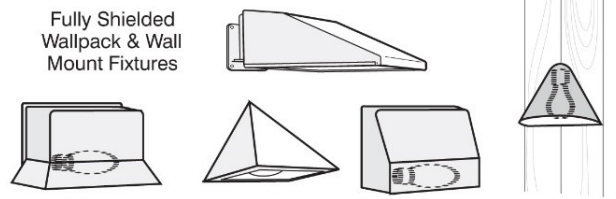
Drop-Lens Canopy Fixtures

Acceptable

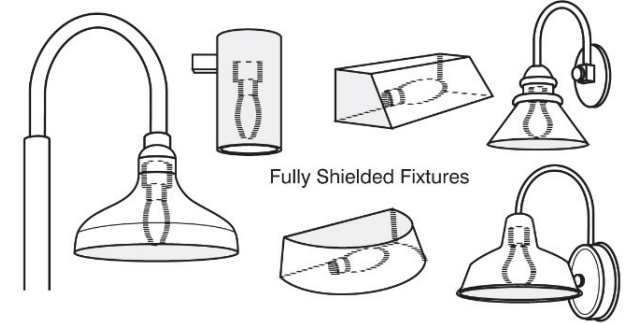
Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



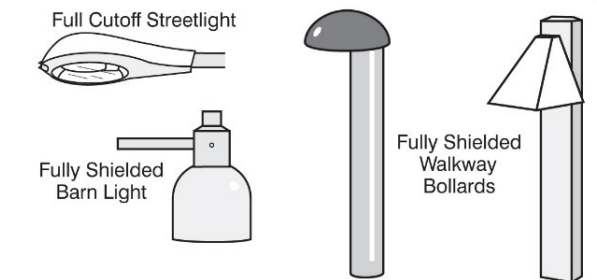
Full Cutoff Fixtures



Fully Shielded Wallpack & Wall Mount Fixtures



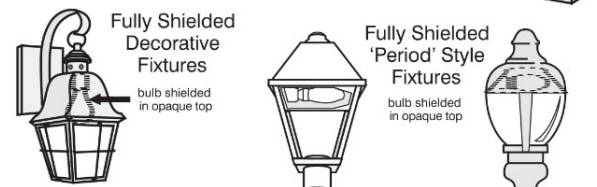
Fully Shielded Fixtures



Full Cutoff Streetlight

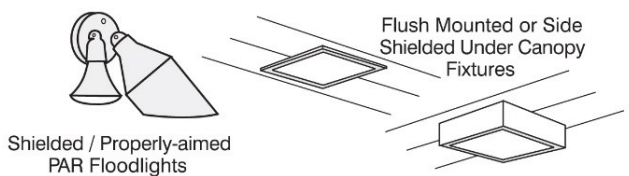
Fully Shielded Barn Light

Fully Shielded Walkway Bollards



Fully Shielded Decorative Fixtures

Fully Shielded 'Period' Style Fixtures



Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures

Illustrations by Bob Crelin © 2005. Rendered for the Town of Southampton, NY. Used with permission.



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: June 2021
Subject: **Te Tai o Poutini Plan Draft Chapter Review**

SUMMARY

This report gives an opportunity for the Committee to commence review of draft provisions from Te Tai o Poutini Plan. It is intended to bring chapters to the Committee for review over the next 5 months, ahead of the final draft Plan in December.

The first set of provisions for review are the Strategic Objectives.

RECOMMENDATIONS

1. That the Committee receive the report
2. That the Committee provide feedback on the draft Strategic Objectives for Te Tai o Poutini Plan.

INTRODUCTION

1. With the decision to fast track the notification of Te Tai o Poutini Plan, there is a need to ensure that draft work developed is reviewed to ensure consistency and coherence in the Plan. Draft chapters will be brought to the Committee for review each month, ahead of the entire draft Plan coming to the Committee in December for adoption for consultation.
2. The first chapter for review is the strategic direction section.

DRAFT PROVISIONS AND NEXT STEPS

3. The following text is the current draft provisions – with an overview to the section and a set of Objectives under each strategic direction topic.
4. Following any amendments sought by the Committee, these provisions will be incorporated into the Draft Te Tai o Poutini Plan.

Strategic Directions Overview

This chapter sets out the overarching direction for Te Tai o Poutini Plan as expressed through Strategic Directions.

These directions reflect those factors which are considered to be key to achieving the overall vision for the pattern and integration of land use within the Westland, Grey and Buller Districts

The Strategic Directions are intended to demonstrate:

1. commitment to, and articulation of the Councils partnership with Poutini Ngāi Tahu;
2. alignment with Councils aspirations for the development and environmental quality across the West Coast;
3. integrated management through the grouping of environmental considerations which combine to achieve strategic outcomes; and avoiding strategic objectives becoming isolated within various chapters of Te Tai o Poutini Plan;
4. achievement of particular aspects of the use, development, or protection of natural and physical resources that have been elevated to matters of national importance by the Resource Management Act and those matters of national and regional significance by National and Regional Policy Statements;
5. a prosperous economy through enabling a wide range of business activities;
6. the management of urban growth integrating existing and future infrastructure, providing sufficient land, or opportunity to meet growth demands for housing and business.

For the purposes of preparing, changing, interpreting, and implementing Te Tai o Poutini Plan, all other objectives and policies in all other chapters of this Plan are to be read and achieved in a manner consistent with these Strategic Directions.

There is no hierarchy between the stated Objectives i.e., no one Strategic Objective has primacy over another Strategic Objective and the Strategic Objectives should be read as a whole.

Activity and location specific objectives and policies are located in the relevant chapter of Te Tai o Poutini Plan. The planning standards require that 'like' matters are grouped together in a chapter with the relevant objectives.

AG Agriculture

This Chapter sets out the overarching direction for matters relating to the agriculture across the West Coast.

Agriculture Strategic Objectives	
AG - 02	To provide for agricultural development and innovation and enable the support industries and services needed to maintain agricultural viability within rural areas.

CR Connections and Resilience

This Chapter sets out the overarching direction for matters relating to infrastructure connections and resilience across the West Coast.

Connections Strategic Objectives	
CR - 02	To ensure that new locations for critical infrastructure and connections take account of the hazardscape and are built away from natural hazards.
CR - 03	To support the development of greater infrastructure self sufficiency and backup of critical infrastructure on the West Coast.

MIN Mineral Extraction

This Chapter sets out the overarching direction for matters relating to the mineral extraction across the West Coast.

Mineral Extraction Strategic Objectives	
MIN - 06	<p>To minimise the adverse effects of mineral extraction on the West Coast's significant natural and cultural heritage, and amenity values: including:</p> <ul style="list-style-type: none">• Poutini Ngāi Tahu cultural resources and taonga;• Significant Natural Areas;• Outstanding natural landscapes and features;• Waterways and waterbodies; and• The coastal environment.

NH Natural Heritage

This Chapter sets out the overarching direction for matters relating to the natural heritage across the West Coast.

Natural Heritage Strategic Objectives

NH - 02	To protect areas of significant natural heritage on the West Coast while recognising : <ul style="list-style-type: none">• the substantial contribution that is made by the existence of conservation land in protecting significant areas, habitats and features• the need to support the ethic of stewardship and enable positive effects of the conservation estate on achieving the requirements of the RMA
NH - 03	To clearly identify: <ul style="list-style-type: none">• 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.

POU Poutini Ngāi Tahu

This Chapter sets out the overarching direction for matters relating to the Poutini Ngāi Tahu across the West Coast.

Poutini Ngāi Tahu Strategic Objectives

POU - 01	To enable the occupation, development and use of Poutini Ngāi Tahu land in accordance with tikanga and for the benefit of Poutini Ngāi Tahu.
POU - 02	To include Tai Poutini wide provisions to support Poutini Ngāi Tahu exercise of customary rights and interests including: <ul style="list-style-type: none">• Establishment of papakāinga and kaumatua housing;• Access to mahinga kai and cultural materials;• Management of Pounamu and Aotea stone; and• Management of taonga and wāhi tapu.
POU - 03	To identify Poutini Ngāi Tahu cultural landscapes and enable their management to provide for the cultural relationships of Poutini Ngāi Tahu.

POU - O4	To support Poutini Ngāi Tahu in their exercise of kaitiakitanga and recognise their special relationship with te taiao, Poutini Ngāi Tahu taonga and wāhi tapu through resource management process and decisions.
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Poutini Ngāi Tahu Strategic Policies

POU - P1	Support the use of Joint Management Agreements and s33 Transfer of Powers for resource management functions on Poutini Ngāi Tahu Land
POU - P2	Enable rangatiratanga and kaitiakitanga in accordance with tikanga on Poutini Ngāi Tahu land through the development and use of Hapū Management Plans.
POU - P3	Support the identification of Poutini Ngāi Tahu Cultural Landscapes and provide for their protection through the use of overlays and Plan provisions.
POU - P4	Provide for papakāinga and kaumatua housing, marae and Māori customary activities to be established throughout the West Coast settlements and on Poutini Ngāi Tahu land.
POU - P5	Poutini Ngāi Tahu should be able to freely access mahinga kai sites and cultural materials in accordance with tikanga and to support community wellbeing.
POU - P6	Support the implementation of the Pounamu Vesting Act and the management of Aotea Stone and Pounamu by Poutini Ngāi Tahu through the use of overlays and Plan provisions.
POU - P7	Provide for active participation by Poutini Ngāi Tahu in the sustainable management of West Coast resources.
POU - P8	Recognise the role of Poutini Ngāi Tahu as kaitiaki and provide for them to exercise kaitiakitanga through the resource management process.
POU - P9	Recognise Poutini Ngāi Tahu as specialists in tikanga and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga.
POU - P10	Protect Poutini Ngāi Tahu taonga and cultural sites, while ensuring Poutini Ngāi Tahu's key role in decision making around their management.

TRM Tourism

This Chapter sets out the overarching direction for matters relating to the tourism across the West Coast.

Tourism Strategic Objectives

TRM - O1

To recognize the significance of tourism to the West Coast's economy by providing for sustainable tourism development while managing the adverse effects on the environment, communities and infrastructure. This includes:

1. Supporting the development of visitor facilities and accommodation within and near existing settlements and communities and on Department of Conservation land where appropriate;
2. Providing for the development and upgrading of supporting infrastructure whereby the costs are apportioned fairly to the exacerbators and beneficiaries;
3. Ensuring that where existing services and infrastructure exists that visitor facilities are connected to this;
4. Managing the development and expansion of visitor activities and services so that the natural and cultural values, amenity and character of the West Coast and its settlements are maintained;
5. Minimising the adverse effects and in particular cumulative adverse effects of visitor activities and services on cultural values and wāhi tapu, natural values, amenity and landscape;
6. Supporting Ngāti Waewae and Ngāti Māhaki ki Makaawhio to exercise kaitiakitanga, and provide education about the cultural importance of maunga, other landforms, taonga and wāhi tapu to Poutini Ngāi Tahu and how to treat these areas with respect;
7. Supporting Poutini Ngāi Tahu in expansion of their tourism and visitor activities to deliver better economic outcomes for the hapū.

UFD Urban form and development

This Chapter sets out the overarching direction for matters relating to the urban form and development across the West Coast.

Urban Form and Development Strategic Objective

UFD - O1

To have urban environments and built form on the West Coast that:

- a. are attractive to residents, business and visitors;
- b. have areas of special character and amenity value identified and values maintained;
- c. support the economic viability and function of town centres
- d. recognise the risk of natural hazards whereby new development is located in less hazardous locations;
- e. promote the re-use and re-development of buildings and land, including private and public land;
- f. improve overall accessibility and connectivity for people, transport (including opportunities for walking and cycling) and services;

- g. promote the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure; and
- h. protect and enhance the distinctive character of the Districts' settlements.

For the purposes of preparing, changing, interpreting and implementing Te Tai o Poutini Plan all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.



Project Manager Update

1 May 2021 – 31 May 2021

Prepared By: **Jo Armstrong**
Date Prepared: **31 May 2021**

Accomplishments this Period

- The planning team continue to work on the following topics:
 - Ecosystems and Indigenous Biodiversity
 - Natural Hazards
 - Outstanding Natural Landscapes, Features and Character
 - Natural Character, Coastal Environment and Riparian Boundaries
 - Sites of Significance to Maori
 - Signs
 - Mineral Extraction
 - Re-zoning
 - Light and Glare
- All papers are discussed with, and modified by, the Technical Advisory Team before coming to the Committee.
- West Coast Regional Council is working through the Long Term Plan process. The TTPP budget was presented and discussed at their April meeting. There was general acceptance of the decision to accelerate TTPP, and the increased budget implications for this in the 2021/22 financial year.
- The zoning workshop with Buller District Council went ahead on 5 May. A number of areas either available for, or requiring re-zoning were discussed, with great input from Buller councillors.
- The Planning team ran a similar information session and fieldtrip with the Grey District Councillors on 27 May.
- The planning team had a meeting with Birchfield Mining and NZ Coal and Carbon staff on 13 May. We discussed the options under consideration for mining provisions in TTPP. Attendees have offered to provide further information to planning staff.
- A meeting also took place earlier in the month with Bathurst Resources staff to discuss the proposed Buller Coalfield zone. A meeting with DOC mining staff is also planned for May or June in Hokitika.
- Mayor Gibson identified some developers interested in TTPP provisions. Lois met with them on 24 May.

- Work is underway on a questionnaire about Public Access to rivers, lakes and beaches. We hope to publish it in June.
- I presented a TTPP update at the WCRC Resource Management Committee Meeting on 11 May. Councillor Ewen asked if dump sites were being identified in TTPP. TAT discussed the issue at their meeting on 26 May. It was decided that the best approach would be to provide for dump establishment in the rural zone as a Restricted Discretionary Activity for councils, otherwise as a Discretionary Activity. Clean-fill sites would generally be permitted under the earthworks provisions. I will report this back to the June Regional Council RMC meeting.

Plans for Next Period

- Policy work on topics mentioned above will continue
- Information sheet and questionnaire on Public Access will be developed
- TTPPC meeting at West Coast Regional Council on 29 June from 9.30-2.30
- TAT meeting West Coast Regional Council 1 July
- A zoning workshop is planned with Westland District Council on 30 June.

Key Issues, Risks & Concerns

- RMA reforms have affected the TTPP delivery timeline. The TTPP Committee decided to fast track notification of the Proposed TTPP, shortening the delivery timeline by twelve months. Risks to budget and staff capacity related to this decision are added below.

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 proposed plan in a timely manner	Set achievable milestones and monitor/report progress. Identify additional expertise/capacity	Project Manager Planning Team	30 June 2022
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 reduced 2020/21 budget	Ensure 2021/22 research budget is sufficient to complete all remaining research required for robust Plan	Project Manager TTPP Committee CE WCRC	30 June 2022
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
Time and Cost of Appeals Process	Realistic budget set for best case costs. Awareness that contentious issues such as SNAs, Natural hazards and landscape provisions could see an extended appeals process, increasing costs to reach operative plan status	TTPP Committee TTPP Steering Group Project Manager	Ongoing
Fast track budget insufficient to meet new timing for Proposed Plan notification by 31 July 2022	Project Manager to report monthly on whether anticipated expenditure for the remainder of the period is on track to be met by the allocated budget	Project Manager TTPP Committee	31 July 2022
Increased fast track funding not provided by WCRC	Make a timely decision to slow down delivery to meet budgetary constraints	TTPP Committee	30 Sept 2021

Item	Action/Resolution	Responsible	Completion Date
Insufficient capacity for council and iwi technical staff to input fully into Draft and Proposed Plans	Planning Team provide outline of needs for technical input. TTPP Steering Group determine best delivery of technical services	Project Manager TTPP Steering Group	30 June 2022
Unable to meet 31 July 2022 notification date	Keep Committee informed of delays and investigate mitigation options	Project Manager TTPP Steering Group	31 July 2022
Risk of confidential, unverified or draft information being made public, negatively impacting development of TTPP (financially and/or time line) along with the outcomes for the West Coast	Ensure Committee members adhere to Standing Orders	Committee Chair	Ongoing

Status

Overall	Fast track budget for 2021/22 is with WCRC. TAT capacity for fast track delivery to be confirmed
Schedule	Work programme revised and achieving on schedule, but capacity of researchers to deliver to earlier timeframe uncertain
Resources	Staff capacity stretched under fast track
Scope	Deliver efficient, effective and consistent Te Tai o Poutini Plan

Schedule

Stage	Target Completion	Revised Fast Track 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 Nov- 2019	Development complete. Available at www.tpp.westcoast.govt.nz
Set planning milestones	31-Oct-19	30 Aug-2019	Presented at August TTPPC meeting
Hold key stakeholder workshop for Settlements section	28-Feb-20	23 Oct and 21 Nov 2019	Greymouth and Hokitika, then Westport
Hold Community information meetings	31-Mar-20	16-27 Mar 20 and 24-22 Sep 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

Stage	Target Completion	Revised Fast Track Completion	Comments
Draft Provisions (Issues, Objectives, Policy and Rules) for Rural Zones and Settlement Zones developed	31 – Aug-20	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	31-Aug-20	
Conclude TTPP Roadshow	30 –Sep-20	30-Sep-20	Postponed due to COVID-19
Potential Committee Field Trip	30 –Sep-20	April – June 21	To look at specific zoning matters. Workshops and/or fieldtrips with individual District Councils
Workshop with agricultural interests re biodiversity provisions	30-Oct-20	28 October 2020	
Commence contact with landowners re SNA assessment, landowner meetings	30-Oct-20	31 July 2021	This will be to discuss potential SNAs and seek permission to do field assessments.
Commence field work for SNA assessments	30- Nov-20	1 July 2021	Begin with drive-by evaluation prior to property assessment at owner invitation
Zoning changes proposed	31-Dec-21	30 September 2021	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 September 2021	Targeted consultation with stakeholders on draft provisions with the aim of addressing concerns at this more informal stage
Iwi review of draft Te Tai o Poutini Plan	30-July-22	20 November 2021	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	16 December 2021	A draft Plan will not have legal status, but will show all the cumulative decisions of the Committee
Targeted Consultation on “Draft” Te Tai o Poutini Plan	Oct-22	31 March 2022	Targeted consultation – industry and interest groups, specifically affected landowners. Draft Plan also available for wider community feedback. Note that while we will be seeking feedback on the “Draft” Plan, SNA field assessments and possibly some natural hazards work will still be being undertaken and would feed into the final “Proposed Plan”, not this pre-notification draft.
Amendment of “Draft” Plan to “Proposed Plan” provisions	31-Nov-22	30 June 2022	Feedback to Committee on results of consultation, outcomes of SNA field assessments, any legal opinions on contentious provisions and decisions on final provisions
Notify Te Tai o Poutini Plan	30-Aug-23	31 July 2022	This will be the “Proposed” Plan
Submissions on Te Tai o Poutini Plan	30-Oct-23	30 September 2022	40 working days for submissions is the legal requirement
Local Body Elections	30-May-22	October 2022	
Further Submissions	30–Feb-24	30 November 2022	Submissions must be summarised and published and then there is a 20 working day period for further submissions [this part of the process may no longer be required depending on RMA reform progress]
Hearings Te Tai o Poutini Plan	31-August-24	28 April 2023	Indicative time only
Decisions Te Tai o Poutini Plan	30-Sep-24	31 October 2023	Indicative time only
Appeal Period	30-June-25	30 November	Indicative time only. Any parts of the Plan not

Stage	Target Completion	Revised Fast Track Completion	Comments
		2023	appealed are completely operative from the end of the Appeal Period.
Ongoing Decision Making for TTPP	November 2025 onward	November 2023 onward	TTPPC is a permanent Committee. Once they have adopted the Plan their ongoing role includes monitoring implementation and the need for any amendments; and undertaking amendments and reviews, or ensuring these are undertaken, as required.
Appeals and Mediation Te Tai o Poutini Plan	Oct-25	April 2024	Indicative time only.
Environment or High Court [Fast Track Process]	2026	2024-2025	Indicative time only.



Te Tai o Poutini PLAN

A combined district plan for the West Coast