



Te Tai o Poutini PLAN

A combined district plan for the West Coast

**Te Tai o Poutini Plan Committee Meeting
To be held in the Council Chambers, Grey District Council
105 Tainui St, Greymouth
30 March 2021
AGENDA**

9.00	Welcome and Apologies	Chair
	Confirm previous minutes	Chair
	Matters arising from previous meeting	Chair
9.05	Topics for Committee members to declare an interest in. Under discussion today: Subdivisions and development Contaminated Land	Chair
9.10	Financial Report	Project Manager
9.15	Presentation on Resource Management Reforms	CE WCRC
9.45	Options Paper – Implications of Proposed RMA Reforms – Timeline and Budget Decisions	Project Manager
10.15	Technical Report - Overview of Zones	Principal Planner
10.30	Break	
10.45	Technical Report – Mixed Use Zone Rules	Principal Planner
11.10	Technical Report – Māori Purpose Zone Rules	Principal Planner
11.35	Technical Report – Contaminated Land and Hazardous Substances Objectives and Policies	Principal Planner
11.50	Technical Report – Financial Contributions Objectives and Policies	Principal Planner
12.05	Technical Report – Activities on the Surface of Water Objectives and Policies	Principal Planner
12.20	Project Manager’s Report	Project Manager
12.25	General Business	Chair
12.30	Meeting Ends	

Meeting Dates for 2021

April	Wednesday 5 May, 9.00-12.30	Buller District Council
May	Tuesday 25, 9.30-2.30	Arahura Marae
June	Tuesday 29, 9.30-2.30	West Coast Regional Council
July	Monday 26, 10.30-3.30	Grey District Council
August	Tuesday 31, 10.00-2.30	Westland District Council
September	Tuesday 28, 10.00-2.30	Te Tauraka Waka a Maui Marae
October	Friday 29, 10.00-2.30	Buller District Council
November	Tuesday 30, 10.00-2.30	West Coast Regional Council
December	TBA	Grey District Council

THE WEST COAST REGIONAL COUNCIL

MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD ON 23 FEBRUARY 2021, AT THE OFFICES OF WESTLAND DISTRICT COUNCIL & VIA ZOOM, COMMENCING AT 10.00 A.M.

PRESENT:

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

IN ATTENDANCE:

J. Armstrong (Project Manager), L. Easton, E. Bretherton (WCRC), V. Smith (WCRC), P. Morris (GDC) via Zoom, S. Bastion, S. Mason (via Zoom), 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 (Birchfield / Smith) *That the minutes of the meeting dated 26 January 2021, be confirmed as correct, with the amendments requested by Cr Coll McLaughlin.*

Carried

Cr Coll McLaughlin requested two amendments be made to the minutes. She stated that she has asked Cr Haddock if he was "not" in favour of a multi-zone precinct. The word "not" is to be included in the last paragraph, line 2, on page 2 of the minutes. The second change relates to her comment regarding notable trees.

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 stated that the Register of Interest routinely comes to this committee.

Financial Report

J. Armstrong spoke to this report and advised that the budget is tracking well. She advised a large invoice for research work is now to hand which will show on the financials in the coming month or so.

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

Carried

Te Tai o Poutini Plan Proposed Budget for 2021 / 22 - 2023 / 24 Financial Years

J. Armstrong spoke to this report and advised that a ten year budget has been looked at for inclusion in WCRC's Long Term Plan.

J. Armstrong advised that previous budgets had been reduced somewhat but this year the budget is now back to what was originally asked for from the start. J. Armstrong offered to answer questions. Discussion took place. Mayor Cleine noted that there could be still changes to the budget, and he is wary about adopting a budget in view of the expected changes to the RMA. It was agreed that this concern would be included in the recommendation.

Moved (Birchfield / Tumahai)

1. *That the Committee receives this report.*
2. *That the Committee discusses the proposed budget and approves the next three financial years' budgets for recommendation to the West Coast Regional Council for inclusion in their Long Term Plan, noting that there may be changes to the budget in these year if proposed RMA reforms effect TTPP delivery timelines.*

Carried

Technical Update Special Purpose Zones – Māori Purpose Zone: Draft Objectives and Policies

L. Easton spoke to this report and highlighted policy five and six and advised that Policy six can be done without a plan change. L. Easton stated that this overlaps with proposed plan changes. She advised that mapping of areas is required. L. Easton answered questions relating to mapping and offered to investigate this further.

Cr Birchfield expressed concern with regard to mining zones.

P. Madgwick spoke of the useful workshop that was held recently, he stated he is very happy with the direction and there is a lot of potential for mana motuhake. F. Tumahai stated he is very happy with this paper and spoke of the recent workshop which was very good.

The Chairman noted that there is no reference to the Treaty of Waitangi, he feels this could be an omission. P. Madgwick stated that he is not concerned about this. F. Tumahai confirmed that he has no concerns in this area. P. Madgwick advised that Ngati Waewae and Ngati Mahaki are jointly developing an iwi management plan at the moment.

Moved (Birchfield / Coll McLaughlin)

1. *That the Committee receives the report.*
2. *That the Committee provide feedback on the wording of the draft Objectives and Policies for the Māori Purpose Zone.*

Carried

Technical Update – Sites of Significance to Māori: Draft Objectives and Policies

L. Easton spoke to this report. She advised that there has been a lot of policy development needed and that these provisions also include cultural landscapes.

P. Madgwick stated that significance of this section and the previous section cannot be over estimated as the current District Plans have very little reference to Poutini Ngai Tahu. P. Madgwick stated that he supports 98% of this paper but he is concerned about the other 2% which relates to other iwi. P. Madgwick gave an extensive history of various areas and matters relating to the legalities regarding iwi land. Extensive discussion took place and it was agreed that feedback would be provided to the Buller technical team. It was agreed that this draft paper will be amended to reflect P. Madgwick's comments and advice. It was clarified that this means removal of point 22 and Policy 8.

F. Tumahai thanked P. Madgwick for his comments and said he is pleased that everyone is supporting removal of this. F. Tumahai advised that Ngati Waewae will identify the sites in conjunction with other parties and if appropriate will have the sites mapped.

Discussion took place on matters relating to access in Policy 12. P. Madgwick advised policy 12 is woven through other papers and is similar in the Port Zone paper.

S. Bastion asked how many sites were likely to be on private land. P. Madgwick advised that the majority would be on Maori land and only a few on private land. F. Tumahai noted that some sites are on LINZ and NZTA land. It was agreed that Policy 12 could be adopted as is, but it is noted that the schedule is yet to be set.

Cr Coll McLaughlin suggested that the Poutini Ngāi Tahu Partnership Manager's role is included in Appendix 3 (Draft Accidental Discovery Protocol).

S. Bastion asked P. Madgwick and F. Tumahai if they are aware of any private landowners who don't know that they have an area of significance on their property. P. Madgwick stated that this is likely. L. Easton advised that as part of the notification process for the plan it is likely this will involve individual notification to landowners. L. Easton advised that scheduled items should be included in LIM reports. It was agreed that appendix 3 would be changed as raised by Cr Coll McLaughlin. It was also agreed that the draft paper would be amended by deletion of paragraph 22 and deletion of Policy 8.

Moved (Birchfield / Gibson)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the wording of the draft Objectives and Policies for Sites of Significance to Maori, with the change to appendix 3 and the deletion of paragraph 22 and Policy 8.*

Carried

Technical Update Port Zone Rules

L. Easton spoke to this report and advised the port zone is focused on the marine associated ports such as Buller and Greymouth ports. It does not address inland ports.

Extensive discussion took place on the hours of operation, blasting, noise, and industrial requirements. Mayor Smith stated that he is very keen to hear about the practical aspects to running a port. L. Easton suggested that normal port activities should be permitted activities. It was agreed that 24 hours per day for hours of operation is practical with rules around noise. It was agreed that reference to blasting would be removed from this section of the plan as this is covered by maintenance and repairs.

L. Easton answered questions about site coverage, set backs, amenity values, stormwater effects and run off. She agreed to relook at these issues.

L. Easton answered questions regarding activities requiring resource consent. Extensive discussion took place on the types of activities in the Greymouth port zone. L. Easton clarified that land around ports is for port activities. She answered questions regarding accommodation, restaurants and ancillary activities around port zones. Cr Birchfield expressed concern with residential zones within the port zone. Cr Roche asked if zones around Westport port have been discussed with planning staff at BDC. L. Easton confirmed this has been discussed.

Cr Martin commented that having defined maps that provide clarity is very important. L. Easton agreed with Cr Latham's comments and advised that this is a work in progress.

Cr Birchfield stated that he would like to see provision made at both Westport and Greymouth for fuel storage. L. Easton advised that bulk fuel storage and auxiliary pipeline networks are proposed as permitted activities.

Cr Martin asked for further information on the zone for Jackson Bay port. L. Easton advised this is likely to become a precinct. P. Madgwick stated it is very important to get this right and this is the opportunity to ensure the Jackson Bay Port is catered for and that the port is maintained. P. Madgwick is also concerned about reverse sensitivity. Mayor Smith agreed with P. Madgwick and suggested that WDC meets with iwi to work through these issues. L. Easton thanked the meeting for their feedback and spoke of the importance of engagement with rules.

Moved (Cleine / Gibson)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the draft Port Zone performance standards and rules.*

Carried

National Policy Statement for Urban Development – Implications for Te Tai o Poutini Plan

L. Easton spoke to this report. She advised that government is very concerned about housing affordability. She stated that this NPS predominately applies to Grey District.

L. Easton advised that the NPS has removed the ability to set parking standards but these can be set in relation to accessible parking, disability parking, bicycle parking, boat parking but not car parking.

L. Easton advised this may not make a big difference on the West Coast as developers are likely to provide carparks even if not required as it is not an area with a lot of public transport.

Discussion took place on parking for boats at Moana.

Mayor Smith commented that parking requirements are a disincentive for investment and business in a small town. Mayor Gibson stated that developers have been put off because of this requirement.

L. Easton asked the meeting if they wish to include minimum parking requirements elsewhere on the West Coast. Discussion ensued and it was agreed that development needs to be made easier. L. Easton advised that decisions do not need to be made yet but she suggested that the committee thinks about whether or not minimum car park numbers on the West Coast are required here.

Cr Martin stated that the requirement for developers to have to provide and build car parks does not encourage investment. Mayor Gibson commented that investment needs to be made as easy as possible. It was confirmed that the NPS requirements to not set standards for car parking only applies to Grey District.

Moved (Gibson / Martin) *That the information be received.*

Carried

Project Manager's Report

J. Armstrong spoke to her report and took it as read. She stated it has been an extremely busy month for the planning team with work focusing on natural hazards on the West Coast. J. Armstrong offered to answer questions.

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

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 11.32 a.m

The Chairman thanked everyone for their attendance.

NEXT MEETING

The next meeting will be held at Grey District Council Chambers on Tuesday, 30 March, commencing at 9.30

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Chairman

.....
Date

Action Points

Meeting Dates for 2021

	Type of meeting	Day, Date and Time	Venue
March	In Person	Tuesday 30, 9.30-2.30	Grey
April	In Person	Friday 30, 10.00-2.30	Buller
May	In Person including Natural Hazards workshop	Tuesday 25, 9.30-2.30	Arahura Marae
June	In Person including SNA workshop	Tuesday 29, 9.30-2.30	WCRC
July	In Person including Landscape workshop	Monday 26, 10.30-3.30	Grey
August	In Person	Tuesday 31, 10.00-2.30	Westland
September	In Person	Tuesday 28, 10.00-2.30	Te Tauraka waka a Maui Marae

October	In Person	Friday 29, 10.00-2.30	Buller
November	In Person	Tuesday 30, 10.00-2.30	WCRC
December	In Person	TBA	Grey

ONE DISTRICT PLAN

7 FOR THE SEVEN MONTHS ENDED 31 January 2021

	January 2021 Report			
	ACTUAL	BUDGET	YEAR TO DATE	BUDGET
	Year to Date	Year to Date	Variance	Full Year
INCOME				
Carry forward Credit Balance	46,042	50,000		100,000
Targeted Rate	148,927	145,833		250,000
General Rate Contribution	87,500	87,500		150,000
	\$ 282,468	283,333	-	500,000
EXPENDITURE				
Employee costs	120,286	144,667		248,000
Consultant Planner	54,166	58,333		100,000
Governance	32,620	37,917		65,000
Research	81,982	58,333		100,000
Stakeholder Engagement	10,195	9,917		17,000
Communications Platforms	199	5,833		10,000
Legal Advice	99	1,167		2,000
Share of WRC Overhead	100,000	87,500		150,000
	\$ 399,546	403,667	-	692,000
Net Surplus / (Deficit)	(117,078)	(120,333)		(192,000)
Borrowing requirement	\$ 117,078	\$ 120,333		192,000



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, Project Manager
Date: 30 March 2021
Subject: **Te Tai o Poutini Plan Options Paper – Possible Timelines in Response to Proposed RMA Reforms**

SUMMARY

The Minister for the Environment has confirmed that the recommendations of the Randerson Report to reform the RMA have been adopted by the government and will be progressed in this term.

Limited information is available on the new legislation, and assumptions made by staff to help identify options for TTPP development, in light of the proposed RMA reforms, are discussed in this report.

The possible timing, budget and content delivery implications of the following two options for TTPP development are considered.

1. Status Quo – Continue developing TTPP to current timeline and budget, notify and complete under the new Acts
2. Fast Track Development – TTPP is notified before new Natural and Built Environments Act is enacted

Delaying development of TTPP until the Natural and Built Environments Act is in place was considered. However, under section 21 of the RMA *Avoiding Unreasonable Delay*, this is not a permissible option. Costs and issues from a delay would also not make this a recommended option.

Pros and cons of the two viable options are tabled, as is a comparison of the delivery implications for each option.

As a result of this technical analysis the Planning Team recommends that you approve Option 2 – Fast Track Development

RECOMMENDATIONS

1. The Committee receive this report.
2. The Committee approve Option 2 - to Fast Track TTPP Development and notify the Proposed Plan prior to the Natural and Built Environments Act enactment.
3. The Committee approve the updated TTPP 2021/22 budget of \$1,338,833, to enable the faster development of TTPP.

Jo Armstrong
Project Manager

Background

1. In 2020 a review of New Zealand's resource management was conducted by an independent panel chaired by retired Court of Appeal Judge, Hon Tony Randerson, QC. "New Directions for Resource Management in New Zealand" (the Randerson Report) is the most significant, broad ranging and inclusive review to take place since the RMA came into force.
2. On Thursday 11th February the Minister for the Environment confirmed that the recommendations of the Randerson Report to reform the RMA have been adopted by the government and will be progressed in this term.
3. The RMA will be replaced by three Acts
 - Natural and Built Environments Act (NBA) to provide for land use and environmental regulation,
 - Strategic Planning Act (SPA) to integrate with other legislation relevant to development, and require long-term regional spatial strategies, and
 - Climate Change Adaptation Act (CAA) to address complex issues associated with managed retreat and funding and financing adaptation.
4. The draft of the Natural and Built Environments Act, is expected to be available in May 2021, with the Bill introduced to Parliament at the end of 2021 and an aim of passing a completed Bill into law by December 2022. Exposure drafts of the other two Acts are expected by the end of 2021. The aim is to also pass these Acts in this parliamentary term.

Limitations and Assumptions

5. We do not know the precise content and transition provisions for these Acts. Staff have drawn on the Randerson Report and recent national planning legislation to suggest likely implications for the TTPP development process.
6. Two recommendations from the Randerson Report that we consider likely to be adopted are, to allow a 9-10 year transition period for councils to move plans into the new resource management regime, and the introduction of a streamlined appeals process.
7. When the Proposed Plan is publicly notified (see Appendix 1 for timing options) all policy and some rules e.g. SNAs, Historic Heritage, Sites of Significance to Maori and Earthworks, have legal effect and must be considered in consent applications straight away. Once submissions are received, any rule not submitted on then has legal effect, and the same applies to rules not appealed. So a lot of the Plan has legal effect before it becomes fully operative following any court proceedings to resolve final appeals.
8. Streamlined appeals would mean that Hearings Commissioners make recommendations on the Proposed TTPP to the Committee, and only the recommendations the Committee do not adopt can be appealed in the Environment Court. There is also an opportunity for judicial review, but only on points of law. This process should reduce time and costs of the appeals process.
9. Recent national direction (e.g. NES-Freshwater Management 2020) has put in place some quite restrictive default provisions, which are required to be enforced until they can be replaced by locally produced policy and rules which address the policy concern. Similar default provisions may be required in national regulation under the new Acts. Writing our own provisions in TTPP prior to December 2022, which take on board the government policy direction, may pre-empt any default provisions.
10. The Randerson Report also recommends a decision making committee with a similar makeup as the current TTPP Committee. The Order in Council stipulates that the current makeup of the Committee is required until there is an operative Combined District Plan. The timing for notifying TTPP could impact the ongoing responsibility of the current Committee – whether it is limited to decision-making for TTPP only, or is extended to the new Natural and Built Environments Plan for the West Coast, including both district and regional plans.

Options

12. Taking into account the Randerson Report recommendations and current legislation requirements, two options for completing TTPP have been identified. The timing, budget and content delivery implications for each of the options are tabled below.

Table 1. TTPP Delivery Options	Option 1 – Status Quo	Option 2 - Fast Track Development
Explanation of Option	Delivery timeline and budget as currently planned for the next two years (to Draft Plan) then TTPP becomes part of the new regional Natural and Built Environments Plan development, due for delivery by 2032	Notify TTPP before new resource management law is enacted in December 2022. TTPP deemed notified under the Natural Built Environments Act, and follows streamlined appeals process
How this Option is Delivered	<ul style="list-style-type: none"> • Research and development would continue until the draft Plan has received public feedback in October 2022 as scheduled • The amended draft Plan could not be notified in time before enactment of the Natural and Built Environments Act and further development would be delayed • TTPP would come into force under the Natural and Built Environments Plan in 2032 • The full budget would be used through to December 2022, then a reduced budget until TTPP amendments were required as part of the Natural and Built Environments Plan development. At this time the full TTPP budget would be reinstated • Status quo TAT and Committee input increasing for Draft Plan delivery in 2022 	<ul style="list-style-type: none"> • The timeline would be compressed to achieve TTPP notification by June 2022, to ensure Plan development does not interfere with the Local Body Elections in October 2022 • The variable costs in the 2021/22 budget would be significantly increased to allow all necessary research (planned for the next two years) to be undertaken. See Appendix 2 for details • Some research and detailed Plan provisions would be best completed at a later date under the new Climate Change Adaptation Act • Work with the Committee and TAT would continue at the current pace for some months before accelerating for Draft Plan delivery
Implications of this Option	<ul style="list-style-type: none"> • Adding a further 7-10 years to TTPP delivery • Losing the consultant planner • The possibility that the TTPP Committee would become the decision makers for the new Natural and Built Environments Plan, which would include all of the regional plans • At least 2-3 further years to develop the TTPP portion in the new Plan 	<ul style="list-style-type: none"> • Increased work to deliver research and Plan provisions for early notification • Some natural hazard research deferred, especially for managed retreat as this will be covered comprehensively by the new Act • Less time for community consultation • Increased 2021/22 budget but one year fewer fixed costs for plan preparation, as the 2021/22 and 2022/23 years work would effectively be undertaken in one year. See Appendix 2

- Money already spent on TTPP development becomes a sunk cost, as a rewrite would be required
- An increase in TTPP budget in out years to undertake Plan development
- TTPP appeals become part of the Natural and Built Environments Plan appeals process
- A streamlined appeals process could reduce time and costs
- Current district plans would remain in place for a further 10-12 years or so, continuing to restrict development across the West Coast under the current zoning provisions
- Early delivery of other TTPP content would be delayed e.g. the enabling provisions for iwi would be delayed during transition by up to 10 years
- National legislation, including the NPSIB due out in the middle of this year, and any restrictive default provisions in the new Acts will need to be enforced for an additional 7-10 years while the new Plan is being completed
- Private plan changes to individual District Plans will be required for redevelopment plans, removal of the Parking Provisions in Grey etc. for an extra 7-10 years, requiring separate appeals processes
- Decisions on Plan Changes are made by the West Coast Regional Council and the TTPP Committee as a whole would not have any oversight of Plan Changes
- Ongoing budgets are likely to look the same as currently planned for the submissions and appeals processes.
- Continuity of TTPP Planning staff
- More enabling provisions in place over 10 year transition before any more restrictive provisions are required under the new legislation
- More enabling provisions for iwi and development, could be implemented during the transition period
- Earlier requirement for TAT to proof the Draft Plan by December 2021 rather than early in 2022 as planned
- Plan changes and appeals from 2022 would be to the TTPP not individual District Plans
- TTPP provisions replace any default provisions required under new Acts
- Streamlined appeals process reduces time and costs
- A decision making Committee under the new Act could have a different membership, where Mayors and Chairs are not required for regional plan decisions and implementation
- The notified Plan would be produced within this term of Council and TTPP Committee.

13. A comparison of the timing, budget and content delivery implications of the two options is tabled below.
14. A comparison of possible timelines to deliver the two options, and the proposed budget under Option 2 are found at Appendix 1 and 2 respectively.

Table 2. Comparison of the Implications of Two Options for TTPP Delivery

	Option 1 Status Quo	Option 2 Fast Track
Timing for notification (Details in Appendix 1)	2029	2022
Timing for Operative Plan	2032	2025
Budget* (Appendix 2 provides details of the Option 2 proposed budget)	As planned for the next 2 years. Some of this budgeted work would require as a rewrite to be undertaken over 2-3 years in the new Plan. A full budget would then be required to complete development before appeals costs begin- possibly by streamlined process	Increased budget in 2021/22, current recommended budgets in out years. 1 year less to deliver reduces some costs, then possibly reduced budget for streamlined appeals process. Overall lower budget.
*Funding of the TTPP budget is the responsibility of the West Coast Regional Council		
Rework of some TTPP content required	Yes	No
Research Completed	2022/23	2021/22
TTPP Committee Input	As planned for 2 years, then possibly ongoing in Natural and Built Environments Plan and plan change decisions	High for the next 12-15 months. Much reduced from July 2022
TAT Input	As planned for 2 years, then ongoing in Natural and Built Environments Plan and plan change decisions	High to heavy for the next 12-15 months. Much reduced from July 2022
Use Streamlined Appeals if in new Act	Yes	Yes
Current Restrictive Provisions Remain	2029 -2032	2022 - 2025
Enabling Provisions	Unlikely	Possible
Less consultation time	No	Yes
Enforcement of National Policy and Standards including Possible Default Provisions in New Acts until new Plan notified	2029	2022
Private plan changes and appeals required for each of the three district plans	Yes	No
Continuity of TTPP Planning Staff	For next 2 years only	Yes
Notified in this term of Council and TTPP Committee	No	Yes

Preferred Option

15. Option 1, Status Quo, would see policy work continued for a further two years, but this would then be delayed causing negative impacts for iwi and development on the West Coast, the possibility of restrictive default provisions, and the additional costs and resourcing for private plan changes for an extra 7-10 years. Little would be gained by continuing TTPP development if the Plan is not notified before the Natural and Built Environments Act is passed. Therefore Option 1 is not recommended.
16. Option 2, Fast Track Plan development, provides the opportunity to include more enabling provisions more quickly and for the maximum time available before transitioning to the new Acts. It also resolves the issue of all District Plan changes being Private Plan changes sooner. With Option 2 we keep our Principal Planner, are not affected by restrictive default provisions, take advantage of the streamlined appeals process, and complete Plan notification within this term of the TTPP Committee. For these reasons Option 2 is the planning team's preferred option.

Appendix 1

Possible Project Timelines for Two Proposed Options

Stage	Option 1 Status Quo	Option 2 Fast Track
Contact with landowners re SNA assessment, landowner meetings	30 Jun 2021	30 Jun 2021
Commence field work for SNA assessments	30 Aug 2021	30 Aug 2021
Zoning changes proposed	31 Dec 2021	30 Sep 2021
Targeted stakeholder consultation on draft provisions of Te Tai o Poutini Plan	30 May 2022	30 Sep 2021
Iwi review of draft Te Tai o Poutini Plan	30 July 2022	20 Nov 2021
Full "draft" Te Tai o Poutini Plan to Committee	30 Sep 2022	16 Dec 2021
Targeted Consultation on "Draft" Te Tai o Poutini Plan	Oct 2022	31 Mar 2022
Amendment of "Draft" Plan to "Proposed Plan" provisions.	July 2028 Requires rewriting sections to meet new legislation and requirements of new regional components developed under the new legislation	30 Jun 2022
Notify Te Tai o Poutini Plan All policy and some rules e.g. Heritage, Earthworks, SNAs and Site of Significance to Maori have legal effect	Jan 2029 (as part of the wider West Coast Natural and Built Environments Plan)	30 July 2022
Submissions	Mar 2029	30 Sep 2022
Local Body Elections	Oct 2022, 2025 and 2028	Oct 2022
New Committee Familiarise with Proposed Plan	Nov 2022 – May 2023 Nov 2025 – May 2026 Nov 2028 – May 2029	
Further Submissions	Sep 2029	30 Nov 2022
Hearings Any rules not submitted on have legal effect	Mar 2030	28 Apr 2023
Decisions	June 2030	31 Oct 2023
Appeal Period Any rule not appealed has legal effect	Oct 2030	30 Nov 2023
Appeals and Mediation	Apr 2031	Apr 2024
Environment or High Court [Fast Track Process] Operative Plan	2031-2032	2024-2025

Appendix 2

Te Tai o Poutini Plan Possible Draft Budget for Fast Track Plan Delivery

Note some of the costs budgeted for 2022/23 will be rolled into the 2021/22 budget. The current proposed 2022/23 budget will be subsumed by the proposed 2023/24 budget. Budgets for years beyond 2022/23 will also reflect the draft budgets currently proposed for the year following.

	2021/22	2022/23	2022/23 2023/24	Explanation/Assumptions
Fixed Costs				
Overheads	150,000	150,000	150,000	Includes auxiliary staff time, and WCRC equipment. Staff time should reduce once Proposed Plan is notified, and again once the Plan is operative
Salaries	250,000	250,000	250,000	Salaries, allowances and training. Staff time on TTPP will reduce over time from 2025 after notification but before operative status.
Consultant Planner	100,000 85,000	35,000	50,000	Reducing hours per week until draft is complete in June 2022. Hourly charge for s42A report, hearings and redrafting from July 2022.
Governance	65,000	65,000	16,000	Reduce hours and only pay meeting fees once Plan is notified
Poutini Ngāi Tahu Input	50,000	50,000	50,000	To include input in plan development, identification of sites of significance, writing Plan introduction, involvement in appeals process etc.
TTPP Website	5,000 2,000	5,000	10,000	Ongoing hosting and maintenance. Additional costs for draft plan and redesign of website on notification
Isovist e-plan Platform	10,833 7,500	10,833	10,833	Consultation component additional to hosting charge in 2022-25 years
Sub Total	630,833 609,500	565,833	536,833	
Variable Costs				
Research	590,000 295,000	-295,000		See Appendix 2
Engagement Travel & Accom.	15,000	5,000	5,000	Includes Consultant travel and accommodation, and planning team roadshow, workshop and plan change travel and accommodation
Workshops & Events	3,000	500	3,000	Venue, stand hire, and resources during plan development and to socialise Plan

Design and printing	5,000	-	5,000	Collateral for Roadshow and public meetings for draft and notification of Plan.
Media Costs	25,000 15,000	10,000	15,000	Increased costs for advertising and public notices for draft and notified plans.
Mail outs	20,000		20,000	Individual letters to every ratepayer for the draft and notified plans. 22,500 rateable sections
Legal Input	50,000 0	50,000		Prior to notification and appeals processes
Hearings			200,000	Indicative timing. Includes Commissioners fees, legal advice and representation, and meeting costs
Sub Total	708,000 353,000	360,500	248,000	
Total	1,338,833 962,500	926,333	784, 833	



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: March 2021
Subject: **Technical Update: Overview of Zones in Te Tai o Poutini Plan**

SUMMARY

This report gives an update on the overall approach to zones in Te Tai o Poutini Plan (TTPP).

As part of TTPP all land on the West Coast is required to be zoned. The number and type of zones is fixed by the National Planning Standards.

This paper gives an overview of the urban, rural, open space and special zones proposed to be used, and the precincts within these.

RECOMMENDATIONS

1. That the Committee receive the report.

Lois Easton

Principal Planner

INTRODUCTION

1. This report gives an update on the overall approach to zones in Te Tai o Poutini Plan (TTPP).
2. As part of TTPP all land on the West Coast is required to be zoned. The number and type of zones is fixed by the National Planning Standards.

Overall Approach and Status

3. A range of zones have been looked at to date for Urban, Rural, Open Space and Special Areas as follow.

Urban Zones

There are three groups of urban zones – Residential; Commercial and Mixed Use; and Industrial. These are further broken down.

Residential Zones

4. There are three types of residential zones proposed to be included within Te Tai o Poutini Plan:
 - A General Residential Zone. This would be the default residential zone, and most widespread across the three districts. Most of the residential areas in Westport, Reefton, Greymouth and Hokitika will fall into this zone.
 - A Large Lot Residential Zone. This zone would be typified by large lots (around 2000m²), but with full urban services such as urban roads (with kerb and channel), wastewater, water supply and stormwater systems. The Large Lot Residential Zone differs from a General Residential Zone in terms of lot size, and from a Rural Lifestyle Zone by the presence of urban services. The lot size is kept large due to the constraints on servicing capacity – whereby 3 waters systems do not have sufficient capacity to allow General Residential sized sections. Currently the area around Paroa (zoned Rural Residential in the Grey Plan) is the main area identified as being suitable for this zone.
 - A Medium Density Residential Zone. This zone would be typified by allowances to develop multi-unit developments such as terraced housing, pensioner/kaumatua units and low-level (3 story) apartments. Currently the residential area abutting the Greymouth CBD, an area around Greymouth Te Nikau hospital, an area of higher land behind the Hokitika town centre and an area of the Seaview land at Hokitika have been identified as potential locations for this zone. The main purpose of this zone is to provide for housing choice, particularly for older adults and smaller households, but in locations where there is good amenity such as medical facilities, shops and recreation facilities to offset the smaller dwelling and site size.

Commercial Zones

5. There are four Commercial and Mixed Use Zones proposed for inclusion in TTPP:
 - A Town Centre Zone. This zone will cover the town centres of Reefton, Westport, Greymouth and Hokitika. Because of the significant differences in these centres it is expected that a Precinct with some specific standards and rules for each of these four centres will be used.
 - A Neighbourhood Centre Zone. This zone will cover the small collections of shops which serve neighbourhoods.
 - A general Commercial Zone. Commercial areas outside of the Town Centres and Neighbourhoods would use this zone, which will include any areas zoned Commercial in settlements.
 - A Mixed Use Zone. This Zone will primarily support the redevelopment of parts of Greymouth allowing for a combination of commercial and residential uses as part of redevelopment of the Greymouth Town Centre. It is a key zone to enable the delivery of the Greymouth CBD Redevelopment Plan.

However, as it is a zone which will be available, there may also be other locations in Westport and Hokitika where such a zone will be useful.

Industrial Zones

6. There are two Industrial Zones proposed for inclusion in TTPP:
 - A General Industrial Zone. This will be the main industrial zone used and will cover the existing Industrial Zone areas on the West Coast. Because of the shortage of industrial land, new General Industrial Zone areas will also need to be identified.
 - A Heavy Industrial Zone. This is intended to specifically provide for Heavy Industry such as a Waste to Energy Plant, Mine processing, some aspects of automotive industry (e.g. heavy engineering services). The intent in zoning a Heavy Industrial Zone is to ensure that the future development of Heavy Industry is provided for on the West Coast – without the risk of reverse sensitivity issues from neighbours. Industry such as marine maintenance would be included within the Port Zone, rather than the Heavy Industrial Zone.

Open Space Zones

7. There are three Open Space Zones proposed for inclusion in TTPP.
 - A Natural Open Space Zone. Areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone. This is intended to cover the major ecological focus areas in the public conservation estate as well as any important ecological or natural areas in the council's reserve network.
 - A Sport and Active Recreation Zone. Areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures. This will cover the sports fields, bowling greens, tennis courts and other sporting facilities on the West Coast.
 - An Open Space Zone. Areas used predominantly for a range of passive and active recreational activities, along with limited associated facilities and structures. This will be the zone for the remainder of the parks and reserves on the West Coast.

Special Purpose Zones

8. There are 8 Special Purpose Zones proposed for inclusion in TTPP:
 - A Port Zone: - Areas used predominantly for the operation and development of ports as well as operational areas and facilities, administrative, commercial and industrial activities associated with ports. This zone is intended to be used at Greymouth and Westport ports.
 - An Airport Zone: Areas used predominantly for the operation and development of airports and other aerodromes as well as operational areas and facilities, administrative, commercial and industrial activities associated with airports and other aerodromes. This is proposed to cover Hokitika Airport, Westport Airport, Greymouth Aerodrome, Franz Josef Heliport and Karamea Aerodrome.
 - A Future Urban Zone: Areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use. This zone will be used for identification of areas suitable for managed retreat.
 - A Māori Purpose Zone: Areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities. This is intended to apply to a range of Poutini Ngāi Tahu Land

- A Stadium Zone: Areas used predominantly for the operation and development of large-scale sports and recreation facilities, buildings and structures. It may accommodate a range of large-scale sports, leisure, entertainment, art, recreation, and/or event and cultural activities. This is intended to apply to Westland Recreation Centre and the Pulse Energy Events Centre as well as some of the main outdoor facilities such as the Kumara Racecourse and Greymouth Rugby Park.
- A Hospital Zone. Areas used predominantly for the operation and development of locally or regionally important medical, surgical or psychiatric care facilities, as well as health care services and facilities, administrative and commercial activities associated with these facilities. This zone is proposed to be used at Te Nikau Hospital, Westport Hospital and Reefton Hospital as well as a number of the smaller medical centres and private hospitals across the West Coast.
- A Buller Coalfield Zone: Covering the Stockton Plateau mines and associated ancillary areas. It would also cover some areas consented for mineral extraction or where Crown Mining Licences are in place on the Denniston Plateau.
- A High Use Visitor Zone: This will cover the Commercial areas of Fox Glacier, Franz Josef and Punakaiki.

Rural Zones

9. There are three Rural Zones that are currently proposed for inclusion in TTPP:
 - A General Rural Zone: This will be the main rural zone used and cover most of the private rural land within the three districts. There is one Precinct proposed within this Zone, the Community Living Precinct which will cover the Gloriavale community;
 - A Rural Lifestyle Zone: The definition of this zone includes an assumption that primary production can still occur. This will cover areas of 1-2ha in size, mainly in Buller and Grey.
 - A Settlement Zone: For all the small settlements on the Coast. There are four Precincts proposed within this Zone:
 - i. A Coastal Settlement Precinct for the small coastal towns in Westland and Buller;
 - ii. A Rural-Residential Precinct covering the current small lot (5000m² or less) areas mainly in Grey and Westland;
 - iii. A Settlement Centre Precinct in some towns where a commercial type centre is starting to develop;
 - iv. Jackson Bay Port Precinct covering the port-focussed area of Jackson Bay.

Mineral Extraction Multi-Zone Precinct

10. A multi-zone Precinct (covering sites in both the Open Space Zones and the General Rural Zone) is proposed for inclusion in TTPP. This will include areas of existing mines and quarries across the Coast as well as key future locations for mineral extraction.

DEVELOPMENT OF ZONE PROVISIONS

11. The following table summarises the current proposed zones and where we are at in their development.

12.

Zone	Provisions Status
<i>Residential Zones</i>	Objectives and Policies Reviewed by Committee
General Residential Zone	Rules Reviewed by Committee.
Large Lot Residential Zone	Rules Reviewed by Committee
Medium Density Residential Zone	Rules Reviewed by Committee
<i>Commercial Zones</i>	Objectives and Policies Reviewed by Committee
Town Centre Zone	Rules Reviewed by Committee
Commercial Zone	Rules Reviewed by Committee
Mixed Use Zone	Rules to be Reviewed by Committee – this meeting
Neighbourhood Centre Zone	Rules Reviewed by Committee
<i>Industrial Zones</i>	Objectives and Policies Reviewed by Committee
General Industrial Zone	Rules Reviewed by Committee
Heavy Industrial Zone	Under development.
<i>Rural Zones</i>	Objectives and Policies Reviewed by Committee
General Rural Zone	Rules Reviewed by Committee
Rural Production Zone	Rules Reviewed by Committee
Rural Lifestyle Zone	Rules Reviewed by Committee
Settlement Zone	Rules Reviewed by Committee
Settlement Zone Precincts – Coastal Settlements, Rural Residential, Settlement Centre	Rules Reviewed by Committee
Rural Zone Precinct – Communal Living	Under development
Settlement Zone Precinct – Jackson Bay Port	Under development
<i>Special Zones</i>	
Port Zone	Objectives, Policies and Rules Reviewed by Committee
Airport Zone	Objectives and Policies Reviewed by Committee Rules Under Development
Future Urban Zone	Objectives and Policies Reviewed by Committee Rules Under Development
Māori Purpose Zone	Objectives and Policies Reviewed by Committee Rules Under Development
Stadium Zone	Objectives and Policies Reviewed by Committee Rules Under Development

Hospital Zone	Objectives and Policies Reviewed by Committee Rules Under Development
Buller Coalfield Zone	Under development
High Use Visitor Zone	Under development
<i>Open Space Zones</i>	Objectives and Policies Reviewed by Committee
Open Space Zone	Rules Reviewed by Committee
Sport and Recreation Zone	Rules Reviewed by Committee
Natural Open Space Zone	Rules Reviewed by Committee
<i>Multi Zone Precincts</i>	
<i>Mineral Extraction Precinct</i>	Objectives and Policies Reviewed by Committee Rules Under Development

Overlays and District Wide Rules

13. As well as Zone Rules there will be rules for Overlays (Landscape and Features, SNAs, Natural Character, Historic Heritage etc) and District Wide Rules for matters such as Infrastructure, Earthworks, and Transport.
14. The general approach so far has to be to focus primarily on getting the Zone provisions to a reasonable consultation draft by mid 2021, as well as making steady progress on the other matters.

NEXT STEPS

15. Staff are now starting to develop the draft Maps for TTPP. At this stage the focus of discussion has been on the zoning for the major settlements and in particular the Town Centres. At future meetings we will look in more detail at the draft zoning maps that have been developed so far. Staff plan a workshop with the Committee once the GIS work is sufficiently progressed.



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: March 2021
Subject: **Technical Update: Mixed Use Zone – Rules**

SUMMARY

This report gives an update on the technical work being undertaken on draft provisions for the Mixed Use Zone in Te Tai o Poutini Plan.

This Zone was first identified as being needed as part of the Greymouth CBD Redevelopment Plan and it will primarily support the redevelopment of parts of Greymouth allowing for a combination of commercial and residential uses as part of redevelopment of the Greymouth Town Centre. However, as it is a zone which will be available, there may also be other locations in Westport and Hokitika where such a Zone will be useful.

Under the National Planning Standards, the Mixed Use Zone is a type of Commercial Zone and will be subject to the Commercial Zone Objectives and Policies.

The proposed draft Mixed Use Zone Rules are outlined in the report.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the Committee provide feedback on the draft Rules for the Mixed Use Zone.

Lois Easton

Principal Planner

INTRODUCTION

1. This report gives an update on the technical work being undertaken on draft provisions for the Mixed Use Zone in Te Tai o Poutini Plan.
2. The Mixed Use Zone is defined as: Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.
3. The need for a Mixed Use Zone was first identified as part of the Greymouth CBD Redevelopment Plan and it will primarily support the redevelopment of parts of Greymouth. The zone is intended to allow for a combination of commercial and residential uses as part of redevelopment of the Greymouth Town Centre.
4. However, as it is a zone which will be available, there may also be other locations in Westport and Hokitika where such a Zone will be useful.
5. The intent of the zone is very much to support redevelopment of under-utilised land and support the revitalisation of the adjacent town centre.

MATTERS TO CONSIDER WHEN DEVELOPING THE RULES

6. The Mixed Use Zone falls under the Commercial and Mixed Use Policy Framework of the Plan. The relevant draft Objectives and Policies are contained in Appendix One.
7. Currently it is proposed to apply the Mixed Use Zone in Greymouth in the area directly abutting the town centre, and identified as appropriate for a Mixed Use Zone in the CBD Redevelopment Plan.
8. It also includes the area identified in the CBD Redevelopment Plan as the “Wharf Quarter” – land along Richmond Quay and Gresson Street. These areas are shown in the Map below.



9. As outlined in the Plan, the aim of the Zone is to provide a pathway for redevelopment, better connection with the town centre, and very importantly to allow for residential development within an easy walk of the town centre.

10. The area concerned is currently light commercial in its use with the Richmond Quay/Greesson Street area currently zoned industrial. Alongside this there are many underdeveloped sites where redevelopment would be able to occur. A key consideration in drafting the rules is that the many businesses and developments located in the area need to be supported to stay there – the idea is not to drive business out, but to enable better utilisation of underutilised land.
11. The main tension therefore is to ensure that as residential development occurs in the area that there is a minimum level of amenity and that the area connects better to town centre for pedestrians, while also allowing for other types of redevelopment.
12. Like the Town Centre Zone, active street frontage is really important to make mixed use work as it is a key method to provide for pedestrian safety and the transition to a mixed residential-commercial environment. Based on a review of how this has been done in other parts of the country it is proposed to identify Façade Control Streets where there are minimum glazing, entrance and verandah requirements.
13. Streets proposed for façade control are ideally those where there is already a partial active frontage (some shops with verandahs, some buildings with glazing, most buildings built to the road boundary) or where, there are vacant sites awaiting redevelopment. Discussion with Grey District Council planning staff has identified that façade controls are appropriate for the streets identified with a red line on the map above – Tarapuhi Street, Mackay Street (connecting to the existing verandah requirements), Boundary Street (between Mackay Street and Frederick Street), Richmond Quay and Gresson Street.
14. The area previously had a zoning which allowed for some industrial use and there are some existing industrial activities on the fringe of the zone. While the area is quite appropriate for community facilities, health services, education facilities and the like, the draft rules don't provide for new industrial activities – although those existing businesses will continue to have existing use rights.
15. Another key feature of Mixed Use Zones and one of the main ways to unlock the redevelopment desired, is to restrict the maximum gross floor area of the activity. This effectively means that land can't be tied up (or not without a resource consent) in new developments of large footprint activities like warehouses, storage, bulk retail, car yards or other yard-based retail. This is therefore provided for in the draft rules.
16. Some Councils rely on a Design Guideline for Mixed Use because as for Medium Density it needs to be done well. The draft Rules include the essentials of the Design Guideline within the Plan but also referred to any specific guidelines developed by the Councils in the future.

DRAFT RULES

17. The draft Mixed Use Zone Rules are attached at Appendix Two. The table below identifies the main Permitted Activities for the zone where these differ from the draft Commercial Zone Rules. Some of these differences make the zone more similar to the town centre zone (e.g. the emphasis on pedestrians for the Façade Control Streets) – but to a lower standard of amenity that might be expected in a town centre (e.g. 20% display window requirement in the Mixed Use Zone vs 50% in the Town Centre Zone).
18. While the zone rules do provide for residential to a much greater extent than either the Town Centre or Commercial Zones, they seek to both provide privacy for the residences, and keep the "commercial feel" of the area by requiring where residential is at the ground floor, this is not where it fronts onto a public street or open space.
19. A typical mixed-use development might be to have a commercial activity at the front of the site, with residential at the rear or above ground floors. Some examples of mixed-use developments are shown in Appendix Three.

Draft Permitted Activity Rule	Mixed Use Zone Rules – Differences from Commercial Zone
General Permitted Activities	Limits Commercial Activities and Community Facilities (excl. emergency services) to a maximum gross floor area of the activity of 500m ²
Residential Dwellings	Allows these on the ground floor but with no frontage to public open spaces or streets except for access

Visitor Accommodation	Permitted only in listed Heritage Buildings and in other buildings where above ground floor or where on ground floor but with no frontage to public open spaces or streets except for access
Design	Includes Façade Control Streets: (Mackay, Tarapuhi, Richmond Quay, Gresson St, Boundary Street between Māwhera Quay and Frederick St) – heritage buildings exempt from façade controls <ul style="list-style-type: none"> • 20% of the ground floor building frontage as display windows or transparent glazing, • principal public entrance located on the front boundary, • verandah over the footpath
Carparking/service access	Includes Façade Control Streets: (Mackay, Tarapuhi, Richmond Quay, Gresson St, Boundary Street between Māwhera Quay and Frederick St) <ul style="list-style-type: none"> • No parking between the street and the front of the building
Landscaping	For sites adjoining a Residential Activity parking must be screened so it is not visible from the adjoining residential site(s) No requirement for landscaping strip adjacent to the road
Relocated Buildings	Permitted subject to the standard design controls where located on Façade Control Streets

NEXT STEPS

20. Feedback from the Committee is sought in relation to the wording of the draft Rules.

21. This will then be included with draft provisions for the next round of consultation.

APPENDIX ONE: DRAFT OBJECTIVES AND POLICIES RELEVANT FOR THE MIXED USE ZONE

Commercial and Mixed Use Zones Objectives	
COMZ - O1	To maintain the character and amenity values of commercial areas and town centres in a way that enables commercial and other activities to support the local community and visitors, while avoiding, remedying or mitigating adverse effects within and adjoining the commercial areas.
COMZ - O2	To recognise the importance of the West Coast town centres and maintain their integrity as a place of high-quality built environment character, community and visitor focus and identity.
COMZ - O3	To recognise that Greymouth is the principal commercial and urban centre on the West Coast and should provide for a range of commercial activities within a high-quality urban environment.

Commercial and Mixed Use Zones Policies	
COMZ - P4	Where cultural landscapes are identified in commercial areas or developments, ensure activities are managed in a way that provides for the cultural relationships of Poutini Ngāi Tahu including; <ol style="list-style-type: none"> 1. protection of wāhi tapu and taonga sites scheduled in the Plan using culturally appropriate methods; and 2. identification and utilisation of opportunities to enhance sites, values and other taonga of cultural significance to Ngāi Tahu; and 3. protection of the relationship of tangata whenua with freshwater, including cultural wellbeing and customary use opportunities.
COMZ - P5	Activities in the Commercial and Mixed Use Zones outside of town centres should: <ol style="list-style-type: none"> 1. Meet performance standards on development and landuse that maintain or enhance the amenity of the commercial areas and do not create adverse effects beyond the boundaries of these areas, particularly in respect of residential areas; 2. Provide safe urban design (including pedestrian and vehicle safety); and 3. Avoid the fragmentation of town centres
COMZ - P6	A range of activities are anticipated within Commercial and Mixed Use Zones which meet the needs of the local community with convenient access and opportunities for economic growth and social interaction.
COMZ - P7	Bulk retail outlets should locate in existing Commercial and Mixed Use Zones but not directly within town centres.
COMZ - P9	Residential activities and visitor accommodation may occur in Town Centre and Mixed Use Zones, generally above ground floor level, except this may occur at ground floor where this enables the redevelopment of important heritage buildings.
COMZ - P10	Encourage a range of transport modes to and from the town centres including public transport, cycling routes and parking and encouraging more walkable streets.
COMZ - P11	New development in Commercial and Mixed Use Zones should have quality design outcomes and is expected to:

	<ol style="list-style-type: none"> 1. Acknowledge, and respond to, the context of the site and the surrounding environment; 2. Ensure the bulk, form and siting of new buildings maintains and enhances the quality of the environment; 3. Provide a quality street frontage with visual interest and connection with the street; and 4. Ensure visual effects from car parking areas are minimised
COMZ - P14	The use of energy efficient systems and products, low impact stormwater design and other environmentally sustainable elements in new building and development is encouraged.
COMZ - P15	New commercial development and redevelopment should connect to existing infrastructure investment where possible.
COMZ - P16	Ensure that developments are serviced with all required infrastructure in an effective and efficient manner. Where new infrastructure such as roads and three waters (wastewater, water supply, stormwater) is provided to service new commercial areas across multiple properties then this should be vested with the Council rather than be retained as private infrastructure.
COMZ - P17	<p>Avoid reverse sensitivity effects on strategic infrastructure including:</p> <ul style="list-style-type: none"> • Hokitika, Greymouth and Westport Airports; • the rail network; • the arterial road network; • the Ports of Westport and Greymouth; • the National Grid.
COMZ - P18	Encourage the comprehensive redevelopment of sites within the Mixed Use zone.

APPENDIX TWO: DRAFT MIXED USE ZONE RULES

Permitted Activities	Performance Standards	Activity Status Where Compliance Not Achieved
<p>MUZ - R1 Commercial and Community Activities excluding Emergency Services Facilities, Visitor Accommodation, Commercial Garages and Service Stations.</p>	<p>a. The maximum gross floor area of the activity is 500m²</p>	<p>Restricted Discretionary</p>
<p>MUZ - R2 New buildings and alterations to existing buildings Where:</p> <ol style="list-style-type: none"> 1. The maximum ground floor area of the building is 500m²; and 2. Performance standards a to e are met. 	<ol style="list-style-type: none"> a. The maximum height above ground level is 12m; b. Any building on a Facade Control Street must have: <ol style="list-style-type: none"> i. a cantilevered continuous verandah to cover the full width of the footpath except that this does not apply to Heritage Buildings identified in Schedule xxxx; ii. 20% of the facade devoted to display windows or transparent glazing; and iii. the principal public entrance to the building must be located on the front boundary c. Any building or structure is setback a minimum of 3m from any Residential Zone, Open Space Zone, Industrial Zone or Port Zone boundary; d. All external storage is screened by a 1.8m fence or landscaping so it is not visible from any adjoining residential zone boundary or any adjoining public space; e. On sites adjoining a Residential Zone a 2m wide landscaping strip shall be provided adjacent to the Residential Zone boundary and shall be planted with species, which at maturity, will screen the buildings from the adjoining sites; and f. No building shall project beyond a building envelope defined by a recession plane as identified in accordance with Schedule xxx to commence 2.5m above any Residential Zone boundary except where neighbour's consent is provided to the Council under Section 87AAB of the Act. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. road boundaries 	<p>Discretionary</p>

	<ul style="list-style-type: none"> ii. buildings on adjoining sites that have a common wall along the boundary iii. boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard. iv. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (eg finials, spires) provided these do not exceed the recession plane by more than 3m vertically v. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically 	
<p>MUZ - R3 Carparking and vehicle service access Where:</p> <p>1. Performance standards a to e are met.</p>	<ul style="list-style-type: none"> a. Provision for carparking and vehicle service access is made at the side or rear of the building; b. Where available all vehicle access should be from service lanes or streets other than those subject to Facade Controls; c. No parking areas are located between the frontage of buildings and the street; d. No carpark is provided on a Facade Control Street; e. For all sites adjoining a Residential Zone all parking areas must be screened so they are not visible from the adjoining residential site. 	Non complying
<p>MUZ -R4 Residential Activities Where:</p> <ul style="list-style-type: none"> 1. The residential activity is located above street level; or 2. The residential activity is located at street level but with no frontage to public open spaces or streets except for access; and 3. Performance standards a to e are met. 	<ul style="list-style-type: none"> a. Each residential unit shall be provided with a waste management area of 2m² per unit, each with a minimum dimension of 1.5 metres in either a private or communal area; b. Any space designed for waste management, whether private or communal, shall not be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres. c. Residential accommodation entrances shall be clearly separated and distinguished from commercial entrances; d. Residential accommodation entrances shall be provided directly from the public street; e. The residential activity shall be designed and constructed to ensure noise from activities on adjacent sites during night time will not exceed 35 dBA LAeq(15min) in bedrooms and 40 dBA LAeq (15)min in other habitable rooms. The indoor design level must be achieved with windows and doors open 	Discretionary

	<p>unless adequate ventilation that complies with the Building Code is provided. Noise from any ventilation system shall not cause the internal noise criteria to be exceeded.</p>	
<p>MUZ -R5 Visitor Accommodation Where:</p> <ol style="list-style-type: none"> 1. The visitor accommodation is in a Heritage Building listed in Schedule xxx; or 2. The visitor accommodation activity is located above street level; or 3. The visitor accommodation is located at street level but with no frontage to public open spaces or streets except for access; and 4. Performance standards a to e are met. 	<ol style="list-style-type: none"> a. Any space designed for waste management, whether private or communal, shall not be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres. b. Visitor accommodation accommodation entrances shall be clearly separated and distinguished from commercial entrances; c. Visitor accommodation entrances shall be provided directly from the public street; d. New visitor accommodation buildings shall be designed and constructed to ensure noise from activities on adjacent sites during night time will not exceed 35 dBA LAeq(15min) in bedrooms and 40 dBA LAeq (15)min in other habitable rooms. The indoor design level must be achieved with windows and doors open unless adequate ventilation that complies with the Building Code is provided. Noise from any ventilation system shall not cause the internal noise criteria to be exceeded. 	<p>Discretionary</p>
<p>MUZ - R6 Minor Structures Where:</p> <ol style="list-style-type: none"> 1. Performance Standards a to d are able to be met; and 2. All performance standards for rule MUZ - R2 are met 	<ol style="list-style-type: none"> a. Masts, poles, aerials and pou whenua must not exceed 7m in height; b. Any antenna dish must be less than 1m in diameter; c. Any ornamental or garden structure must not exceed 2.4 m in height; and d. Any other structure must not exceed 10m² and 2m in height 	<p>Discretionary</p>
<p>MUZ - R7 Fences, Walls and Retaining Walls Where:</p>	<ol style="list-style-type: none"> a. Fences, walls and retaining walls are a maximum 2m height above ground level; and b. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall. 	<p>Discretionary</p>

<ol style="list-style-type: none"> Performance Standards a and b are met; and All performance standards for rule MUZ - R2 are met. 		
<p>MUZ - R8 Relocated Buildings Where:</p> <ol style="list-style-type: none"> Performance Standards a to c are met; and All performance standards for rule MUZ - R2 are met. 	<ol style="list-style-type: none"> The building was constructed within the 10 years prior to location on the site; Is constructed of new materials; and Is established on foundations complying with the Building Code at the time of relocation. 	Discretionary
Restricted Discretionary Activities	Matters of Discretion	Activity Status Where Compliance Not Achieved
<p>MUZ - R9 Commercial and Community Facility Activities not meeting Rule MUZ - R1 Where:</p> <ol style="list-style-type: none"> The gross floor area is greater than 500m²; Performance standards a to f of Rule MUZ - R2 are met. 	<ol style="list-style-type: none"> Design and location of structures Landscape measures Appearance of buildings Compliance with the Greymouth Town Centre and Mixed Use Zone Design Guidelines 	Discretionary
<p>MUZ - R10 Commercial garages, service stations Where:</p> <ol style="list-style-type: none"> The activity is not located on a Facade Control Street; and 	<ol style="list-style-type: none"> Design and location of structures Landscape measures Appearance of buildings Compliance with the Greymouth Town Centre and Mixed Use Zone Design Guidelines 	Discretionary

2. All performance standards for Rule MUZ-R2 are met.		
MUZ - R11 Emergency services facilities Where: 1. All performance standards for Rule MUZ-R2 are met	1. Design and location of structures 2. Landscape measures 3. Appearance of buildings 4. Compliance with the Greymouth Town Centre and Mixed Use Zone Design Guidelines	Discretionary
Discretionary Activities		
MUZ - R12 Commercial, Community Facility, Visitor Accommodation, Emergency Services Facilities, Commercial Garages, Service Stations, Buildings, Relocated Buildings not meeting Permitted or Restricted Discretionary Standards in relation to Ground Floor Facade, Recession Plane or Height Where: 1. The maximum height is 20m 2. All other performance standards for Rule MUZ - R2 are met.		
MUZ - R13 Minor Structures, Fences, Walls and Retaining Walls not meeting Permitted Activity Standards		
Non Complying Activities		
MUZ - R13 Residential Activities not meeting the standards in Rule MUZ - R4		
MUZ - R14 Industrial Activities		
MUZ - R15 Any Activity which is not a Permitted Activity, a Restricted Discretionary Activity or a Discretionary Activity.		

APPENDIX THREE: EXAMPLES OF MIXED USE DEVELOPMENTS



Otago University Mixed Use



Devonport, Auckland Mixed Use



New North Road (suburban) Mixed Use



Tauranga Mixed Use



Auckland Redeveloped Heritage Building for Mixed Use



Napier Redeveloped Industrial Heritage Building for Mixed Use



Whakatane Mixed Use

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Lois Easton, Principal Planner
Date: March 2021
Subject: **Technical Update: Māori Purpose Zone Draft Rules**

SUMMARY

This report brings the draft Rules for the Māori Purpose Zone to the Committee for feedback. This follows on from the discussion of the draft Objectives and Policies for the zone which were discussed at the February meeting of the Committee.

The Māori Purpose Zone is defined as: *Areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities.*

The draft Rules within the Zone are aimed at supporting a wide range of cultural and development needs for Poutini Ngāi Tahu. Default provisions are provided, however it is proposed that where an Iwi Management Plan is in place, this would have precedence for management of the area.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the Committee provide feedback on the wording of the draft Rules for Māori Purpose Zones

Lois Easton

Principal Planner

INTRODUCTION

1. At the February meeting of the Committee the Objectives and Policies for the Māori Purpose Zone were discussed. The general policy approach for the zone is to enable tino rangatiratanga for the lands within the zone. The amended policies based on feedback from the meeting are attached in Appendix One.
2. This report brings the draft proposed rules for the zone to the Committee for comment.

Māori Purpose Zone

3. This is defined as: *Areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities.*
4. A workshop was held with the Kaiwhakahaere of the two rūnanga to identify what land they would like to see fall within this zone. These lands are shown on the map below, with more detailed information about the sites in Appendix Two.
5. The lands proposed for inclusion in this zone include:
 - land associated with Arahura Mārae, Arahura pā and Arahura River;
 - the Te Tauraka a Waka a Māui Mārae and associated land at Mahitahi;
 - land at Makaawhio/Jacob's River;
 - the Open Islands;
 - some small parcels of land at Jackson Bay and Okarito;
 - Victoria Park racecourse at Greymouth
6. Further Poutini Ngāi Tahu lands are also being reviewed to identify if they are also appropriate for inclusion in the zone.

RULE DEVELOPMENT

7. The land within the Māori Purpose Zone is made up of a range of different types of locations and environments:
 - Rural land (e.g. the Mahitahi land, Arahura Valley);
 - Settlement land (principally the Arahura pā);
 - Community facilities (mārae and environs); and
 - Urban land (Victoria Park racecourse land in Greymouth).
8. While the general premise of the zone is that Iwi/Hapū Management Plans will be the principal method to guide activities and development, these Plans are not currently in place, so interim "default" provisions have been developed– largely based on the rural zone rules.
9. In terms of the "default" provisions, Māori Purpose Activities are proposed as the key Permitted Activities.
10. The following definition of Māori Purpose Activities is proposed.
means the use of land and/or buildings for a range of activities for Māori cultural, community and living purposes, and/or integrated Māori development, including but not limited to one or more of the following activities:
 - marae/pā
 - visitor accommodation for manuhiri;
 - papakāinga;
 - urupā;
 - wānanga;
 - mahinga kai;
 - customary activities;
 - pou whenua;
 - home business;
 - arts and cultural centres;
 - cultural education and research facilities;
 - Māori cultural activities;
 - child care services, kohanga reo;
 - kura (schools); and
 - whare karakia (Māori church).

DRAFT RULES

11. The draft Rules are contained in Appendix Three.
12. Because the current zoning of most of the sites is Rural, the General Rural Zone Rules have been used as the base. The table below identifies the differences between the draft Māori Purpose Zone and Rural Zone Rules.

Draft Rule	Māori Purpose Zone Rules – Difference from General Rural Zone
General Permitted Activities	Provides for Māori Purpose Activities as Permitted.
Community Facilities	<p>Provided for as a Permitted Activity - these are regarded as a Discretionary Activity in the General Rural Zone.</p> <p>The Definition of Community Facilities is: <i>means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility</i></p>
Building and Other Activities in Accordance with an Iwi/Hapū Management Plan	<p>This is the “alternative compliance pathway” provided only in the Māori Purpose Zone. Many activities that might require a resource consent in the General Rural Zone could be provided for as Permitted under this rule.</p> <p>The Definition of Iwi/Hapū Management Plan is proposed as: <i>Means a plan developed by Poutini Ngāi Tahu and endorsed by Te Rūnanga o Ngāi Tahu and lodged with the Council which includes the following information for any site it applies to:</i></p> <ol style="list-style-type: none"> <i>a. a description of activities, buildings and structures existing, or proposed to be established within the development area;</i> <i>b. the bulk and location of any buildings or structures;</i> <i>c. how any adverse effects resulting from proposed activities, in particular at zone boundaries, will be avoided, remedied or mitigated;</i> <i>d. the provision of sufficient infrastructure to service the needs of all activities proposed to be established; and</i> <i>e. the protection of the mauri of any identified features potentially affected by any activities, buildings or structures proposed to be established.</i>
Non Rural Activities	<p>These are proposed as a Discretionary Activity in the Māori Purpose Zone but many are Non-Complying Activities in the General Rural Zone.</p> <p>A mandatory notification clause to the relevant hapū Rūnanga is included with the rule.</p>
Arahura Pa	This is proposed to be included within a Precinct which has different setbacks from the road and internal boundaries – the same as the draft Settlement Zone setbacks, rather than the large “Rural Zone” setbacks.

NEXT STEPS

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

APPENDIX ONE: DRAFT OBJECTIVES AND POLICIES – MĀORI PURPOSE ZONE

Objective 1: The use and possession of ancestral land by Poutini Ngāi Tahu is recognised and provided for within the Māori Purpose Zone, within which Poutini Ngāi Tahu are able to exercise rangatiratanga.

Objective 2: The Māori purpose zone specifically provides for Poutini Ngāi Tahu needs and activities, including residential, social, cultural, environmental and economic use and development to:

- Provide a safe, nurturing environment for ngā uri (descendants), whānau (family), hapū (extended family), iwi me ngā manuhiri (tribe and visitors);
- Ensure the whenua is managed in accordance with mātauranga Māori;
- Ensure the protection, maintenance and promotion of ngā taonga tuku iho (treasures).

Objective 3: The significant coverage of identified natural heritage values across some parts of the Māori Purpose Zone and the contribution these lands make to the wider community is recognised, and the appropriate use and development of the Zone, including papakāinga, is provided for.

Policy 1. Enable the incorporation of whānaungatanga, mātauranga and tikanga in relation to the use, design and layout of development within the Māori purpose zone.

Policy 2: Enable the use and development of the Māori purpose zone for a range of activities to support the Poutini Ngāi Tahu community, including:

- Single dwellings, multiple dwellings, and papakāinga housing; and
 - Marae complexes; and
 - Customary uses including harvest of mahinga kai; and
 - Social, recreational, educational and community facilities; and
 - Farming activities;
- while:
- Ensuring any significant adverse effects from these activities on adjoining landowners beyond the zone and the wider environment are mitigated; and
 - Requiring that all the above activities are adequately serviced with on site or community scale facilities.

Policy 3: Enable the establishment of compatible activities within the Māori Purpose Zone, while ensuring that:

- Use and development is consistent with the purpose of the zone;
- The Poutini Ngāi Tahu community is sustained;
- Cultural values are maintained or enhanced; and

The quality of the environment is not adversely affected.




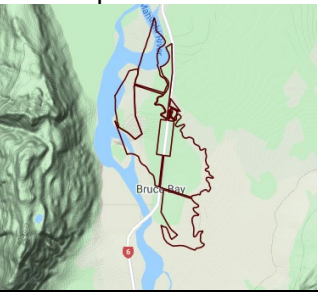
Policy 4: Avoid activities which are likely to be incompatible with the purpose of the Māori Purpose Zone, unless a cultural impact assessment demonstrates that the effects on the cultural values are acceptable or can be mitigated.




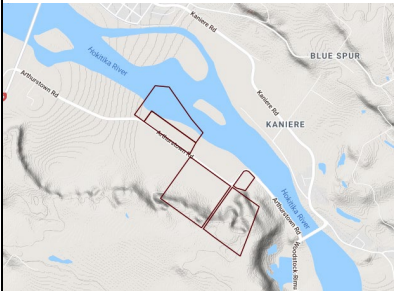
Policy 5: Provide for the use of Te Rūnanga o Ngāi Tahu mandated iwi/hapū development plans to provide for development in different areas within the Māori Purpose Zone; ensuring that these plans contain the level of detail necessary to ensure that comprehensive, co-ordinated and efficient development occurs, including:


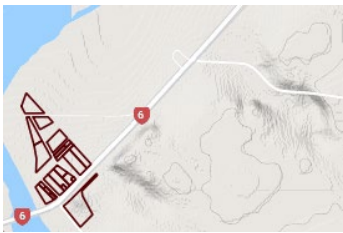
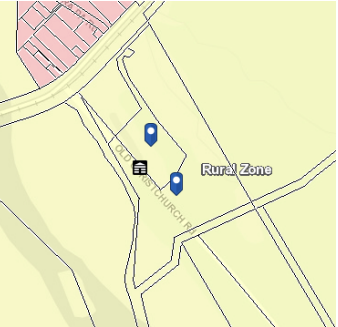
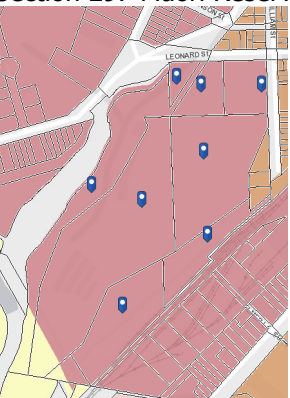
- a description of activities, buildings and structures existing, or proposed to be established within the development area;
- the bulk and location of any buildings or structures;
- how any adverse effects resulting from proposed activities, in particular at zone boundaries, will be avoided, remedied or mitigated;
- the provision of sufficient infrastructure to service the needs of all activities proposed to be established; and
- the protection of the mauri of any identified features potentially affected by any activities, buildings or structures proposed to be established

Policy 6. Support the future application of the Māori purpose zone in other locations where it will enable the use and development of land in accordance with tikanga Māori and to achieve Poutini Ngāi Tahu community needs.

APPENDIX TWO: PROPOSED AREAS FOR MĀORI PURPOSE ZONE

Land	Location	Area	Current landuse and features
<p>Māori Reserve 755</p> 	<p>Waiototo River, Jackson Bay</p>	<p>42.7 ha</p>	<p>Bush and riverbank A number of baches have been illegally established on the site and the owners are seeking to address this and reclaim the use of their land. Māori Purpose Zoning will assist in better management of the site by Poutini Ngāi Tahu</p>
<p>Open Bay Islands -Popotai Island & Taumaka Island</p> 	<p>Open Bay Islands, Jackson Bay</p>	<p>15.8 ha</p>	<p>Vegetated islands Outstanding natural landscape Is a business plan for ecotourism development which will be assisted in implementation with a Māori Purpose Zone</p>
<p>Lot 2 DP 3882 and Lot 1 DP 3882</p> 	<p>Mahitahi/ Bruce Bay</p>	<p>1.3 ha</p>	<p>Pasture, Schedule 2 wetland (Lake Kini), dwellings Outstanding natural landscape Were whanau members living there until recently. Māori Purpose Zone will assist in whanau being able to use the land for papakāinga and residential purposes</p>
<p>Bruce Bay Block XIV Section 781B, Bruce Bay Block XIV Section 781A Lot 1 Deposited Plan 344397 Lot 1 Deposited Plan 346435</p> 	<p>Mahitahi/ Bruce Bay /Mahitahi River</p>	<p>197.7 ha</p>	<p>Pasture, bush, Schedule 2 wetland (Lake Kini), Outstanding natural landscape Some dwellings on site This land is a very significant area to Ngāti Mahaki and a major opportunity for cultural and economic development. Currently under management of Te Tumu Paeroa/the Māori Trustee. Māori Purpose Zone will assist in its development.</p>
<p>Lot 2 DP 406129 Lot 1 DP 406129</p>	<p>Mahitahi/ Bruce Bay</p>	<p>1.87ha</p>	<p>Te Tauraka Waka a Māui Marae is located on this site Māori Purpose Zone</p>

Land	Location	Area	Current landuse and features
			
<p>Bruce Bay Blocks X and XI Sections 853, 854 and 855B Bruce Bay 783 and Bruce Bay 786</p> 	Makaawhio/Jacob's River	308.4ha	<p>Bush, river, Schedule 2 wetland (Lake Kini), outstanding natural landscape This land is a very significant area to Ngāti Mahaki and a major opportunity for cultural and economic development. Māori Purpose Zone will assist in its development.</p>
<p>Part Rural Section 891 Rural Section 892 (Bruce Bay Blk VIII Sec 892) Bruce Bay 788 Rural Section 893 Rural Section 894 Rural Section 895 Rural Section 896 Rural Section 897 Rural Section 898 Rural Section 899 Rural Section 900 Rural Sections 2499 and 2500</p> 	Manakiaua River/ Karangarua	1311.1ha	<p>Schedule 2 wetland Manakiaua wetland, bush Outstanding natural landscape This land is a very significant area to Ngāti Mahaki and a major opportunity for cultural and economic development. Māori Purpose Zone will assist in its development.</p>
<p>Lot 14-17 and Part lot 5 DP 545 Lot 1-3 DP 545</p> 	Arthurstown	83.9ha	<p>Dwellings, pasture, scrub and bush Hokitika Reserve – pā site Māori Purpose Zone will assist in its development.</p>

Land	Location	Area	Current landuse and features
<p>Arahura 30 Māori Reserve (multiple lots)</p> 	Arahura Valley	811.9 ha	<p>Riverbed, pastoral farmland, some bush and wetland</p> <p>Some of it's a Māwhera Incorporation Farm and rest is on long term lease. North Side of the river is a mixture Māori Purpose Zone will assist in its development.</p>
<p>Arahura 1-10 (multiple lots) Arahura 18</p> 	Arahura Settlement	9.1ha	<p>Arahura kāinga Urupa Riparian scrub</p> <p>Māori Purpose Zone reflects current use</p>
<p>Lot 2 DP 394182 Lot 1 DP 394182</p> 	Arahura Marae		<p>Arahura Marae and associated land Māori Purpose Zone will assist in its development</p>
<p>Section 296 Maori Reserve 31 Section 297 Maori Reserve 31 Section 300 Maori Reserve 31 Section 300A Maori Reserve 31 Part Section 298A Maori Reserve 31 Part Maori Reserve 31SO 395467 Section 297 Maori Reserve 31</p> 	Greymouth	14.1ha	<p>Greymouth Racecourse/ Victoria Park Vacant land Currently zoned industrial Former site of one of the three Poutini Ngāi Tahu villages at Greymouth Māori Purpose Zone will assist in its development</p>

APPENDIX THREE: Draft Māori Purpose Zone Rules

Permitted Activities		
MPZ - R1	Maori Purpose Activities	
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. The maximum gross ground floor area of a single building is 500m²; 2. Maximum building height above ground level is 10m; 3. Maximum site coverage is 40%; 4. Buildings are setback a minimum of 10m from the road boundary, 20m from the State Highway Boundary, and 10m from internal boundaries, except that: <ol style="list-style-type: none"> i. In the Arahura Pā Precinct buildings are setback 5m from the road and any General Rural or Industrial Zone boundary and 1m from internal boundaries 5. Where a dwelling is located within 80m of a State Highway with a speed limit of 70kph or greater, or within 40m of a State Highway with a speed limit of less than 70kph then the dwelling shall be designed, sited and constructed to ensure the internal noise levels for dwellings shall not exceed 35 dB LAeq (1 hour) inside bedrooms or 40 dB LAeq (1 hour) inside other habitable spaces. This standards shall be met with the windows open unless adequate alternative ventilation that complies with the Building Code is provided. 6. The average residential density is no more than 1 unit per 500m² net site area in areas fully serviced by a network or tribal utility operator with wastewater, water supply and stormwater systems; and 7. In areas not serviced by network or tribal utility operated wastewater, stormwater and water supply the average dwelling/papakāinga building density is no more than one unit per 1000m² net site area. 		Activity status where compliance not achieved: Restricted Discretionary
MPZ - R2	Agricultural, Pastoral or Horticultural Activities	
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. The activity does not include intensive primary production; 2. Performance standards for Rule MPZ - R1 are met; 3. The minimum separation distance between buildings housing more than 5 animals or commercial livestock and a residential/settlement/rural lifestyle zone boundary shall be 100m and from any dwelling 30m, and from any other boundary 20m; and 4. Performance standards for beekeeping, outdoor poultry farming and pig keeping apply as follows: <ol style="list-style-type: none"> i. For poultry setbacks of 10m from any residential dwelling and 2m from any boundary; ii. For pig keeping setbacks of 50m from any residential dwelling and 100m for any shelter holding 4 or more pigs; iii. For beekeeping no bees may be kept on a property less than 600m² net site area and beehives must be placed with an obstruction in front of them or be elevated to ensure all bees are above 2.5m above ground level prior to crossing the site boundary. 		Activity status where compliance not achieved: Discretionary
MPZ - R3	Conservation and Recreation Activities	
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. Performance standards for Rule MPZ - R1 are met. 		Activity status where compliance not achieved: Discretionary
MPZ - R4	Residential Activities	

Activity Status Permitted		Activity status where compliance not achieved: Discretionary
Where: 1. Performance standards for Rule MPZ - R1 are met		
MPZ - R5	Minor Structures	
Activity Status Permitted		Activity status where compliance not achieved: Restricted Discretionary
Where: 1. Performance standards for Rule MPZ - R1 are met; and 2. The minor structures are identified in an Iwi/Hapū Management Plan; or If there is no Iwi/Hapū Management Plan: i. Masts, poles and aerials must not exceed 7m in height; ii. Any antenna dish must be less than 1m in diameter; ii. Any ornamental or garden structure must not exceed 2.4 m in height; v. Any other structure must not exceed 10m ² and 2m in height.		
MPZ - R6	Fences, Walls and Retaining Walls	
Activity Status Permitted		Activity status where compliance not achieved: Discretionary
Where: 1. Fences, walls and retaining walls are a maximum 2m height above ground level; and 2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.		
MPZ - R7	Relocated Buildings	
Activity Status Permitted		Activity status where compliance not achieved: Restricted Discretionary
Where: 1. All performance standards for rule MPZ - R1 are met; and 2. The relocated building is identified in an Iwi/Hapū Management Plan; or If there is no Iwi or Hapū Management Plan in place: i. The building was constructed within the 10 years prior to location on the site; ii. Is constructed of new materials; and ii. Is established on foundations complying with the Building Code at the time of relocation.		
MPZ - R8	Visitor Accommodation that is not in a Marae Complex	
Activity Status Permitted		Activity status where compliance not achieved: Restricted Discretionary
Where: 1. All performance standards for rules MPZ- R1, Noise, Glare, Signs and Parking are met. 2. The accommodation is homestay accommodation with a permanent resident living on site; 3. There is a maximum of 5 guests at any one time; 4. Notification to the District Council is required prior to the activity commencing; and 5. Records of letting activity must be kept and provided to the Council on request.		
MPZ - R9	Community Facilities	
Activity Status Permitted		Activity status where compliance not achieved: Restricted Discretionary
Where: 1. Performance standards for Rule MPZ - R1 are met 2. Hours of operation are limited to: a. 7am-10pm weekdays; and b. 8am - 10pm weekends and public holidays.		
MPZ - R10	Building and Other Activities in Accordance with an Iwi/Hapū Management Plan	
Activity Status Permitted		Activity status where compliance not achieved: Restricted Discretionary
Where: 1. Performance standards for Rule MPZ - R1 are met.		

<p>2. Hours of operation for any non-residential activity are limited to:</p> <ol style="list-style-type: none"> 7am-10pm weekdays; and 8am - 8pm weekends and public holidays 	<p>achieved: Restricted Discretionary</p>
<p>Restricted Discretionary Activities</p>	
<p>MPZ - R11 Maori Purpose Activities not meeting Rule MPZ - R1</p>	
<p>Activity Status Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The extent to which the proposal complies with any iwi/hapū management plan in place for the site; Size, height, design and location of any buildings and structures; Density of any residential dwellings; and Methods of water supply, wastewater and stormwater treatment and disposal. 	<p>Activity status where compliance not achieved: N/A</p>
<p>MPZ -R12 Minor structures not meeting Rule MPZ - R5</p>	
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The minor structure does not exceed 10m in height; and All other performance standards for rule GRUZ - R1 are met. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Compliance with any iwi/hapū management plan in place for the site; Design and location of structures; and Landscape measures 	<p>Activity status where compliance not achieved: Discretionary</p>
<p>MPZ - R13 Relocated buildings not meeting Rule MPZ - R7</p>	
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> All performance standards for rule MPZ - R1 are met. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Compliance with any iwi/hapū management plan in place for the site; Design and location of structures; Appearance of buildings; and Landscape measures 	<p>Activity status where compliance not achieved: Discretionary</p>
<p>MPZ - R14 Intensive indoor primary production</p>	
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> This is not within the Arahura Pā Precinct; and Performance standards for rule MPZ - R1 are met. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Compliance with any iwi/hapū management plan in place for the site; Bulk and location of buildings; Management of traffic and parking; Management of odour; Landscape measures; Any impacts on the production values of the surrounding land; Effects on visual amenity and rural character; and Methods of wastewater and stormwater treatment and disposal. 	<p>Activity status where compliance not achieved: Discretionary</p>
<p>MPZ - R15 Visitor and temporary worker accommodation not meeting Rule MPZ - R8</p>	
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> This is ancillary to a farming, conservation or Māori purpose activity; or This is unhosted visitor accommodation that is ancillary to a residential activity; and Performance standards for Rule MPZ - R1 are met. <p>Matters of discretion are restricted to:</p>	<p>Activity status where compliance not achieved:Discretionary</p>

<ol style="list-style-type: none"> 1. Compliance with any iwi/hapū management plan in place for the site; 2. Number of visitors/workers staying on site; 3. Number of days of use for the accommodation; 4. Management of traffic and parking; 5. Landscape measures; 6. Any impacts on the production values of the surrounding land; 7. Effects on visual amenity and rural character; and 8. Methods of wastewater treatment and disposal. 	
MPZ - R16 Non-rural activities not meeting Rule MPZ - R10	
Activity Status Restricted Discretionary Where: <ol style="list-style-type: none"> 1. The maximum floor and yard area for any non-rural activity shall be 100m²; and 2. Performance standards for Rule MPZ - R1 are met. Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Compliance with any iwi/hapū management plan in place for the site; 2. The extent to which the activity could be undertaken more appropriately in another zone; 3. Bulk and location of buildings; 4. Management of traffic and parking; 5. Management of odour; 6. Landscape measures; 7. Any impacts on the production values of the surrounding land; 8. Effects on visual amenity and rural character; and 9. Methods of wastewater and stormwater treatment and disposal. 	Activity status where compliance not achieved: Discretionary

Discretionary Activities	
MPZ - R17	Agricultural, Pastoral and Horticultural Activities, Conservation and Recreation Activities not meeting Permitted, Controlled or Restricted Discretionary Activity Rules
Activity Status Discretionary Notification: Applications will always be notified to the relevant hapū rūnanga (Ngāti Waewae of Ngāti Māhaki ki Makaawhio).	
MPZ - R18	Intensive Indoor Primary Production or Rural Industry not meeting Permitted or Restricted Discretionary Activity Rules
Activity Status Discretionary Notification: Applications will always be notified to the relevant hapū rūnanga (Ngāti Waewae or Ngāti Māhaki ki Makaawhio).	
MPZ - R19	Non-rural activities not meeting Permitted or Restricted Discretionary Activity Rules.
Activity Status Discretionary Notification: Applications will always be notified to the relevant hapū rūnanga (Ngāti Waewae or Ngāti Māhaki ki Makaawhio).	
MPZ - R20	Minor structures, fences, walls and relocated buildings not meeting Permitted or Restricted Discretionary Rules
Activity Status Discretionary Notification:	

Applications will always be notified to the relevant hapū rūnanga (Ngāti Waewae or Ngāti Māhaki ki Makaawhio).

MPZ - R21 Residential activities and visitor accommodation activities not meeting Permitted or Restricted Discretionary Rules.

Activity Status Discretionary

Notification:

Applications will always be notified to the relevant hapū rūnanga (Ngāti Waewae of Ngāti Māhaki ki Makaawhio).

Activity status where

compliance not achieved:

N/A

Non Complying Activities

PMZ - R22

Any activity not meeting another Rule in the zone

Activity Status Non-complying



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: March 2021
Subject: **Technical Update: Hazardous Substances and Contaminated Land Objectives and Policies**

SUMMARY

This report gives an update on the technical work being undertaken on draft Objectives and Policies for Hazardous Substances and Contaminated Land in Te Tai o Poutini Plan.

Provisions for Hazardous Substances and Contaminated Land are part of the National Planning Framework requirements for District – wide Provisions.

Hazardous substances are an area where district councils have limited powers and responsibilities – with the main focus being on major hazardous facilities.

District councils have significant functions in relation to contaminated land, but the rules around this are already prescribed in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

Proposed draft Objectives and Policies for Hazardous Substances and Contaminated Land are outlined in the report.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the Committee provide feedback on the wording of the draft Objectives and Policies for Hazardous Substances and Contaminated Land.

BACKGROUND

1. This report gives an update on the technical work being undertaken on draft Objectives and Policies for Hazardous Substances and Contaminated Land in Te Tai o Poutini Plan.
2. Provisions for these matters are part of the National Planning Framework requirements for District – wide provisions in Te Tai o Poutini Plan.
3. Proposed draft Objectives and Policies for Hazardous Substances and Contaminated Land are outlined in the report.

MATTERS TO CONSIDER IN APPROACH TO HAZARDOUS SUBSTANCES AND CONTAMINATED LAND IN TE TAI O POUTINI PLAN

4. A review of national and regional direction, the existing plan provisions and the approach of other Councils to these matters has been undertaken, with key information contained in Appendix One.

Hazardous Substances

5. Hazardous substances are necessary tools for many agricultural, industrial and some domestic activities. Hazardous substances of various kinds are in widespread use on the West Coast and are an essential part of everyday life. By their nature, hazardous substances carry an inherent risk of adverse effects, should an accident occur.
6. If not appropriately stored and used, hazardous substances pose potential threats to the health and safety of the district's people, property and natural environment. Hazardous substances encompass but are not limited to, those substances identified in the Hazardous Substances and New Organisms Act 1996 (HSNO) and may include substances such as industrial, agricultural, horticultural and household chemicals, medical wastes, petroleum products including LPG and lubricating oils, explosives and radioactive substances. Given the potential risk to the health and safety of people, hazardous substances must be managed to ensure they are located, stored and used in a safe and secure manner.
7. The Hazardous Substances and New Organisms Act 1996 (HSNO) and related regulations are the principal legislation controlling the introduction, manufacture, use, storage and disposal of hazardous substances. The District Councils have limited powers and responsibilities under HSNO, which is administered by other agencies, particularly in terms of the use and application of hazardous substances in working situations. It should be noted that HSNO protects health and safety within the immediate environment of a facility or activity in relation to human health only, whereas the control of potential adverse effects at a particular site in the context of a particular environment, habitats and land use is addressed by controls under the RMA.
8. In terms of Te Tai o Poutini Plan the staff view is that only major hazardous facilities should be the focus of provisions. These facilities may have risks to human health and amenity and other off site effects which fall within District Council jurisdiction, particularly as arise from incompatible land use around sensitive activities.
9. Because of the existing national framework for hazardous substances it is Residual Risk (the risk which arises after the national management framework is applied) that needs to be managed.
10. In terms of environments and localities where major hazardous sites generally shouldn't locate the natural, cultural and historic heritage overlay areas would seem to be inappropriate, and generally it would be expected that major hazardous facilities should be located in industrial, port and rural zones.
11. In relation to these facilities and sensitive activities – these could generally be considered to include residential activities, visitor accommodation, community facilities (includes church and Marae), educational facilities (including preschools) and healthcare facilities.

Contaminated Land

12. Contaminated land is land that has a hazardous substance in or on it that could have an adverse effect on human health or the environment.
13. Land can become contaminated when hazardous substances are not used, stored or disposed of in an appropriate way. Contaminated land is commonly associated with past activities such

as the manufacture and use of pesticides, timber treatment and sheep dipping and the disposal of wastes in landfills.

14. People can be exposed to contaminated land by direct contact with contaminated soil, swallowing food or water from contaminated environments and breathing vapours or contaminated dust. As well as endangering health, contamination can limit the use of land or cause corrosion that may threaten buildings and property
15. The subdivision, change of use or development of contaminated land can expose people and the environment to increased levels of contamination from hazardous substances that were previously contained.
16. It is important that sites in the district identified as being potentially contaminated are investigated further so people are not exposed to contaminants that may affect their health.
17. The treatment or remediation of contaminated land contributes to the social, economic and health outcomes of communities by managing risk to human health and increasing the availability of land for development.
18. District councils have significant functions in relation to contaminated land, but the rules around this are already prescribed in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS).
19. The NESCS is a nationally consistent set of planning controls which must be enforced by a District Council under section 44A(8) of the RMA. It was developed to achieve a consistent Nation-wide approach to manage issues with the legacy of past use of chemicals in industry, agriculture and horticulture which has left soil contamination, mainly associated with past practices involving the storage and use of hazardous substances, and disposal of hazardous wastes.
20. The NESCS provides the rule framework for management of contaminated land to avoid the impacts on human health, so it is only the Objective and Policy framework to assist in the assessment of resource consents that is required.

DRAFT OBJECTIVES AND POLICIES

Contaminated Land

Objective 1: To ensure that contaminated land is used, subdivided, developed or managed in a way that avoids or mitigates adverse effects on the environment and human health.

21. This draft Objective was developed for the Buller Plan Change 136, and staff considers it is appropriately worded to fit in the TTPP framework.

Policy 1: At the time of subdivision, change of use or development, identify sites that may be subject to potential contamination as a result of historical land use and activities.

Policy 2: To ensure that when contaminated land is used, subdivided and/or developed, the land is managed or remediated in a way that minimises adverse effects on the environment and manages the risk to human health to a level that is appropriate for the intended use.

22. These policies reflect the process required under the NESCS whereby at the subdivision or change of use stage of development that assessment of potentially contaminated sites and any remedial work required is undertaken.
23. The wording reflects that around HAIL sites in the NES and provides for identification of Contaminated Sites as part of this process.

Hazardous Substances

Objective 1: Recognise the benefits associated with hazardous substances while protecting the environment from the adverse effects and risks arising from subdivision, land use and development activities involving hazardous substances.

24. This objective recognises that the use of hazardous substances can provide significant benefits to the community and industry.

Policy 1: Activities and facilities involving the use and storage of hazardous substances shall be designed, located, constructed and operated so as to minimise residual risk to people and the environment.

Policy 2: Ensure that new or expanded significant hazardous facilities are located away from natural, historic and cultural overlay areas and away from locations that are in proximity to sensitive activities, unless it can be demonstrated that any residual risks can be adequately avoided or mitigated.

25. These two policies recognise the national regulatory framework and focus the management of hazardous substances on the residual risk arising from this framework. Policy 2 is specifically focussed on significant hazardous facilities to support rules managing effects arising from these activities.

Policy 3: Provide for the establishment and expansion of significant hazardous facilities within the Industrial, Port and General Rural Zones, where adequate separation distances are maintained from sensitive activities and valued natural, cultural and historic heritage features.

26. This policy recognises that significant hazardous facilities are most appropriately located in the Industrial, Port and General Rural Zones where their adverse effects are most easily managed.

Policy 4: Avoid locating sensitive activities in proximity to significant hazardous facilities unless it can be demonstrated that any reverse sensitivity effects and residual risks are avoided.

27. This policy recognises that there are some activities which are likely to create reverse sensitivity effects for significant hazardous facilities and that these need to be managed.

NEXT STEPS

28. This paper outlines the draft objectives and policies for hazardous substances and contaminated land. The next step is to develop draft rules for hazardous substances.
29. No rules are proposed for inclusion in TTPP for contaminated land due to the existence of the NESCS.

APPENDIX ONE: STRATEGIC CONTEXT

NATIONAL DIRECTION

Hazardous Substances

30. The Hazardous Substances and New Organisms Act 1996 provides the general framework and is the primary mechanism for controlling and managing the use and storage of hazardous substances, but the following matters fall within the scope of the Resource Management Act 1991:
- effects on sensitive activities and areas, the coastal environment, historic heritage and other identified features;
 - reverse sensitivity issues between existing lawfully established hazardous facilities and new sensitive activities;
 - the risk to public safety, e.g. risks to the general public beyond a site boundary and from natural hazards that could affect hazardous facilities; and
 - management of cumulative effects of multiple hazardous facilities near each other.
31. As part of Resource Legislation Amendment Act 2017, Sections 30 and 31 of the RMA were amended to remove the control of hazardous substances as an explicit Council function. This means councils no longer have an explicit obligation to manage hazardous substances in RMA plans, or policy statements. Councils still have a broad function of achieving integrated management, and may exercise this to place extra controls on hazardous substances under the RMA if existing HSNO or HSW Act controls inadequately address the environmental effects of hazardous substances. So for TTPP the focus should be on placing additional controls on hazardous substances only if it is necessary to control effects under the RMA that are not covered by the HSNO or HSW Acts.

Contaminated Land

32. Contaminated land is defined in the RMA 1991 as follows:
- a) if there is an applicable national environmental standard on contaminants in soil, the land is more contaminated than the standard allows; or*
 - b) if there is no applicable national environmental standard on contaminants in soil, the land has a hazardous substance in or on it that*
 - (i) has significant adverse effects on the environment; or*
 - (ii) is reasonably likely to have significant adverse effects on the environment*
33. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("NESCS") provide a national environmental standard for activities on pieces of land where soil may be contaminated in such a way as to be a risk to human health. Regional councils are required to investigate land for the purposes of identifying and monitoring contaminated land. District Councils are responsible for applying and enforcing the provisions of National Environmental Standards.
34. The NESCS contains a set of planning controls that direct the requirement for consent or otherwise for activities on contaminated or potentially contaminated land.
35. The methods to establish whether land is contaminated, include determining whether an activity or industry listed in the Hazardous Activities and Industries List (HAIL) has or is likely to have been undertaken on the land. The NESCS requires that land affected by contaminants is identified and assessed before it is developed and if necessary, the land is remediated or the contaminants are contained to make that land safe for human use.
36. The West Coast Regional Council holds and manages the HAIL list on behalf of the West Coast Councils. The Ministry for the Environment has compiled a list called the Hazardous Activities and Industries List, or HAIL (MfE 2004a). By identifying and recording details of sites where such activities have occurred or are occurring, potential contamination can be managed. There are approximately 500 sites across the West Coast that are currently known to either have, or have had, land use activities that may cause contamination. There are also likely to be other sites which are currently unidentified.

REGIONAL DIRECTION

37. The Regional Policy Statement is largely silent on the subject of Hazardous Substances and Contaminated Land with the general provisions for the management of land and water providing the main guidance. The most relevant Objectives and Policies are attached in Appendix 1. These focus on managing the impact of contaminants on waterbodies.
38. The Land and Water Regional Plan regulates discharges of stormwater from sites where hazardous substances are stored and used – this is a Controlled Activity, or Discretionary if key conditions are not met.
39. The Land and Water Regional Plan also contains Objectives, Policies and Rules around sites associated with Hazardous Substances and Contaminated Land. This focuses on managing the environmental effects of activities on this land, including remediation of contaminated land.
40. The WCRC has adopted a non-statutory HAIL Site Strategy. This sets out the approach for identification of HAIL Sites and the process of managing information about the sites, assessment of investigation reports and key requirements for the content of reports.
41. In most cases the responsibility for the management of effects on the environment arising from hazardous substances and contaminated land will sit with the WCRC (e.g. leaching of contaminants to waterbodies or groundwater from land development or disturbance activities) through administration of the Land and Water Regional Plan, however the District Councils are responsible for the administration of the NESCS.

CURRENT DISTRICT PLAN APPROACH

42. The three current District Plans contain provisions for hazardous facilities and the avoidance of land contamination where possible. The full provisions are attached at Appendix Two. Key points are:
 - Buller Plan Change 136 includes Objectives and Policies for both hazardous substances and contaminated land – with a focus on avoiding adverse effects and risks on the environment and human health. In the case of contaminated land, policy direction for remediation to avoid or mitigate these effects is included.
 - Grey and Westland Plans have provisions for hazardous substances only
43. All of these provisions were developed prior to the current National and Regional Policy framework – which has changed substantially with the introduction of the NES, and changes to the RMA.

OTHER COUNCILS' APPROACHES

44. There are now 4 district plans which have been produced under the latest planning framework (Timaru, Porirua, Selwyn, New Plymouth) which is helpful in terms of understanding how this issue is being addressed in the current environment. Key points to note from there approaches are:
45. In relation to Contaminated Land
 - All four Councils have Objectives and Policies but rely on the NESCS to provide the rules.
46. In relation to Hazardous Substances
 - All four Councils have Objectives and Policies
 - Timaru, Selwyn and New Plymouth all have rules relating to significant Hazardous Facilities.
 - Significant Hazardous Facilities are defined differently by the different Councils. In New Plymouth and Timaru there are a wide range of facilities which are caught by the definition, whereas the Selwyn definition references the Major Hazard Facilities Regulations definition. When I tried to work out what would meet the Major Hazardous Facility Definition I realised I would need to hire a consultant to help me – the definition requires a calculation of the volumes of use of different hazardous materials – I can see therefore why Timaru and New Plymouth have just listed the activities.
 - Where there are rules in relation to significant Hazardous Facilities these focus in particular on sensitive areas and environments.



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: March 2021
Subject: **Technical Update: Draft Financial Contributions Objectives and Policies**

SUMMARY

This report gives an update on the technical work being undertaken on draft Objectives and Policies for Financial Contributions in Te Tai o Poutini Plan (TTPP).

Provisions for Financial Contributions will be included within the District – Wide Matters chapter of TTPP.

Financial contributions can assist with the costs of providing infrastructure for developments and providing for the recreational needs of the community. Funds can also be used to provide upgraded or additional servicing or to acquire or enhance land or assets for recreation and community purposes. Councils must specifically use these monies collected for the purposes they are intended

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

Proposed draft Objectives and Policies for Financial Contributions are outlined in the report.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the Committee provide feedback on the wording of the draft Objectives and Policies for Financial Contributions.

INTRODUCTION

1. At the August 2020 meeting of the Committee the approach to financial contributions was discussed.
2. Staff from all three of the Councils have indicated their desire to include financial contributions for infrastructure servicing in Te Tai o Poutini Plan, regardless of whether they also eventually progress to a development contributions framework in the future.
3. Given that the Councils are currently preparing their Long Term Plans (which includes the requirement for a Development Contributions Policy as part of the Financial Strategy), the position for the next 3 years will be confirmed by each Council in June 2021.
4. It is important to recognise that there are different infrastructure development states and financial situations in the three districts, so should the Councils not want to standardise charges across the three districts (which looks most difficult for reserve contributions) allowance for this is needed within the framework.
5. The approach proposed is:
 - a. Provide for a common list of matters for which financial contributions will be taken upon subdivision and development being:
 - Roading
 - Cycle and walkway access
 - Parking
 - Service lanes
 - Parks and reserves
 - Community facilities
 - Water supply
 - Wastewater
 - Stormwater – quality and quantity
 - b. Enable financial contributions to be taken for land use consents and subdivision consents;
 - c. Provide for financial contributions for environmental offsetting and compensation;
 - d. Provide for additional financial contributions to cover the cost of items in an LTP but not in the current Annual Plan year (ie required earlier than provided for);
 - e. Provide a level of specificity of financial contribution requirements for the individual Councils and/or specific locations;
 - f. Include a formula but not the \$ amount in the financial contributions rules (which could differ by Council if necessary);
 - g. Provide guidance on how decisions will be made to waive/reduce financial contributions.

DEVELOPMENT OF PROVISIONS

6. Key matters in relation to the development of a framework for Financial Contributions are outlined in Appendix One.
7. Given the proposed approach above, it is necessary to have Objectives and Policies to support a Financial Contributions framework that includes the proposed continued use of financial contributions to fund infrastructure as well as supporting their potential use for offsetting of environmental effects.
8. However the TTPP staff understand that Westland at least is considering moving to a Development Contributions framework under the Local Government Act. Should that progress then rewording of the provisions in relation to infrastructure will be necessary to account for that.

DRAFT OBJECTIVES AND POLICIES

9. The following draft Objectives and Policies have been developed.

Draft Objective 1: The West Coast’s infrastructure is able to meet the demands generated by subdivision, land-use and development and will not adversely affect natural and physical resources, or compromise the quality of service provided to existing users.

Draft Objective 2: To ensure that new activities and development contributes fairly and equitably towards the costs of avoiding, remedying, mitigating or offsetting adverse effects on the environment and infrastructure resources of the West Coast.

10. These two Objectives aim to strongly link the taking of financial contributions to the provisions that provide for them and the generation of adverse effects. However as much as possible they have been worded so that if Councils elect to take Development Contributions under the Local Government Act, the objectives and policies are still relevant.

Draft Policy 1: To require financial contributions as a condition of subdivision, development and land use consents to remedy or mitigate adverse effects created by the need to create, extend or upgrade public infrastructure, reserves and community facilities as a result of the subdivision, use or development.

11. Currently the three Councils have slightly different approaches to when they take Financial Contributions. This policy standardises this, and allows that financial contributions can be taken at either subdivision or land use consent stage.
12. However the current practice of taking of Financial Contributions on Permitted Activities included in the Buller District Plan is not able to continue.

Draft Policy 2: Financial contributions shall be applied in a fair and equitable manner that:

- a. Is financially transparent;
 - b. Reflects the adverse effects generated by the subdivision, land use or development;
 - c. Is complementary to the Council’s other financial management policies; and
 - d. Takes into account any costs incurred in taking, holding and allocating the financial contributions.
13. This policy goes to the heart of a robust financial contributions regime with transparency being a key concern of the development community. Should any of the Councils decide to develop an LGA Development Contributions approach, this policy recognises that through the reference to other financial management policies.

Draft Policy 3: Financial contributions may be taken in the form of cash, land, works or a combination of these in discussion with the applicant but at the final discretion of the Council.

Draft Policy 4: Where land is provided by way of a financial contribution to ensure that such land shall be suitable for the intended use bearing in mind the community to be served.

14. These policies provide for the range of ways a contribution can be made. Policy 4 also specifically addresses suitability of land, as it can be appealing to a developer to propose to vest unsuitable land to offset in particular reserve contributions, creating an unnecessary liability for the Council.

Draft Policy 5: To use financial contributions in money to provide additional capacity, and to meet the need for community infrastructure and facilities that arise from the activity. This shall include roading, cycling and walking access, car parking, service lanes, water supply, wastewater, stormwater, parks, reserves, recreation facilities and community facilities.

15. This policy makes the purpose of use of funds from financial contributions clear. The Councils are not able to take the money and spend it for other purposes – it must be

spent on the addressing of the identified environmental effects for which the contribution is taken.

Draft Policy 6: To provide for offsetting or compensation for environmental effects, including those on significant natural areas, outstanding landscapes and historic heritage, where these cannot be avoided, remedied or mitigated and the activities have specific spatial location requirements such as mineral extraction and infrastructure.

16. This policy links to the Regional Policy Statement provisions for offsetting and compensation. Alongside offsetting/compensation for adverse effects on significant natural areas, it also provides for this in relation to landscape and historic heritage as potentially useful tool on the West Coast.

NEXT STEPS

17. This paper outlines the draft objectives and policies for financial contributions. The next step is to develop draft rules.

APPENDIX ONE: KEY STRATEGIC CONSIDERATIONS FOR FINANCIAL CONTRIBUTIONS

NATIONAL DIRECTION

1. Under s108(2)(a) of the RMA, financial contribution conditions can be imposed. Such conditions must be in accordance with the purposes specified in the plan and the level of contribution needs to be determined as set out in the plan. Note however that financial contributions policies in proposed plans do not have legal effect until a decision on submissions has been made and notified (s86B).
2. Financial contribution conditions either require a contribution of money or land, or can be a combination of the two (s108(9)).
3. Financial contributions can assist with the costs of providing infrastructure for developments and providing for the recreational needs of the community. Funds can also be used to provide upgraded or additional servicing or to acquire or enhance land or assets for recreation and community purposes. Councils must specifically use these monies collected for the purposes they are intended.
4. Financial contributions can be taken to provide off site 'offset' mitigation, eg, where the adverse effects of replacing a bridge on a riverbed habitat cannot be avoided or satisfactorily mitigated, a financial contribution could be used to improve the riverbed habitat elsewhere as part of a wider riverbed restoration programme.
5. Financial contributions have moved in and out of the RMA over the last few years – now being back in. A review of the the latest round of RMA reform proposals, includes recommendations are that financial contributions should be retained – and that economic instruments in plans are recommended for beefing up.
6. The report does however make specific mention that financial contributions are different to – and should not be confused with, development contributions, on the assumption that Councils should be using the LGA mechanism.
7. The West Coast Councils are not alone in using financial contributions for infrastructure, but staff will continue to keep a watching brief on where RMA reform and this matter looks like it is heading.

REGIONAL DIRECTION

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

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

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

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

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

CURRENT DISTRICT PLAN APPROACH

9. All three Plans contain provisions around Financial Contributions. Currently these are the sole source of revenue from development for infrastructure servicing needs, as none of the three Councils are taking Development Contributions under the LGA.
10. While these financial contributions provisions do focus on infrastructure servicing, there are also provisions for the taking of financial contributions to offset environmental effects.
11. Only the Grey Plan contains Objectives and Policies in relation to Financial Contributions but the other two Councils each have a substantive chapter each explaining their purpose and rationale as well as detailing the circumstances where these contributions should be taken.

OTHER COUNCIL PLANS

12. A scan across different Councils that use financial contributions in their second generation plans has been undertaken. Key things to take from these are:
 - In relation to financial contributions for infrastructure:
 - An emphasis on a fair, equitable and transparent framework;
 - Linking the development to the creation of adverse effects on infrastructure and community facilities;
 - A high degree of specificity in terms of both the basis of the contribution and its use; and
 - A link between the financial contribution and other funding mechanisms in policy – e.g. long term plan.



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: March 2021

Subject: **Technical Update: Activities on the Surface of Water**

SUMMARY

This report gives an update on the technical work being undertaken on draft Objectives and Policies for Activities on the Surface of Waterbodies in Te Tai o Poutini Plan.

Provisions for Activities on the Surface of Waterbodies are allowed for under Section 31 (1) e of the Resource Management Act. Currently Westland and Grey Districts regulate these matters through the Zone rules. However, the National Planning Standards do not allow for the zoning of water (only land) and these matters are part of the National Planning Framework requirements for District – wide Provisions.

Proposed draft Objectives and Policies for Activities on the Surface of Water are outlined in the report.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the Committee provide feedback on the wording of the draft Objectives and Policies for Activities on the Surface of Water

INTRODUCTION

1. This report gives and update on the technical work being undertaken on draft provisions for Activities on the Surface of Water.
2. Provisions for Activities on the Surface of Waterbodies are allowed for under Section 31 (1) e of the Resource Management Act. Currently Westland and Grey Districts regulate these matters through the Zone rules. However, the National Planning Standards do not allow for the zoning of water (only land) and these matters are part of the National Planning Framework requirements for District – wide Provisions.
3. On the West Coast a range of activities occur on the surface of rivers, streams and lakes. These include activities that have a functional need to locate on water surfaces such as jetties and piers, recreation activities like fishing and boating and customary activities undertaken by tangata whenua.
4. District Councils have the responsibility of controlling any actual or potential effects of activities on the surface of water in rivers and lakes. This is important as recreation activities on the surface of water often compete for the use of water resources and because surface of water areas have cultural, spiritual and/or historic values, interests and/or associations of importance to Poutini Ngāi Tahu.
5. Many of the activities that occur on the surface of water have few effects (e.g. occasional recreational boating or sailing). Other, more permanent activities such as buildings or structures have potential to generate adverse effects which could compromise important water values (such as the natural character, ecological, cultural, amenity and recreational values of waterbodies). Commercial activities are currently the main matter regulated by the existing Plans and staff advise that they feel this is appropriate to continue.
6. Water quality and aquatic biodiversity are managed through the West Coast Land and Water Regional Plan. The noise effects associated with the use of motorised craft are managed under the Noise Chapter.
7. The key strategic and background information used to develop the policy approach is outlined in Appendix One.

PROPOSED APPROACH

8. Many of the major waterbodies across the West Coast lie within the public conservation estate – particularly within South Westland and Buller but including Lake Brunner in Grey District. These waterbodies are already regulated under the Conservation Act and there may be limited value in specifically focussing provisions in TTPP on these areas. DOC has the ability to develop its own bylaws in relation to motorised/non-motorised boats and make decisions about whether or not to allow structures through its ownership of the beds in its estate. For this to be regulated by TTPP as well would seem to be unnecessary, even if DOC is not currently choosing to exercise those powers.
9. The major waterbodies which lie within the major area of concern for TTPP are the main rivers where desire for commercial and recreational activity is likely to be focussed. These include major rivers such as the Haast River, Hokitika River, Grey River, Buller River and Karamea River and areas around significant visitor activity such as Ōkarito Lagoon and the Punakaiki and Pororari Rivers.
10. Lake Mahinapua is subject to an Iwi Management Plan as the bed of the lake is owned by Poutini Ngāi Tahu. The management plan specifically identifies that motorised watercraft should not be used on the lake, however Poutini Ngāi Tahu have no mechanism to enforce this as they rely on DOC making any Bylaw. This is a matter that could be included in the rules in a way that supports Poutini Ngāi Tahu’s authority in this matter.
11. The Buller District Plan currently includes rules around activities on the surface of water – mainly focussed on commercial activity. Staff have indicated that they wish to retain this approach as there are residential properties adjacent to the rivers which may be affected by commercial use.
12. The Buller Plan also includes policy saying that there is no provision for motorised watercraft use on: Lake Christabel, Lake Hanlon and Kohaihai River and that motorised watercraft should have an engine capacity of less than 5 knots on Lake Daniells, Punakaiki River

- (upstream of road bridge), Pororari River (upstream of road bridge), Otamahana Lagoon, Orowaiti River (upstream of rail bridge), and Okari River (upstream of road bridge).
13. As there are no rules in the Buller Plan reflecting this policy, there is no mechanism to achieve this outcome. It may be that the past Buller Navigational Safety Bylaw addressed this issue. Lake Christabel is also protected by the Grey River Water Conservation Order.
 14. The waterbodies identified in the list are ecologically sensitive – and also are in locations where potential recreational conflict could arise, and in the case of at least the Punakaiki and Porari Rivers that commercial activities may be sought in the future. Staff propose for the waterbodies that are under DOC management and control, the Plan is silent, but that the policy intent in the Buller Plan be pulled through into the draft TTPP.

MATTERS TO CONSIDER IN OBJECTIVES AND POLICY

15. Management of Activities on the surface of water via the District Function is largely about four aspects:
 - Natural character;
 - Cultural values;
 - Ecological values; and
 - Public amenity including noise and public access.
16. The effects of land use activities and activities on the surface of water can adversely affect the values associated with waterbodies. Localised impacts have the potential to be quite detrimental to ecological values located in the immediate vicinity, for example effects on nesting birds or whitebait spawning habitat. Noise and activity can also affect natural character and public amenity, and in some circumstances impact cultural values.
17. Because the boundary of the Regional Coastal Plan is mean high water springs, large estuarine areas are included in the waters managed under the district plans under these provisions.
18. These areas can support major whitebait spawning habitat. Estuaries are also major fish and bird habitats important for feeding and breeding activities.

DRAFT OBJECTIVES AND POLICIES

19. The following Draft Objective and Policies are proposed. They are relatively brief and reflect the “light handed” regulatory approach outlined in the sections above.

Draft Objective: The ecological, recreational, natural character and cultural values of the District’s rivers, lakes and lagoons are protected from the adverse effects of activities on the surface of water.

Draft Policy 1: Enable the non-commercial use of non-motorised water craft on rivers, lakes and lagoons throughout the West Coast at any time of the year.

Draft Policy 2: Enable the non-commercial use of motorised watercraft on rivers, lakes and lagoons where this will not impact significantly on natural heritage or cultural values, public access or disruption of natural quiet.

Draft Policy 3: Provide for commercial activities on the surface of West Coast rivers, lakes and lagoons provided that the activity does not create:

- Adverse effects on significant natural heritage values including identified scheduled sites;
- Adverse effects on cultural and spiritual values including sites of significance to Māori;
- Cumulative adverse effects with any other structures or activities on the surface; and
- Significant adverse effects on other recreational uses.

NEXT STEPS

20. This paper outlines the draft objectives and policies for activities on the surface of water. The next step is to develop draft rules.

APPENDIX ONE: STRATEGIC CONTEXT AND BACKGROUND INFORMATION

STRATEGIC CONTEXT

1. Activities on the Surface of Rivers and Lakes are normally controlled by a mosaic of regulation and agencies.
2. The Department of Conservation controls activities on the surface of rivers and lakes on the public conservation land. There are detailed provisions in the West Coast Conservation Management Strategy around this.
3. Maritime New Zealand is the national regulatory, compliance and response agency for the safety and security of coastal and inland waterways. They promulgate maritime rules around conduct of vessels. While the undoubted focus of their function is the marine environment, regulations also apply to vessels in freshwaters.
4. The West Coast Regional Council has the power to set local regulations under the Maritime Transport Act 1994 through a Navigation and Safety Bylaw but has not elected to do so. The Regional Council has transferred its Harbourmaster functions for Greymouth Port and Westport Port to the respective District Councils and does not provide any Harbourmaster function at Jackson Bay.

CURRENT PLAN APPROACHES

5. The three current District Plans take different approaches to Activities on the Surface of Water.

Westland

6. There is an Objective for these activities, and a policy to monitor the effects of activities and liaise with the Department of Conservation and Fish and Game on issues but no specific rules. The Council practice is to apply the Rural Zone rules to commercial activities proposed to be undertaken on the surface of water. This was discussed in the December 2009 District Plan Issues and Options Paper developed by the Westland District Council. This Paper identified that the West Coast Conservation Management Strategy at the time had specifically identified the need to manage high speed motorised boats on Lake Mahinapua and restriction of future moorings on Lake Kaniere.

Grey

7. In Grey there is also an Objective and Policies which focus on natural character but no specific rules. Like Westland the practice has been to apply the surrounding zone rules to commercial activities seeking to establish on waterbodies. Methods include liaison with other parties including Maritime NZ and advocacy for speed restrictions on Lake Brunner. As part of the Council's operation of the Harbourmaster function (which is managed by Grey District Council as a result of a Transfer of Powers from the Regional Council) there is a Port Bylaw which covers part of the surface of the Grey/Māwhera River and the Sawyers Creek to the point where it is crossed by the railway line.

Buller

8. In Buller there is also an Objective and Policies and rules. Activities on the surface of water are specifically identified as Permitted – except commercial activities on the Buller and Karamea Rivers which are Discretionary. Policies specifically identify lakes and rivers on which no motorised vessels are considered appropriate and a further list where the use of motorised watercraft where only an engine capacity of less than 5 knots is permitted. While the methods refer to limiting access to these sites, there are no specific rules in the Plan.
9. As part of the Council's operation of the Harbourmaster function (which is managed by Buller District Council as a result of a Transfer of Powers from the Regional Council) there is a Navigation and Safety Bylaw which covers part of the surface of the Buller River bounded by the SH 67 bridge.

OTHER COUNCIL APPROACHES

10. There are now 5 Plans (draft and Proposed) available under the National Planning Standards (Timaru, Selwyn, Porirua, New Plymouth and Nelson) and a review of the provisions in these Plans has been undertaken.
11. The approach taken by other Councils to this matter varies.
 - Porirua has no navigable waters under its jurisdiction and therefore does not have any provisions for activities on the surface of water.
 - New Plymouth requires a resource consent for all structures on the surface of water;
 - Nelson controls motorised and non-motorised watercraft and commercial activities;
 - Selwyn regulates motorised watercraft on the surface of lakes with a shortlist of Permitted Activities and all other use of motorised watercraft are Prohibited;
 - Timaru has detailed waterbody specific provisions which focus on motorised craft and commercial activities and structures.



Project Manager Update

1 February 2021 – 28 February 2021

Prepared By: **Jo Armstrong**
Date Prepared: **28 February 2021**

Accomplishments this Period

- The planning team continue to work on the following topics:
 - Maori Purpose Zone
 - Sites of Significance to Maori
 - Natural Hazards
 - Mineral extraction
 - Archeological sites
 - Activities on the Surface of Water
 - Port Zone
 - Urban Development
 - Subdivisions
- All papers are discussed with, and modified by, the Technical Advisory Team before coming to the Committee. We encourage you all to engage with the TAT to discuss the planning aspirations for your district and region.
- Resource Management Reforms were announced on 11 February. The planning team has been analysing what this could mean for TTPP development. A discussion document was prepared for the Committee's information.
- Budget development and discussions on a draft budget for presentation at the February TTPP Committee meeting were ongoing.
- The planning team met with Emergency Services representatives on 23 February. The discussion ranged from wild fire provisions to FENZ support for stronger recovery, and natural hazard provisions in the plan. Transport provisions, such as driveway widths for emergency service access were also discussed.
- Information sheets and questionnaires are being developed for Housing, Un-hosted Visitor Accommodation and SNAs. These should be up on the TTPP website in March.

Plans for Next Period

- Policy work on topics mentioned above will continue
- An information sheet and questionnaire on Public Access will be developed
- Discuss the possibilities for transition to the Natural and Built Environments Act with MfE staff
- Prepare an options paper on timelines for TTPP delivery in light of the RMA Reforms

- TTPPC meeting at Grey District Council on 30 March – PLEASE NOTE THE CHANGE OF VENUE FOR THIS MEETING
- TAT meeting at Grey District Council on 31 March

Key Issues, Risks & Concerns

- RMA reforms are likely to affect the TTPP delivery timeline. Waiting to complete the TTPP until after the legislation is enacted will enable further research to be undertaken, and TTPP will be written to reflect new provisions. Alternatively, fast tracking TTPP notification would significantly shorten the delivery timeline, as reflected in the draft Fast Track Schedule at the end of this report.

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

Status

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

Schedule

Stage	Target Completion	Revised Completion	Comments
Complete project initiation	30-Apr-19	19-July-2019	TTPPC approved

Stage	Target Completion	Revised Completion	Comments
documentation			
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.ttpc.westcoast.govt.nz
Set planning milestones	31-Oct-19	30 Aug-2019	Presented at August TTPC 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 TTPC 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 TTPC meeting
Workshop discussion with environmental interests re biodiversity provisions	30-Jul-20	31-Aug-20	Delayed due to Covid-19 Lockdown
Draft Provisions (Issues, Objectives, Policy and Rules) for Rural Zones and Settlement Zones developed	31 – Aug-20	31-Aug-20	For presentation to August TTPC 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 TTPC Roadshow	30 –Sep-20	30-Sep-20	Postponed due to COVID-19
Potential Committee Field Trip	30 –Sep-20	2021	To look at specific matters to help with decisions - COVID-19 dependent
Workshop with agricultural interests re biodiversity provisions	30-Oct-20	28 Oct 20	
Contact with landowners re SNA assessment, landowner meetings	30-Oct-20	30-Jun-21	This will be to seek permission to do field assessments.
Commence field work for SNA assessments	30- Nov-20	30 Nov 2021	It is anticipated that field work will be undertaken over summer 21-22 and summer 22-23. 2020/21 work could not be undertaken as desktop study was delayed
Zoning changes proposed	31-Dec-21		Specific zone change proposals will come to the Committee through 2021
Targeted stakeholder consultation on draft provisions of Te Tai o Poutini Plan	30-May-22	28 Feb 2022	Targeted consultation with stakeholders on draft provisions from mid 2021- mid 2022 with the aim of addressing concerns at this more informal stage
Iwi review of draft Te Tai o Poutini Plan	30-July-22	31 March 2022	This is in addition to hui and consultation throughout the development process and is a mandatory step

Stage	Target Completion	Revised Completion	Comments
Full "draft" Te Tai o Poutini Plan to Committee	30-Sep-22	30 April 2022	Full draft (so that this term of the Committee has overseen the drafting of the whole plan). A draft Plan will not have legal status, but will show all the cumulative decisions of the Committee
Community Consultation on "Draft" Te Tai o Poutini Plan	Oct-22	31 May 2022	Roadshow with a "draft" Plan to discuss with community
Amendment of "Draft" Plan to "Proposed Plan" provisions	31-Nov-22	30 Sep 2022	Feedback to Committee on results of consultation, any legal opinions on contentious provisions and decisions on final provisions
Local Body Elections	30-May-22	October 2022	
New Committee Familiarise with Proposed Plan	30-Jun-23	Nov 2022 – May 2023	Introduce and explain all sections of the proposed plan before the new Committee notify it
Notify Te Tai o Poutini Plan	30-Aug-23	30 June 2023	Indicative time only – this will be the "Proposed" Plan
Submissions Te Tai o Poutini Plan	30-Oct-23	30 August 2023	40 working days for submissions is the legal requirement
Further Submissions	30-Feb-24	30 October 2023	Submissions must be summarised and published and then there is a 20 working day period for further submissions
Hearings Te Tai o Poutini Plan	31-August-24	28 February 2024	Indicative time only
Decisions Te Tai o Poutini Plan	30-Sep-24	31 August 2024	Indicative time only
Appeal Period	30-June-25	30 September 2024	Indicative time only
Appeals and Mediation Te Tai o Poutini Plan	Oct-25	30 June 2025	Indicative time only. However the aim would be to complete the entire "Proposed – submissions-hearings –appeals-mediation-court process to Operative Plan within 1 term of the Committee
Local Body Elections	October 2025		
New Committee familiarised with operative plan	Nov/Dec 2025		
Ongoing Decision Making for TTPP	Oct 2025 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.
Environment Court	2026		

Possible Project Schedule under Fast Track Timeline

Stage	Target Completion	Revised Completion – July 2022 Fast track Notification	Comments
Potential Committee Field Trip	30 –Sep-20	April – June 21	To look at specific zoning matters in each district
Workshop with agricultural interests re biodiversity provisions	30-Oct-20	28 Oct 20	
Contact with landowners re SNA assessment, landowner meetings	30-Oct-20	30-Jun-21	This will be to seek permission to do field assessments.
Commence field work for SNA assessments	30- Nov-20	30 August 2021	It is anticipated that field work will be undertaken over spring and summer 21-22

Stage	Target Completion	Revised Completion – July 2022 Fast track Notification	Comments
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 mid -late 2021 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	Full draft 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 will still be being undertaken so the SNA field assessments will 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	30 July 2022	This will be the “Proposed” Plan
Submissions 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	
New Committee Familiarise with Proposed Plan	30-Jun-23	Nov 2022 – May 2023	Introduce and explain all sections of the proposed plan before the new Committee notify it
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 2023	Indicative time only. Any parts of the Plan not 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.
Local Body Elections	October 2025		
New Committee familiarised	Nov/Dec 2025		

Stage	Target Completion	Revised Completion – July 2022 Fast track Notification	Comments
with operative plan			



Te Tai o Poutini
PLAN

A combined district plan for the West Coast