



Te Tai o Poutini PLAN

A combined district plan for the West Coast

**Te Tai o Poutini Plan Committee Meeting
West Coast Regional Council Chambers
388 Main South Road, Greymouth
21 June 2022
AGENDA**

9.30	Welcome and Apologies	Chair
	Confirm previous minutes	Chair
	Matters arising from previous meeting	Chair
9.35	Financial Report	Project Manager
9.40	Technical Report – Outstanding Natural Landscapes and Significant Areas	Principal Planner
9.55	Technical Report – Feedback from the Schedule 1 (3) Consultation Process	Principal Planner
10.20	Report – Hearings Commissioner Nominations Process	Project Manager
10.30	Break	
10.45	Technical Report – Proposed Te Tai o Poutini Plan for Approval	Principal Planner
12.10	Technical Report – Update on Draft National Policy Statement for Indigenous Biodiversity (NPS-IB)	Senior Planner
12.20	Project Manager’s Report	Project Manager
12.30	Meeting Ends	

Meeting Dates for 2022

September	Thursday 8 th , 9.00 -11.00am	Zoom
December	Thursday 15 th , 9.30 -12.30pm	Grey District Council

THE WEST COAST REGIONAL COUNCIL

MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE
HELD ON 17 MAY 2022
AT THE BULLER DISTRICT COUNCIL CHAMBERS & VIA ZOOM
COMMENCING AT 9:32 A.M.

PRESENT:

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

IN ATTENDANCE:

J. Armstrong (WCRC), E. Bretherton (WCRC), L. Easton (WCRC) (via zoom), H. Mabin (WCRC) (via zoom), S. Bastion (WDC) (via zoom), S. Mason (BDC), R. Townrow (BDC), Michael McEnaney (GDC) (via Zoom)

Welcome

The Chair welcomed everyone to the meeting.

Apologies

B Smith was an apology for the meeting.

Moved (Williams) *That the apology from B Smith be accepted.*

Carried

Declarations of Interest

There were no declarations of interest.

Confirmation of Minutes

The Chair asked whether there were any amendments to the minutes of the previous meeting of 29 April 2022.

Cr Birchfield sought an amendment to the minutes to record his comment at the previous meeting to P Madgwick that iwi should maybe abstain from the vote on SNAs in view of the fact that iwi land had been excluded from the SNAs.

Cr Coll McLaughlin sought a change to the minutes regarding the zoning of public conservation land, as follows:

Cr Coll McLaughlin confirmed with L Easton that the open space zone allowed grazing.

[new paragraph] L Easton advised that there had been a change in personnel at DOC, and that staff would need to clarify some matters with DOC on ~~zoning this matter~~. She will bring back some amended wording to ensure there is clear policy guidance on these zones, to the next meeting.

Moved (Cleine / Roche)

That the minutes of the meeting dated 29 April 2022 be confirmed as correct, subject to the amendments outlined above.

Carried

Matters Arising

Cr Becker said he had sent an email out regarding the decision on the exclusion of the Māori land from the ONL process. He had received several queries from landowners where ONLs had overlaid SNAs. The Chair invited Cr Becker to raise this later in the meeting.

There were no other matters arising.

Te Tai o Poutini Plan – Natural Hazards

E Bretherton spoke to this report and took it as read. She sought agreement to change the name 'Fault Avoidance zone' to 'Earthquake Hazard overlay'. There were no comments on the change. E Bretherton then outlined the proposed changes set out in her report.

Kw Madgwick raised a query about the Ministry of Education and the coastal hazard overlay in relation to Granity School. He felt that the government should be leading on this, and if government is imposing a requirement for coastal hazard management they should 'walk the talk' in relation to their own operations.

Mayor Cleine noted that the coastal setback provision does not relate to elevation, and yet the overlays do. He asked whether that could be taken into account, where a site might have a cliff rather than beachfront. E Bretherton advised that the coastal setback overlay as it is at present is a precautionary approach, until the rest of the LiDAR is available. This is underway but not finalised. Once that information is available, the model used for the rest of the West Coast can be run in these areas, and the provisions can be amended.

Mayor Cleine asked about the permitted activities within the flood overlays, and limitations in the current draft wording on existing use rights. L Easton confirmed that existing use rights allowed for replacement of a house of similar scale. It was agreed that this should be made clear in the draft Plan rules.

Cr Coll McLaughlin asked for a discussion on the timeframes within the natural hazard section of the draft Plan for existing use rights. She would be reluctant to agree with a term of two years within some of the overlays, given that a large-scale event such as the Alpine Fault would make rebuilding within two years very difficult. Mayor Cleine supported this, noting that recovery from a large-scale event affecting much of a district can take years. In response to a question from Cr Roche, L Easton said that following a large-scale event like the Alpine Fault the government would likely introduce special legislation for the rebuild, as it did after the Christchurch earthquake.

Cr Coll McLaughlin confirmed with planning staff that the LiDAR information could be introduced by way of a submission by the Committee on the proposed Plan, once it became available.

Cr Coll McLaughlin asked about the addition to Policy 3. E Bretherton advised that it was raised by DOC that there were some missing steps, in terms of managing risk. These amendments lined it up with the NZCPS.

Cr Coll McLaughlin sought clarification about Rule 7. E Bretherton advised that there should have been a new permitted activity rule relating to new builds/flood susceptibility, and this would be added.

Cr Coll McLaughlin asked about a rule that would allow new commercial and industrial buildings in the coastal alert zone, and whether this should be added to Rule 38. E Bretherton said that a rule could be put in the Plan which provided for this.

Moved (Gibson / Birchfield):

1. *That the Committee receives the report; and*
2. *That the Natural Hazards provisions be amended in accordance with the approach outlined in the report.*

Carried

Te Tai o Poutini Plan – Westport Zoning and Natural Hazard Provisions

L. Easton spoke to this report. She outlined the type of hazards that the Plan addresses in respect of Westport. Staff have tried to bring together a set of rules for consideration that support a long-term approach to Westport, and recognise all these issues. She noted that the rules were more permissive than the draft rules and that the Westport protection scheme had yet to be built., The Committee should be aware that there is a risk that the rules could be seen as too enabling and the Committee may receive strong submissions from some parties such as government agencies. The design of the protection works was still in a state of flux but if changes are needed to the Plan once that is settled then the opportunity to amend the Plan would be through a Committee submission.

In response to a question from Mayor Cleine, L Easton explained how the permitted activity rule would work in areas that are not protected from coastal inundation or flood hazards. She said that the residual risk matter had not been addressed in the draft Plan provisions, rather than imposing additional measures for this. Mayor Cleine asked whether there would be an explanatory note in the Plan outlining the approach to this. E Bretherton confirmed that there could be practice notes on this for those flood risk provisions, and S Mason explained to the Committee how practice notes worked.

Cr Roche thanked L Easton and E Bretherton for their work on this in response to feedback received from the community, and supported Mayor Cleine's view regarding residual risk and feeding this into the proposed Plan once they understand what the protection works will be.

There was further discussion on how the hazard rules would be applied. L Easton advised that she had had some feedback from the Department of Internal Affairs who had indicated they felt the rules may be too permissive. She indicated that there was an upcoming pre-notification process in which government departments including the DIA can provide feedback and they may push back on these rules.

L Easton spoke to proposed zoning changes in Westport outlined in her report. Cr Coll McLaughlin asked whether there had been consultation with landowners in the Alma Road area in relation to the suggestion to rezone an area to commercial zoning. L Easton advised that there had not been time to do this and

that there are large numbers of properties across the district that have been rezoned without any specific notification.

Moved (Cleine / Roche)

1. *That the Committee receive the report.*
2. *That the amended zoning for Westport as outlined in this report be included in the proposed Plan.*
3. *That the amended Westport Hazard Policy and Rules as outlined in the report be included in the proposed Plan.*

Carried

Te Tai o Poutini Plan – Franz Josef Zoning

L. Easton spoke to this report. She advised that Westland District Council (WDC) had input into the provisions in the draft Plan and had been undertaking a separate consultation process on the zoning and were developing a master plan for the Franz Josef area. WDC have recently been impacted by a key staff member leaving, so had not yet been in a position to provide feedback on the submissions received from the community. Staff are hoping to receive detailed feedback from WDC staff at the end of the month, regarding the zoning. S Bastion advised that F Scadden had resigned from Council but has been engaged as a consultation to provide feedback.

Cr Martin said that he had received a lot of feedback and that he supported the recommendation to allow WDC planning staff to have more input in to this. He confirmed with S Bastion that the timeline to provide feedback from WDC was achievable.

Moved (Martin/Gibson)

1. *That the Committee receive the report.*
2. *That the amended zoning for Franz Josef as outlined in this report be included in the proposed Plan.*
3. *That any further amendments in relation to Cron Street, Franz Alpine Resort Tourist Zone areas or zoning for further development that are provided by the Westland District Council before 31 May 2022, be included within the proposed Plan.*

Carried

The Chair adjourned the meeting at 10:44 a.m. for a short break.

The meeting resumed at 10:56 a.m.

Consultation Plan and Schedule for the Proposed Te Tai o Poutini Plan

J Armstrong outlined the schedule and requirements for the notification process. L Easton updated the Committee on which provisions have immediate legal effect at notification and outlined the submissions and further submissions process. She said they would bring a paper back to the Committee on appointing Commissioners to hear and decide submissions, and encouraged Councillors who were accredited to consider being on the panel.

In relation to Hearing Commissioners, Mayor Cleine and Cr Roche raised queries about potential conflicts of interest or those who may have expressed views around some matters in the Plan, and how that would be treated. L Easton advised that any person intending to make a submission on the proposed Plan would not be able to sit as a Commissioner. She said staff would bring a paper to the Committee which discussed who might be appropriate as a Commissioner, but she had been involved in other planning processes where members who sat on Committees developing a Plan were also subsequently involved as Hearing Commissioners, and she felt this was quite appropriate. Members who felt they may have a potential interest should always declare this interest and refrain from voting on those matters, where potential conflict might arise. She also advised that where people had made strong statements and had fixed views on a matter, this may present difficulties in terms of perceptions of predetermination. This can be mitigated by a mix of Commissioners, local and independent, on a panel.

In response to a question from the Chair, L Easton confirmed that it was possible for some Commissioners to hear and decide some matters in the Plan, and other Commissioners to hear and decide other sections. This may suit in particular where a Commissioner has particular expertise in one area.

Mayor Cleine asked about what the consultation with identified specific property owners would be. L Easton replied that in some circumstances specific letters would be sent to landowners where significant matters or changes were proposed. However, there were a significant number of properties across the region that would be rezoned. There would be information in the letters sent to all ratepayers highlighting this and advising them to check their zoning and make a submission if they did not support the rezoning.

Cr Coll McLaughlin had received feedback that people struggled with the E-Plan, and asked what other options there were for enabling the community to access the information easily so it was not a barrier. J Armstrong replied that there would be public meetings throughout the region, and the proposed Plan would be in hard copy in those places. Staff are available to take people through provisions relating to their property, and have also previously trained library staff in the region to use the E-Plan so they can assist the community. There was some discussion on boosting Facebook advertising.

J Armstrong advised that the legislation required that it must be an E-Plan.

S Bastion asked whether there might be some opportunity to provide training to prospective Commissioners. It was generally agreed that there was not sufficient time to arrange training and accreditation for Commissioners.

Cr Birchfield sought confirmation from staff that the SNA and ONL provisions would be operative as soon as they were notified. L Easton confirmed they would be. He advised that if he stood again for election he would be looking to be appointed as a Hearing Commissioner. He would be voting against this recommendation as he felt the new Plan should be delayed until the new Councils are in place after the election, as they will be the ones who will carry this through and he felt it should be put before them before it is released.

Cr Coll McLaughlin noted that although the SNA provisions would have immediate effect at notification, they were very similar to the provisions currently in place in the region.

Moved (Roche / Tumahai)

1. *That this report is received*

2. *That the Committee discuss and approve the consultation plan and schedule for the proposed TTPP.*

Carried

Cr Birchfield voted against the motion.

Te Tai o Poutini Plan – Sites and Areas of Significance to Māori

L. Easton spoke to this report, advising the Committee that the report although brief summarised a very significant amount of work that had gone into these provisions. She acknowledged and thanked the Poutini Ngāi Tahu Kaiwhakahaere and staff who had put in a tremendous amount of work.

Mayor Cleine asked whether the list of sites, for example in Buller, are likely to be a surprise to people. Kw Tumahai responded that he did not think so, and that the rules were not that restrictive. Kw Madgwick advised that some of the sites had not been identified previously, but that should not be an issue as they have been careful not to impose onerous rules where sites were on private land. There was a minimal number of these, most being on Māori land or conservation land.

In response to a question from Cr Becker about a silent file notation in Ahaura township, Kw Madgwick said that this meant when people propose any work in that location, they just need to contact the relevant Rūnanga, in that case Ngāti Waewae, to talk through the issues, but it is not onerous. L Easton said that the rules were designed to promote dialogue with Rūnanga before people sought a resource consent, without the need to involve the Council. Mayor Gibson asked about future development at Victoria Park, and Kw Tumahai responded that they had just highlighted the area, and the conversations would need to happen after that. They had made it as permissive as possible. P Madgwick said that this was and is a significant site, but as it is owned by Mawhera Incorporation the final decision would be made by them.

In response to a question from Cr Coll McLaughlin, L Easton confirmed these areas had been mapped by Poutini Ngai Tahu. She undertook to send a link to the Committee so they could see the maps.

There was some discussion on the New Zealand Archaeological Association (NZAA) sites that were to be appended to the Plan. Kw Madgwick advised that these were unreliable in their present form and needed more work in terms of being verified by the NZAA. He said that previously there had been some identification of sites in regional documents, but nothing on the scale of the work that had been done here. He said that this is a significant body of work in this context as it had never been brought together before in this way. In that respect it is a really interesting list and the maps bring it all together and give it context.

Moved (Gibson/Birchfield)

1. *That the Committee receive the report.*
2. *That draft Sites and Areas of Significance to Māori Objectives, Policies, Rules and Schedule as appended to this report, subject to any minor and technical amendments identified by Te Rūnanga o Ngāi Tahu and Poutini Ngāi Tahu as part of the RMA Schedule 1 pre-notification consultation process, be included within the proposed Te Tai o Poutini Plan.*

Carried

Te Tai o Poutini Plan – Noise Provisions

L. Easton spoke to this report, noting that this issue was significant to some of the submitters. They had received feedback from Waka Kotahi NZTA and Crown Public Health agencies that the draft Plan did not adequately protect public health in relation to noise. Staff are proposing amendments to what was in the draft Plan.

Cr Becker asked about the Greymouth Airport and whether there would be restrictions on expansion of the airport, given its proximity to the hospital. L Easton advised that Marshall Day, the noise experts engaged by staff, had allowed for expansion of airport activity and that restrictions applied largely to new proposals rather than existing development.

S Bastion noted that his concern was Franz Josef, and he felt that the noise assessment may be subjective. L Easton clarified that there are noise limits that must be met, which set objective standards. S Bastion said that there may need to be changes of landing sites at the heliport given the new stop bank at Franz Josef, which impedes two landing sites, and asked if this would trigger a review of the resource consent. L Easton said there was a designation over the site, so this would probably fit within the designation but this should be checked. Kw Madgwick felt that it was a missed opportunity to relocate the heliport, and that a long-term view has not been taken. In his view it does not accord with the work DOC is doing, which is seeking to reduce the frequency of flights.

Cr Coll McLaughlin noted the change in allowing a greater level of noise in some of the zones than in the draft Plan and asked whether this may raise issues of reverse sensitivity. L Easton said she had looked at other Councils' approaches and had tried to find a workable solution, but acknowledged they were likely to receive submissions on this. The Chair said that some matters to do with noise can be addressed in bylaws. It was acknowledged that currently none of the District Councils had noise control bylaws.

Moved (Williams/Gibson)

1. *That the Committee receive the report.*
2. *That the amended Noise provisions as contained in Appendix Two be included in the proposed Te Tai o Poutini Plan.*

Carried

Te Tai o Poutini Plan – Ecosystems and Biodiversity

L. Easton sought direction from the Committee on the approach the Committee wanted to take with this.

Cr Martin said that his Council appreciated the time that had been allowed for Councils to take this matter back to their meetings and discuss this further. Westland District Council (WDC) had held a workshop, and then held an extraordinary meeting to consider this paper. At the meeting, option 2 was endorsed and the WDC representatives on the TPPP Committee will vote accordingly. Mayor Cleine advised that Buller District Council had had a similar process, and by majority vote had decided to endorse option 2.

Cr Birchfield said that his views were known on this, and he would be voting for option 1 and against the recommendation as proposed in this paper.

Mayor Gibson reiterated that Grey District Council's (GDC) view was that this was an important decision for Westland and Buller, and that GDC members would be abstaining from the vote. Cr Becker endorsed this.

There was some discussion on voting in support of the decisions of the two District Councils, given the absence of the Westland Mayor. Crs Becker and Coll McLaughlin advised that they were happy to vote in support of Westland's decision.

In response to a query from Cr Coll McLaughlin, L Easton recommended deleting the words '*including pakihī*' from ECO R1 - 3(v) on page 147 of the agenda, and removing the words '*pakihī or other*' from subclause (c) of clause 3(v).

Cr Birchfield said that 25,000 ha of private land was to be taken up in SNAs, and asked the Committee to bear that in mind when they were voting. This was on top of 5,000 ha for the wetlands. He felt it was treachery to let this private land go and felt the Committee should be fighting it, all the way to the Environment Court if necessary. He will be voting against it. He also wanted to go back and revisit the Outstanding Natural Landscape (ONL) vote. He said he got caught up in the vote to exclude the iwi land but is clear he is not in favour of the ONL vote, which he felt should have been split.

Cr Martin said he felt Cr Birchfield's view was shared by a number of people, and this came up at their Council meeting. However, what unfortunately had to drive their decision was the need to comply with the Regional Policy Statement (RPS). He said that if the requirement to map was not in the RPS then they felt they would have been on much stronger legal footing in supporting option 1. They felt option 2, a five year process, is a better option than fast tracking this and forcing it on people. He would prefer to dump it but given that they would not be able to defend that legally, he thinks that it is better to have early engagement with people, and work with them on it.

Cr Birchfield responded with a comment regarding World War II. Chair Williams directed the meeting towards considering the recommendation in the paper and sought additional comments.

Kw Madgwick said that they didn't like it but were stuck with it. Cr Martin emphasised that the votes are the way their Councils have asked them to vote.

Moved (Roche/Williams)

1. *That the Committee receive the report.*
2. *That the Ecosystems and Biodiversity Chapter as amended in Appendix Two, and with any further changes from this meeting, be included within the proposed Plan.*

Carried

Cr Birchfield and F Tumahai voted against the motion. Mayor Gibson abstained from the vote.

Te Tai o Poutini Plan – Monthly Report

J Armstrong spoke to this report. She advised that staff were really pleased with the amount of engagement and feedback from the coastal and land instability hazard consultation they had undertaken in April. There is no financial report this month as this meeting is being held earlier than the 20th.

Cr Birchfield said that he disagreed with the timetable for the Plan set out this report. He also objected to the Chair's response to his earlier statement. The Chair responded that as Chair, he had the right to make such a judgement as to the appropriateness of any comments.

Moved (Cleine / Martin) *That the Committee receive the report.*

Carried

Cr Birchfield voted against the motion.

General business

Cr Becker asked about situations where areas had both an SNA and ONL overlay, giving the example of an approach to him by a property owner who was concerned that there was an existing SNA on their land that now also had an ONL notation. He said there were two or three examples of this, and asked whether the ONL could be removed from those properties, on the basis that it already had an SNA underneath it.

L Easton explained that they had used criteria and recommendations from a landscape architect to identify ONLs. Land tenure had not been considered in that. The discussion at the last meeting was about whether Māori reserve land would be excluded. She said there would probably be a lot of ONLs across a lot of SNAs, because different criteria are used to identify them. Cr Becker felt that this was unacceptable to have two overlays, and that it would be too complicated to do anything.

Kw Madgwick said they resent this ONL provision, as much as the SNAs, but his understanding was that these landscape areas had existed previously and had been updated now. He gave the example of areas around Makaawhio/Mahitahi/Bruce Bay where ONL overlays had not been identified over any private farmland but were overlaid over all of the Māori reserve land. He felt this was not fair and was arbitrary. He said that this was land that has never left Māori hands in the first place and therefore the Crown shouldn't have any rights over this. He agreed with Cr Becker that it was unjust.

Cr Becker again asked whether the ONL overlay could be removed from identified SNAs. L Easton said that while she was conscious this was not an agenda item and therefore could probably not have a resolution from the Committee at this meeting, she could do further analysis of areas where there were both SNA and ONL overlays and bring that back to the next Committee meeting. This would then place the item on the agenda and provide the Committee with an opportunity to make a formal resolution. Cr Becker said he was happy with that. He was supported by Kw Tumahai who said he felt this situation was disgusting.

There was no other general business.

The meeting closed at 12:26 p.m.

The Chair thanked everyone for their attendance.

NEXT MEETING

Tuesday 21 June 2022 at the West Coast Regional Council.

.....
Chair

.....
Date



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: 21 June 2022

Subject: April 2022 Financial Report

SUMMARY

This report includes the statement of financial performance to 30 April 2022.

RECOMMENDATION

1. That the Committee receive the report

REPORT

The statement of financial performance shows that costs are behind those expected, with a reported deficit of **(462,714)** compared with a budgeted deficit of **(800,053)**. This is largely due to a variance with the Research costs which has resulted in a favourable variance against budget of **\$278,779** for the year to date.

1. Planning services to proof read the Proposed Plan and ensure consistent integration across the Plan is currently underway, and GIS work for the proposed Plan is ongoing. Further planner expertise may be required to support delivery of the section 32 report alongside the Proposed Plan at notification. This additional work may reduce the positive forecast variance.
2. We have contracted to use the purpose-built RMA submissions tool "Spoken" for the Proposed Plan. The set-up cost of \$1880 and the first monthly fee of \$495 for June, will appear in this financial year.
3. The accumulated deficit (or borrowing requirement) at the end of the period is **\$645,824**.

Statement of financial performance to April 2022						
	Year to date			Full year		
	Actual	Budget	Variance	Forecast	Budget	Variance
INCOME						
Targeted Rate	412,499	416,667	(4,167)	500,000	500,000	-
	412,499	416,667	(4,167)	500,000	500,000	-
EXPENDITURE						
Employee costs	227,872	208,333	(19,539)	285,000	250,000	(35,000)
Consultant Planner	86,111	83,333	(2,777)	125,000	100,000	(25,000)
Governance	55,562	54,167	(1,396)	65,000	65,000	-
Poutini Ngai Tahu	33,334	41,667	8,333	50,000	50,000	-
TTPP Website	5,881	2,500	(3,381)	5,000	5,000	-
Isovist e-plan Platform	5,712	9,028	3,315	10,833	10,833	-
Research	282,421	561,200	278,779	435,000	590,000	155,000
Engagement Travel & Accommod	12,633	13,000	367	15,000	15,000	-
Workshops & Events	290	2,250	1,960	3,000	3,000	-
Design & Printing	5,600	2,500	(3,100)	8,000	5,000	(3,000)
Media Costs	11,283	12,500	1,217	25,000	25,000	-
Mail Outs	-	20,000	20,000	-	20,000	20,000
Legal Advice	23,515	35,000	11,486	50,000	50,000	-
Hearings	-	-	-	-	-	-
Mediation	-	-	-	-	-	-
Environment Court	-	-	-	-	-	-
Interest	-	46,243	46,243	16,272	55,491	39,219
Share of WRC Overhead	125,000	125,000	-	150,000	150,000	-
	875,214	1,216,720	341,506	1,243,105	1,394,324	151,219
Net Surplus / (Deficit)	(462,714)	(800,053)	337,339	(743,105)	(894,324)	151,219

Accumulated deficit / borrowing requirement

Start of year	183,110	183,110
During period	462,714	743,105
End of period	645,824	926,215



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: 21 June 2022

Subject: **Te Tai o Poutini Plan – Outstanding Natural Landscapes and Significant Natural Areas**

SUMMARY

At the 17 May meeting of the Committee, concern was raised by Councillor Becker that some properties would be subject to both Significant Natural Area and Outstanding Natural Landscape provisions. This report brings back information on the number and location of the properties.

RECOMMENDATIONS

1. That the Committee receive the report.

Lois Easton

Principal Planner

INTRODUCTION

1. Within the Grey District, 37 Significant Natural Areas (SNAs) have been identified through a detailed process of desktop then field ecological assessment and discussion with landowners.
2. These 37 SNAs have been included in Te Tai o Poutini Plan.
3. Alongside the SNA work, a landscape study of the whole West Coast to identify Outstanding Natural Landscapes (ONLs) was undertaken in 2013 and updated in 2022.
4. While the values being assessed are different between Significant Natural Areas and ONLs, protection of ONLs also assists the Committee in meeting multiple Section 6 (Matters of National Importance) and Section 7 (Other Matters) Resource Management Act Requirements as well as requirements set out in the West Coast Regional Policy Statement.
5. In particular there is some overlap in that almost all the identified ONLs are areas that are covered in indigenous vegetation, and it is this continuous cover that creates the landscape value.
6. While most of the identified ONL area is within the Department of Conservation administered lands, there is an estimated 37,000 hectares of privately owned land within the ONL boundaries.

NATIONAL AND REGIONAL DIRECTION

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

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

....(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

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

8. In addition, Section 7 (Other Matters) of the Resource Management Act requires:

"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

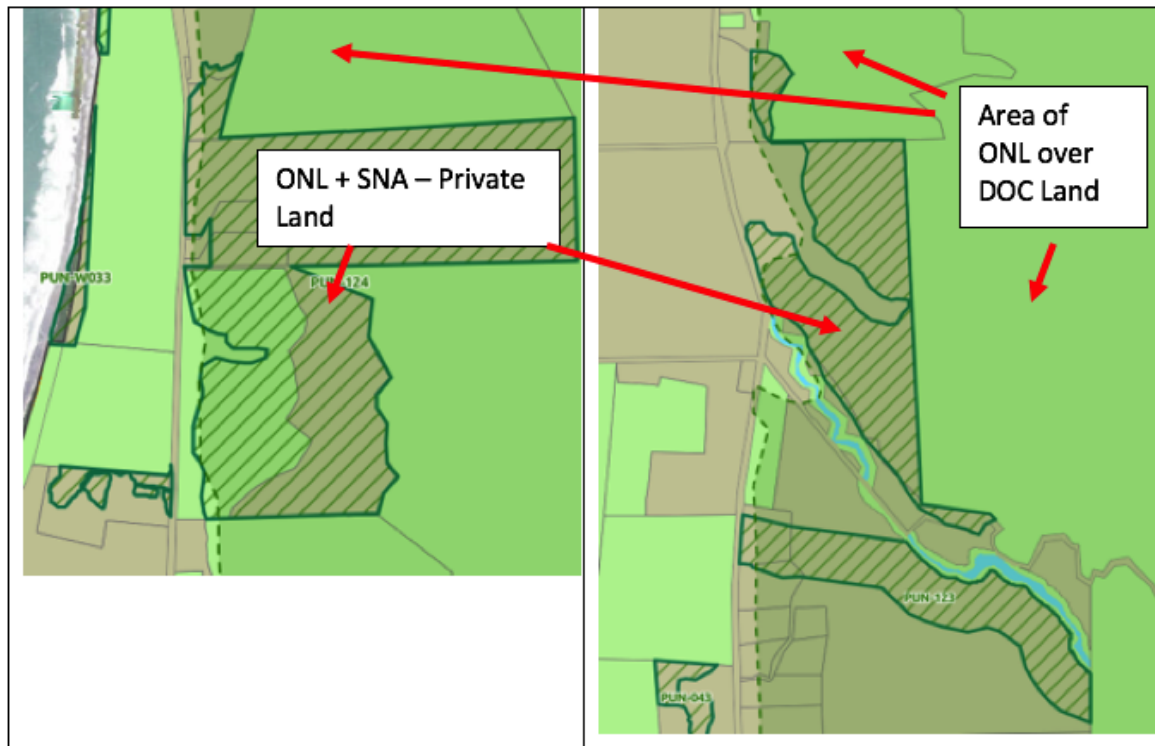
9. In terms of the West Coast Regional Policy Statement (RPS), Chapter 7B provides the direction around Outstanding Natural Landscapes and requires these to be identified using regionally significant criteria.
10. Chapter 7 provides the direction around Significant Natural Areas and requires these to be identified and mapped in district plans.
11. Both the RMA and the RPS are clear that identification and protection of both Outstanding Natural Landscapes and Significant Natural Areas are required.
12. Both these topics have been well traversed in the Environment Court and there is a significant body of case law around the requirements to assess these areas with appropriate and consistently applied criteria and to place a high degree of protection through rules in district plans.

AREAS WHERE SNAs and ONLs OVERLAP

13. An analysis of the areas within Grey District where the identified SNAs and ONLS overlap have been undertaken. There are four areas affected – in the Barrytown area, the Mt Davy SNA in the Paparoa Coalfield, Lake Brunner and one SNA near Dobson. The maps below show the affected locations.

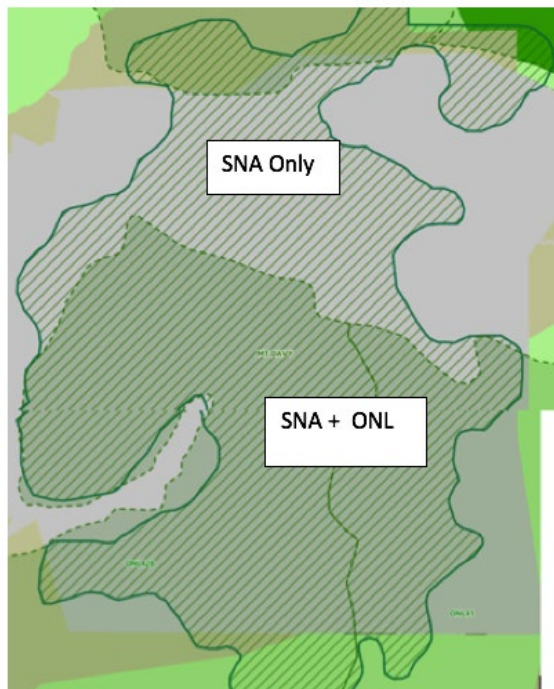
Barrytown Area

The PUN – 124 and PUN – 123 SNAs both fall within the ONL 44 Paparua Range. There are 10 affected titles (though some titles are part of one property).



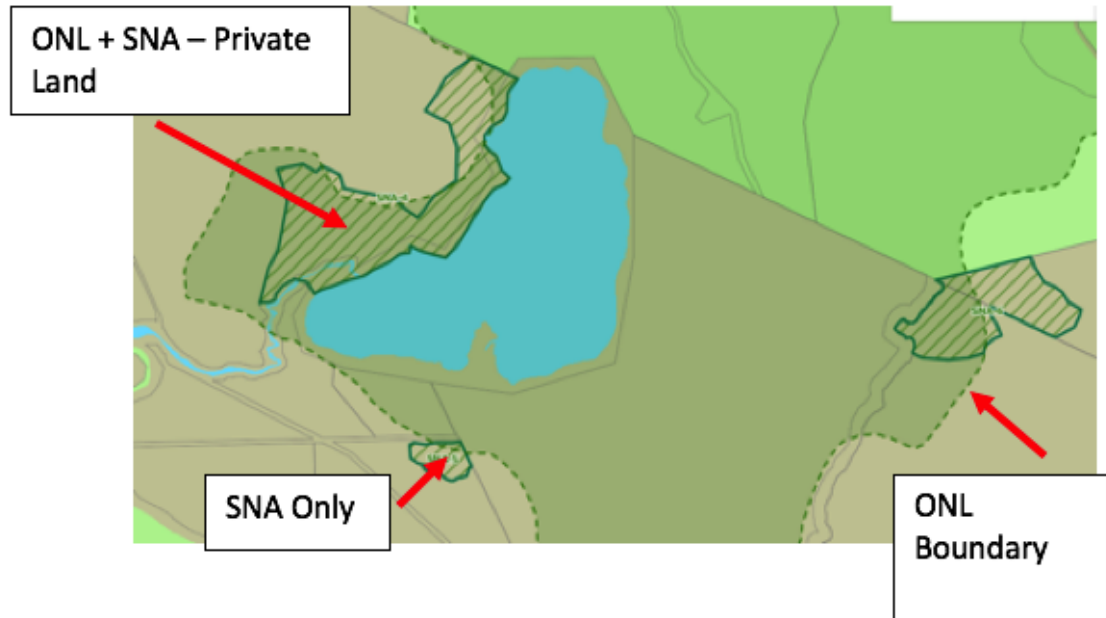
Paparua Coalfield

14. The large Mt Davy SNA is partly covered by ONL 42B and ONL 41. Part of the SNA is not covered by any ONL.

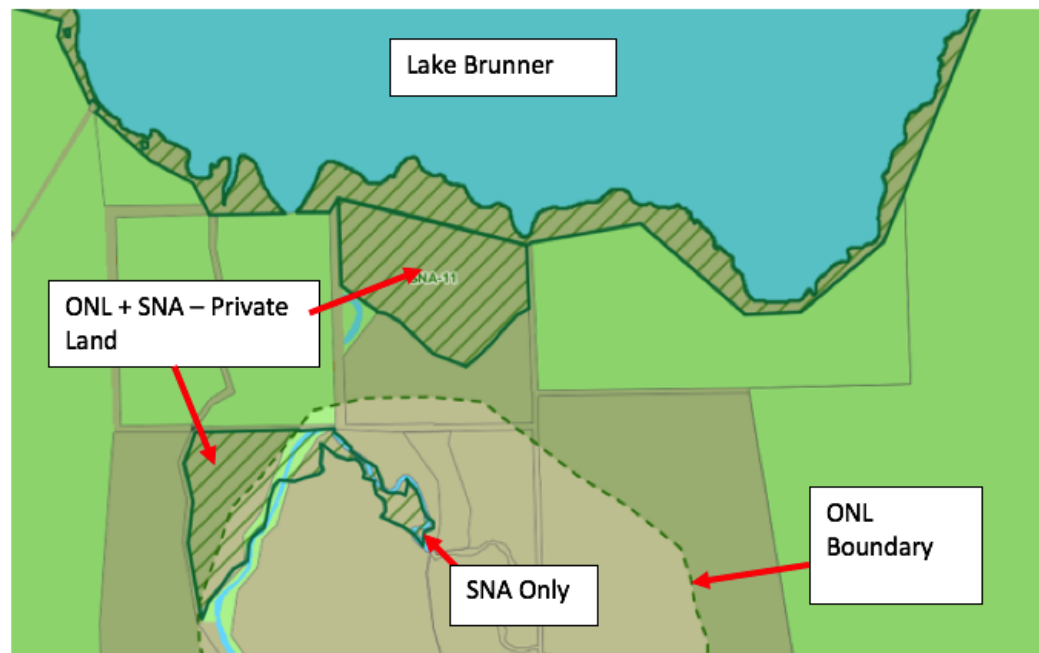


Ruru – Te Kinga -Lake Brunner

15. A group of SNAs around the Lake Brunner area are affected. SNA – 4, SNA - 5 and SNA – 6 partly fall within ONL 32. Three titles there have both an SNA and ONL over part of the property.

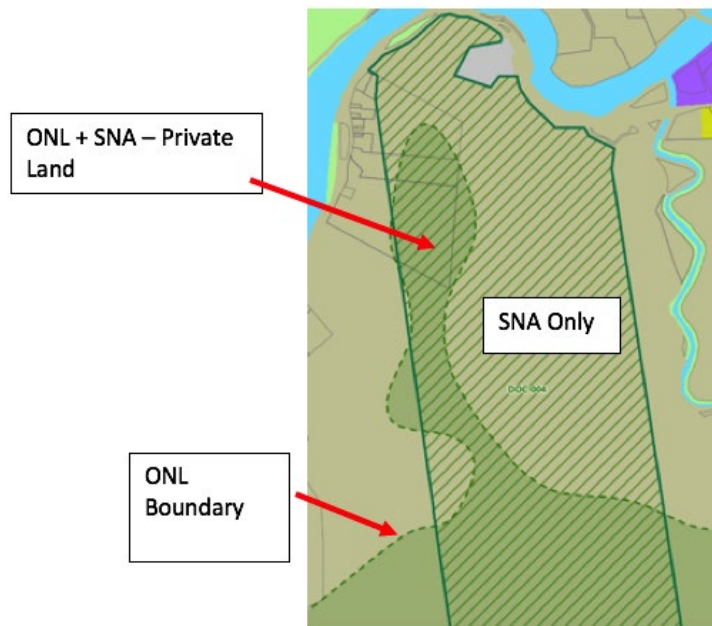


16. Around the margins of Lake Brunner the DOC – 11 and SNA – 11 fall within the ONL 29. While most of this land is either paper road, esplanade or DOC administered land there are two privately owned properties affected.



Dobson

17. The SNA DOC – 004 overlaps with ONL 30 with 4 land titles affected.



IMPLICATIONS FOR LANDOWNERS OF DUAL SNA/ONL LISTING

18. The main implications for landowners arise where a property has both an ONL and SNA on it, where they do not overlap. Where the two overlays overlap vegetation clearance is a Discretionary Activity under both overlay provisions. For a small number of landowners however such as parts of SNA PUN -123 and SNA – 11 that part of the property not covered by an SNA is covered by an ONL, meaning that all vegetation clearance on the property would require a resource consent. In addition, the ONL provisions would require a resource consent for large scale earthworks or significant structures. Depending on the location of the desired activity, both an ecological assessment and/or landscape assessment of the effects of the activity, alongside mitigation of these would likely be required for consent to be granted. These provisions will take effect at the time of notification of the Proposed Plan.

NEXT STEPS

19. Staff do not recommend any amendments to the Plan based on this analysis. This report looks at the implications of overlap of two overlays – SNA and ONLS.
20. Both overlays are required in order to fulfil the requirements of the RMA and RPS and have been identified using criteria applied consistently.
21. There are undoubtedly many other circumstances where overlay areas overlap, for example there are many areas that are both ONLS and have Outstanding Coastal Natural Character as these values tend to align in similar locations.
22. Similarly, natural hazard overlays may overlap with other overlays in some locations.
23. When someone is seeking to undertake activities in an overlay area, all the relevant provisions of the TTPP will apply. This does not require them to seek multiple consents, but rather put together an integrated proposal around how the multiple values will be managed to minimise adverse effects.



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: 21 June 2022

Subject: **Te Tai o Poutini Plan – Feedback from Schedule 1 (3) Consultation Process**

SUMMARY

Under the Resource Management Act a process of consultation prior to the release of a proposed Plan is required with:

- The Minister for the Environment;
- Other Ministers of the Crown who may be affected by the plan
- Local authorities who may be affected; and
- Tangata whenua of the area, through iwi authorities.

This report brings back feedback received from the consultation undertaken under these requirements.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That an additional policy be included in the Historic Heritage Provisions of the Plan as follows:

The Councils will work with Heritage New Zealand Pouhere Taonga and Poutini Ngāi Tahu to create a yearly work programme which will enable all NZAA sites of Māori origin on the Tai Poutini to be accurately mapped within the next ten years. These will be included in the planning maps as a Plan Change.

3. That the Committee thank Te Rūnanga o Ngāi Tahu for their feedback and that staff be instructed to work with the rūnanga alongside Poutini Ngāi Tahu to consider further matters that have not been able to be addressed from the feedback with a view to preparing a joint submission on these matters to the Proposed Plan.

Lois Easton

Principal Planner

INTRODUCTION

1. Under Schedule 1 (3) of the Resource Management Act a process of consultation prior to the release of a proposed Plan is required with:
 - The Minister for the Environment;
 - Other Ministers of the Crown who may be affected by the plan
 - Local authorities who may be affected; and
 - Tangata whenua of the area, through iwi authorities.
2. While there has been extensive consultation with relevant crown agencies, local authorities and Poutini Ngāi Tahu through the development of Te Tai o Poutini Plan (TTPP) a separate formal process of seeking feedback under Schedule 1(3) has also been undertaken. The amended (post feedback) draft Plan was provided to the Ministry for the Environment (MFE), Department of Conservation (DOC) and Te Rūnanga o Ngāi Tahu at the beginning of May, with a month provided for further feedback. Additional formal feedback was also sought from the Department of Internal Affairs (DIA). The feedback and/or comments received are attached at Appendix One.

FEEDBACK RECEIVED FROM THE DEPARTMENT OF INTERNAL AFFAIRS

3. The DIA indicated that they did not have capacity to specifically review the whole plan, but reiterated feedback that they had previously provided to the technical team. The table below addresses the issues provided in the feedback

Issue	Response
<p>Liquefaction hazard – identifying a hazard layer around liquefaction and possibly recognising the need for appropriate foundation solutions on liquefiable land (similar to the technical categories in Christchurch). Parts of Westport have all the ingredients for liquefaction risk – liquefiable / alluvial soils, high groundwater, and significant earthquake risk.</p>	<p>An assessment of liquefaction risk across the West Coast was undertaken in 2021, and this identified that in most parts of the region the risk is low. This report is not suitable for use in a District Plan, as in many locations the number of site-specific records used to generate the risk assessment was insufficient to be able to give an output accurate enough to be suitable for inclusion. In consultation with the District Council building control teams it was determined that the measures provided in the Building Code for managing liquefaction through foundation design were sufficient and that additional land use controls are not required.</p>
<ul style="list-style-type: none"> • Groundwater hazard – this is related also to liquefaction risk, flood risk and climate change impacts. Some further detail on this might be warranted. 	<p>To ensure prudent spending of council resources, hazards with the highest risk to life have had the most substantial technical input. Groundwater hazard, while it will impact, and increasingly impact areas, is not considered to represent the same level of risk as a coastal storm, or AF8 event for example.</p>
<ul style="list-style-type: none"> • Future development zoning for the Alma Road area – will the plan indicate that this area might be rezoned for residential purposes in future? If there is a proposal for rezoning – what is the proposed zone (in our meeting there was discussion of ‘rural residential’, ‘settler zone’ and ‘future urban zone’ (trying to get an idea of potential density / sections sizes in this area). 	<p>This was the subject of a report to the 17 May Committee meeting. The area is proposed to be rezoned predominantly as General Residential Zone. This has a minimum lot size of 300m².</p>

<ul style="list-style-type: none"> • Mitigation – Just confirming the mitigation measures proposed within TTPP following our meeting. Currently for the 'Flood Susceptible Layer' the mitigation is defined as setting floor levels 500mm above the 1% AEP event (assumed this is only for new developments)? For the 'Flood Severe Layer' confirming that any new development is prohibited in these areas? 	<p>There are no prohibited rules in TTPP natural hazard provisions, except for within the 20m Earthquake Hazard Buffer. A district plan cannot extinguish existing use rights without regional plans setting the framework.</p> <p>The flood susceptibility, flood severe and Westport Hazard overlay rules were all reviewed at the 17 May meeting of the Committee and staff consider that an appropriate level of risk management is proposed. This includes freeboard requirements for new buildings and additions to buildings in accordance with NZS 4404.</p> <p>Within the Flood Severe Overlay new buildings for sensitive activities are a Non-complying Activity.</p>
<ul style="list-style-type: none"> • Short term provisions (outside the TTPP) – Due to timelines for implementation of the TTPP (i.e. 2.5 years minimum) are there any short term measures that would contribute to future resilience – i.e. avoiding new development in the short-term in severe flood risk areas? 	<p>This matter was discussed with the Committee in February. The Committee determined it did not want to seek that the natural hazard provisions for Westport be made effective at the time of notification. There are no other regulatory mechanisms available to address the short-term issue, however staff note that the existing Building Code requirements continue to apply and with the detailed modelling of the hazards now available for Westport, there are some mechanisms available through the Building Code to restrict development in very hazardous areas.</p>

FEEDBACK RECEIVED FROM THE DEPARTMENT OF CONSERVATION

4. DOC provided detailed feedback on the draft Plan during that consultation stage. When approached under the Schedule 1(3) process DOC has noted that the Committee has made changes to the Plan in light of its detailed feedback – and in particular the inclusion of the additional policy around the future identification of SNAs. They had no further comments at this stage.

FEEDBACK RECEIVED FROM THE MINISTRY FOR THE ENVIRONMENT

5. Staff from the Ministry for the Environment provided a series of questions for the Te Tai o Poutini team at the end of May. These were based on questions raised by the Minister for the Environment about the process. The questions and staff response are outlined in the table below. At the time of drafting of this report, no further response has been received from the Minister for the Environment or the Ministry. Any update on this will be provided to the Committee.

Question	Response
<p>Strategic Objectives - What is the relationship between the strategic objectives, and the topic chapter objectives? Noting, <i>"all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic</i></p>	<p>The Strategic Direction Objectives have set the direction for the Plan. However, they should also be used during the process of implementation of the Plan – which is generally through resource consents – and the strategic objectives will need to be considered alongside the chapter objectives through this process.</p>

<p><i>objectives.</i> "How do you see this working in practice?"</p>	
<p>Hazard Management - Please can you give us an overview of any changes to the hazards management approach following the 17 May Committee meeting? What were the drivers for these changes? Are there any areas still to be resolved</p>	<p>The main changes following the 17 May meeting are the inclusion of Westport specific hazard provisions. These apply to the area identified in the WCRC LTP as being protected by the proposed flood protection scheme. Within this area development can occur provided it includes freeboard to the standards set in NZS4404. Subdivision is a Discretionary Activity.</p>
<p>Indigenous Biodiversity - Please can you give us an overview of any changes to indigenous biodiversity provisions, and SNA mapping, following the 17 May Committee meeting? How do you see these working in practice in the context of section 6 and the West Coast Regional Policy Statement?</p>	<p>SNA's have been identified and mapped in the Grey District. These will be included in the proposed Plan.</p> <p>Changes from 17 May</p> <p>An additional policy has been included which states that in Buller and Westland an SNA identification process will be undertaken and a Plan Change initiated within 5 years. The policy states that the criteria in the WCRPS will be used to assess SNA's. In the interim, SNA assessments will need to be undertaken as part of the resource consent process</p>
<p>Freshwater Management - Please can you talk us through the approach to implementing National Policy Statement for Freshwater Management 2020, noting the prioritisation in NPSFM Objective 2.1?</p>	<p>While the NPSFM primarily relates to Regional Functions we do note the following:</p> <p>The main areas where we can impact water quality relate to:</p> <ol style="list-style-type: none"> 1. urban environments (impermeable surfaces incl. effects on hydrological function, stormwater contamination and treatment), 2. riparian areas and land use near waterbodies. <p>On the West Coast advice from the Regional Council is that water quality is generally high, with a small number of locations (e.g., Sawyers Creek in Greymouth) identified as being degraded.</p> <p>Plan provisions take this into account by requiring the following:</p> <ul style="list-style-type: none"> • A specific requirement in the Urban Form and Development Strategic Objective to "<i>Maintain the health and wellbeing of waterbodies, freshwater ecosystems and receiving environments,</i>" • Riparian setbacks are required from rivers >3m, lakes and wetlands. These relate to vegetation clearance and earthworks. While these have been primarily set for natural character reasons as this is the District Matter we can regulate, there will also be benefits for retaining water quality. • There are specific requirements for stormwater management and treatment of urban contaminants threaded through the plan e.g., zone provisions and transport chapter.

	<ul style="list-style-type: none"> • Some activities have additional setback requirements from waterbodies. • The extensive flood hazard provisions in the Plan further restrict buildings and activities occurring near wetlands and rivers, albeit for different reasons. • Poutini Ngāi Tahu have been involved in all aspects of decision making. This has led to the identification of waterbodies whereby more restrictive provisions to protect their cultural values apply. These are found in the Activities on the Surface of Water, and Sites of Significance to Māori Chapter.
<p>Consistency across districts - Are there any key areas where you have had to balance a regionally consistent approach with flexibility for individual district council areas? Or topic areas where the Joint Committee is still working on alignment?</p>	<ul style="list-style-type: none"> • Natural hazards provisions have had some element of bespoke approach for both Hokitika and Westport. This reflects the level of existing investment in the built environment. • The only substantive area where there is a significant difference in approach is ecosystems and biodiversity because of the inclusion of the Grey SNAs. • There is a minor matter in relation to residential visitor accommodation where there are differences between Buller and the other two districts (more enabling in Grey and Westland) • There are differences that arise because some resources or activities are spatially located in one or two of the districts (e.g. Ports, Stadia – neither of which are located in Westland), the Alpine Fault– which mainly impacts Westland and the World Heritage Area in South Westland.

FEEDBACK FROM TE RŪNANGA O NGĀI TAHU

6. Te Rūnanga o Ngāi Tahu provided 18 pages of comprehensive and detailed feedback on the draft Plan. While this feedback is very much appreciated, staff have only had time to incorporate some of the feedback in the final draft Plan. That is because some changes are substantive policy matters which require careful consideration of the implications and decisions on this need to be made by the Committee. The table below outlines the areas where the Plan has been amended to reflect the feedback from Te Rūnanga o Ngāi Tahu and the further discussion looks at the other feedback.

Feedback	Amendments Made to the Plan/Further Discussion
Te Rūnanga and Poutini Ngāi Tahu congratulate the Tai o Poutini Plan Committee for the way in which they have worked in partnership with mana whenua to create the draft plan. The draft plan largely reflects Ngāi Tahu values such as rangatiratanga and kaitiakitanga and creates a solid foundation to work from as we refine this draft plan towards a final, operative combined district plan for Te Tai Poutini/West Coast.	The feedback is noted and appreciated

<p>Use of te reo Māori and/or Terminology</p> <ul style="list-style-type: none"> • There are a range of te reo Māori terms and names that are used inconsistently throughout the Plan. • Some defined and undefined te reo Māori terms also overlay • Te Reo spelling mistakes/dialect swaps, references to iwi outside the takiwā • Instances throughout the Plan where Poutini Ngāi Tahu relationships with and presence in Tai Poutini / West Coast, or engagement in cultural practices, are discussed using only the past tense 	<p>The Plan has been amended to more consistently refer to the identified terms. Where this will not affect substantive provisions terms have been amalgamated</p> <p>Where there are identified errors and spelling mistakes or incorrect references these have been amended.</p> <p>No specific examples were provided of use of past tense. Staff have checked the text and where possible corrected any mistake of intent.</p>
<p>Tangata whenua chapter</p> <ul style="list-style-type: none"> • Reference to partnerships with Councils to be updated • Additional wording requested regarding the two papatipu rūnanga • Additional word around Poutini Ngāi Tahu Values and Principles and Practices 	<p>These amendments have been made</p>
<p>Recognition of NTCSA Lands</p> <ul style="list-style-type: none"> • Consistent references to statutory acknowledgements, nohoanga and tribal properties • Some wording of provisions may not enable Te Rūnanga o Ngāi Tahu to exercise its responsibilities as Iwi Authority 	<p>These amendments have been made</p>
<p>Iwi Papatipu Rūnanga Management Plan</p> <ul style="list-style-type: none"> • Definition is unreasonably prescriptive. 	<p>Poutini Ngāi Tahu and TTPP staff have discussed this issue and agreed it is best addressed in conjunction with the discussions referred to below around the Māori Purpose Zone locations and rules</p>
<p>Strategic Directives: POU Poutini Ngāi Tahu & MIN Mineral Extraction</p> <ul style="list-style-type: none"> • Generally support – specific amendments sought 	<p>These amendments have been made</p>
<p>HH Historic Heritage</p> <ul style="list-style-type: none"> • Seek copy of Accidental Discovery Protocol • Seek inclusion of a new schedule in the Plan which lists all NZ Archaeological Association sites of Māori Origin in Tai Poutini – using NZAA numbering and not a SASM number • Seek that the schedule be used to create a GIS Alert layer of NZAA sites of Māori origin for information only • Seek the addition of a policy in the Plan committing the councils to work with 	<p>The Accidental Discovery Protocol has been provided – and the version previously approved by Poutini Ngāi Tahu has been included in the Plan</p> <p>A new Appendix Ten has been added to the Plan which includes these NZAA sites.</p> <p>There has been insufficient time to build an additional GIS layer to include in the ePlan. Because there are no rules associated with these sites it would be possible to add them as</p>

<p>Heritage NZ Pouhere Taonga and Te Rūnanga o Ngāi Tahu to create a yearly work programme which will enable all the NZAA sites of Māori origin to be accurately mapped within the next ten year.</p> <ul style="list-style-type: none"> • Te Rūnanga and Poutini Ngāi Tahu seek that HH-P2 is amended with the addition of the words "and Te Rūnanga o Ngāi Tahu" after "Poutini Ngāi Tahu" and the words "local iwi" are removed. 	<p>a non-statutory layer in the map viewer at a future time.</p> <p>The proposed policy is supported by staff but as it would commit the Councils to a forward work programme feedback from the Committee on whether it should be included in the Proposed Plan is sought.</p> <p>This amendment has been made</p>
<p>TREE Notable Trees</p> <p>Te Rūnanga and Poutini Ngāi Tahu support TREE – O2, as it enables Poutini Ngāi Tahu rangatiratanga in resource management matters.</p>	<p>The feedback is noted and appreciated</p>
<p>SASM – Sites and Areas of Significance to Māori</p> <ul style="list-style-type: none"> • Detailed amendments sought to text and provisions 	<p>These amendments have been made</p>
<p>ECO – Ecosystems and Biodiversity</p> <ul style="list-style-type: none"> • Amendments sought to text 	<p>These amendments have been made</p>
<p>NFL Natural Features and Landscapes</p> <ul style="list-style-type: none"> • Amendments sought to text 	<p>These amendments have been made</p>
<p>MPZ – Māori Purpose Zone</p> <ul style="list-style-type: none"> • Detailed changes sought, including to the criteria for properties included in the zone, which properties are included, unspecified changes to the objectives, changes to the built form standards to reflect residential rather than rural environments, changes to subdivision provisions, 	<p>Some amendments made – e.g. definition of Māori Land, Overview.</p> <p>However many of the changes sought are unclear in intent or will have significant knock on effects. The staff view is that a comprehensive review of the criteria for inclusion of sites within the zone, application of these criteria and then review of the Māori Purpose Zone rules is required. As is outlined in the feedback this might be best achieved by a series of workshops and detailed policy work is required.</p> <p>Staff propose that this work could be undertaken over the July-August period and the results forming a comprehensive submission, hopefully jointly, from Poutini Ngāi Tahu/Te Rūnanga o Ngāi Tahu and the TTPP Committee.</p>
<p>Papakāinga Provisions</p> <ul style="list-style-type: none"> • some changes to provisions to be more consistent across zones and provide the range of compliance pathways. • amendment to definition of papākāinga sought 	<p>These amendments have been made</p> <p>Definition amendment could be included in the scope of work outlined above.</p>

NEXT STEPS

7. Staff have amended the draft Plan as outlined based on the Schedule 1(3) consultation feedback received. It is noted that there has been consultation with many parts of government throughout the development of the draft Plan and during the draft Plan feedback process. Staff are comfortable that the Schedule 1(3) process has been undertaken in accordance with the law.
8. In relation to the unresolved matters with Te Rūnanga o Ngāi Tahu a joint process of examining provisions and preparing a comprehensive submission on the proposed Plan is proposed to address these issues.

APPENDIX ONE: Feedback Received Through Schedule 1(3) Process

3. Feedback from the Department of Internal Affairs

Subject: RE: TTPP draft

Hi Jo

Thanks for your email. We did look at the draft version of the TTPP that was online in our work for Ministers around looking at what the potential was for future development on lower risk land in Westport. Some areas we identified where further work might be needed are:

- **Liquefaction hazard** – identifying a hazard layer around liquefaction and possibly recognising the need for appropriate foundation solutions on liquefiable land (similar to the technical categories in Christchurch). Parts of Westport have all the ingredients for liquefaction risk – liquefiable / alluvial soils, high groundwater, and significant earthquake risk. Planning guidance on this can be found here – <https://www.building.govt.nz/assets/Uploads/building-code-compliance/b-stability/b1-structure/planning-engineering-liquefaction.pdf>. I worked on this guidance when I was at MBIE. Obviously significant technical input is needed to get to liquefaction mapping and that would have to come at a later stage, and be subject to council funding.
- **Groundwater hazard** – this is related also to liquefaction risk, flood risk and climate change impacts. Some further detail on this might be warranted.
- **Future development zoning for the Alma Road area** – will the plan indicate that this area might be rezoned for residential purposes in future? If there is a proposal for rezoning – what is the proposed zone (in our meeting there was discussion of 'rural residential', 'settler zone' and 'future urban zone' (trying to get an idea of potential density / sections sizes in this area).
- **Mitigation** – Just confirming the mitigation measures proposed within TTPP following our meeting. Currently for the 'Flood Susceptible Layer' the mitigation is defined as setting floor levels 500mm above the 1% AEP event (assumed this is only for new developments)? For the 'Flood Severe Layer' confirming that any new development is prohibited in these areas?
- **Short term provisions (outside the TTPP)** – Due to timelines for implementation of the TTPP (i.e. 2.5 years minimum) we queried with Lois if there were any short term measures that would contribute to future resilience – i.e. avoiding new development in the short-term in severe flood risk areas?
- Is there a link in the plan to the local level climate risk assessment work that Di Rossiter has initiated?

The only person to the comment on the plan at DIA is me and I don't currently have capacity for a technical review of all plan provisions. It would be good if you could have a look at the matters raised above. Other than that we won't provide further input at this stage as we consider the TTPP sets out a good framework for future development in Westport in terms of managing risk.

Department of Internal Affairs Te Tari Taiwhenua

45 Pipitea Street, Thorndon | PO Box 805, Wellington 6140, New Zealand | www.dia.govt.nz



Te Tari Taiwhenua
Internal Affairs

4. Feedback from the Department of Conservation

Subject: RE: TTPP comments

Kia ora Jo,

Apologies for not getting back to you earlier.

We don't have any further comments on the plan that would require your further consideration. I have reviewed the draft you sent at the beginning of May and was pleased to see some changes had been made in response to some of the earlier comments DOC made on the exposure draft in March. We're pleased that those earlier comments have been of assistance.

I also understand that the Councils and the Committee have made decisions on an approach to the SNA issue. It sounds like a positive way forward. From that I assume that there are some changes to be made to the ecosystems and indigenous biodiversity chapter to accommodate that changed approach. We'll be happy to take a look at that revised chapter ahead of notification of the plan if required.

www.doc.govt.nz



5. Feedback from the Ministry for the Environment

Subject: RE: Draft TTPP / MfE officials discussion

Kia ora koutou

Thank you for making time to meet with us on Tuesday. The purpose of the meeting is to better understand the approach taken to plan drafting, rather than to provide feedback on specific provisions. Topic areas/questions that it would be helpful to cover include:

Relationship of strategic direction objectives and chapter topics

What is the relationship between the strategic objectives, and the topic chapter objectives? Noting, "*all other objectives and policies in all other chapters of Te Tai o Poutini Plan are to be read and achieved in a manner consistent with these strategic objectives.*" How do you see this working in practice?

Hazards management approach

Please can you give us an overview of any changes to the hazards management approach following the 17 May Committee meeting? What were the drivers for these changes? Are there any areas still to be resolved?

Indigenous Biodiversity

Please can you give us an overview of any changes to indigenous biodiversity provisions, and SNA mapping, following the 17 May Committee meeting? How do you see these working in practice in the context of section 6 and the West Coast Regional Policy Statement?

Freshwater Management

Please can you talk us through the approach to implementing National Policy Statement for Freshwater Management 2020, noting the prioritisation in NPSFM Objective 2.1?

Consistency across districts

Are there any key areas where you have had to balance a regionally consistent approach with flexibility for individual district council areas? Or topic areas where the Joint Committee is still working on alignment?



Ministry for the
Environment
Manatū Mō Te Taiao



Schedule 1, Resource Management Act 1991

**PRE-NOTIFICATION CONSULATION RESPONSE ON
TE TAI O POUTINI PLAN DRAFT - dated 6 May 2022**

31 May 2022

To: Te Tai o Poutini Plan Committee
Response lodged by email: info@tppp.nz

This is a response under Schedule 1 of the Resource Management Act 1991 on the draft Te Tai o Poutini Plan (dated May 2022) from:

**Te Rūnanga o Ngāi Tahu (Te Rūnanga) jointly with
Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio (Poutini Ngāi Tahu).**

1. Introduction and Background

Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga

- 1.1 This response is made on behalf of Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) and Poutini Ngāi Tahu.
- 1.2 Te Rūnanga is the statutorily recognised representative tribal body of Ngāi Tahu whānui (as provided by section 15 of the Te Rūnanga o Ngāi Tahu Act 1996 (**TRONT Act**)) and was established as a body corporate on 24 April 1996 under section 6 of the TRONT Act.
- 1.3 Te Rūnanga encompasses five hapū, Kati Kurī, Ngāti Irakehu, Kati Huirapa, Ngāi Te Ruahikihiki, Ngāi Tūāhuriri and 18 Papatipu Rūnanga, who uphold the mana whenua and mana moana of their rohe. Te Rūnanga is responsible for managing, advocating and protecting, the rights and interests inherent to Ngāi Tahu as mana whenua.
- 1.4 Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of individuals and Papatipu Rūnanga to make their own responses.
- 1.5 Papatipu Rūnanga who have shared interests across the West Coast Region are: Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio – collectively referred to in this response as ‘Poutini Ngāi Tahu’.

Te Rūnanga o Ngāi Tahu
Te Whare o Te Waipounamu
15 Show Place, Addington, Christchurch 8042
PO Box 13-046, Christchurch, New Zealand
Phone + 64 3 366 4344, 0800 KAI TAHU
Email: info@ngaitahu.iwi.nz
Website: www.ngaitahu.iwi.nz

- 1.6 Te Rūnanga respectfully requests that Te Tai o Poutini Plan Committee (and their composite councils) accord this response with the status and weight of the tribal collective of Ngāi Tahu whānui comprising over 70,000 registered iwi members, in a takiwā comprising the majority of Te Waipounamu. A map of the takiwā of Te Rūnanga is included at **Appendix One**.

Te Tiriti o Waitangi

- 1.7 The contemporary relationship between the Crown and Ngāi Tahu is defined by three core documents: Te Tiriti o Waitangi (**the Treaty**), the Ngāi Tahu Deed of Settlement 1997 (**Deed of Settlement**) and the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**). These documents form an important legal relationship between Ngāi Tahu and the Crown.
- 1.8 Of significance, the Deed of Settlement and NTCSA confirmed the rangatiratanga of Ngāi Tahu and its relationship with the natural environment and whenua within the takiwā.
- 1.9 As recorded in the Crown Apology to Ngāi Tahu (see **Appendix Two**), the Ngāi Tahu Settlement marked a turning point, and the beginning for a “new age of co-operation”. In doing so, the Crown acknowledged the ongoing partnership between the Crown and Ngāi Tahu and the expectation that any policy or management regime would be developed and implemented in partnership with Ngāi Tahu.

2. Manawhenua Statement

- 2.1 This is a joint response from Te Rūnanga as the relevant Iwi Authority with Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio who are the representative bodies of tangata whenua who hold mana whenua status in their traditional takiwā of Te Tai Poutini/West Coast, to which this proposed combined district plan relates.
- 2.2 Te Rūnanga o Ngāti Waewae is the mandated representative body of Ngāti Waewae, a hapū of Ngāi Tahu. Their takiwā is centred on Arahura and Hokitika and extends from the north bank of the Pouerua River to Kahurangi and inland to the main divide. Ngāti Waewae shares the area between Hokitika and Pouerua with Ngāti Māhaki.
- 2.3 Te Rūnanga o Ngāti Waewae is based at Arahura Marae, where the whare tipuna (meeting house) is Tuhuru, named after a great fighting chief of Poutini Ngāi Tahu.
- 2.4 Te Rūnanga o Makaawhio is the mandated representative body of Ngāti Māhaki ki Makaawhio, a hapū of Ngāi Tahu. Their takiwā is centred at Makaawhio (Jacobs River) and Mahitahi (Bruce Bay) and extends from the south bank of Hokitika River to Piopiotahi and inland to the main divide. Ngāti Māhaki share the area between Pouerua and Hokitika with Ngāti Waewae.

- 2.5 Te Rūnanga o Makaawhio is based at Te Tauraka Waka a Māui Marae at Mahitahi, where the whare tipuna is Kaipo, named after an ancestor of all Poutini Ngāi Tahu.

3. Te Rūnanga and Poutini Ngāi Tahu Interests in the Draft Tai o Poutini Plan

- 3.1 Te Rūnanga and Poutini Ngāi Tahu note the following particular interests in the Te Tai o Poutini Plan:

Treaty Relationship

- Te Rūnanga and Poutini Ngāi Tahu have an expectation that the Crown (and their delegated authorities) will honour Te Tiriti o Waitangi and the principles upon which it was founded. All persons undertaking duties and responsibilities in accordance with the purpose this document shall recognise and respect the Crown's responsibility to give the principles of the Treaty.

Kaitiakitanga

- In keeping with the kaitiaki responsibilities of Ngāi Tahu whānui, Te Rūnanga and Poutini Ngāi Tahu has an interest in ensuring sustainable management of natural resources, including protection of taonga and mahinga kai for future generations.
- Ngāi Tahu whānui are both users of natural resources, and stewards of those resources. At all times, Te Rūnanga and Poutini Ngāi Tahu are guided by the tribal whakataukī: “mō tātou, ā, mō kā uri ā muri ake nei” (*for us and our descendants after us*).

Whanaungatanga

- Te Rūnanga has a responsibility to promote the wellbeing of Ngāi Tahu whānui and ensure that the management of Ngāi Tahu assets and the wider management of natural resources supports the development of iwi members.

4. Te Rūnanga and Poutini Ngāi Tahu Position

- 4.1 Te Rūnanga and Poutini Ngāi Tahu congratulate the Tai o Poutini Plan Committee for the way in which they have worked in partnership with mana whenua to create the draft plan. The draft plan largely reflects Ngāi Tahu values such as rangatiratanga and kaitiakitanga and creates a solid foundation to work from as we refine this draft plan towards a final, operative combined district plan for Te Tai Poutini/West Coast.

- 4.2 This response focuses specifically on the following sections of the draft plan:

- Introduction
- Description of the Districts
- Statutory Context

- Definitions
- Tangata Whenua
- Strategic Direction: POU Poutini Ngāi Tahu
- HH Historic Heritage
- TREE Notable Trees
- SASM Sites and Areas of Significance to Māori
- ECO Ecosystems and Indigenous Biodiversity
- NFL Natural Features and Landscapes
- MPZ Māori Purpose Zone
- Papakāinga provisions

4.3 Alongside comments on specific provisions from the above chapters, this response also provides some general comments that apply across the entirety of the draft plan.

4.4 Te Rūnanga and Poutini Ngāi Tahu support the general direction and drafted provisions with minor amendments, with the exception of the MPZ Māori Purpose Zone chapter, which we have sought more substantive amendments to. These matters are discussed in more detail below. For completeness, we note that the review we have undertaken as part of this Schedule 1 process has been high level and we reserve the right to consider the plan and its implications in more detail and participate in the public submission process following notification.

5. Response – General

5.1 We are supportive of the plan provisions except where we advise specific amendments or additions as listed below:

Use of te reo Māori and/or Terminology

5.2 There are a range of te reo Māori terms and names that are used inconsistently throughout the Plan. Examples include:

- West Coast; West Coast/Tai Poutini; Tai o Poutini; Tai Poutini West Coast
 - This should be standardised throughout the document as Tai Poutini/West Coast
- New Zealand; New Zealand/Aotearoa; Aotearoa New Zealand
 - Discussions should be had amongst the Tai o Poutini Plan Committee on which term is preferred, and the document standardised accordingly
- Poutini Ngāi Tahu; mana whenua; Ngāi Tahu whānui; Ngāti Waewae and Ngāti Māhaki ki Makaawhio; Te Rūnanga o Makaawhio; Te Rūnanga o Ngāti Mahaki ki Makaawhio; Māori; Poutini Ngāi Tahu whānui
 - Advice should be sought directly from Poutini Ngāi Tahu on where each term is appropriate, and the document updated accordingly

5.3 Some defined and undefined te reo Māori terms also overlap. These include:

- Kaumātua housing
- Papakāinga
- Poutini Ngāi Tahu activities
- Māori Purpose Activities

These terms are, in some cases, synonyms, and in others, subsets of each other. For example, kaumātua housing is typically either a use of, or one aspect of a papakāinga development; and Poutini Ngāi Tahu activities seem to be referring to similar activities as the definition of Māori Purpose activities. It is recommended that these terms be revisited, and potentially revised to consolidate them.

5.4 There is also a range of te reo Māori spelling mistakes, swaps between different dialects of te reo Māori, and references to iwi/Rūnanga from outside the Ngāi Tahu takiwā (i.e., Ngāti Wairangi,¹ Te Rūnanga o Ngāti Porou²). It is recommended that before public notification, the Plan receives a formal review/proof by an appropriately qualified te reo Māori language consultant – preferably a consultant with experience in Poutini Ngāi Tahu dialect. Advice should be sought directly from Poutini Ngāi Tahu before appointment of this consultant.

5.5 Finally, there are instances throughout the Plan where Poutini Ngāi Tahu relationships with and presence in Tai Poutini / West Coast, or engagement in cultural practices, are discussed using only the past tense. Ngāi Tahu, including Poutini Ngāi Tahu, are simultaneously an ancient presence within this landscape with deep histories, and a modern iwi whose cultural practices and presence as ahi kā continue to thrive and adapt in contemporary times. It is important that Ngāi Tahu are not depicted as being ‘frozen in time’ or relegated to the past, as this inhibits our recognition as ahi kā, and damages the perceptions of cultural practices and mātauranga Māori in contemporary settings. To remedy this, both past and present tense should be used when discussing Māori associations with place and cultural practices.

Tangata Whenua – Te Tangata Whenua

5.8 The section references the partnership between the West Coast Regional Council and Poutini Ngāi Tahu. The section needs to be updated to reference the partnerships between all three district councils as well as the regional council with Poutini Ngāi Tahu.

5.9 Further detail is required in this section regarding the two papatipu rūnanga. The addition of the following wording or wording to this effect is requested:

Te Rūnanga o Ngāti Waewae is the mandated representative body of Ngāti Waewae, a hapū of Ngāi Tahu. Their takiwā is centred on

¹ Page 8 – Description of the Districts.

² Page 59 – Hapū and Iwi Planning Documents.

Arahura and Hokitika and extends from the north bank of the Pouerua River to Kahurangi and inland to the main divide. Ngāti Waewae shares the area between Hokitika and Pouerua with Ngāti Māhaki.

Te Rūnanga o Ngāti Waewae is based at Arahura Marae, where the whare tipuna (meeting house) is Tuhuru, named after a great fighting chief of Poutini Ngāi Tahu.

Te Rūnanga o Makaawhio is the mandated representative body of Ngāti Māhaki ki Makaawhio, a hapū of Ngāi Tahu. Their takiwā is centred at Makaawhio (Jacobs River) and Mahitahi (Bruce Bay) and extends from the south bank of Hokitika River to Piopiotahi and inland to the main divide. Ngāti Māhaki share the area between Pouerua and Hokitika with Ngāti Waewae.

Te Rūnanga o Makaawhio is based at Te Tauraka Waka a Māui Marae at Mahitahi, where the whare tipuna is Kaipō, named after an ancestor of all Poutini Ngāi Tahu.

- 5.10 In the subsection titled ‘Poutini Ngāi Tahu Values Principles and Practices’, the following amendments are requested:
- In the explanation of ‘kaitiakitanga’, a reference is required to ‘rights’ in addition to ‘responsibility’.
 - In the explanation of ‘rangatiratanga’, insert “tino” before “rangatiratanga”, replace “consult” with “engage” and include the words “and decision-making” after “...involvement in resource management processes”. In addition, include reference to the appointment of commissioners on hearing panels.

Recognition of NTCSA Lands

- 5.11 Te Rūnanga and Poutini Ngāi Tahu acknowledge the consistent references to, and recognition of, Statutory Acknowledgement areas within the plan. However, we note that references to Nohoanga and tribal properties are less consistent. As a rule, in all parts of the plan that Statutory Acknowledgement areas are referenced, Nohoanga and tribal properties should also be referenced. In addition, it is appropriate to add reference to the Iwi Authority alongside acknowledgement of their significance to Poutini Ngāi Tahu.
- 5.12 Te Rūnanga is also concerned that given the wording of some provisions (and definitions) that Te Rūnanga would not be able to exercise its responsibilities as Iwi Authority required under the NTCSA. A possible solution is referring to both Poutini Ngāi Tahu and Te Rūnanga throughout the plan where it is appropriate. Below we have set out some

suggested wording that reflects this approach for the ECO chapter in paragraph 5.4.5. However, this needs to be addressed in other areas of the plan and we would welcome the opportunity to work with the Committee to ensure a consistent approach throughout the plan.

Iwi Papatipu Rūnanga Management Plan

5.13 The proposed definition of 'Iwi Papatipu Rūnanga Management Plan is unreasonably prescriptive, and inconsistent with how this type of document is defined in both legislation and other environmental planning documents. It is recommended that this definition be revised to a more general description of what an Iwi Management Plan typically is, so that Poutini Ngāi Tahu can fully express their rangatiratanga when designing an Iwi Management Plan that meets their own requirements and aspirations.

Strategic Directives: POU Poutini Ngāi Tahu & MIN Mineral Extraction

5.14 Te Rūnanga and Poutini Ngāi Tahu generally support the Poutini Ngai Tahu Strategic Objectives and Policies and seek that they are retained. Comment on specific provisions is provided below.

5.15 POU – O3 refers to identifying Poutini Ngāi Tahu cultural landscapes. Te Rūnanga and Poutini Ngāi Tahu advise that this is outside the jurisdiction and skillset of a Local Authority to do, as only mana whenua can identify landscapes, areas and sites that have Māori cultural values. For this reason, and for general clarity of the intent of this Strategic Directive, it is recommended that POU-O3 be reworded as follows:

POU-O3 To support Poutini Ngāi Tahu to identify cultural landscapes and sites and areas of significance, and provide for their management in ways that preserve the cultural relationships Poutini Ngāi Tahu have with these landscapes, sites and areas.

5.16 Te Rūnanga and Poutini Ngāi Tahu support the inclusion and wording of POU – P1, as it reflects the level of both partnership and rangatiratanga that we see as a foundation of a productive Treaty Partner relationship. We recommend this provision be retained.

5.17 Te Rūnanga and Poutini Ngāi Tahu seek that POU-P10 is amended to include a specific reference to identified sites and areas of significance also.

5.18 Te Rūnanga and Poutini Ngāi Tahu support the inclusion of MIN-O5 and MIN-O6. We request that MIN-O6(a)(i) is amended to include a specific reference to identified Sites of Significance to Māori also.

HH Historic Heritage

- 5.19 Te Rūnanga and Poutini Ngāi Tahu support the requirements in this chapter to follow an Accidental Discovery Protocol in some instances. We note, however, that despite references to an Accidental Discovery Protocol Appendix, there is not yet one included. We advise Te Tai o Poutini Plan Committee to work with Poutini Ngāi Tahu to develop an appropriate Accidental Discovery Protocol that aligns with Poutini Ngāi Tahu values, tikanga, and their mana whenua responsibilities.
- 5.20 Te Rūnanga and Poutini Ngāi Tahu seek the inclusion of a new schedule in the Plan which will list all the New Zealand Archaeological Association (NZAA) sites of Māori origin on the Tai Poutini. This schedule is to use NZAA numbering and not SASM number. We seek that this new schedule is used to create a GIS ‘alert layer of NZAA sites of Māori origin’ (alert layer) for the eplan. This alert layer would not be linked to any plan rules (given the known mapping inaccuracies associated with some NZAA sites) but would instead provide awareness to plan users of the increased likelihood of discovering archaeological material of māori origin in the vicinity and would enable appropriate caution to be taken when activities near these locations were being undertaken.
- 5.21 In addition to the requested new schedule and GIS alert layer, Te Rūnanga and Poutini Ngāi Tahu seek the inclusion of a new policy that requires the Councils to prepare and undertake a work programme with Heritage New Zealand Pouhere Taonga and Poutini Ngāi Tahu over the next ten years to assess and accurately map the recorded NZAA sites of Māori origin on the Tai Poutini. We seek the below policy wording or wording to this effect:

The Councils will work with Heritage New Zealand Pouhere Taonga and Poutini Ngāi Tahu to create a yearly work programme which will enable all NZAA sites of Māori origin on the Tai Poutini to be accurately mapped within the next ten years. The Councils will also update the map references in the Schedule of NZAA sites of Maori origin in the District Plan over time.

- 5.22 Te Rūnanga and Poutini Ngāi Tahu seek that HH-P2 is amended with the addition of the words “and Te Rūnanga o Ngāi Tahu” after “Poutini Ngāi Tahu” and the words “local iwi” are removed.

TREE Notable Trees

- 5.23 Te Rūnanga and Poutini Ngāi Tahu support TREE – O2, as it enables Poutini Ngāi Tahu rangatiratanga in resource management matters.

SASM Sites and Areas of Significance to Ngāi Tahu

5.24 Te Rūnanga and Poutini Ngāi Tahu largely support the text included in the overview of this chapter. However, it is appropriate to add reference to the Iwi Authority alongside acknowledgement of the role and position of Poutini Ngāi Tahu. It is recommended that the first paragraph of the overview section be expanded as follows:

The Tai Poutini West Coast Councils acknowledge Poutini Ngāi Tahu as mana whenua. Te Rūnanga o Ngāti Waewae and Te Rūnanga o Ngāti Māhaki ki Mahaawhio are the only elected and mandated bodies with authority to represent and administer to all Poutini Ngāi Tahu interests. The Tai Poutini West Coast councils also acknowledge Te Rūnanga o Ngāi Tahu as the Iwi Authority with jurisdiction over Tai Poutini West Coast. They have the legal mandate to represent wider Ngāi Tahu whānui interests, and support the positions of Poutini Ngāi Tahu.

5.25 Te Rūnanga and Poutini Ngāi Tahu broadly support the objectives, policies, and rules of this chapter. Amendments to specific objectives, policies and rules is detailed below.

5.26 In terms of SASM – O1, we seek the addition of “to provide for tino rangatiratanga and kaitiakitanga.” after the word “values”.

5.27 In terms of SASM – O3, we seek the addition of “and areas” after “sites” as the chapter relates to sites and areas of significance. In addition, we seek the word “any” between “including” and “inappropriate”.

5.28 Te Rūnanga and Poutini Ngāi Tahu support the requirements in SASM – P3 to follow an Accidental Discovery Protocol. We note, however, that despite references to an Accidental Discovery Protocol in an appendix, there is not yet one included. We advise Te Tai o Poutini Plan Committee to work with Poutini Ngāi Tahu to develop an appropriate Accidental Discovery Protocol that aligns with Poutini Ngāi Tahu values, tikanga, and their mana whenua responsibilities.

5.29 Te Rūnanga and Poutini Ngāi Tahu seek that “tangata whenua” is replaced with “Poutini Ngāi Tahu” in SASM – P7(b) for consistency purposes.

5.30 Te Rūnanga and Poutini Ngāi Tahu seek that “or operational” is deleted in SASM – P8(c).

5.31 Te Rūnanga and Poutini Ngāi Tahu seek that “roading” is deleted in SASM – P10 as the non-complying rules do not specifically restrict this activity.

5.32 Te Rūnanga and Poutini Ngāi Tahu seek that inclusion of “sites and” before the second “areas” in SASM – P11. We query if examples may be required for SASM – P11(c).

5.33 Te Rūnanga and Poutini Ngāi Tahu seek that “included” is replaced with “identified” in SASM – P12 and P13 for consistency purposes.

5.34 Te Rūnanga and Poutini Ngāi Tahu query whether SASM – P13(a) needs to be amended to make it clearer as to what can be maintained or restored. In SASM – P13(b), amend to

include “alternations to, demolition and removal of existing buildings and structures”. In SASM – P13(e), include the other minor earthworks referenced in SASM – R2. There is also a need to reference indigenous vegetation clearance (refer to SASM – R4) and temporary events (refer to SASM – R5). We note that SASM – P13(c) relates to a controlled activity not a permitted activity.

5.35 Te Rūnanga and Poutini Ngāi Tahu query how “suitable setting” would be determined in SASM – P14(c). We also query what “practical mechanisms” might mean in SASM – P14(d) and suggest “Measures are taken to maintain and enhance” as clearer wording.

5.36 Te Rūnanga and Poutini Ngāi Tahu note that SASM – P16 no longer has a rule associated with it and can be deleted.

5.37 In SASM R2(2)(i), the following changes are required:

- Takataka Islands is SASM 81 not SASM 82.
- Include SASM 84 – Knoll Point
- Include SASM 165 - No. 7 Mahitahi Beach Native Reserve

5.38 In SASM R3(4)(i), the following change is required:

Include SASM 41 - Kotorepi (Nine Mile)

5.39 In SASM R4 the following change is required:

Include SASM 159, SASM 162, SASM 170.

5.40 In SASM R5, the following change is required:

Include SASM 17, SASM 162, SASM 169, SASM 170.

5.41 In SASM R6, the following change is required:

Include SASM 3 and SASM 170.

5.42 The following SASM sites and areas can be excluded from SASM R9:

10, 12, 15, 31, 56, 57, 58, 59, 60, 61, 63, 94, 96, 104, 112, 117, 121 and 197.

5.43 In SASM – R17, include the word “not” in the title.

5.44 Particular support is given to SASM – R18. However, as highlighted above, the use of the term ‘Poutini Ngāi Tahu whānui’ should be revisited to provide a level of consistency throughout the plan (where appropriate).

ECO Ecosystems and Indigenous Biodiversity

5.45 Te Rūnanga and Poutini Ngāi Tahu are broadly supportive of the objectives, policies, and rules within this chapter. In particular, we support:

- ECO - O3
- ECO - P2

- ECO - P5
- ECO - R1(3)(iii)

In terms of ECO – O3 and ECO-P2, we seek that “Te Rūnanga o Ngāi Tahu” is inserted between “on” and “Poutini Ngāi Tahu land” (ie on Te Rūnanga o Ngāi Tahu and Poutini Ngāi Tahu Land.

In terms of ECO - P6, it is recommended that references to impacts on mahinga kai be added to the list of considerations.

NFL Natural Features and Landscapes

5.46 Te Rūnanga and Poutini Ngāi Tahu are broadly supportive of the objectives, policies, and rules within this chapter. In particular, we support:

- NFL - P1(h)
- NFL- P6
- NFL – R7

MPZ Māori Purpose Zone

5.47 Although the intended activities within a Māori Purpose Zone are broadly supported, the locations and eligibility to use the provisions in this chapter are of concern to Te Rūnanga and Poutini Ngāi Tahu. Based on legal advice sought by Te Rūnanga and Poutini Ngāi Tahu, attaching provisions directly to land parcels without any further eligibility criteria both risks the integrity of the Māori Purpose Zone provisions, and adds restrictions that may inhibit future uses of this land. For these reasons, it is recommended that the eligibility criteria and locations of Māori Purpose Zones be revisited and workshopped alongside Poutini Ngāi Tahu and Te Rūnanga; ideally with legal support, or the support of other technical experts. Examples exist in other districts within the Ngāi Tahu takiwā where MPZ provisions will only apply if the land is still owned by mana whenua within the MPZ, or consent applications within the MPZ require support from the relevant Papatipu Rūnanga to utilise the provisions.

5.48 We suggest the inclusion of the following wording:

MPZ – Overview - Insert at the end of the fourth paragraph:

The MPZ – Māori Purpose Zone incorporates a variety of land types, but it is only Māori Land (as defined in the Plan) that should benefit from these provisions and enjoy the additional activities that can be undertaken within the Zone. When land is no longer Māori Land in this zone, other zone provisions should apply. An exercise will need to be undertaken to determine these zones depending on where the site is located before the Plan is notified.

Insert into “Note” at the beginning on the Māori Purpose Zone Rules: The activity status tables and standards in the MPZ – Māori Purpose Zone apply to Māori land as defined in the Plan. If the land is no longer Māori land, other zoning provisions will need to apply.

Insert new definition:

Māori Land: For the purposes of Te Tai o Poutini Plan means:

- a. Land owned by Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio or one of their holding companies
- b. Land gazetted or determined by order of the Māori Land Court as Māori reservation under s338 Te Ture Whenua Māori Act 1993;
- c. Māori customary and Māori freehold land as defined in s4 and s129 Te Ture Whenua Māori Act 1993;
- d. Any land where:
 - i. a status declaration under the Māori Affairs Amendment Act 1967 was made converting Māori freehold land to general title, and where there have been no changes of ownership since the conversion other than to an owner’s bloodline successor(s); or
 - ii. one or more owners are able to provide written evidence of Whakapapa to the original grantees of the land as confirmed by the Te Rūnanga o Ngāi Tahu Whakapapa Unit or the Māori Land Court; or
 - iii. the land is vested in a Trust constituted pursuant to Part 12 of Te Ture Whenua Māori Act 1993 or a Māori incorporation constituted pursuant to Part 13 of the Te Ture Whenua Māori Act 1993; or

5.49 Consequential amendments to rules relating to the MPZ - Māori Purpose Zone in other chapters are also likely to be required. We reserve the right to give further consideration to the wording proposed above, and its implications, and would welcome the opportunity to work with the TTPP planners and the TTPP Committee to refine this approach. There may also be novel solutions to this issue that can be identified through further investigation alongside mana whenua and other technical experts.

5.50 It is recommended that the objectives be revised to add clarity given the proposed definition of “Māori Land” above. MPZ-O1 is unclear in its wording, and although the general intent seems positive, the ambiguity is not helpful for plan users. We also seek that “Te Rūnanga o Ngāi Tahu” is included in addition to “Poutini Ngāi Tahu” in MPZ-O1. MPZ-O3 refers specifically to papakāinga, which is unnecessary if the above recommendations of consolidating the definition of papakāinga into the definition of Māori Purpose Activities is accepted. The intent and wording of MPZ-O2 is supported.

5.51 Te Rūnanga and Poutini Ngāi Tahu consider the built form standard included as part of MPZ-R1 to be overly restrictive, and not reflective of best practice Māori Purpose Zone or papakāinga zoning provisions. Māori Purpose Zones, whilst effectively kaupapa Māori mixed-use zones, typically have a residential core. For this reason, the built form standards (e.g., height, site coverage, setbacks etc) should be consistent with those included in the residential zone of the same plan. The GRZ General Residential Zone chapter of the Tai o Poutini Plan lists a road setback of 4.5m, internal setbacks of 1m, and a density of either 1 unit per 350m² or 1 unit per 300m² (where two or more adjoining sites are developed). The built form standards within the MPZ are significantly more restrictive with a road setback of 10m or 20m (if adjoining a State Highway), internal setbacks of 5m, and a density of either 1 unit per 500m² or 1 unit per 1000m² (if wastewater is managed on-site). We consider the differences between built form standards for two zones with largely similar land-uses should not be this great – particularly when the intention of the Māori Purpose Zone is to make development less restrictive. For this reason, Te Rūnanga and Poutini Ngāi Tahu request that these provisions to be amended as follows:

- MPZ-R1(4): Buildings are setback a minimum of 4.5m from the road boundary, and 1m from internal boundaries
- MPZ-R1(5): The average building density is no more than 1 per 300m² net site area in areas fully serviced by a network utility operator with wastewater, water supply and stormwater systems; and
- MPZ-R1(6): In areas not serviced by network utility operated wastewater, stormwater and water supply the average building density is dependent on the carrying capacity of the land and infrastructure to manage wastewater and stormwater on-site

5.52 As outlined above the intent and within the of Māori Purpose Zone is to be enabling. This is also supported by the first paragraph in the MPZ – Māori Purpose Zone of the draft plan. Some rules appear to create a situation where rather than being enabling they create a more restrictive situation within the Māori Purpose Zone than for similar activities. For example:

- Sub – R6 and R8 as currently drafted would require an activity within a Māori Purpose Zone to meet all the subdivision standards and is in accordance with an Iwi Management Plan for the site.
- Māori Purpose Zone rules has the same note as other sections within the Plan – “there may be a number of provisions....consent is required under each of those identified rules.”

In terms of the first example, this should be an “or” and not an “and”. There may be instances where an activity is not covered by the Māori Purpose Zone provisions and

therefore other provisions would apply. For those provisions that are covered by the Māori Purpose Zone the expectation is that provisions in other parts of the plan would not apply. It is recommended that this is worked through to ensure that the intent of Māori Purpose Zone is achieved.

5.53 Te Rūnanga has four Tribal properties within Tai Poutini / West Coast. We seek that these properties are incorporated within the Māori Purpose Zone. These sites are:

- Lake Māhinapua
- Lake Moeraki
- Motutapu
- Ōtūkoro Historic Reserve

Papakāinga provisions

5.54 Te Rūnanga and Poutini Ngāi Tahu consider the definition of ‘Papakāinga’ is too narrow and needs to be widened to include some of the activities defined in “Māori Purpose Activities” and “Poutini Ngāi Tahu Activities”. We would welcome the opportunity to work with the TTPP planners to amend the definition.

5.55 Te Rūnanga and Poutini Ngāi Tahu supports POU – P4 which enables papakāinga (including kaumatua housing) to be established throughout the region, not just on Māori Land and Māori Purpose Zoned land.

5.56 Some of the pathways for papakāinga within the rule framework do always follow through. For example, GRZ – 09 if the conditions of the rule are not meet then the status is restricted discretionary, however there is not restricted discretionary rule for papakāinga development.

5.57 In addition, in some zones papakāinga developments move from permitted to restricted discretionary or discretionary activities, however activities that are similar have a controlled status if the rule conditions are not meet. It is not always clear why there is this difference. Poutini Ngāi Tahu and Te Rūnanga preference is the consenting pathway’s enables papakāinga to the fullest extent possible.

5.58 GRUZ – R4 limits papakāinga development within this zone to one unit per hectare with a maximum of five units per site. While this is more permissive than other residential activities within the zone, there is a concern that this restriction inhibits the intent of papakāinga development for Poutini Ngāi Tahu, particularly when considering the definition (as currently drafted) within the plan. The density provisions need to be more enabling to enable the full intent of papakāinga development for Poutini Ngāi Tahu to occur. This work could be undertaken as part of the discussion on the definition of papakāinga.

Conclusion

5.59 Te Rūnanga and Poutini Ngāi Tahu look forward to continuing working alongside the Tai o Poutini Plan Committee and wider Tai Poutini / West Coast community to further develop this Plan for the benefit of us all, and those that will come after us.

Ngā mihi mahana,



Trudy Health
General Manager, Te Ao Tūroa
Te Rūnanga o Ngāi Tahu

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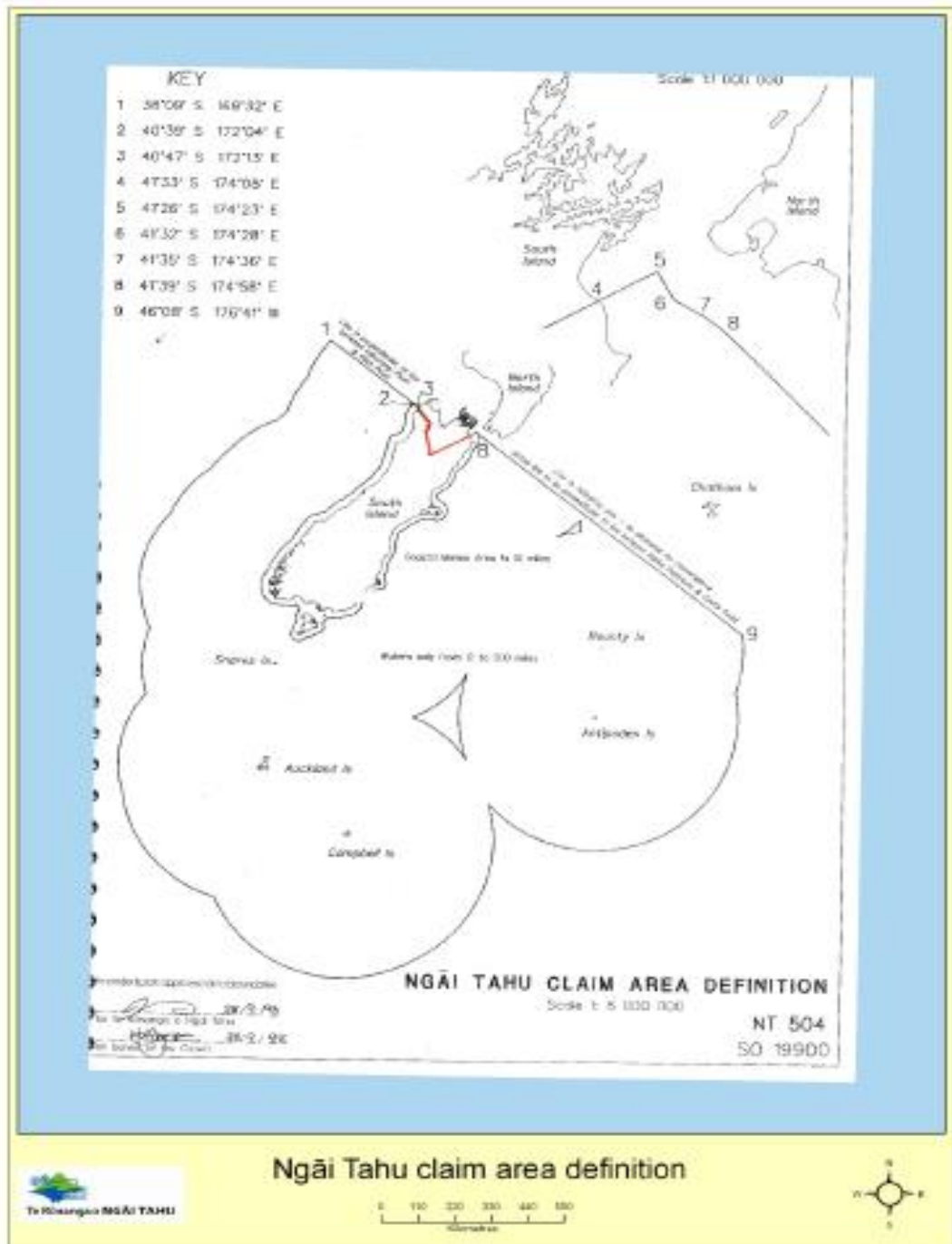
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APPENDIX ONE: NGĀI TAHU TAKIWĀ



APPENDIX TWO: TEXT OF CROWN APOLOGY

The following is text of the Crown apology contained in the Ngāi Tahu Claims Settlement Act 1998.

Part One – Apology by the Crown to Ngāi Tahu

Section 6 Text in English

The text of the apology in English is as follows:

1. The Crown recognises the protracted labours of the Ngāi Tahu ancestors in pursuit of their claims for redress and compensation against the Crown for nearly 150 years, as alluded to in the Ngāi Tahu proverb ‘He mahi kai takata, he mahi kai hoaka’ (‘It is work that consumes people, as greenstone consumes sandstone’). The Ngāi Tahu understanding of the Crown's responsibilities conveyed to Queen Victoria by Matiaha Tiramorehu in a petition in 1857, guided the Ngāi Tahu ancestors. Tiramorehu wrote:

“This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name.”

The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.

2. The Crown acknowledges that it acted unconscionably and in repeated breach of the principles of the Treaty of Waitangi in its dealings with Ngāi Tahu in the purchases of Ngāi Tahu land. The Crown further acknowledges that in relation to the deeds of purchase it has failed in most material respects to honour its obligations to Ngāi Tahu as its Treaty partner, while it also failed to set aside adequate lands for Ngāi Tahu's use, and to provide adequate economic and social resources for Ngāi Tahu.
3. The Crown acknowledges that, in breach of Article Two of the Treaty, it failed to preserve and protect Ngāi Tahu's use and ownership of such of their land and valued possessions as they wished to retain.
4. The Crown recognises that it has failed to act towards Ngāi Tahu reasonably and with the utmost good faith in a manner consistent with the honour of the Crown. That failure is referred to in the Ngāi Tahu saying ‘Te Hapa o Niu Tirenī!’ (‘The unfulfilled promise of New Zealand’). The Crown further recognises that its failure always to act in good faith deprived Ngāi Tahu of the opportunity to develop and kept the tribe for several generations in a state of poverty, a state referred to in the proverb ‘Te mate o te iwi’ (‘The malaise of the tribe’).
5. The Crown recognises that Ngāi Tahu has been consistently loyal to the Crown, and that the tribe has honoured its obligations and responsibilities under the Treaty of Waitangi and duties as citizens of the nation, especially, but not exclusively, in their active service in all of the major conflicts up to the present time to which New Zealand has sent troops. The Crown pays tribute to Ngāi Tahu's loyalty and to the contribution made by the tribe to the nation.

6. The Crown expresses its profound regret and apologises unreservedly to all members of Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu, and for the harmful effects which resulted to the welfare, economy and development of Ngāi Tahu as a tribe. The Crown acknowledges that such suffering, hardship and harmful effects resulted from its failures to honour its obligations to Ngāi Tahu under the deeds of purchase whereby it acquired Ngāi Tahu lands, to set aside adequate lands for the tribe's use, to allow reasonable access to traditional sources of food, to protect Ngāi Tahu's rights to pounamu and such other valued possessions as the tribe wished to retain, or to remedy effectually Ngāi Tahu's grievances.
7. The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tangata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui.
8. Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the historical grievances finally settled as to matters set out in the Deed of Settlement signed on 21 November 1997, to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu.”



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: 21 June 2022

Subject: **Te Tai o Poutini Plan Hearings Commissioner Nominations Process**

SUMMARY

At its May meeting the Committee had an impromptu discussion about the need to select hearings commissioners for Te Tai o Poutini Plan (TTPP). To answer some of the questions raised by the Committee this paper suggests a process for identifying candidates to sit on the hearings panel and provides Resource Management Act guidelines on commissioner responsibilities.

RECOMMENDATIONS

1. That this report is received
2. That the Committee consider the proposed nomination process for Te Tai o Poutini Plan hearings commissioners including the suggestion to consult with their peers to identify candidates for nomination.

Jo Armstrong

Project Manager

INTRODUCTION

1. This report provides information and guidelines about the process for hearings commissioner nominations.
2. Hearings for TTPP are likely to occur in 2023, so the need to nominate candidates now is not urgent. However, with the local body elections in October and the first TTPP Committee meeting with a potential change of membership not scheduled until December, the timeline for appointing commissioners will be significantly reduced.
3. As hearings could take some weeks, it would be beneficial for the new Committee to secure a panel early to ensure commissioner availability.
4. Identifying nominees now would help expedite the process and allow sufficient time for appointments to be confirmed prior to hearings.

Nominations Process

5. The Resource Management Act Schedule 1 section 8B says a local authority (TTPP Committee by the Order in Council) shall hold a hearing into submissions on its proposed plan.
6. Hearings must be undertaken by accredited hearings commissioners (section 39B). They could be independent commissioners, members of the Committee, or a mix of the two. Accreditation requires the Making Good Decisions qualification.
7. To avoid split decisions, hearings panels usually comprise an uneven number of commissioners. Many councils appoint three commissioners.
8. To meet our statutory obligations and achieve the best outcomes for the West Coast it is recommended that candidates include people with experience in and understanding of:
 - tikanga Māori and the perspectives of Poutini Ngai Tahu,
 - local district issues and requirements, and;
 - district plan hearings processes
9. The West Coast Regional Council has an approved list of hearing commissioners, and the list could be assessed for district plan experience. Lists held at district councils could yield a larger pool of district plan nominees.
10. The Regional council also has obligations under Schedule C of its Mana Whakahono a Rohe agreement with Ngāi Tahu which include:
 - Whenever Council staff approach Papatipu Rūnanga regarding hearing commissioner appointments, Pokeka Poutini Ngāi Tahu Limited will be included in communications to provide advice and assistance as needed.
 - Consultation between the Council and Papatipu Rūnanga will include: a) whether it is appropriate to appoint a commissioner with an understanding of tikanga Māori and of the perspectives of local iwi or hapū; b) whether it is appropriate to include a trained Ngāi Tahu tribal member.
 - In order to provide for ease of consultation, the Council and Papatipu Rūnanga, with advice and assistance from Pokeka Poutini Ngāi Tahu Limited, will maintain a list of Ngāi Tahu tribal members trained as hearing commissioners that are approved by Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio, and other trained hearing commissioners with an

understanding of tikanga Māori and of the perspectives of iwi and hapū, including Ngāi Tahu perspectives.

11. It is suggested that Poutini Ngāi Tahu Committee members supported by Pokeka Poutini Ngāi Tahu Limited make recommendations for an iwi panel member.
12. Other Committee members should work with their councils to identify and nominate panel members who are familiar with district issues and the plan making process.
13. It is recommended that an independent commissioner to act as the panel's Chairperson be nominated by Committee members
14. Any of these roles could be undertaken by an accredited TTPP Committee member.
15. There is likely to be a significant amount of evidence that requires technical areas of expertise. The Committee should consider appointing commissioners with experience in these areas to assist with the hearing panels understanding of the issues.
16. Once nominations are received the planning team will report the results to the Committee.

Appointments Process

17. As the hearings will take place after the local body elections, and TTPP Committee membership may change, it is recommended that the new TTPP Committee select and appoint the hearings panel with reference to the list of nominees you provide.
18. Currently Regional Council staff require Chair approval to appoint commissioners not on their Approved Hearings Commissioners List. Selection and decision to appoint will be made by the whole of the TTPP Committee, to ensure all partners have input.
19. The process would include:
 - Setting criteria, for example, experience, availability and cost
 - Determining weighting for the criteria to inform selection
 - Contacting nominees to ascertain availability, experience and fees
 - Reporting on preferred candidates
 - Final selection and approval to appoint commissioners by full Committee.

Responsibilities and limitations on Hearing panel membership

20. In addition to being accredited, there are a number of responsibilities and limitations on members of the panel that hears submissions.
21. Hearings must be conducted in a manner consistent with the principles of natural justice. This means that decision-makers allow all submitters to have a fair hearing, and there is no appearance or perception of predetermination or bias. For example, if a Committee member has made strong statements indicating a predetermined position in the past, that member would be unlikely to meet the test for a potential hearing commissioner, as any issues of natural justice would leave the decision on the TTPP susceptible to appeal.
22. The Local Authorities (Members' Interests) Act 1968 prohibits Councillors or members of committees from voting on or taking part in the discussion of any matter in which they have, directly or indirectly, any pecuniary interest, other than an interest in common with the public. Contravention of the Members' Interests Act is a criminal offence.

23. If Committee members are appointed to the hearing panel, it is likely they will need to abstain from the subsequent decision whether to accept those recommendations (as the hearing body will only be delegated the power to make recommendations), as they will be supporting their own recommendations so this could lead to an issue of predetermination or bias, as set out above.
24. The hearings are likely to take place over a number of weeks or months. The hearing process is time-intensive, as every submitter has the right to be heard and experts may need to explain technical evidence. Commissioners must also contribute to writing the decision after the hearing.
25. Remuneration for Councillors who hear submissions is limited by the Remuneration Authority Act. Councillors are entitled to receive an allowance of \$80 per hour for time related to a hearing of submissions (\$100 per hour for the chairperson of the hearings panel). However, a Mayor or a Regional Chairperson are not entitled to any additional remuneration as members of a hearings panel (see clause 15 of the Local Government Members (2021/22) Determination 2021).



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: 21 June 2022

Subject: **Adoption of Proposed Te Tai o Poutini Plan for Public Notification**

SUMMARY

This report brings the recommended final draft of Te Tai o Poutini Plan (TTPP) to the Committee. The report seeks the adoption of the final draft TTPP for public notification as the Proposed Te Tai o Poutini Plan.

Since the meeting of 17 May 2021 further amendments to the draft TTPP have been undertaken to reflect:

- Input from Resource Management Act Schedule 1 (3) consultation as outlined in a separate report on the Agenda.
- Feedback from the Plan Integration and Consistency Review undertaken.
- Errors and consistency amendments identified by the technical team.

The report also includes information on the Airport Noise Overlays, as the technical reports in relation to this were received after the agenda closed for the 17 May 2022 meeting.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the final draft Te Tai o Poutini Plan be adopted by the Te Tai o Poutini Plan Committee for legal public notification as the Proposed Te o Poutini Plan by Thursday 21 2022.
3. That the submission period for the Proposed Te Tai o Poutini Plan be from the date of notification to 5pm Friday 30th September 2022.

Lois Easton

Principal Planner

INTRODUCTION

1. This report seeks the adoption by the Committee of the final draft Te Tai o Poutini Plan for public notification as the Proposed Te Tai o Poutini Plan by Thursday 21st July 2022.
2. TTPP provisions have been developed over the last three years, informed by both legal requirements and community views.
3. Consultation on the draft TTPP was undertaken over January – April 2022. Detailed feedback was provided by the community and interested stakeholders.
4. This feedback was considered by the Committee at the 29 March 2022, 29 April 2022 and 17 May 2022 meetings.
5. The draft Plan has been amended following this detailed feedback and decisions of the Committee.

ADDITIONAL AMENDMENTS TO THE DRAFT PLAN

6. The draft Plan has been further amended following the input from Resource Management Act Schedule 1 (3) consultation as outlined in a separate report on this Agenda.
7. Feedback from the Plan Integration and Consistency Review undertaken has also been provided so that the Plan provisions are coherent and consistent – particularly where there are overlapping overlays and district wide matters.
8. Correction of identified errors and consistency amendments identified by the technical team have also been undertaken.
9. While most of these changes are minor, the technical team wishes to highlight the following substantive changes to the Plan that have resulted:
 - a. Addition of rules around the construction of natural hazard mitigation structures within Natural Hazard Overlays. These rules allow for the construction of both private and public natural hazard mitigation structures as a Permitted Activity – subject to standards, where there are no other overlays in place. Examples of these locations would be flood plains (outside of riparian areas) and the Coastal Environment outside areas of High and Outstanding Natural Character.
 - b. Updated Noise Contours - the reports from Marshall Day Acoustic Consultants were received after the close off dates for the 17 May agenda. They recommend revised noise contour boundaries based on an increased allowance for air traffic at the four airports and aerodromes. The reports and updated Noise Contours are shown in Appendix One. In particular this would allow for:
 - i. A doubling in the frequency of flights at all the four airports/aerodromes;
 - ii. Allowing for the potential introduction of larger ATR aircraft to fly into Hokitika Airport.

NOTIFICATION AND SUBMISSION REQUIREMENTS

10. Public notification of the Proposed TTPP is proposed by 21 July 2022. The Section 32 evaluation report must be released at the same time.
11. Fifteen Section 32 evaluation reports are intended to be provided alongside the Proposed TTPP. While the final reports are not yet available, staff advise that based on the analysis undertaken under Section 32 they recommend notification of the Proposed Plan.
12. Following public notification, within 10 working days of public notification a copy of the public notice and relevant further information must be provided to every ratepayer likely to be directly affected by the Proposed Plan. Because of the substantial changes between the three Operative District Plans and the TTPP, staff advise that all ratepayers can be considered to be directly affected. A paper was presented at the 17 May meeting outlining the proposed communication and awareness raising process for public notification.
13. The RMA requires that a submission period of a minimum of 40 working days be provided for following public notification. Staff recommend an extension on this to the 30 September which would provide up to 51 working days for public submissions.
14. Following the submissions period, staff will need to summarise the submissions and publish the summary, seeking further submissions. Only once all further submissions are received will the Committee be able to progress to mediation and hearing.

STATUS OF THE PROPOSED TE TAI O POUTINI PLAN

15. Once it is notified as a proposed Plan, Te Tai o Poutini Plan starts to take partial legal effect. The Objectives and Policies must be considered alongside those from the Operative Plans, and some rules also have immediate legal effect from notification. Most rules however do not have legal effect until the Committee decision on submissions has been made.
16. A rule that has legal effect must be complied with. This means that if an activity requires resource consent under a rule in the TTPP that has legal effect then a resource consent must be obtained to undertake that activity.
17. Training has been held with staff from the four Councils around how to administer TTPP alongside the Operative Plans once TTPP has been notified. The TTPP staff will also be available to assist the district council planners if needed with any matters of interpretation.

Rules that have Legal Effect Immediately

18. Section 86 of the Resource Management Act outline what rules have effect at the time of notification. Section 86B (3) states:
A rule in a proposed plan has immediate legal effect if the rule—
 - (a) protects or relates to water, air, or soil (for soil conservation); or*
 - (b) protects areas of significant indigenous vegetation; or*
 - (c) protects areas of significant habitats of indigenous fauna; or*
 - (d) protects historic heritage; or*
 - (e) provides for or relates to aquaculture activities.*
19. An analysis of the provisions in Te Tai o Poutini Plan has identified that the rules in the following chapters as a whole meet these criteria:
 - a. Historic Heritage;
 - b. Sites and Areas of Significance to Māori (Historic heritage is defined in the RMA to include these areas);
 - c. Ecosystems and Indigenous Biodiversity;
 - d. Natural Character and the Margins of Waterbodies; and
 - e. Activities on the Surface of Water.
20. The following chapters will in part meet these criteria and the Proposed Plan will need to specify which rules have legal effect and which do not.
 - a. Subdivision (the rules in relation to subdivision where this affects Sites and Areas of Significance to Māori, Ecosystems and Indigenous Biodiversity and Historic Heritage)

NEXT STEPS

21. This report recommends public notification of the Proposed Te Tai o Poutini Plan by the 21 July 2022. This public notification will be by public notice, and information on the TTPP and the four Council's websites. A copy of the public notice and associated information about TTPP will be sent to all ratepayers. A submission period until 30 September is recommended.

APPENDIX ONE: UPDATED NOISE CONTOURS FOR WEST COAST AIRPORTS AND SUPPORTING TECHNICAL REPORTS

Karamea Aerodrome



Proposed Noise Contour Boundary – allowing for growth

Draft Plan Noise Contour Boundary – existing use

Westport Airport



Proposed Noise Contour Boundary – allowing for growth

Draft Plan Noise Contour Boundary – existing use

Greymouth Airport



Proposed Noise Contour Boundary – allowing for growth

Draft Plan Noise Contour Boundary – existing use

Hokitika Airport



Proposed Noise Contour Boundary – allowing for growth

Draft Plan Noise Contour Boundary – existing use

Project:	West Coast Airports	Document No.:	Ca 002
To:	West Coast Regional Council	Date:	16 May 2022
Attention:	Edith Bretherton	Cross Reference:	
Delivery:	email	Project No.:	20210643
From:	Steve Peakall	No. Pages:	4
		Attachments:	Yes
CC:			
Subject:	West Coast Airports – proposed noise boundaries		

Introduction

Marshall Day Acoustics (MDA) has been engaged to prepare future noise contours for 5 aviation facilities in the West Coast district.

The five facilities are:

- Hokitika Airport;
- Westport Airport;
- Greymouth Airport;
- Karamea Airfield, and;
- Franz Josef helipad.

The intent of the noise contours was to apply a consistent noise management and land use planning regime in the District Plan for the West Coast Regional Council's (WCRC) aviation facilities. However, four of these are small regional airfield facilities with runways and infrastructure supporting both fixed wing and helicopter activity. Because Franz Josef Heliport is used by helicopters only and would be subject to a different noise standard, we adopt a different approach.

We therefore discuss Franz Josef Heliport in a separate consultant advice note (Ca 001)

This memo relates to the airfields only.

Background

The West Coast is a sparsely populated region, constrained by topographical features with a small number of regional towns which are hubs for the West Coast community. These are served by small regional airfields (some of which offer some limited scheduled services), but primarily the airfields are used by the local community in terms of general aviation and agricultural work. As such, the airfields currently have a small number of movements, and limited noise management regimes.

However, it is good planning practice to protect these facilities from reverse sensitivity because they are important for the needs of the region and therefore warrant special consideration. In terms of noise, this primarily means ensuring new noise sensitive activity is discouraged from establishing too close to the airfields. To that end, land use planning controls are a useful mechanism for preventing this occurring.

Noise Performance Standards

NZS 6805 provides a recommended approach for territorial authorities dealing with airports and land affected by airport noise. The Standard aims to manage the adverse effects of airport noise by

- (i) establishing compatible land use planning around an airport; and
- (ii) setting noise limits for the management of aircraft noise at airports.

NZS 6805 is used for all the major international and regional airports throughout New Zealand (as well as for a number of smaller airports and airfields) to manage airport noise emissions, through the implementation of its provisions in the various District Plans.

The Standard recommends two boundaries, the Airnoise Boundary (ANB) set at 65 dB L_{dn} and the Outer Control Boundary (OCB) set at 55 dB L_{dn} . These boundaries represent noise limits which the airport must not exceed, as well as guidelines for land use planning.

When establishing the location of noise boundaries, an allowance for the expected growth of the airport is made. NZS 6805 recommends a minimum 10 year projection of future aircraft operations. In terms of NZS 6805, aircraft operations include both fixed wing and helicopter flight operations.

The associated land use controls recommended in NZS 6805 are:

Inside the ANB

- (i) *New* noise sensitive uses (including residential) should be prohibited;
- (ii) *Existing* residential buildings and subsequent alterations should have appropriate sound insulation.

Between ANB and OCB

- (i) New noise sensitive uses (including residential) should be prohibited unless a District Plan permits such use subject to appropriate sound insulation.
- (ii) Alterations or additions to existing noise sensitive uses (including residential) should include appropriate sound insulation.

Overall, we agree with the approach outlined in NZS 6805 and consider it an appropriate standard to manage the noise effects from airports. Regarding land use controls between the OCB and ANB, from an acoustical effects point of view our interpretation of NZS 6805 is that new noise sensitive use should be prohibited. We recognise however that this approach is not always pragmatic, and that other considerations need to be taken account of (for example, regional development pressures, existing expectations of residential development, amongst others).

We recommend using the provisions of NZS 6805 and adopt a consistent approach for the recommended land use controls and airport noise management as part of process. However, because of the size of the airfields under consideration, we do not see any need to adopt an ANB for any airfields, discussed further below.

Noise Boundary Development

Several computer-based models have been developed to predict aircraft noise in the vicinity of an airport. The most widely used of the models (and the model referenced in NZS 6805) is the Integrated Noise Model (INM) developed by the US Federal Aviation Authority.

The INM has been used to generate the vast majority (if not all) of the airport noise contours used as the basis of District Plan controls in New Zealand. However, the FAA is no longer updating or supporting the INM and has developed new software, the AEDT, that calculates noise contours and air emissions.

The FAA state that the AEDT should give similar results as the INM. Our comparisons show that the INM and AEDT give similar results. Because of this (and because of some issues with AEDT) the INM was considered to be the best pragmatic modelling option for the preparation of the proposed aircraft noise contours in this case.

We understand that to date no other implemented airport noise boundaries in New Zealand are based on AEDT calculations.

Our predictions are based on movement data provided by West Coast Regional Council. Because of the low number of annual movements that occur at the airfields, and the limited growth at each airfield that is predicted, there is a risk that even a slight change in airfield activity could cause compliance issues. Therefore, WCRC advised that a conservative approach to the movement forecasts be adopted therefore a more robust forecast is used to fully protect the airfields. This is reflected in the future noise contours.

Taking this into account, the predicted future noise contours are shown in Figures 1-4.

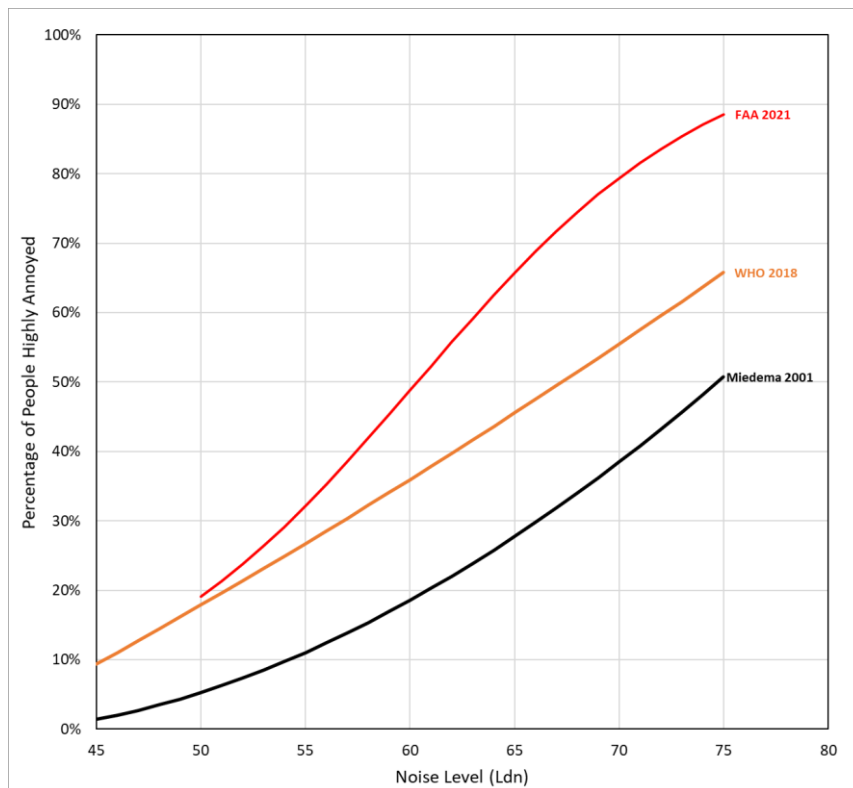
Aircraft noise effects

The typical way adverse noise effects are experienced is by a change in noise level received, annoyance effects from a given helicopter noise exposure and sleep disturbance effects.

Individual responses to a certain level of aircraft noise vary greatly. A large number of studies have been carried out overseas in relation to the overall relationship of a given community's annoyance with reference to varying noise levels they receive (known as a dose response relationship). Much of this was taken into account when NZS 6805 was developed.

A dose response relationship specific to aircraft noise was developed by Miedema and Oudshoorn and has been used extensively for airports here and overseas since that time in assessment of noise effects studies. This relationship has until recently generally been regarded as the latest research in this area. The latest and most relevant research is now considered to be the World Health Organisation (WHO) study in 2018 and to a lesser extent the Federal Aviation Administration (FAA) study in the US in 2021.

Both the FAA and WHO studies show a higher level of annoyance than the Miedema 2001 dose-response curve. The dose response curves from the FAA and WHO studies are shown below along with the Miedema study for comparison.



The WHO 2018 dose response relationship indicates that for aircraft noise environments of 65 dB L_{dn}, 46% of the population are likely to be highly annoyed. This shows why NZS 6805 recommends prohibition of noise sensitive activity inside the ANB. For aircraft noise environments of 55 dB L_{dn}, 27% of the population are likely to be highly annoyed by the noise, which is also of significance.

Recommendations

Because of the high noise levels and resultant adverse effects that can eventuate, we recommend that the 55 dB noise contours (shown in each of Figure 1-4) be implemented in the District Plan as an Outer Control Boundary (OCB) for each of the four airfields.

In keeping with the provisions of NZS 6805, we recommend that new noise sensitive activity inside the proposed OCBs be prohibited where practicable to do so.

This is because, NZS 6805 recommends that noise sensitive activity is prohibited between the OCB and the ANB unless a district plan permits it subject to appropriate sound insulation requirements. This approach recognises that not all of the effects of aircraft noise can be mitigated by insulating buildings, particularly for residential activity.

People generally have a desire for exposure to the outdoors and an expectation to be able to spend time in the garden, entertain guests outdoors and leave doors and windows open. In these situations, the level of aircraft noise exposure cannot be practicably mitigated. If new residential activity is to be permitted inside the proposed OCB it can be expected that some residents would be annoyed by aircraft noise outdoors.

We support the NZS 6805 approach to prohibit new noise sensitive activity inside the OCB as a desirable starting point but acknowledge that other factors such as historical land use development, landowners' expectations of property rights and regional pressures on developable land can result in relaxed land use restrictions rather than the ideal restrictions being imposed.

For the 4 airfields, the OCBs cover an area including several different land use zones. We understand that there is an existing expectation for residential development in the residential zones.

Although not desirable from an acoustic point of view, this expectation may be accommodated provided appropriate acoustic insulation is installed for new noise sensitive activity in this zone.

This existing expectation for residential development does not apply to the rural or commercial zone areas inside the OCBs.

As a result, we recommend that new noise sensitive activity inside the OCB should be prohibited in all other zones, ie the rural and commercial zones.

This would also ensure there was no possibility of noise sensitive activity being constructed at higher noise levels inside the OCB, and therefore because of this (and because there are no existing noise sensitive activities exposed to future noise levels of this magnitude), there is no need to apply an ANB to ensure such protection.

If new noise sensitive activity is not prohibited in the residential zones they should be subject to sound insulation measures to ensure an acceptable internal noise environment. Sound insulation requirements should also apply to new alterations or additions to *existing* noise sensitive activity in all zones. The cost of acoustic insulation for new noise sensitive activity and additions/alterations to existing noise sensitive activity would be borne by the developer or homeowner.

We note that there should also be a mechanism imposed in the District Plan to ensure aircraft noise emissions do not exceed these noise levels at the noise boundaries.

HOKITIKA AIRPORT FUTURE NOISE CONTOURS

Future Noise Contours

- 55 dB Ldn (Proposed OCB)
- 60 dB Ldn
- 65 dB Ldn



Client:
West Coast Regional Council

Authors:
Steve Peakall

Date of Issue:
12/05/2022 3:25 PM

Drawing Details:
Scale: 1:9,845
Projection: NZGD 2000 New Zealand Transverse
Mercator

This map is for graphical purposes only. While every effort has been made to ensure that the data are accurate and reliable, Marshall Day cannot assume liability for errors or omissions in the data graphically represented. The noise contours produced by SoundPLAN are for graphical purposes only. The noise contours are generated by interpolations of calculation points (spacing typically 5-20m), with varying interpolation accuracy. Therefore, the calculated noise level at a given point may differ from that implied by the noise contours when the reader interpolates between two contour lines. It is therefore not recommended that high-resolution noise level predictions are based on noise contour interpolation.

GREYMOUTH AERODROME FUTURE NOISE CONTOURS

Future Noise Contours

- 55 dB Ldn (Proposed OCB)
- 60 dB Ldn
- 65 dB Ldn



Client: West Coast Regional Council
Authors: Steve Peakall
Date of Issue: 12/05/2022 3:25 PM

Drawing Details: Scale: 1:5,159
Projection: NZGD 2000 New Zealand Transverse Mercator

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WESTPORT AIRPORT FUTURE NOISE CONTOURS

Future Noise Contours

- 55 dB Ldn (Proposed OCB)
- 60 Ldn
- 65 Ldn



Client:
West Coast Regional Council

Authors:
Steve Peakall

Date of Issue:
12/05/2022 3:25 PM

Drawing Details:
Scale: 1:9,423
Projection: WGS 1984 Web Mercator Auxiliary
Sphere

Map Notes / Comments:
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KARAMEA AERODROME FUTURE NOISE CONTOURS

Future Noise Contours

- 55 Ldn (Proposed OCB)
- 60 Ldn
- 65 Ldn



Client:
West Coast Regional Council
Authors:
Steve Peakall
Date of Issue:
12/05/2022 3:25 PM

Drawing Details:
Scale: 1:11,052
Projection: WGS 1984 Web Mercator Auxiliary
Sphere

Map Notes / Comments:
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The noise contours produced by SoundPLAN are for graphical purposes only. The noise contours are generated by interpolations of calculation points (spacing typically 5-20m), with varying interpolation accuracy. Therefore, the calculated noise level at a given point may differ from that implied by the noise contours when the reader interpolates between two contour lines. It is therefore not recommended that high-resolution noise level predictions are based on noise contour interpolation.



Project:	West Coast Airports	Document No.:	Ca 001
To:	West Coast Regional Council	Date:	13 May 2022
Attention:	Edith Bretherton	Cross Reference:	
Delivery:	email	Project No.:	20210643
From:	Steve Peakall	No. Pages:	4
		Attachments:	Yes
CC:			
Subject:	Franz Josef heliport – proposed noise boundaries		

Introduction

Marshall Day Acoustics (MDA) has been engaged to prepare future noise contours for 5 aviation facilities in the West Coast district.

The five facilities are:

- Hokitika Airport;
- Westport Airport;
- Greymouth Airport;
- Karamea Airfield, and;
- Franz Josef helipad.

The intent of the noise contours was to apply a consistent noise management and land use planning regime in the District Plan for the West Coast Regional Council's (WCRC) aviation facilities. However, four of these are small regional airfield facilities with runways supporting both fixed wing and helicopter activity. Because Franz Josef Heliport is used by helicopters only and would be subject to a different noise standard, we adopt a different approach.

We therefore discuss the four airfields in a separate consultant advice note (Ca 002)

This memo relates to Franz Josef only.

Background

Franz Josef glacier is a major tourist destination on the West Coast and as such the township of Franz Josef has developed to support that tourism. Part of the tourist industry is focussed around helicopter trips to and from the glacier and other parts of the region. The town has a well developed array of helipads used by the resident tourist operators, as well as occasional use for search and rescue and DOC operations. We understand that the helipads are collectively managed as the Franz Josef Heliport, and this is the busiest heliport in New Zealand.

Noise Performance Standards

New Zealand Standard NZS 6807:1994 *Noise Management and Land Use Planning for Helicopter Landing Areas* provides a standard approach to managing the effects of helicopter noise emissions on sensitive receivers.

NZS 6807:1994 recommends that the L_{dn} metric is used when assessing the noise effects of helicopters. L_{dn} uses the cumulative noise energy that is produced by all movements during a typical 24-hour period with a 10 decibels penalty applied to any night movements. This metric is used extensively in New Zealand and overseas for helicopter and airport noise assessments. It has been found to correlate well with community response to helicopter noise.

NZS 6807 is intended for helicopter landing areas used for ten or more flight movements in any month or where flight movements are likely to result in a maximum sound level exceeding 70 dB L_{AFmax} at night or 90 dB L_{AFmax} during the day in any residential zone or notional boundary of any rural dwelling. It is not intended to apply to infrequently used helicopter landing areas or emergency operations.

The Standard sets out limits of acceptability for helicopter noise for a range of receivers. Table shows these limits.

Table 1: NZS 6807 Limits of Acceptability

Affected Land Use	L_{dn} day-night average sound level (dB)	L_{AFmax} night-time maximum sound level (dB)
Industrial	75	n/a
Commercial	65	n/a
Residential	50	70
Rural (at notional boundary)	50	70
Residential (internal)	40	55

The hours for night-time L_{max} shall be defined by the local authority. In the absence of any specific definition by the local authority for helicopter landing areas, the hours of 10.00pm to 7.00am the following day shall be defined as night-time for the purposes of the Standard.

The Standard defines an acceptable limit of 50 dB L_{dn} during the daytime for residential and rural receivers. The Standard suggests a maximum seven-day average L_{dn} which means that the noise level can be higher on some days (up to 53 dB L_{dn}) provided the average over seven days does not exceed 50 dB L_{dn} .

We consider that the use of NZS 6807 to develop noise boundaries for Franz Josef is appropriate. The noise boundaries should be implemented in the District Plan, and be used as the basis of setting land use planning controls, and for heliport noise compliance requirements.

Noise Boundary Development

We have predicted helicopter noise levels using SoundPLAN and verified against L_{AE} sound levels MDA has measured over a number of years. SoundPLAN uses the calculation method defined in *DIN45684 Acoustics – Determination of aircraft noise exposure at airfields – Calculation Method* for helicopter noise.

Our predictions are based on helicopter movement data provided by Franz Josef heliport. Based on discussions with TTPP staff, the predicted contours have been based on no expansion to the heliport movements from pre covid number.

The predicted noise contours are shown in Figure 1.

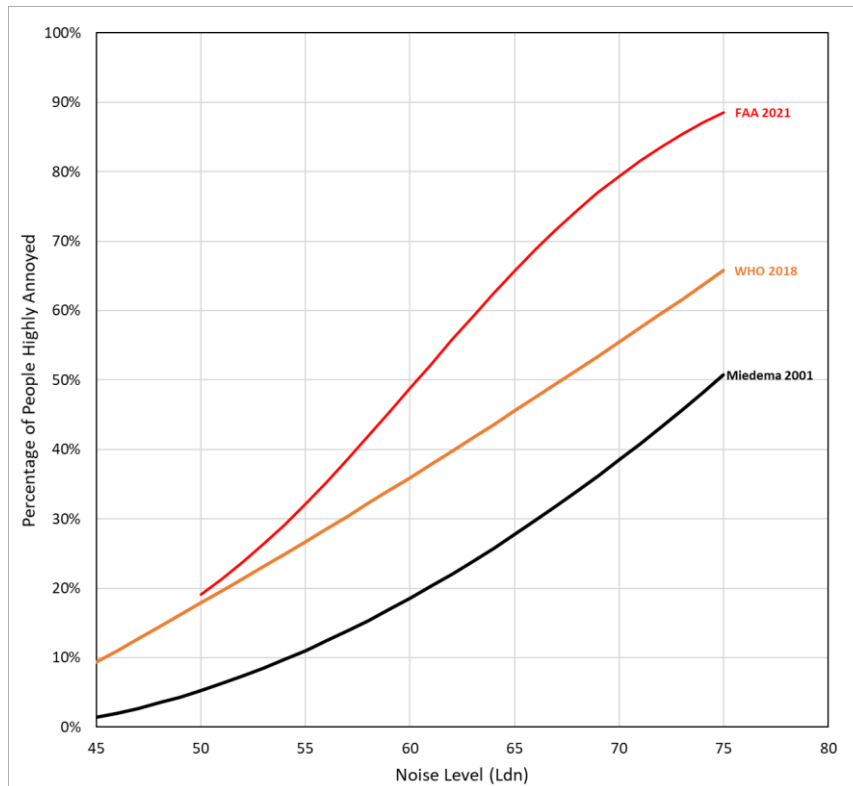
Helicopter noise effects

The typical way adverse noise effects are experienced is by a change in noise level received, annoyance effects from a given helicopter noise exposure and sleep disturbance effects.

Individual responses to a certain level of helicopter noise vary greatly. A large number of studies have been carried out overseas in relation to the overall relationship of a given community's annoyance with reference to varying noise levels they receive (known as a dose response relationship), albeit focussed on fixed wing airports. However much of this was taken into account when NZS 6807 was developed.

A dose response relationship specific to aircraft noise was developed by Miedema and Oudshoorn and has been used extensively for airports here and overseas since that time in assessment of noise effects studies. This relationship has until recently generally been regarded as the latest research in this area. The latest and most relevant research is now considered to be the World Health Organisation (WHO) study in 2018 and to a lesser extent the Federal Aviation Administration (FAA) study in the US in 2021.

Both the FAA and WHO studies show a higher level of annoyance than the Miedema 2001 dose-response curve. The dose response curves from the FAA and WHO studies are shown below along with the Miedema study for comparison.



Whilst these are specifically based on data from fixed wing airports, they are a useful guide for helicopters too (which are however considered more annoying). The WHO 2018 dose response relationship indicates that for aircraft noise environments of 50 dB L_{dn} , 18% of the population are likely to be highly annoyed. This shows why NZS 6807 recommends prohibition of noise sensitive activity inside the helinoise boundary. For aircraft noise environments of 60 dB L_{dn} , 36% of the population are likely to be highly annoyed by the noise, which is of increasing significance.

Recommendations

Because of these high noise levels and resultant adverse effects that can eventuate, we recommend that the 50 dB L_{dn} and 60 dB L_{dn} noise contours be implemented in the District Plan. We discuss the recommended land use planning controls below:

In our opinion, helicopter noise environments greater than 60 dB L_{dn} are not suitable for residential or other noise sensitive activity because of the unacceptably high noise levels.

We therefore recommend noise sensitive activity should be prohibited inside the 60 dB L_{dn} boundary

Further, as highlighted above, helicopter noise environments greater than 50 dB L_{dn} are also not generally suitable for residential or other noise sensitive activity because of the high noise levels. Sound insulation measures can improve internal noise environments but do not fully mitigate the effects for residential activity, particularly in outdoor living areas or where residents wish to open windows and doors.

NZS 6807 recommends in relation to a defined helinoise boundary (normally set at 50 dB L_{dn}) that:

“New residential uses, schools, and hospitals shall be prohibited unless a district plan permits such uses, subject to a requirement (such as the production of an acoustic design certificate) to incorporate appropriate acoustic insulation to ensure a satisfactory internal noise environment (refer table 1). Alterations or additions to existing residential uses should be fitted with appropriate acoustic insulation and

encouragement should be given to ensure a satisfactory internal environment throughout the rest of the building.”

An interpretation of this clause is that as a desirable starting point, new noise sensitive activities are incompatible with such levels of helicopter noise and should be prohibited. It is our opinion that land use controls to prohibit new noise sensitive activities should be imposed within the helinoise boundary (50 dB L_{dn} noise boundary).

We therefore also recommend noise sensitive activity should be prohibited inside the 50 dB L_{dn} boundary

For those existing dwellings inside the proposed 50 dB L_{dn} noise boundary, alterations and additions to noise sensitive activity in all zones should be required to be fitted with appropriate acoustic insulation (to the alterations or additions only).

The approach we recommend is consistent with NZS 6807, and is also broadly in line with the philosophy adopted in NZS 6805 for fixed wing airports (but with recognition that helicopter noise is often perceived as more annoying and therefore with 5 dB more stringent noise controls)

We note that there should also be a mechanism imposed in the District Plan to ensure helicopter noise emissions do not exceed these noise levels at the noise boundaries.

FRANZ JOSEF HELIPORT FUTURE NOISE CONTOURS

Predicted Noise Levels

- 50 dB Ldn
- 55 dB Ldn
- 60 dB Ldn

District Plan Zones

- General Residential Zone
- Rural-residential
- General Rural Zone
- Rural Lifestyle Zone
- Rural Zone
- Town Centre Zone
- Settlement Zone
- Commercial Zone
- General Industrial Zone
- Special Purpose Zone - High Use Visitor Zone
- Special Purpose Zone - Port Zone
- Waterbody
- Other

Client:
West Coast Regional Council

Authors:
Steve Peakall

Date of Issue:
12/05/2022 12:10 PM

Drawing Details:
Scale: 1:9,423
Projection: WGS 1984 Web Mercator Auxiliary Sphere

Map Notes / Comments:
This map is for graphical purposes only. While every effort has been made to ensure that the data are accurate and reliable, Marshall Day Hunter cannot assume liability for errors or omissions in the data graphically represented. The noise contours produced by SoundPLAN are for graphical purposes only. The noise contours are generated by interpolations of calculated grid points (spacing typically 5-20m), with varying interpolation accuracy. Therefore, the calculated noise level at a given point may differ from that implied by the noise contours when the reader interpolates between two contour lines. It is therefore not recommended that high-resolution noise level predictions are based on noise contour interpolation.



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Edith Bretherton, Senior Planner
Date: 21 June 2022
Subject: **Update on draft National Policy Statement for Indigenous Biodiversity**

SUMMARY

The Ministry for the Environment released an updated exposure draft of the National Policy Statement for Indigenous Biodiversity on the 9th June for public feedback.

This report highlights the NPSIB timelines, alignment with the proposed TTPP indigenous biodiversity provisions and implementation measures.

RECOMMENDATIONS

1. That this report is received

Edith Bretherton
Senior Planner

OVERVIEW

1. An updated exposure draft of the National Policy Statement for Indigenous Biodiversity (NPSIB), including implementation plans, incentive plans and summary sheets was released for public feedback on 9th June 2022. These can be accessed at <https://consult.environment.govt.nz/biodiversity/npsib-exposure-draft/>
2. Public feedback is open until 21st July. West Coast Regional Council are assessing whether they will make a submission. Gazettal of the updated NPSIB is intended late 2022.

ALIGNMENT WITH PROPOSED TTPP PROVISIONS

3. The draft NPSIB and proposed TTPP provisions are broadly in alignment. The amended TTPP policy requires identification and mapping of the Buller and Westland Significant Natural Areas (SNA) by June 2027. This is consistent with the NPSIB which requires this work to be completed within five years of enactment – the end of 2027.
4. The draft NPSIB has been amended from previous feedback. The changes include:
 - Provision for economic wellbeing including farming, forestry, infrastructure and energy,
 - Outlines management for public land and geothermal SNAs,
 - Identifies which indigenous biodiversity is significant and how it will be managed rather than “high” and “medium” categories,
 - Substantial changes to the recognition of iwi as kaitiaki, and enabling of development of Māori land.

Matters that are unchanged include:

- All land tenures are included.
- Offsetting and compensation guidelines are laid out.
- The assessment criteria are consistent with previous criteria.

INCENTIVES AND IMPLEMENTATION

5. Detail of Central Government support is included in the implementation and incentives documents. Available funding includes:
 - Provision of funding to assist councils with SNA identification,
 - Provision of funding to assist council funding to landowners,
 - Develop direct support for iwi/Māori.
6. Further information on how to apply for funding, is not provided. It is noted that the funding to assist with identification is specifically for councils that have not undertaken SNA assessment already. It is available in the first year after gazettal and is funded by Budget 22.



Project Manager Update

1 May 2022 – 31 May 2022

Prepared By: **Jo Armstrong**
 Date Prepared: **31 May 2022**

Accomplishments this Period

- May has been another busy month. With the deadline to complete the proposed TTPP fast approaching, the team is focussed on final updates to the Plan and overlays.
- Writing the section 32 reports is also requiring a lot of staff time.
- Much of the Plan has been peer reviewed by an independent planner, and any changes should be made by early June.
- Having received Committee approval of the communications plan, work has commenced on organising design, printing, advertising and public meetings in time for notification of the proposed TTPP.
- The 21 June Committee meeting is scheduled to be held at West Coast Regional Council. Staff will be seeking Committee approval to notify the proposed TTPP at this meeting.

Plans for Next Period





- Make final updates to Plan
- Set up submissions tool
- Design information sheet to go to every rate payer
- Write chapters for the Section 32 Cost Benefit Analysis to accompany the Proposed Plan
- Update WCRC Resource Management Committee
- TTPPC meeting at West Coast Regional Council on Tuesday 21 June at 9.30am.

Key Issues, Risks & Concerns

Item	Action/Resolution	Responsible	Completion Date
Not getting key stakeholder buy-in	Contact and meet with them individually. Plan stakeholder workshops and on-going engagement process	Project Manager	Ongoing
Not producing a proposed plan in a timely manner	Set achievable milestones and monitor/report progress. Identify additional expertise and/or capacity	Project Manager Planning Team	30 June 2022
Decision makers can't agree	Get agreement on pieces of work prior to plan completion	Chairman	Ongoing

Item	Action/Resolution	Responsible	Completion Date
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
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. Work with contractors to expedite work.	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, mineral extraction and landscape provisions could see an extended appeals process, increasing costs to reach operative plan status	TTPP Committee TTPP Steering Group Project Manager	Ongoing
Fast track budget insufficient to meet new timing for Proposed Plan notification by 14 July 2022	Project Manager to report monthly on whether anticipated expenditure for the remainder of the period is on track to be met by the allocated budget	Project Manager TTPP Committee	31 July 2022
Insufficient capacity for council and iwi technical staff to input fully into Draft and Proposed Plans	Planning Team provide outline of needs for technical input. TTPP Steering Group determine best delivery of technical services	Project Manager TTPP Steering Group	30 June 2022
Unable to meet 14 July 2022 notification date	Keep Committee informed of delays and investigate mitigation options	Project Manager TTPP Steering Group	31 July 2022
Risk of confidential, unverified or draft information being made public, negatively impacting development of TTPP (financially and/or time line) along with the outcomes for the West Coast	Ensure Committee members adhere to Standing Orders	Committee Chair	Ongoing
TTPP staff undeliverable work load to July 2022	Support current staff and consider contracting additional staff if required to meet timeframes	Project Manager TTPP Committee	14 July 2022

Status

Overall		
Schedule		Schedule is tight, but on track
Resources		Staff capacity stretched under fast track
Scope		Deliver efficient, effective and consistent Te Tai o Poutini Plan

Schedule

Stage	Target Completion	Revised Fast Track Completion	Comments
Complete project initiation documentation	30-Apr-19	19-July-2019	TTPPC approved
Identify and contact key stakeholders	03-May-19	Ongoing	Connection made with all key stakeholders and started a second round of contact with other

Stage	Target Completion	Revised Fast Track Completion	Comments
			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.ttp.westcoast.govt.nz
Set planning milestones	31-Oct-19	30 Aug-2019	Presented at August 2019 TTPPC meeting
Hold key stakeholder workshop for Settlements section	28-Feb-20	23 Oct and 21 Nov 2019	Greymouth and Hokitika, then Westport
Hold Community information meetings	31-Mar-20	16-27 Mar 20 and 24-22 Sep 2020	Roadshow in March 2020 and opportunities to coincide with council-community meetings and local events Outcome of Roadshow to be presented to May TTPPC meeting
Hold key stakeholder workshops for Infrastructure section	30-Apr-20	31-Jul-20	Greymouth and Hokitika, then Westport. Delayed due to Covid-19 Lockdown
Draft Provisions (Issues, Objectives, Policy and Rules) for Urban Areas developed	31-May-20	31-May-20	For presentation to May TTPPC meeting
Workshop discussion with environmental interests re biodiversity provisions	30-Jul-20	31-Aug-20	Delayed due to Covid-19 Lockdown
Draft Provisions (Issues, Objectives, Policy and Rules) for Rural Zones and Settlement Zones developed	31 – Aug-20	31-Aug-20	For presentation to August TTPPC meeting
Hold key stakeholder workshops for mining and extractive industries	31-Aug-20	31-Jul-20	Due to work programme changes during Covid-19 lockdown
Historic Heritage Workshops	31-Aug-20	31-Aug-20	
Conclude TTPP Roadshow	30 –Sep-20	30-Sep-20	Postponed due to COVID-19
Workshop with agricultural interests re biodiversity provisions	30-Oct-20	28 October 2020	
On Hold - Contact with landowners re SNA assessment			To discuss potential SNAs and seek permission if we do field assessments.
On Hold - Field work for SNA assessments			Begin with drive-by evaluation prior to possible property assessment at owner invitation
Zoning changes proposed	31-Dec-21	30 September 2021	Specific zone change proposals will come to the Committee through 2021
Targeted stakeholder consultation on draft provisions of Te Tai o Poutini Plan	30-May-22	30 September 2021	Targeted consultation with stakeholders on draft provisions with the aim of addressing concerns at this more informal stage
Iwi review of draft Te Tai o Poutini Plan	30-July-22	20 November 2021	This is in addition to hui and consultation throughout the development process and is a mandatory step
Full “Draft” Te Tai o Poutini Plan to Committee	30-Sep-22	16 December 2021	A draft Plan will not have legal status, but will show all the cumulative decisions of the Committee
Consultation on “Draft” Te Tai o Poutini Plan	Oct-22	11 March 2022	Targeted consultation – industry and interest groups meetings. Draft Plan available for wider community feedback, and community drop-in sessions. While we will be seeking feedback on

Stage	Target Completion	Revised Fast Track Completion	Comments
			the “Draft” Plan, some work will still be being undertaken and would feed into the final “Proposed Plan”, not this pre-notification draft.
Further Natural Hazards Consultation	22-Apr-22	22-Apr-22	Consultation document and drop-in sessions on Coastal Hazards and Land Instability hazard provisions.
Amendment of “Draft” Plan to “Proposed Plan” provisions	30-Nov-22	21 June 2022	Feedback to Committee on results of Exposure Draft consultation, any legal opinions on contentious provisions and final decisions.
Notify Te Tai o Poutini Plan	30-Aug-23	July 2022	This will be the “Proposed” Plan
Submissions on Te Tai o Poutini Plan	30-Oct-23	30 September 2022	40 working days for submissions is the legal requirement
Local Body Elections		October 2022	
Further Submissions	30-Feb-24	30 November 2022	Submissions must be summarised and published and then there is a 20 working day period for further submissions [this part of the process may no longer be required depending on RMA reform progress]
Hearings Te Tai o Poutini Plan	31-August-24	28 April 2023	Indicative time only
Decisions Te Tai o Poutini Plan	30-Sep-24	31 October 2023	Indicative time only
Appeal Period	30-June-25	30 November 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.



Te Tai o Poutini PLAN

A combined district plan for the West Coast