

Westland District Council  
36 Weld Street  
Private Bag 704  
Hokitika 7842

1 March 2023

**Attention: Anna Johnson**

Dear Anna,

**RFI Request - Hokitika Seawall Extension**

We refer to your Request for Further information dated 15<sup>th</sup> of February 2023 which stated the following:

1. *RMA Schedule 4 requires an assessment of the activity against a plan or proposed plan. The TTPP was notified on 14 July 2022. Please provide an assessment of the relevant TTPP Objectives, Policies and Rules of **immediate legal effect** which are associated with the proposed activity. This information may be supplied as an addendum to the original consent application, however, will require a separate assessment to the Operative District Plan.*

Our response is as follows:

## 1 Site in TTPP Context

In the Te Tai O Poutini Plan (TTPP), the site is zoned Open Space Zone and is also subject to the Coastal Alert Tsunami and Coastal Environment Overlays (refer **Appendix A**).

## 2 TTPP Rules with Immediate Legal Effect

### 2.1 Part 2-District Wide Matters

*Part 2-District Wide Matters* of the proposed Te Tai o Poutini Plan (TTPP) is the only part of the TTPP that contains rules which have immediate legal effect. In *Part 2* the following sections contain rules with immediate legal effect:

- *Historical and Cultural Values*
- *Natural Environment Values*
- *Ngā Kaupapa ā-Rohe Whānui*

None of the Rules in *Historic and Cultural Values* which have immediate legal effect are relevant as the site is not identified as containing historic heritage or of significance to Māori.

None of the Rules in *Ngā Kaupapa ā-Rohe Whānui* which have immediate legal effect are relevant as the activity is not an activity on the surface of water.

In respect of *Natural Environment Values* some of the rules which have immediate legal effect are relevant to the proposal as set out in Table 1 below.

Table 1: Part 2 – District-Wide Matters - Natural Environmental Values: Rules with immediate legal effect and their relevance.

Rule	Condition	Comment
<b>Ecosystems and Indigenous Vegetation</b>	<i>ECO - R1 Indigenous vegetation clearance and disturbance outside of the coastal environment</i>  .....	Not applicable (NA) as site is located within the Coastal Environment.
	<i>ECO-R2 Indigenous Vegetation Clearance in the Coastal Environment</i>  <b>Activity Status – Permitted</b>  <b>Where:</b>  1. <i>This is for:</i> <ul style="list-style-type: none"> <li>i. <i>Walking/cycling tracks, roads, farm tracks or fences;</i></li> <li>ii. <i>Operation, maintenance, repair, upgrading and installation of new network utility infrastructure<sup>1</sup> and renewable electricity generation activities; or</i></li> <li>iii. <i>Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site;</i></li> </ul>	Does not comply as the activity is not identified in Activity Standard 1 and the activity may not comply with Activity Standard 2 in respect of area and vegetation clearance or Activity Standard 3 as the activity could disturb nesting sites and habitats, such as those for the Blue Penguin/Kororā and New Zealand fur seal/Kekeno.
	2. <i>The extent of indigenous vegetation disturbed and/or cleared per site does not exceed an area of 500m<sup>2</sup> in area per site in any three year period;</i> 3. <i>The indigenous vegetation clearance does not disturb, damage or destroy nesting areas or habitat of protected species; and</i> 4. <i>The indigenous vegetation clearance does not occur in any area identified as a Significant Natural Area in Schedule Four.</i>  <b>Advice Notes:</b>  1. <i>Where indigenous vegetation clearance is proposed within the riparian margins of a waterbody refer to these sections of the Plan for the Rules around this clearance.</i> 2. <i>Where indigenous vegetation clearance is proposed in or on a site or area of</i>	

<sup>1</sup> It is noted that while the seawall can commonly be considered “infrastructure” it is not included in the definitions of “infrastructure” or “critical infrastructure” in the TTPP.

Rule	Condition	Comment
	<p><i>significance to Māori then Rule SASM - R4 will also apply.</i></p> <p>3. <i>Where indigenous vegetation clearance is proposed within a wetland this is also subject to rules within the NES - Freshwater which is administered by the West Coast Regional Council.</i></p> <p>4. <i>This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF.</i></p>	
	<p><i>ECO - R3 Indigenous vegetation clearance or disturbance where this is in accordance with an approved plan or permit issued under the Forests Act 1949</i></p> <p><b>Activity Status Controlled</b></p>	Not applicable
	<p><i>ECO - R4/SUB - R7 Subdivision of Land to Create Allotments Containing an Area of Significant Indigenous Biodiversity</i></p> <p><b>Activity Status Controlled</b></p>	Not applicable
	<p><i>ECO - R5 Indigenous vegetation clearance not meeting Permitted or Controlled Activity Standards</i></p> <p><b>Activity Status Restricted Discretionary</b></p> <p>1. <i>This is not within:</i></p> <ul style="list-style-type: none"> <li><i>i. A Significant Natural Area identified in Schedule Four;</i></li> <li><i>ii. An area of land environment of category one or two of the Threatened Environment Classification;</i></li> <li><i>iii. An Outstanding Natural Landscape identified in Schedule Five;</i></li> <li><i>iv. An Outstanding Natural Feature identified in Schedule Six;</i></li> <li><i>v. An area of High Coastal Natural Character identified in Schedule Seven; or</i></li> <li><i>vi. An area of Outstanding Coastal Natural Character identified in Schedule Eight.</i></li> </ul>	The proposal does not meet Activity Standards 1, 2 and 3 of RO 2 and as the site is not within the area identified in 1(1) – (vi), resource consent as a <b>restricted discretionary activity</b> is required.
	<p><i>ECO - R7 Indigenous vegetation clearance not meeting ECO - R5</i></p> <p><b>Activity Status Discretionary</b></p>	Not Applicable

Rule	Condition	Comment
<b>NC - Natural Character and the Margins of Waterbodies</b>	<p><i>NC-R3 New Natural Hazard Mitigation Structure<sup>2</sup></i></p> <p><b>Activity Status Permitted</b></p> <p><i>Where:</i></p> <p>1. <i>These are constructed by a Statutory Agency or their authorised contractor.</i></p>	Complies-The New Natural Hazard Mitigation Structures Mitigation Structure will be constructed by WCRC who is a Statutory Authority.
	<p><i>NC-R5 Natural Hazard Mitigation Structures not meeting the Permitted Activity Rules</i></p> <p><b>Activity Status Discretionary</b></p>	Not Applicable

---

<sup>2</sup> means any structure designed to prevent or mitigate natural hazards. It includes but is not limited to: sand fence; seawall; groyne; gabion and revetment; breakwater; stop bank; retaining wall; bund; weir; spillway; floodgate; stopbank; building of rock fall/boulder roll protection structures; the mechanical fixing of rocks in situ; the associated re-contouring of slopes and/or land. It excludes retaining walls not required for a hazard mitigation purpose.

Accordingly, resource consent is required in respect of *Rule Eco 5* as a restricted discretionary activity under sections 104 and 104C of the RMA, in which discretion is restricted to a number of matters listed as a. – g. in the Rule. These matters are commented on below in Section 2.3.

## 2.2 AEE - Vegetation Disturbance

The Assessment of Environmental Effects (AEE) submitted with the application, addressed vegetation disturbance and its effects under the following sections:

2. Description of Environment, 2.12 Ecology of beach, 2.12.1 Backshore, 2.12.5 Blue Penguin/Kororā, 2.12.6 New Zealand fur seal/Kekeno, and 2.13 Amenity and Recreational Use.

5. Effects on the Environment, 5.3.2 Blue Penguin/Kororā 5.3.3 New Zealand fur seal/Kekeno 5.3.6 Vegetation disturbance and 5.4.4 Effects on access and recreation.

In particular, Section 2.12.1 describes the “Backshore” as:

*The backshore is characterised by vegetated dunes, public accessways, grass berms and residential gardens.*

*The most ecologically significant part of the backshore is the vegetated dunes. Inspection during a site visit carried out in October 2021 found these small dunes are reasonably well vegetated and contain a variety of indigenous and floral exotic species. There does not appear to be any stand of original land cover in the area. The most dominant indigenous species is Harakeke (flax), however other species including tī kouka (cabbage tree) and Coprosma are also found within the site. Of particular note, are scattered clumps of the native Pīngao or golden sand sedge (see Figure 2-6) which was found in various areas along the dune and is classified as “At Risk-Declining” under the NZ Threat Classification System Database.*

*Exotic species including bamboo, marram grass, gorse, blackberry and other grasses are also prevalent along the dune areas.*

*The fauna of the backshore area has not been surveyed (refer to Section 2.2). However, The Coastal Plan does not note the presence of any specific endangered species (such as lizards).*

The presence of Blue Penguin/Kororā is noted under Section 2.12.5 and the possible presence of New Zealand fur seal/Kekeno, noted Section 2.12.6.

## 2.3 Matters of Discretion Rule Eco-5

The Matters of Discretion of *Rule Eco 5* are outlined below with our comment on each matter.

- a. Whether there are other regulations impacting the site that have meant the land is unable to be used for economic rural uses;

**Comment:** We are not aware of any other regulations and the site is not used for an “economic rural use”.

- b. Constraints imposed by functional or operational need of network utilities and critical infrastructure;

**Comment:** The seawall extension does require vegetation clearance to enable its placement and cannot be avoided. However, a Vegetation Plan is proposed as a condition of consent.

- c. Effects on habitats of any threatened or protected species.

**Comment:** In terms of effects on vegetation, Section 5.3.6 of the AEE states “some vegetation will be disturbed during construction of the wall. However, this will be minimised as far as practicable (particularly in regard to indigenous species).”

*A Vegetation Planting Plan will be developed during detailed design that will provide the basis for removal and replanting of indigenous plants (such as Pīngao) where practicable, restoration of vegetation that was disturbed or removed during construction. This Plan will be provided to Te Rūnanga o Ngāti Waewae and WDC for comment prior to finalisation.*

*Disturbance of indigenous vegetation will be minimised as far as practicable during construction, and reinstatement will occur according to an agreed Planting Plan. On this basis, the effects will be minor or less.”*

Section 5.3.2 of the AEE identifies a number of effects on the Blue Penguin/Kororā including disturbance of breeding sites during construction and post construction. Section 5.3.2 proposes a number of mitigation measures following advice from the West Coast Penguin Trust (WCPT). These include:

- Timing of the works to take into account the presence of Blue Penguin/Kororā
- Monitoring to identify location of nests and provision of nest boxes where existing sites are compromised
- Enabling access by Blue Penguin/Kororā to active nests
- Incorporation of access ramps in the design of the wall.

Section 5.3.3 identifies the New Zealand fur seal/Kekeno (*Arctocephalus forsteri*) prefer to haul out on rocky shores but are occasionally seen basking along the Hokitika beach. Measures taken to minimize disturbance to fur seals/Kekeno during seawall construction, include pre-work surveillance and distance separation.

As a result, the AEE concludes effects of these are expected to be less than minor.

- d. Effects on the threat status of land environments in category one or two of the Threatened Environments Classification;

**Comment:** The site is not in these categories

- e. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems;

**Comment:** This matter is addressed above.

- f. Effects on the intrinsic values of ecosystems;

**Comment:** This matter is addressed above.

- g. Effects on recreational values of public land; and

**Comment:** Section 5.4.4 Effects on access and recreation of the AEE states

*The Hokitika Beach has high recreation value and therefore maintaining access for residents to the beach, is particularly important.*

...

*While the seawall does create a solid structure along the beach, several public accessways have been incorporated into the design of the wall to allow local residents, and general members of the public to access the beach. This will provide for access from the end of Hampden and Tudor Streets as well as Richards Drive. Walking access along the seawall crest and over buried parts of the wall to the beach will also be available.*

*As the seawall is being built along the unformed legal road and not along the beach, no reduction in the size of the beach is anticipated and therefore any recreational activities that take place on the beach are not expected to be impacted.*

*Due to the above, the effects of the seawall extension on public access and recreation during operation are expected to be less than minor.*

h. The matters outlined in Policies ECO - P6 and ECO - P7.

**Comment:** This matter is addressed below.

## 2.4 Summary

There will be some effects arising from vegetation clearance and associated effects on fauna, but with the inclusion of appropriate mitigation measures it is considered the effects will be less than minor.

## 3 Objectives and Policies

### 3.1 Relevant Objectives and Policies

Objectives and policies considered relevant in respect of the proposal are set out in Table 2 with comment.

Table 2: Relevant Objectives and Policies:

#### Eco Ecosystems and Indigenous Biodiversity- Ngā Pūnaha Rauropi me te Kanorau Koiora

Objective/Policy	Description	Comment
<b>Objective ECO-O1</b>	To identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna on the West Coast/Te Tai o Poutini.	The site is not identified as a “significant indigenous vegetation and significant habitats of indigenous fauna”. Policy ECO 1 indicates the identification process is still to be undertaken in Westland District.
<b>Objective ECO-O2</b>	To provide for appropriate subdivision, use and development within areas of significant indigenous vegetation and significant habitats of indigenous fauna where the values of the area can be maintained or enhanced.	While “significant indigenous vegetation and significant habitats of indigenous fauna” sites are yet to be identified the proposal is considered appropriate as it will provide for protection of an urban asset while an adaptive coastal management strategy is developed and in which mitigation measures will at least maintain the existing values.
<b>Objective ECO - O4</b>	To maintain the range and diversity of ecosystems and indigenous species found on the West Coast/Te Tai o Poutini.	The applicant seeks to at least maintain the range and diversity of ecosystems by the proposed Vegetation Plan and the measures to protect the Blue Penguin/Kororā and New Zealand fur seal/Kekeno.
<b>Policy ECO – P1</b>	Identify areas of significant indigenous vegetation and fauna habitat:  1. In the Grey District these areas are identified in Schedule Four;	As indicated above sites in Westland District have not been identified although a general description of the site is provided in Section 2 of the AEE.

Objective/Policy	Description	Comment
	<p>2. In the Buller and Westland Districts:</p> <ul style="list-style-type: none"> <li>i. The criteria set out in Appendix 1 of the West Coast Regional Policy Statement will be used to assess significance;</li> <li>ii. Areas of significant indigenous vegetation and fauna habitat will be identified through the resource consent process until such time as district wide identification and mapping of significant natural areas is undertaken;</li> <li>iii. Buller and Westland district wide assessment, identification and mapping of significant natural areas will be undertaken and completed by June 2027; and</li> <li>iv. Identified areas of significant indigenous vegetation and fauna habitat will be added to Schedule Four through a Plan Change.</li> </ul>	
<p><b>Policy ECO – P2</b></p>	<p>Allow activities within areas of significant indigenous vegetation or significant habitats of indigenous fauna where:</p> <ul style="list-style-type: none"> <li>a. This is for a lawfully established activity; or</li> <li>b. It is for a Poutini Ngāi Tahu cultural purpose; or</li> <li>c. This is undertaken on Poutini Ngāi Tahu or Te Rūnanga o Ngāi Tahu land in accordance with an Iwi/Papatipu Rūnanga Management Plan; or</li> <li>d. The activity has a functional need to be located in the area;</li> <li>e. The activity has no more than minor adverse effects on the significant indigenous vegetation or fauna habitat.</li> </ul>	<p>While “significant indigenous vegetation and significant habitats of indigenous fauna” sites are yet to be identified the proposal has a functional need to locate on the site to provide the necessary protection given its proximity to the coast and the residential urban area, while the proposed mitigation measures will result in no more than minor effects.</p>



Objective/Policy	Description	Comment
<b>Policy ECO – P6</b>	<p>When assessing consents for subdivision, use and development, avoid activities which will:</p> <p>Prevent an indigenous species or community being able to persist in their habitats within their natural range in the Ecological District;</p> <p>Result in a degradation of the threat status, further measurable loss of indigenous cover or disruption to ecological processes, functions or connections in land environments in category one or two of the Threatened Environment Classification at the Ecological District level; and</p> <p>Result in a reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Categories 1 – 3a - nationally critical, nationally endangered and nationally vulnerable.</p>	<p>The proposed mitigation measures will ensure that the outcomes sought in the Policy will be met.</p>
<b>Policy ECO – P7</b>	<p>When assessing resource consents in areas of significant indigenous vegetation and significant habitats of indigenous fauna, consider the following matters:</p> <ol style="list-style-type: none"> <li>The necessity for the activity to provide for critical infrastructure or renewable electricity generation;</li> <li>Whether formal protection and active management of all or part of any area of significant indigenous vegetation or habitat will occur as part of the subdivision, use or development;</li> <li>The extent to which the proposed activity recognises and provides for Poutini Ngāi Tahu cultural and spiritual values, rights and interests;</li> <li>The cumulative effects of activities within or adjacent to any area of</li> </ol>	<p>While “significant indigenous vegetation and significant habitats of indigenous fauna” sites are yet to be identified the following is noted in respect of the proposal and this policy:</p> <ul style="list-style-type: none"> <li>It will provide for a type of “critical” infrastructure.</li> <li>it is envisaged the Vegetation Plan plantings will have active management.</li> <li>Poutini Ngāi Tahu do not oppose the application.</li> <li>Mitigation measures will be put in place during construction to protect fauna.</li> </ul>

Objective/Policy	Description	Comment
	<p>significant indigenous vegetation or habitat;</p> <p>e. The effects the activity may have on the introduction or spread of exotic weed species and pest animals both terrestrial and aquatic;</p> <p>f. The impacts on mahinga kai;</p> <p>g. The impact of the activity on the values of any area of significant indigenous vegetation or habitat, or threatened species and how any potential impact could be avoided, remedied or mitigated; and</p> <p>h. The appropriateness of any biodiversity offsetting or compensation in accordance with Policy 9 to offset any residual adverse effects that remain after avoiding, remedying and mitigating measures have been applied.</p>	
<p><b>Policy ECO – P8</b></p>	<p>Maintain indigenous habitats and ecosystems across the West Coast/Te Tai o Poutini by:</p> <p>a. Maintaining, and where appropriate enhancing or restoring the functioning of ecological corridors, linkages, dunes and indigenous coastal vegetation and wetlands;</p> <p>b. Minimising adverse effects on, and providing access to, areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu;</p> <p>c. Restricting the modification or disturbance of coastal indigenous vegetation, dunes, estuaries and wetlands;</p> <p>d. Preserving protected wildlife; and</p> <p>e. Recognising the benefits of active management of indigenous biodiversity, including voluntary animal and plant pest and stock control and/or formal legal protection.</p>	<p>The ecosystem will be maintained and likely enhanced with the proposed Vegetation Plan and measures implemented to protect wildlife, including the Blue Penguin/Kororā and New Zealand fur seal/Kekeno.</p>

Objective/Policy	Description	Comment
<b>Policy ECO – P10</b>	<p>Protect indigenous biodiversity in the coastal environment from inappropriate subdivision, use and development by:</p> <ol style="list-style-type: none"> <li>Avoiding adverse effects on significant indigenous biodiversity; and</li> <li>Avoiding, remedying or mitigating other adverse effects on indigenous vegetation, habitats and species within the coastal environment.</li> </ol>	The indigenous biodiversity in the coastal environment will be protected by the proposed mitigation measures which meets (a) and (b) of the policy.
<b>PA Public Access -Te Āheinga Tūmatanui</b>		
<b>PA-01</b>	To maintain and enhance customary and public access to and along the coastal marine area, waterbodies and public resources.	The structure will not inhibit public access along the coastal marine area.
<b>NH Hazards and Risks - Ngā Pūmate me ngā Mōrea</b>		
<b>NH-01</b>	To use a regionally consistent, risk-based approach to natural hazard management.	The WCRC is a regional body that is responsible for natural hazards on a region wide basis and the proposal is consistent with its overall approach to hazard management.
<b>NH-02</b>	To reduce the risk to life, property and the environment from natural hazards, thereby promoting the well-being of the community and environment	The seawall extension will help to reduce the erosion risk to properties in Revell Street without significantly impacting on the environment.
<b>NH-04</b>	To ensure the role of hazard mitigation played by natural features that minimise impacts of hazards including wetlands and dunes is recognised and protected.	The seawall extension will assist in the protection of the dunes landward of the structure.
<b>NH-05</b>	To recognise and provide for the effects of climate change, and its influence on the frequency and severity of natural hazards.	The design of the seawall extension takes into account the effects of climate change.
<b>NH-06</b>	Measures taken to mitigate natural hazards do not create or exacerbate adverse effects on other people, property, infrastructure and the environment.	The design of the seawall extension will not exacerbate adverse effects on persons , property or infrastructure.

Objective/Policy	Description	Comment
<b>NH- P3</b>	<p>When managing natural hazards:</p> <p>a.Promote the use of natural features and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risks; and</p> <p>b.Avoid increasing risk to people, property and the environment; while</p> <p>c.Recognising that in some circumstances hard engineering solutions may be the only practical means of protecting existing communities and critical infrastructure.</p>	<p>The seawall extension option is considered the most practical option in the short to medium term (up to 15 years)_to provide time for the WCRC to plan and start to implement a longer term adaptive coastal management strategy. The design life and design event are based on this expected timeframe to plan and start to implement the strategy</p>
<b>NH - P4</b>	<p>Natural hazard assessment, managed retreat locations and resource consent applications will consider the impacts of climate change. In particular the following matters will be considered:</p> <p>a.Change in sea level;</p> <p>b.Altering of coastal processes;</p> <p>c.Increased inundation of low lying areas;</p> <p>d.Changes in local temperatures;</p> <p>e. Changes in rainfall patterns; and</p> <p>f.Increase in cyclonic storms.</p>	<p>The design of the seawall extension takes into account the relevant matters of climate change.</p>
<b>NH -P5</b>	<p>When assessing areas suitable for managed retreat, the following matters will be considered:</p> <p>a.That the natural hazard risk of the area is less than the existing location, and</p> <p>The potential future need to protect the community and associated infrastructure by hazard mitigation works.</p>	<p>These matters will be able to be taken into account during the preparation of the adaptive coastal management strategy.</p>
<b>NH-P7</b>	<p>Avoid locating critical response facilities within the Coastal Tsunami Hazard overlay.</p>	<p>There will not be any critical response facilities as part of this proposal.</p>

Objective/Policy	Description	Comment
<b>NH-P12</b>	<p>When assessing the effects of activities in natural hazard overlays consider:</p> <ul style="list-style-type: none"> <li>a. The effects of natural hazards on people, property and the environment;</li> <li>b. Technological and engineering mitigation measures and other non-engineered options;</li> <li>c. The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;</li> <li>d. The clearance or retention of vegetation or other natural features to mitigate natural hazard risk;</li> <li>e. The timing, location, scale and nature of any earthworks in relation to natural hazard risk;</li> <li>f. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.;</li> <li>g. The functional or operational need to locate in these areas; and</li> <li>h. Any significant adverse effects on the environment of any proposed mitigation measures.</li> </ul>	All of these matters are considered in the seawall extension as outlined in the AEE.
<b>OSZ Open Space Zone - Te Takiwā Pōaha</b>		
<b>OSRZ-01</b>	Development and activities should complement and not conflict with the functions and values of the particular open space and the surrounding environment. Where appropriate open space accommodates a range of functions.	In this particular case the site is legal road rather than a designated open space area, but the proposal will not conflict with open space values as the structure will not affect access or use of the open space.
<b>OSRZ-02</b>	To recognise the different functions, values and purpose of open space on the West Coast through providing for three Open Space and Recreation Zones:  ...	The site is legal road, but its current use of passive recreation will not change.

Objective/Policy	Description	Comment
	The OSZ - Open Space Zone with a very wide range of values including passive and active recreation, local purposes and pastoral farming.	
<b>OSRZ-P2</b>	Open space may accommodate recreational, cultural, natural, heritage, access and amenity values and functions and ancillary activities to support these, where this fits with the purpose of the open space and its classification under any relevant Act.	The policy recognises other uses may be appropriate in the zone, and as indicated above the proposal will not undermine its passive recreation values.
<b>OSRZ-P3</b>	Buildings and structures should be designed and sited to be compatible with the function and predominant purpose of the open space and fit within the character and amenity of the surrounding area.	The seawall extension is generally a low profile structure largely comprised of natural materials, which will be covered by sand from time to time, and fit with the character and amenity of the area. A Vegetation Plan is also to be implemented.
<b>OSRZ-P6</b>	Recognise that many open spaces have sites and areas of significance to Poutini Ngāi Tahu, and ensure that these are managed in collaboration with iwi and hapū.	Poutini Ngāi Tahu have undertaken a CIA and do not oppose the application, subject to conditions.
<b>OSRZ-P11</b>	The OSZ - Open Space Zone primarily provides for passive and active recreation activities, community facilities, campgrounds and cemeteries and limited associated facilities and structures.	As indicated above the site is atypical given it is legal road, which nevertheless is used for passive recreation.
<b>OSRZ-P12</b>	<p>Enable activities and facilities within the OSZ - Open Space Zone that:</p> <p>a. Are consistent with the intended purpose, character and qualities of the OSZ - Open Space Zone; and;</p> <p>b. Contribute to the overall health and wellbeing of the community; and</p> <p>c. Minimise adverse effects on the character and amenity values of the surrounding area.</p>	The proposal will contribute to the overall health and wellbeing of the community by helping to provide short to medium term protection from coastal erosion, to allow time to plan and start to implement an adaptive coastal management strategy, without undermining the character and amenity of the area.

Objective/Policy	Description	Comment
<b>OSRZ-P13</b>	Provide for activities that are ancillary to the functions of the OSZ - Open Space Zone including: a. Retail activities; b. Residential activities, including for caretaker purposes; and c. Agricultural, horticultural or pastoral activities.	The policy recognises that activities ancillary to functions of the zone are appropriate. The proposal will not affect the passive recreation use of the site.

### 3.2 Summary

Overall, it is considered the proposal is consistent with the above objectives and policies.

## 4 Other Matters

Other matters to be had regard to under section 104 of the RMA are covered by the AEE and the first section 92 response (dated 17/08/22).

## 5 Conclusion

In respect of the TTPP rules which have immediate legal effect, the standards of *Rule Eco 2* may not be met, and as such resource consent is required under *Rule Eco 5* as a restricted discretionary activity. Having regard to the matters of discretion and the relevant objectives and policies of the TTPP it is concluded that resource consent can be granted in terms of Sections 104 and 104C of the RMA.

Yours sincerely



**Paul Whyte**

Senior Associate (Planning)

Beca

Phone +64-3-366 3521 Fax +64-3-366 3188

DDI: +64-3- 374 3180 Mobile 0274 723675

[paul.whyte@beca.com](mailto:paul.whyte@beca.com)

[www.beca.com](http://www.beca.com)

# A

## Appendix A – TTPP Maps (site outlined in red)







