



# Te Tai o Poutini PLAN

*A combined district plan for the West Coast*

**Te Tai o Poutini Plan Committee Meeting**  
**To be held in the Council Chambers, Grey District Council and via Zoom**  
**Tainui St, Greymouth**  
**26 July 2021**  
**AGENDA**

<b>10.30</b>	Welcome and Apologies	<b>Chair</b>
	Confirm previous minutes	<b>Chair</b>
	Matters arising from previous meeting	<b>Chair</b>
<b>10.35</b>	Topics for Committee members to declare an interest in. Under discussion today: Natural Heritage Earthworks Visitor Accommodation Activities on the Surface of Water Temporary Activities Residential Zoning	<b>Chair</b>
<b>10.40</b>	Financial Report	<b>Acting CFO WCRC</b>
<b>10.50</b>	Technical Update – Residential Visitor Accommodation	<b>Principal Planner</b>
<b>11.20</b>	Technical Update – Ecosystems and Indigenous Biodiversity Objectives and Policies	<b>Principal Planner</b>
<b>11.50</b>	Technical Update – Natural Character and the Coastal Environment Objectives and Policies	<b>Principal Planner</b>
<b>12.20</b>	Technical Update – Activities on the Surface of Water Rules	<b>Principal Planner</b>
<b>12.40</b>	Lunch	
<b>1.10</b>	Technical Update – Earthworks Rules	<b>Principal Planner</b>
<b>1.40</b>	Technical Update – Temporary Activities – Objectives Policies and Rules	<b>Principal Planner</b>
<b>2.00</b>	Draft Chapter Review – Residential Zones	<b>Principal Planner</b>
<b>2.20</b>	Project Manager’s Report	<b>Project Manager</b>
<b>2.25</b>	General Business	<b>Chair</b>
<b>2.30</b>	<b>Meeting Ends</b>	

### Meeting Dates for 2021

<b>August</b>	Thursday 2 September	Grey District Council
<b>September</b>	Tuesday 28	West Coast Regional Council
<b>October</b>	Friday 29	Buller District Council
<b>November</b>	Tuesday 30	Te Tauraka Waka a Maui Marae
<b>December</b>	Thursday 16	Grey District Council

## THE WEST COAST REGIONAL COUNCIL

### **MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD ON 29 JUNE 2021, AT THE WEST COAST REGIONAL COUNCIL & VIA ZOOM, COMMENCING AT 10.45 A.M.**

#### **PRESENT:**

R. Williams (Chairman), J. Cleine, T. Gibson, B. Smith, L. Martin (left meeting at 12.32), L. Coll McLaughlin, A. Becker, S. Roche, F. Tumahai via Zoom (left meeting at 12.32), A. Birchfield, P. Madgwick

#### **IN ATTENDANCE:**

J. Armstrong (Project Manager), L. Easton, E. Bretherton (WCRC), P. Morris (GDC), S. Bastion (WDC), S. Mason (BDC) via Zoom left meeting at 12.32, H. Mabin (WCRC), R. Mallinson (WCRC) left meeting at (10.54), T. Jellyman (WCRC)

#### **WELCOME**

The Chairman welcomed everyone to the meeting. He reminded those present that this is a public meeting and members of the public as well as media are welcome to attend. The Chairman welcomed any members of the public who may be viewing the meeting via Council's Facebook page.

#### **APOLOGIES:**

There were no apologies.

#### **CONFIRMATION OF MINUTES**

**Moved** (Becker / Gibson) *That the minutes of the meeting dated 25 May 2021, be confirmed as correct.*

*Carried*

#### **MATTERS ARISING**

Cr Coll McLaughlin spoke of the query she had made around how it would be possible to recognise any infrastructural works that are installed after the plan is operational, and how these might change the hazardscape. She is concerned that this could put people through a more difficult consenting regime. Cr Coll McLaughlin would like this discussed when the infrastructure rules are worked through. It was agreed that this would be brought up at the appropriate time.

#### **Declarations of Interest**

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

The Chairman drew attention to the discussion on SNA's that is on today's agenda in view of committee members being landowners. L. Easton advised that she is aware some members may have an interest in relation to SNA's, she stated that because such a large part of the West Coast is potentially an SNA those members who own land are potentially affected but no more so than a general member of the public.

#### **Financial Report**

R. Mallinson advised he is presenting this report on behalf of N. Selman. R. Mallinson advised that there is a slight adjustment in this report which overstated forecast expenditure to the end of June. R. Mallinson reported that the forecast amount for research costs of \$136515 is overstated by \$4950 and the variance is actually \$31,565. Total income for the year is \$527,386 and includes a carry forward balance from the previous financial year. Total expected expenditure for the year is \$735,476 and the deficit to be financed by borrowing is \$208,090 and not \$230,040.

R. Mallinson advised that employee costs will be further investigated and if necessary an adjustment made.

R. Mallinson answered questions regarding the targeted rate.

Cr Martin asked for an update regarding the financing of the work stream and the striking of rates. R. Mallinson advised that Council is looking at assisting the fast tracking of the work programme by borrowing, as requested to enable the accelerated work on 21/22 to proceed. The \$500,000 proposed targeted rate over the 10 years is sufficient to repay the borrowings in years 1 and 4 to fund the work.

R. Mallinson advised that the rates will be struck once the LTP is adopted. H. Mabin advised that the rate strike is scheduled for September. It was confirmed that this will not disrupt the work plan.

It was noted that short term borrowing is required.

**Moved** (Martin / Coll McLaughlin)

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

*Carried*

### **Technical Update: Ecosystems and Indigenous Biodiversity**

L. Easton spoke to this report. She advised that the exposure draft of the National Policy Statement for Indigenous Biodiversity is due in August and is expected to be gazetted in December.

L. Easton offered to answer questions. She confirmed that DoC co-funded the study on the conservation estate. She confirmed this covers stewardship land as well. Mayor Smith stated that 87% of land in Westland is controlled by DoC, significant parts include stewardship land and this will skew the value of this land. Mayor Smith estimated 25% of all private landowners' land is potential SNA's.

P. Madgwick expressed concern about undertaking this work on DoC stewardship land as the independent review is coming.

Mayor Gibson feels that the maps will frighten landowners, as they are now clearing land and are damaging land. F. Tumahai is concerned that this is another matter that is being dictated by central government.

Mayor Cleine stated that everything in the plan impacts on private property rights. He feels the approach of keeping mapping at a high level, and dealing with properties on a case by case basis is the best approach.

Mayor Gibson talked about similar concerns impacting on the rest of the country.

L. Easton went through the options and provided extensive detail on option 3 and Option 4. L. Easton explained the Hurunui approach. Extensive discussion took place on subdivision rules and it was noted that New Plymouth District Council has taken this approach. L. Easton answered questions regarding compensation. P. Madgwick feels Council would not get away with not identifying SNA's.

Cr Roche queried what the rules might be as the Committee still wants to achieve a draft plan by next year. Cr Becker expressed concern about costs in the Environment Court.

P. Madgwick stated that the mapping has been unhelpful, this will be a huge task and will come at a very high cost to ascertain which areas are truly significant.

**Moved** (Smith / Birchfield)

1. *That the Committee does not receive the report.*  
*six in favour (Martin, Gibson, Smith, Birchfield, Coll McLaughlin, Tumahai)*  
*four against (Roche, Cleine, Becker, Madgwick)*  
*Carried*

Discussion took place on the second recommendation.

**Moved** (Cleine / Roche)

2. *That the Committee provides direction around Rule options in relation to ecosystems and indigenous biodiversity in the Te Tai o Poutini Plan, which is Option 3 as the preferred approach.*  
*Against Cr Birchfield*  
*Carried*

### **Technical Update: Outstanding Landscapes and Outstanding Natural Features**

L. Easton spoke to this report. She drew attention to the mapping and advised these were prepared in 2013, she asked if the committee would like to review the maps. L. Easton advised this was canvassed in the RPS. She answered questions. S. Bastion and Cr Martin expressed concerns about future development for hydro developments. L. Easton spoke of the previous report that she brought to this committee. S. Bastion cautioned

that it is important that growth and resilience work is allowed for in the future. L. Easton provided advice on this. Cr Coll McLaughlin commented on policy 1A.

P. Madgwick suggested that there might be an opportunity to safeguard hydrology rivers into the future. L. Easton advised on renewable generation. It was agreed that it is important that TTPP does not stop hydro development going ahead. Cr Birchfield expressed concern about the amount of land that can actually be used. L. Easton asked the committee if they would like the 2013 maps peer reviewed. L. Easton feels that the methodology is sound but would like robust defensible boundaries. Discussion took place and it was agreed that this matter would be workshopped before the August meeting. It was agreed that the GIS maps would be provided to GIS teams at Councils prior to the August meeting.

**Moved** (Coll McLaughlin / Roche)

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

*Carried*

### **Technical Update: Noise Provisions**

L. Easton spoke to this report and advised that the levels are similar to what current district plans have in place. E. Bretherton advised that it is likely all noise contour work for the five airports will be carried out. L. Easton confirmed daylight hours are from 7am to 10.00 pm. L. Easton answered various questions relating to noise mitigation measures and stated that once noise contours are in place for all airports this will be helpful.

Noise activities and noise monitoring was discussed and it was noted that temporary activities can be accommodated.

Country halls were discussed and it was noted that some areas including Barrytown will need to be re-looked at, and a specific provision may need to be considered. It was confirmed that many districts have noise bylaws and noise control in place as well.

**Moved** (Becker / Cleine)

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

*Carried*

**The meeting adjourned at 12.32 and reconvened at 1.00 pm**

### **Technical Update: Light Provisions**

L. Easton spoke to this report and advised that there are now a number of dark sky reserves throughout the country but none as yet on the West Coast, but there is a dark sky provision at Punakaiki.

Cr Coll McLaughlin raised the matter of security lighting. Discussion took place and it was agreed that this would be provided for via a permitted activity rule.

L. Easton answered questions relating to the lighting of sports fields. She spoke of the importance of ensuring lighting is not pointing skywards. It was agreed that rule 2 and 3 would be combined. P. Madgwick stated that lighting should not be too restrictive around towns.

Cr Roche stated this is a fair reflection of modern standards.

L. Easton confirmed that lighting rules are already in place on mine sites.

**Moved** (Gibson / Smith)

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

*Carried*

## Te Tai o Poutini Plan Draft Chapter Review

L. Easton spoke to this report and advised this is the first of whole chapters of the Plan coming to a meeting for review. She answered questions and provided additional information, minor changes as requested were made.

**Moved** (Gibson / Birchfield)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the draft Strategic Objectives for the Te Tai o Poutini Plan.*  
*Carried*

### Project Manager's Report

J. Armstrong spoke to her report, she spoke of recent meetings she has attended and the various agencies that she has met with. Zoning workshops have been held with Grey and Buller District Councils and with Westland tomorrow.

J. Armstrong advised that a questionnaire on public access will not be done.

J. Armstrong stated that she is hoping to have a draft Plan approved at the December meeting.

It was noted that it is likely that meetings will not be held in January or February.

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

*Carried*

### GENERAL BUSINESS

Discussion took place on whether or not Councillors who are not members of the Committee should be able to join workshops. It was agreed that this would be discussed at next month's meeting.

The meeting closed at 1.29 p.m.

The Chairman thanked everyone for their attendance.

### NEXT MEETING

The next meeting will be held on Monday 26 July, and maybe held via Zoom as staff are not coming down for this meeting.

.....  
Chairman

.....  
Date

## Meeting Dates for 2021

	<b>Type of meeting</b>	<b>Day, Date and Time</b>	<b>Venue</b>
<b>July</b>	In Person or via Zoom	Monday 26	Grey District Council
<b>September</b>	In Person	Thursday 2	Grey District Council
<b>September</b>	In Person	Tuesday 28	West Coast Regional Council
<b>October</b>	In Person	Friday 29	Buller District Council
<b>November</b>	In Person	Tuesday 30	Te Tauraka Waka a Maui Marae
<b>December</b>	In Person	Thursday 16	Grey District Council



# Te Tai o Poutini PLAN

*A combined district plan for the West Coast*

Prepared for: Te Tai o Poutini Plan Committee  
Prepared by: Jo Armstrong  
Date: 26 July 2021  
Subject: May and June 2021 Financial Report

---

## **SUMMARY**

This report includes the statement of financial performance to 31 May 2021 and a provisional statement of financial performance to 30 June 2021.

Costs generally tracked as expected across the financial year, with an estimated provisional over-spend of around \$21,340 at year end.

The increase in research costs was an unbudgeted piece of work and is largely offset by the DOC contribution income. The principal cause of the variation was the increase in Employee costs. There are two reasons for this:

- 1) Superannuation costs were inadvertently unbudgeted.
- 2) Employees outstanding leave balances have grown over the year. The cost of unused leave has been accrued increasing the annual charge. Leave use was impacted by the COVID-19 travel restrictions, however we will seek to use leave and reduce those balances in 2021/22.

Staff will seek to reduce the future impact of the unbudgeted Superannuation by reducing the research expenditure.

## **RECOMMENDATION**

1. That the Committee receive the report
2. That the Committee acknowledges the unbudgeted Superannuation cost and that staff will seek to offset the impact by reducing the research expenditure

Jo Armstrong  
**Project Manager**

## Discussion

1. The financial statement below shows that in May a number of items recorded a variance resulting in a deficit of \$22,123
2. This was mainly due to the unbudgeted Employee costs.
3. A provisional June statement is also provided as an indication of possible year end balances.

<b>Statement of financial performance to May 2021</b>						
	<b>Year to date</b>			<b>Full year</b>		
	<b>Actual</b>	<b>Budget</b>	<b>Variance</b>	<b>Forecast</b>	<b>Budget</b>	<b>Variance</b>
<b>INCOME</b>						
Carry forward Credit Balance 19/20	84,409	91,667	(7,257)	92,083	100,000	(7,917)
DOC contribution	30,000	0	30,000	30,000	0	30,000
Targeted Rate	233,897	229,167	4,731	255,161	250,000	5,161
General Rate Contribution - WCRC	137,500	137,500	0	150,000	150,000	0
	<b>485,807</b>	<b>458,333</b>	<b>27,473</b>	<b>527,244</b>	<b>500,000</b>	<b>27,244</b>
<b>EXPENDITURE</b>						
Employee costs	250,285	227,333	(22,951)	270,285	248,000	(22,285)
Consultant Planner	92,361	91,667	(694)	100,000	100,000	0
Governance	58,352	59,583	1,232	63,352	65,000	1,648
Research	124,861	91,667	(33,195)	131,811	100,000	(31,811)
Stakeholder Engagement	12,190	15,583	3,393	13,298	17,000	3,702
Communications Platforms	3,717	9,167	5,449	3,717	10,000	6,283
Legal Advice	4,664	1,833	(2,831)	4,664	2,000	(2,664)
Share of WCRC Overhead	137,500	137,500	0	150,000	150,000	0
	<b>683,930</b>	<b>634,333</b>	<b>(49,597)</b>	<b>737,127</b>	<b>692,000</b>	<b>(45,127)</b>
<b>Net Surplus / (Deficit)</b>	<b>(198,123)</b>	<b>(176,000)</b>	<b>(22,123)</b>	<b>(209,884)</b>	<b>(192,000)</b>	<b>(17,884)</b>
<b>Borrowing requirement</b>	<b>198,123</b>	<b>176,000</b>	<b>22,123</b>	<b>209,884</b>	<b>192,000</b>	<b>17,884</b>



## ONE DISTRICT PLAN

Draft Statement of financial performance to June 2021						
	Year to date			Full year		
	Actual	Budget	Variance	Forecast	Budget	Variance
<b>INCOME</b>						
Carry forward Credit Balance 19/20	92,083	100,000	(7,917)	92,083	100,000	(7,917)
DOC contribution	30,000	0	30,000	30,000	0	30,000
Targeted Rate	255,156	250,000	5,156	255,156	250,000	5,156
General Rate Contribution - WCRC	150,000	150,000	0	150,000	150,000	0
	<b>527,239</b>	<b>500,000</b>	<b>27,239</b>	<b>527,239</b>	<b>500,000</b>	<b>27,239</b>
<b>EXPENDITURE</b>						
Employee costs	272,070	248,000	(24,070)	272,070	248,000	(24,070)
Consultant Planner	100,000	100,000	0	100,000	100,000	0
Governance	63,710	65,000	1,290	63,710	65,000	1,290
Research	131,931	100,000	(31,931)	131,931	100,000	(31,931)
Stakeholder Engagement	13,778	17,000	3,222	13,778	17,000	3,222
Communications Platforms	4,401	10,000	5,599	4,401	10,000	5,599
Legal Advice	4,689	2,000	(2,689)	4,689	2,000	(2,689)
Share of WCRC Overhead	150,000	150,000	0	150,000	150,000	0
	<b>740,580</b>	<b>692,167</b>	<b>(48,580)</b>	<b>740,580</b>	<b>692,000</b>	<b>(48,580)</b>
<b>Net Surplus / (Deficit)</b>	<b>(213,340)</b>	<b>(192,000)</b>	<b>(21,340)</b>	<b>(213,340)</b>	<b>(192,000)</b>	<b>(21,340)</b>
<b>Borrowing requirement</b>	<b>213,340</b>	<b>192,000</b>	<b>21,340</b>	<b>213,340</b>	<b>192,000</b>	<b>21,340</b>

4. The total variance is fairly consistent across the two months and is generally related to unbudgeted superannuation in the employee costs. Please also note the variance in the actual versus budgeted carried forward credit balance. \$100,000 was budgeted but the actual carried forward was only \$92,083. This variance accounts for approximately \$8000 of the deficit at the end of the financial year.
5. Research – The report shows a \$30,000 over-spend which was for the SNA assessment on DOC land. This is offset by the addition of an income line reflecting DOC's financial contribution for this amount.
6. Employee costs – The variance is attributed to two things, the first being that we inadvertently did not budget for \$11,500 of superannuation and the second being the increase in leave balances that resulted in an increase in the accrual of \$13,500.
7. Staff will seek to offset the unbudgeted superannuation by reducing the research expense. There are funds available in the 2021/22 GIS research budget to cover this because the contracted amount is less than the amount budgeted for this piece of work. The work also commenced in the 2020/21 financial year meaning an initial payment has already been made further reducing this cost in the 2021/22 year.



# 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: July 2021

Subject: **Short-Term Residential Visitor Accommodation Approach in the Plan**

---

## SUMMARY

This report brings back the feedback on the options around Short – Term Residential Visitor Accommodation and seeks a decision on what approach should be included in Te Tai o Poutini Plan.

Feedback was provided by 56 people – of which 49 were owners of short-term residential visitor units, 2 owners of other types of visitor accommodation and 5 members of the general public.

## RECOMMENDATIONS

1. That the information be received
2. That the Committee confirm the approach it wishes to include for short - term residential visitor accommodation in the draft Te Tai o Poutini Plan.

Lois Easton

**Principal Planner**

## INTRODUCTION

1. The Committee considered issues around short-term visitor accommodation in residential areas at its April, May, July and November 2020 meetings. It is recognised that this is one of the critical areas for direction in Te Tai o Poutini Plan (TTPP).
2. At the November meeting a comprehensive report was provided that considered:
  - The effects of visitor accommodation on residential communities
  - The requirements of the Building Act in relation to visitor accommodation
  - The cross – plan approach to visitor accommodation and how this is proposed to be addressed in all the relevant zones.
3. The November Report is attached at Appendix Two.

## FEEDBACK ON OPTIONS

4. A summary of the feedback is attached at Appendix One.
5. Two broad options were proposed for consultation following the November meeting of the Committee as follow:

**Option 1:** *Permitted Activity for Hosted/Homestay accommodation up to 5 guests per night, Restricted Discretionary Activity Resource Consent required for Unhosted short term residential visitor accommodation. Maximum use for short term rental of 180 days per year.*

**Option 2:** *Both unhosted short term residential visitor accommodation and homestays can operate without a resource consent as a Permitted Residential Activity. Building Act Compliance still required.*

6. An information sheet and feedback form were made available on the TTPP website, and media releases provided bringing attention to the issue.
7. Airbnb also circulated a link to all members on the West Coast, and as a consequence the vast majority of feedback provided was from owners of Airbnb rentals. A total of 56 feedback forms were lodged of which 49 were from Airbnb owners. 100% of the Airbnb owners supported option 2. Of these people 10 operated hosted accommodation, though from their responses it appears that they thought that option 1 would require them to get a resource consent also.
8. Of the other feedback received, 2 were from owners of other types of visitor accommodation. 5 were from general members of the public.
9. Given the very low participation in the consultation from other than directly affected owners of Airbnb rental properties, it's difficult to draw any particular conclusions on the views of the wider public. Those small number of people who have provided feedback were all concerned about the effect short-term residential visitor accommodation has had on taking residential dwellings out of the owner-occupier and longer-term rental market. One person was also concerned about the wider impacts of visitor accommodation on the surrounding residential community.
10. At the time of the TTPP Roadshow the negative effect of short-term residential visitor accommodation was the single issue that the most feedback was provided on.
11. However outside of the Buller District (where there was strong negative feedback about short-term residential visitor accommodation) this consultation was undertaken prior to the Covid lockdown. The impact on the availability of housing (particularly in smaller settlements) was the predominant theme of the feedback.

## UPDATE ON EXTENT OF ACTIVITY

12. An update on the numbers of the current Airbnb offerings on the West Coast is provided, with a comparison with the previously presented data. From this it can be seen that in all districts there has been a significant reduction in the number of rentals available since October 2020 – with a 30% reduction (240 properties) in short-term rentals available across the West Coast. Current occupancy rates on the West Coast are less than 50%.
13. Whether these 240 properties have returned to other housing markets, or just been withdrawn from Airbnb listings is not known but is likely related to the decline in tourism in parts of the West Coast. It is reasonable to assume that once international tourism returns to the country – which is likely to be the situation by the time any provisions on this matter in TTPP are

operative (estimated 2023-2024) that there will be a resultant increase in Airbnb rentals as a consequence.

<b>Airbnb/VRBO Rentals</b>	<b>Westland</b>	<b>Grey</b>	<b>Buller</b>
<b>Number active rentals July 2021</b>	277	128	220
<b>Number active rentals Oct 2020</b>	401	179	281
<b>Number of active rentals Jan 2017</b>	220	103	129
<b>Percentage Entire Home Rentals Oct 2020</b>	73%	75%	72%
<b>Percentage Entire Home Rentals July 2021</b>	71%	70%	71%
<b>Average number of guests</b>	4.8	5	5.2
<b>Average number of bedrooms</b>	2	1.9	2
<b>Main locations</b>	Hokitika and Franz Josef, however there are listings at every settlement throughout Westland	Greymouth – Paroa, Moana, Barrytown	Punakaiki, Fox River, Westport and Reefton however there are extensive listings along the entire coastline

## **RECOMMENDED APPROACH**

14. The view of the technical staff from the three District Councils has not altered as a consequence of the feedback – and the staff recommendation remains to regulate unhosted short-term visitor accommodation activity through a Restricted Discretionary Activity consent– Option One.
15. It should be noted that the current status quo is that a Discretionary Activity resource consent is required in Westland and Grey, and the rural parts of Buller District.
16. Staff do not consider that the issues and effects to be managed discussed in the November 2020 report have been addressed in any significant way in the feedback from those people who supported Option Two. The predominant rationale for a Permitted Activity regime was an economic one to the owners of the properties and a general desire for reduced compliance requirements.
17. It was also noted that several of the Airbnb owners specifically identified that they had purchased and operated their property as a business, yet considered that it was appropriate to have this as a Permitted Activity within residential areas. Other types of business activity outside of Home Occupations are not provided for as Permitted Activities in residential areas. Hotels and Motels would require a substantial resource consent.

**NEXT STEPS**

18. This report seeks a decision from the Committee with regard to the approach to Short-Term Residential Visitor Accommodation within TTPP. This will then provide the provisions to be included within the draft TTPP for consultation.

**APPENDIX ONE: SUMMARY OF FEEDBACK ON SHORT-TERM RESIDENTIAL VISITOR ACCOMMODATION OPTIONS.**

<b>District</b>	<b>Feedback From</b>	<b>Preferred Option</b>	<b>Key Reasons</b>
<b>Buller</b>	11 Air BNB Operators (3 homestay)	Option 2	<ul style="list-style-type: none"> <li>-don't use Council resources</li> <li>-provide only visitor accommodation in their community</li> <li>-keeps pricing competitive (NOTE matters of trade competition CANNOT be considered by the committee)</li> <li>-supports economic activity</li> <li>-less administration and cost</li> <li>-property right</li> <li>-short-term accommodation has no impacts</li> <li>- homestay rooms not suitable for long term rental</li> <li>-homestay enables us to support income</li> </ul>
<b>Buller</b>	1 Other Accommodation Provider	Option 1	-fairness as is a commercial activity- other commercial activities have to get consents
<b>Buller</b>	1 General public	Option 1	-takes housing out of the housing market
<b>Grey</b>	4 Air BNB Operators (2 homestay)	Option 2	<ul style="list-style-type: none"> <li>-less onerous for operator</li> <li>-provides well for domestic tourists</li> <li>-homestay allows sharing West Coast values</li> <li>-enables us to have a bach</li> </ul>
<b>Grey</b>	1 General public	Option 1	<ul style="list-style-type: none"> <li>-residential areas are for long term living and needed to support schools, workforce and local community</li> <li>-ease of changing to short-term rental takes houses out of supply</li> </ul>
<b>Westland</b>	18 Air BNB Operators (2 homestay)	Option 2	<ul style="list-style-type: none"> <li>-private property rights (several comments)</li> <li>-reduced regulatory requirements (several comments)</li> <li>-property not suitable for long term rental</li> <li>-financial stress from Covid</li> <li>-let the market decide</li> <li>-homestay helps with bills/income (several comments)</li> <li>-meets different part of the market (several comments)</li> <li>-helps support having a holiday home (several comments)</li> <li>-we are a business – 180 days too restrictive</li> </ul>

<b>Unknown</b>	14 Air operators homestay) BNB (2	Option 2	<ul style="list-style-type: none"> <li>-let the market decide</li> <li>-reduced compliance cost</li> <li>- homestay rooms not suitable for long term rental</li> <li>-don't impact on neighbours (several comments)</li> <li>-180 days too restrictive (several comments)</li> <li>-vacate our home occasionally to provide accommodation – supplement income</li> <li>-homestay enables sharing values</li> <li>-supports tourism and jobs</li> <li>-don't like either but is less restrictive</li> <li>-cost and time for consents</li> <li>-supplement income</li> <li>-there is too much regulation</li> <li>-property rights</li> </ul>
<b>Unknown</b>	1 Other Accommodation Provider	Option 1	<ul style="list-style-type: none"> <li>-should be same rules as other commercial accommodation providers</li> <li>-</li> </ul>
<b>Unknown</b>	3 General Public	Option 1	<ul style="list-style-type: none"> <li>-should have to meet same standards as other accommodation providers</li> <li>-affects social fabric and increases rents</li> <li>-limits housing options</li> <li>-homestay is fine</li> <li>-max 5 people is good due to noise and partying</li> <li>-effect on housing market – can't recruit and retain staff as no-where to live</li> </ul>



## Appendix TWO: November Paper to the Committee on Short Term Visitor Accommodation



# 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: November 2020  
Subject: **Short-Term Residential Visitor Accommodation Approach in the Plan**

---

### SUMMARY

This report brings back the information requested by the Committee to inform discussions around the approach to Short-Term Residential Visitor Accommodation in the Plan.

The report outlines the positive and negative effects of short-term residential visitor accommodation with a Resource Management focus. It provides information about Air BnB activity on the West Coast. It also reports on feedback from the just-completed consultation process on short term residential visitor accommodation from community members.

Previous options discussed by the Committee are included in the report and it provides a potential option which has been developed by the Technical Advisory Team taking into account all of the information and feedback gathered to date.

Because the consultation process has identified Short-Term Visitor Accommodation as significant issue, it is proposed that the preferred approach of the Committee be subject to further, targeted stakeholder consultation, including with providers of short-term visitor accommodation, during the 2021 calendar year.

### RECOMMENDATIONS

3. That the information be received
4. That the proposed approach to short term residential visitor accommodation as recommended in the report, and including any amendments from the Committee, be adopted as a draft for consultation.
5. That specific consultation on the draft be undertaken during the 2021 calendar year and be reported back to the Committee.

Lois Easton

## INTRODUCTION

19. The Committee considered issues around short-term visitor accommodation in residential areas at its April, May and July 2020 meetings. It is recognised that this is one of the critical areas for direction in Te Tai o Poutini Plan (TTPP).
20. At the July meeting it sought that a comprehensive report that considered:
  - The effects of visitor accommodation on residential communities
  - The requirements of the Building Act in relation to visitor accommodation
  - The cross – plan approach to visitor accommodation and how this is proposed to be addressed in all the relevant zones.

## DEFINITIONS

21. This paper focuses on visitor accommodation developed within existing residential units – in residential areas, settlements and rural areas.
22. This paper does not deal with motels/hotels/backpackers or boarding houses as these are considered pure commercial activities and are provided for within Commercial and Mixed Use Zones.
23. There are two types of Short-Term Residential Visitor Accommodation – homestay or hosted accommodation, and unhosted accommodation.

**Homestay (or Hosted) Residential Visitor Accommodation:** Means the use of a residential unit including a residential flat by paying guests at the same time that either the residential unit or the residential flat is occupied by residents for use as a Residential Activity. Includes bed & breakfasts and farm-stays.

**Unhosted Residential Visitor Accommodation:** means the use of a whole residential unit, including a residential flat by paying guests where the length of the stay by any guest is less than 90 nights. It excludes commercial scale visitor accommodation such as hotels, motels, backpackers and boarding houses.

24. Guests staying more than 90 nights are subject to the Residential Tenancies Act and are therefore not included within the scope of short-term residential visitor accommodation.

## POSITIVE EFFECTS OF SHORT-TERM RESIDENTIAL VISITOR ACCOMMODATION

25. A review of the potential positive effects of short-term residential visitor accommodation has been undertaken. While there are undoubted benefits to the property owners in terms of increased income, there is limited evidence available of positive effects on the wider community.
26. The only studies available which identify positive effects have been undertaken by Air BnB. Two main studies have been undertaken:

Deloitte Access Economics (2018) The economic effects of Air BnB in New Zealand – available online at: <https://news.airbnb.com/wp-content/uploads/sites/4/2018/05/dae-economic-contribution-Airbnb-new-zealand.pdf>.

27. This report considers the economic contribution to Auckland, Wellington, Christchurch and Queenstown and how this supports the wider tourism industry in New Zealand.

Oxford Economics (2020) – this report is referred to in multiple press releases and articles for multiple countries, but it has been difficult to get a copy of the actual report. Press releases indicate that the report says Airbnb will be a critical positive for the recovery of the tourism industry in New Zealand.

28. While the benefits to the West Coast of short-term residential visitor accommodation have not been quantified, there will undoubtedly be positive benefits in particular in provision of accommodation during peak periods when the traditional visitor accommodation is full.
29. There are also benefits which accrue in relation to efficiency of use – where existing baches are rented for periods when the dwelling owner does not want to use it. This creates the opportunity for more people to have access to and enjoy those locations on the West Coast.

30. Because of these benefits, and the benefits to property owners, it is generally agreed that short term residential visitor accommodation is something that should be provided for within the rules for Residential areas. The key question is what regulatory regime will allow these benefits, but also manage the adverse effects.

#### **ADVERSE EFFECTS OF SHORT-TERM RESIDENTIAL VISITOR ACCOMMODATION**

31. Residential visitor accommodation can generate a range of adverse effects. These vary by scale, generally depending on the number of visitors and visitor units.
32. Key adverse effects and the impact on residential environments are summarised in the table over. It should be noted that these effects are well understood, and research is occurring in many places. Further reading on this topic can be found at the following links:

<https://localgovernmentmag.co.nz/airbnb-impact/>

<https://www.stuff.co.nz/southland-times/news/107365971/airbnb-analysing-the-impact-of-disruptive-innovation>

<https://www.rnz.co.nz/news/business/387548/airbnb-likely-cause-of-high-rents-in-queenstown-researcher>

<https://ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Plans/district-plan/Proposed-changes/2020/PC4/PC4-Notification-s32-Report.pdf>

<https://www.epi.org/publication/the-economic-costs-and-benefits-of-airbnb-no-reason-for-local-policymakers-to-let-airbnb-bypass-tax-or-regulatory-obligations/>

33. Extracts from the Section 32 Reports from Queenstown Lakes and Christchurch Plan Changes and surveys of their communities outlining the issues and concerns are also included in Appendix One.

Environmental Effect	Description of Effect	Impacts on Residential Areas	Impacts on other Locations
<b>Increased tourism expenditure</b>	<p>This is a positive effect – but the degree of benefit will vary depending on where the accommodation is located.</p> <p>Additional accommodation provides for an increase in numbers of visitors – particularly during peak periods. This increases expenditure on things such as food, entertainment and activities.</p>	<p>Greatest benefit where visitor accommodation is located by key amenities where visitors can spend money. These are the same amenities that residential development utilises.</p>	<p>Where visitor accommodation is located out of towns and settlements, there may be less direct benefit.</p>
<b>Reduction in residential housing availability – unhosted accommodation /short term rental</b>	<p>Where dwellings are operated solely as visitor accommodation and are withdrawn from the available housing stock for residential purposes.</p>	<p>Can lead to housing shortages – most frequently for rental accommodation, but also for owner-occupier accommodation.</p> <p>This has been identified as a particular problem in a large number of West Coast Settlements including Haast, Hokitika, Greymouth, Moana, Reefton and Punakaiki. Knock-on effects can be very significant including:</p> <ul style="list-style-type: none"> <li>• Insufficient residential dwellings so that workers do not have accommodation</li> <li>• A “hollowing out” of community leading to loss of community cohesion</li> <li>• Whole streets/areas where all dwellings are unavailable for residential use</li> <li>• Increased prices for long term rental accommodation prices residents out of the market</li> <li>• Increased house prices meaning that parts of the community such as older adults and young families are unable to afford to live in the community</li> </ul>	<p>Can have similar impacts on settlements (on the West Coast this is most clearly seen at Punakaiki and Franz Josef).</p> <p>May not be as significant an issue in Rural areas.</p>

Environmental Effect	Description of Effect	Impacts on Residential Areas	Impacts on other Locations
		A number of studies have looked at the costs of home share accommodation on house prices and rents in other parts of the country. These find where there is a low rate of new house building (as is the case on the West Coast) these effects can be substantial.	
<b>Noise</b>	Noise associated with arrival/ departure and traffic movements.	Arriving visitors will take a period of time to unpack the car and there is generally a reasonable amount of noise talking and with car doors slamming. Where this is later in the evening, or earlier in the morning, it will alter the normal noise environment in the residential area.	Settlements are similar to residential areas in terms of night-time noise.  Rural areas issues could arise if there are a cluster of dwellings within a rural area (e.g. Kokatahi, Birchfield).
	Noise associated with "party houses" and holidaying behaviour.	Short term residential accommodation tends to be popular with larger groups travelling together, and there can be incidents with "party houses" developing. Because the visitors are not invested in the community, behavioural norms around residential noise are often not in place.  A high turnover of guests also makes noise rules difficult for the Council to enforce as each new set of guests is unaware of previous incidents.	
<b>Traffic generation</b>	Can significantly increase the number of traffic movements than is normal to the area and at times that are not usual for a residential area.  Private vehicles arriving at the accommodation to check in (can be late at night). Generally, 1 vehicle is required for every 3-4 people staying in the accommodation.	Where visitor accommodation is located in cul de sacs or quiet streets, this can become intrusive – particularly where there are large numbers of accommodation sites (e.g. multi-unit) as these result in larger numbers of vehicles.  Small residential streets are not designed for vehicle access by buses and large transport vehicles which can create safety issues. Because visitors will normally have luggage, they seek to	Depending on the settlement size and location, traffic generation effects may be more easily managed in settlements than town residential. Many settlements are located on main roads. However small internal roads are characteristic of settlements on the Coast – so heavy vehicle movements can still be problematic. Traffic movements within settlements is generally low and slow, so visitor accommodation can

<b>Environmental Effect</b>	<b>Description of Effect</b>	<b>Impacts on Residential Areas</b>	<b>Impacts on other Locations</b>
	<p>Private vehicles going to and from the accommodation to undertake activities while staying there. Generally, visitors will generate more vehicle movements than residential areas (particularly when compared to commuting travel) and the vehicle movements will be throughout the day and evening.</p> <p>Buses and transport vehicles dropping clients at visitor accommodation. This has become a problem in popular tourist areas.</p>	<p>be dropped as close to their accommodation as possible.</p>	<p>lead to issues with speeding vehicles and increased traffic.</p> <p>Could impact in rural areas if access is off minor/small roads but impact likely to be minor.</p>
<b>Parking</b>	<p>Depending on the number of people parking demand can be greater than a residential activity.</p>	<p>Additional parking demand can result that is not able to be accommodated on site. This can disrupt the parking situation for residential neighbourhoods, particularly where this might be already impacted by commuter demands, or day visitors.</p>	<p>Settlements generally have reasonable levels of on street parking, with section sizes meaning there is often good off-street parking also. Less of a concern in settlements than town residential areas.</p> <p>In a rural area parking is generally not an issue as there is generally sufficient land on the property to accommodate additional vehicles.</p> <p>In Medium Density Residential Zones parking could be more problematic. Evidence from other parts of New Zealand suggests these locations, with greater density of housing, are where parking effects from "overflow" cars unable to park on site are most pronounced.</p>

<b>Environmental Effect</b>	<b>Description of Effect</b>	<b>Impacts on Residential Areas</b>	<b>Impacts on other Locations</b>
<b>Loss of residential neighbourhood - unhosted accommodation /short term rental</b>	Adjacent properties have no neighbouring household living there.	<p>Effect on Community connectivity/cohesion as residential community members become physically isolated from other residential neighbours.</p> <p>Loss of sense of privacy and safety with neighbours not knowing who will be occupying the houses and more strangers present in their neighbourhood.</p> <p>Where multiple short-term rentals are located in the same residential area or street, these effects are magnified.</p> <p>These effects are lessened however in locations where there are already large numbers of holiday homes, for example Moana, Little Wanganui and Okuru.</p>	Less of a concern in rural areas, or settlements with large numbers of holiday homes.
<b>Signs</b>	Visual impact of commercial signs located in residential area.	<p>Similar effect to home occupations. Can become a problem if there are direction signs as well as business locator signs (sign creep).</p> <p>Problems also can arise where there are no signs identifying the property as arriving guests ask around for the location.</p>	Similar issues in rural areas and settlements.
<b>Rubbish</b>	Poor rubbish and litter management due to higher volumes produced than standard residential activities.	Guests are not familiar with rubbish management practices at the property. This can lead to rubbish bins not being taken out or brought in, disposal of uncollected rubbish into neighbour's bins and littering.	Similar issues in rural areas and settlements.
<b>Pressure on Public Water and</b>	Residential Visitor Accommodation tends to provide for larger numbers of people than normally occupy a residential dwelling. This places additional strain on water supply and	Depends on the state of the wider water infrastructure. Peak use of water and wastewater infrastructure is a concern in Hokitika where significant upgrades are required.	In settlements can be a significant concern. E.g. in Punakaiki the demand for reticulated water supply is being driven by peak period visitor numbers.

<b>Environmental Effect</b>	<b>Description of Effect</b>	<b>Impacts on Residential Areas</b>	<b>Impacts on other Locations</b>
<b>Wastewater Infrastructure</b>	wastewater infrastructure, which is accentuated in peak periods. Additional costs to upgrade infrastructure may be required – though the costs of these are met by ratepayers.		
<b>On site Wastewater systems</b>	Outside reticulated areas on site wastewater systems are used. Systems are designed for normal residential occupancy and increased occupancy can overload the systems.	Not an issue in urban residential areas.	Problems can arise in settlements and rural areas where on -site systems are in place. In older systems, and where the dwelling has been designed as a bach systems can be at higher risks of failure and overflow leading to pollution of waterways and odour effects.



## BUILDING ACT REQUIREMENTS

34. Under the Building Act 2004 there are key regulations which must be complied with when changing the use of a property from a residential use to a short term (or long term) rental. In the first instance the change of use requires notification to the relevant district council under sections 114 and 115 of the Building Act. The changed use cannot occur until the council has given the owner written confirmation that the requirements of the Building Act have been complied with. Generally, this means that at a minimum the building will have to comply with Building Code requirements around access and escape for fire. Depending on the scale of visitor accommodation use, it could also mean providing access and facilities for disabled people. Often a building consent will be required.
35. The different types of uses are outlined in the Building (Specified Systems, Change the Use, and Earthquake - prone Buildings) Regulations 2005. For short-term rentals, a change of use from a pure residential dwelling (SR – Sleeping Residential or SH – Sleeping Single Home) to accommodation (SA – Sleeping Accommodation) would be the most likely change of use.
36. Section 115 of the Building Act means that the building would need to be assessed as meeting the current Building Code for:
  - Means of escape from fire
  - Protection of other property
  - Sanitary facilities
  - Structural performance
  - Fire rating performance
37. If there is any construction or alteration activity undertaken as a result of, or to enable the change of use, (including that to meet the above building code requirements) then this also triggers a requirement that there is provision by way of access, parking and sanitary facilities for people with disabilities.
38. Recently, Grey District Council has embarked on a compliance checking regime of short-term rentals to ensure that they are meeting the Building Code requirements. Under the Building Act any one not meeting the requirements is liable for a \$5000 fine as well as the requirement to undertake the required remedial work.

## OTHER COUNCIL APPROACHES

39. Concerns about how to best manage short-term residential visitor accommodation and its effects is something a large number of Councils across the country are wrestling with. Different approaches are summarised below. More information on the Queenstown Lakes and Christchurch Plan Changes is contained in Appendix One.

District (Date of Plan)	Summary of Rules	Comment
Queenstown Lakes (Decision - Plan Change 2018, Under Appeal)	Permitted Activities: <ul style="list-style-type: none"> <li>• Homestays in all Zones – 5 guest limit, must meet all Permitted standards for parking etc</li> </ul> Controlled <ul style="list-style-type: none"> <li>• Unhosted visitor accommodation in a residential unit - Max length of time available for rental is 90 days/calendar year</li> </ul> Restricted Discretionary <ul style="list-style-type: none"> <li>• Homestays – more than 5 guests but meeting all Permitted standards for zone</li> <li>• Unhosted residential visitor accommodation in a residential unit –</li> </ul>	Plan Change introduced because of problems – principally impacts on urban amenity (noise, traffic generation, parking) as well as the substantial effect on the availability of housing for genuine residential uses.  The Plan Change aims to allow for people to rent their holiday home for some of the time, but to strongly discourage people purchasing houses for the sole purpose of short-term rental accommodation as this is effectively a

District (Date of Plan)	Summary of Rules	Comment
	<p>Max length of time available for rental is 180 days/calendar year</p> <p>Non-Complying</p> <ul style="list-style-type: none"> <li>• Homestays breaching Permitted Activity standards for zone (e.g. noise, parking, traffic generation)</li> <li>• Unhosted visitor accommodation in a residential unit where it is available for rental for more than 180 days/year</li> </ul>	<p>commercial business operating in a residential area.</p> <p>1551 Air BnB rentals in Queenstown and Frankton. 809 in Wanaka.</p>
Christchurch (proposed Plan Change 2020)	<p>Permitted Activity</p> <ul style="list-style-type: none"> <li>• Homestays in all Zones – up to 6 guests -no check in or check out between the hours of 10pm and 6am; no functions or events where the number of guests exceed the paying guests staying overnight</li> <li>• Unhosted residential visitor accommodation in Rural Zones -up to 10 guests for up to 180 days/year – adjacent neighbours must be notified and have manager contact info</li> <li>• Visitor accommodation accessory to farming, conservation or a rural tourism activity in Rural Zones -up to 6 guests</li> <li>• Visitor accommodation in a heritage item in a Residential Zone– up to 10 guests; permanent resident or manager on site; no check in and check out between 10pm and 6am; no functions or events where the number of guests exceed the paying guests staying overnight</li> </ul> <p>Controlled Activity</p> <ul style="list-style-type: none"> <li>• Residential (and settlement equivalent) Zone - Unhosted visitor accommodation for up to 60 days per year, maximum 6 guests, no check in or check out between 10pm and 6am; no events as per Permitted Activity std.</li> <li>• Visitor accommodation in a heritage item in a Residential/settlement Zone with no onsite manager but meeting all other Permitted Activity standards</li> </ul> <p>Discretionary Activities</p> <ul style="list-style-type: none"> <li>• Rural Zone – visitor accommodation not meeting Permitted Activity standards</li> </ul>	<p>This is a more detailed plan change – rules are much more permissive in rural zones; there is a tiered approach in residential zones and a range of more enabling concessions for heritage items to enable adaptive reuse of heritage buildings.</p> <p>Like Queenstown they have drawn the line of “Commercial” visitor accommodation at 6 months. The Plan Change aims to allow for people to rent their holiday home for some of the time, but to strongly discourage people purchasing houses for the sole purpose of short-term rental accommodation.</p> <p>2034 Air BnB rentals at Christchurch and Banks Peninsula. (1.5% of Christchurch housing stock)</p>

District (Date of Plan)	Summary of Rules	Comment
	<ul style="list-style-type: none"> <li>• Residential/Settlements Homestays where Permitted Standards not met up to 12 guests</li> <li>• Residential/Settlements - Unhosted visitor accommodation up to 12 guests/night for a maximum 180 nights per year</li> <li>• Residential/Settlements Visitor accommodation in a Heritage item up to 20 guests/night</li> </ul> <p>Non-complying activities</p> <ul style="list-style-type: none"> <li>• Residential/Settlements Unhosted visitor accommodation that exceeds 12 persons or 180 nights/year</li> <li>• Residential/Settlements Homestays and visitor accommodation in a heritage item exceeding max number of guests for Discretionary Activity</li> </ul>	
Selwyn (proposed 2020)	<p>Permitted Activity</p> <ul style="list-style-type: none"> <li>• Rural Zone – hosted, max 5 guests</li> <li>• Residential Zone -hosted or unhosted max 5 guests</li> <li>• Settlement Zone -hosted or unhosted max 5 guests</li> </ul> <p>Discretionary</p> <ul style="list-style-type: none"> <li>• Visitor accommodation not meeting Permitted Activity standards</li> </ul>	There are 221 Air BnB rentals across the whole of Selwyn District – most in the Greater Christchurch fringe.
Porirua (proposed 2020)	<p>Permitted Activities:</p> <ul style="list-style-type: none"> <li>• Residential Zone – hosted or unhosted max 5 guests</li> <li>• Rural/Settlement Zone – max 10 guests</li> </ul> <p>Restricted Discretionary</p> <ul style="list-style-type: none"> <li>• Visitor accommodation not meeting Permitted Activity standards</li> </ul>	There are 115 Air BnB rentals across Porirua City scattered throughout the beach suburbs.
New Plymouth (Decision 2020)	<p>Permitted Activities:</p> <ul style="list-style-type: none"> <li>• Boarding Houses with up to 6 residents</li> <li>• Other Visitor Accommodation - Max 10 guests/night; No more than 90 days/calendar year; Max 22 vehicle movements/day; Max 8 vehicle movements/hour; Must meet all other zone performance standards (e.g. height, setbacks)</li> </ul> <p>Restricted Discretionary Activity if standards not met.</p>	<p>There are 518 Air BnB rentals across New Plymouth District – most clustered around New Plymouth.</p> <p>New Plymouth has a number of large events (e.g. WOMAD) where short term residential rental accommodation is a key part of meeting the visitor accommodation demand.</p>

### CURRENT STATE OF RESIDENTIAL VISITOR ACCOMMODATION ON THE WEST COAST

40. The data from Air DNA – a website which provides statistics on short term visitor accommodation was accessed on 8 October 2020 and is summarised in the table below. Further information is included in Appendix Two.

	<b>Westland</b>	<b>Grey</b>	<b>Buller</b>	<b>West Coast</b>
<b>Number active rentals Oct 2020</b>	401  <b>April 2021</b>  <b>311</b>	179  <b>April 2021</b> <b>141</b>	281  <b>April 2021</b> <b>234</b>	861  <b>April 2021</b>  <b>686</b>  <b>Book a Bach 104 (not sure whether overlap)</b>
<b>Number of active rentals Jan 2017</b>	220	103	129	452
<b>Percentage Entire Home Rentals</b>	73%  <b>April 2021</b>  <b>70%</b>	75%  <b>April 2021</b>  <b>70%</b>	72%  <b>April 2021</b>  <b>70%</b>	73% (629)  <b>April 2021</b>  70% (
<b>Average number of guests</b>	4.8  <b>April 2021</b>  <b>5</b>	5  <b>April 2021</b>  <b>5.1</b>	5.2  <b>April 2021</b>  <b>5.1</b>	5  <b>April 2021</b>  <b>5.1</b>
<b>Average number of bedrooms</b>	2	1.9  <b>April 2021</b>  2	2	2
<b>Main locations</b>	Hokitika and Franz Josef, however there are listings at every settlement throughout Westland	Greymouth – Paroa, Moana, Barrytown	Punakaiki, Fox River, Westport and Reefton however there are extensive listings along the entire coastline	

41. There are a few conclusions that can be drawn from the data – bearing in mind that it does not include properties listed through other websites such as Book-a-Bach and so the actual number of short-term residential visitor properties is likely to be greater than this data.

- Three quarters of the listings are entire home rentals, so are therefore Unhosted Short Term Visitor Accommodation

- There are large groupings in some locations, particularly Franz Josef, Hokitika, Punakaiki and Westport.
  - The average number of guests staying is 5, but there are a wide range of properties available including those which can accommodate more people.
  - There has been a slight drop in listings since the high point in January 2020, but the statistics do show that occupancy is increasing again, particularly in Buller, and there has not been the previously predicted major movement out of short-term residential visitor accommodation.
42. There has not been significant house building activity on the West Coast over the last 3 years (Building Consent Data indicates that only 345 building consents for new dwellings were issued for the 2017-2019 calendar years), but 409 properties have been added to the pool of short-term rentals on the West Coast. At least some of these may have previously been owner occupied or long-term rental properties – which may therefore be having some impact on the availability of houses for permanent residents.

## **FEEDBACK FROM CONSULTATION**

43. The Te Tai o Poutini Plan roadshow visited small and large settlements across the West Coast in March and September 2020. Concerns about the impact of short-term rental visitor accommodation were very widely voiced at a number of locations by community members attending the roadshow.
44. The major concerns expressed were the impact that the short-term rental accommodation market had on housing availability for community members – both owner occupied and long term rental accommodation.
45. Particular concerns were expressed that this meant there was nowhere for workers to live, and for small communities an effect of hollowing out the community and impacting community functionality. Noise was also identified as an issue. Short term/Air BnB type rentals were identified by community members as a problem in the following locations:
- Haast
  - Franz Josef
  - Hokitika
  - Greymouth
  - Moana
  - Arahura
  - Barrytown
  - Punakaikiki
  - Reefton
46. Additionally, there were concerns of commercial competition raised around the operation of short term rental vs hotel/motel accommodation. It should be noted however that these are matters of trade competition, which is something that the Committee is not allowed to consider as part of any decision making on resource management matters.

## **OPTIONS CONSIDERED BY THE COMMITTEE SO FAR – RESIDENTIAL ZONE**

47. A number of options for managing short term rental/visitor accommodation in residential areas have been presented to the Committee to date. These are as follows:

### **Residential Zone Option 1: [Similar to Status Quo in the three districts]**

- Allow only for hosted accommodation (homestay) as a Permitted Activity
  - subject to meeting all other residential activity performance standards.
  - Limiting light vehicle movements /day to 20 for the visitor accommodation + residence and no heavy vehicle movements
  - Requiring no external storage be visible from any neighbouring residence or public place
- Discretionary activity resource consent for unhosted accommodation.
- Non-complying activity where noise, glare or parking standards not met.

### **Residential Zone Option 2:**

- Allow for hosted accommodation as a Permitted Activity subject to performance standards as per Option 1.
- Restricted Discretionary resource consent for unhosted accommodation in identified areas by arterial roads at Hokitika and Greymouth.
- Discretionary Activity resource consent for unhosted accommodation elsewhere

### **Residential Zone Option 3**

- Allow for hosted accommodation as a Permitted Activity.
- Allow for unhosted accommodation as a Permitted Activity throughout residential areas subject to meeting residential performance standards which maintain residential amenity.
- Discretionary activity consent where residential performance standards not met.

## **OTHER ZONES**

48. The Committee has not considered other zones in its discussion, however the Zones where residential visitor accommodation provisions will be required are:
- Rural Zone
  - Settlement Zone
  - Rural Living Zone
  - Large Lot Residential Zone
  - Medium Density Residential Zone
49. Based on the analysis of the issues and the information collated for this report the Technical Advisory Team suggest that the rules framework could follow the approach outlined over. After reading the Queenstown Lakes and Christchurch Plan Change Section 32 documents, they recommend that placing a maximum period of use for short term rental per annum of 180 days/year is a really good measure to help address the wider impacts on the availability and affordability of housing stock, while allowing owners of holiday homes and baches to get better utilisation of their property, as well as providing overflow accommodation for busy times of the year.
50. Staff have also identified the merit of a rule from Christchurch's Plan of including in the General Rural Zone some provisions for residential visitor accommodation ancillary to farming or conservation activities, however this will be brought to the Committee for further discussion in relation to the wider General Rural Zone rules.

## **POTENTIAL DRAFT SHORT TERM RESIDENTIAL VISITOR ACCOMMODATION FRAMEWORK**

51. The Technical Advisory Team has considered the information set out in this and previous reports and the feedback to date from the Committee. A proposed draft framework for short term residential visitor accommodation across the range of zones is outlined below. Key points of this framework to note are:
- Similar provisions across all relevant zones.
52. Due to issues of compliance and enforcement, staff believe that simple clear provisions are the most appropriate. Many people do not know exactly which zone their property is located in and having the same Permitted Activity standards across all zones, eliminates the potential for confusion and error. It will enable clear consistent messaging from the Councils regarding Plan requirements and make ensuring compliance somewhat easier.
- A 5-person threshold above which more stringent provisions apply.
53. Five persons reflects one average carload of people, and therefore is a useful threshold to minimise traffic generation and parking impacts.
- Staff recommend that unhosted short term residential visitor accommodation (whole house short term rental) remain an activity that requires a resource consent in all the Zones looked at.

54. This is principally because there is no simple way to manage cumulative effects through a Permitted Activity regime. Staff have discussed whether it would be possible to put a cap on numbers for a Permitted Activity and if that cap was exceeded then a consent would be required, however the view was this would be difficult to administer and confusing for property owners. Cumulative effects are most likely to arise where multiple houses in a street convert to short term visitor accommodation.
- A “maximum 180 days use for short-term rental” provision apply, with a requirement that records of letting activity be held and made available to the Council on request to enable enforcement.
55. Staff see this requirement as a key way to ensure that the activity remains primarily a residential use - and will help mitigate the effect of withdrawal of the house from the wider residential housing stock. It will also help avoid the effect of what are effectively fully commercial activities developing in residential areas.
56. The zones to which this framework would apply include all Residential Zones (General, Large Lot, Medium Density), and all Rural Zones (Rural, Rural Living, Settlement).
57. It should be noted that while this proposes a Restricted Discretionary Activity consent for Unhosted short term residential visitor accommodation, it is the preference of the Technical Advisory Team that this be a full Discretionary Activity. However, in light of the feedback of the Committee, staff have developed an option which provides for a Restricted Discretionary Activity.

<b>Permitted Activity</b>	Homestays up to <b>5</b> guests per night <ul style="list-style-type: none"> <li>• must meet normal performance standards for Zone</li> </ul>
<b>Restricted Discretionary</b>	Unhosted up to <b>5</b> guests per night <ul style="list-style-type: none"> <li>• must meet normal Permitted Activity performance standards for the Zone</li> <li>• max use for short term rental 180 days/year</li> <li>• Matters of discretion – parking requirements, financial contributions for wastewater, water supply and roading, hours of operation, number of days of operation, landscape measures</li> </ul>
<b>Discretionary Activity</b>	Homestays and unhosted up to <b>10</b> guests per night <ul style="list-style-type: none"> <li>• must meet normal Permitted Activity performance standards for the Zone except for traffic generation</li> <li>• max use for short term rental 180 days/year</li> <li>• must demonstrate adequate wastewater disposal systems in non-reticulated areas</li> </ul>
<b>Non-Complying Activity</b>	Homestays and unhosted where more than <b>10</b> guests per night  Unhosted short term residential visitor accommodation where this is used for the purpose for more than 180 days/year

#### **EXISTING UNCONSENTED UNHOSTED RESIDENTIAL VISITOR ACCOMMODATION**

58. The issue of existing unconsented unhosted residential visitor accommodation and whether this could be retrospectively legalised was raised at the July Committee meeting.
59. Staff do not recommend that this be undertaken for the following reasons:

- Retrospectively legalising illegal activity sends a poor message about District Plan compliance – including to those landowners who have complied in the past.
- 60. As well as not complying with the District Plan, these dwellings may also be non-compliant with the Building Code. So many may still not be “lawfully established” activities under the Building Act. This will create potential for confusion – and make achieving Building Act compliance more difficult for the Councils. It is not possible to retrospectively provide for Building Act compliance through a District Plan – the buildings must be assessed to see whether they meet the Building Code as a result of their Change of Use. If they do not meet the Building Code, they must be retrofitted to do so.

#### **NEXT STEPS**

1. Feedback from the Committee is sought on the draft staff proposal.
2. As in Queenstown and Christchurch, short term residential visitor accommodation appears to be a very significant issue for the West Coast Community. Staff consider that further specific consultation with the community to seek feedback on the preferred approach during 2021.
3. Staff recommend that this matter be highlighted in a fact sheet and questionnaire developed for inclusion on the TTPP website, be promoted for feedback from accommodation providers and provided to people at ongoing consultation events.



## **APPENDIX ONE: CHRISTCHURCH AND QUEENSTOWN LAKES PLAN CHANGES**

There is no case law in relation to the current provisions for visitor accommodation in the West Coast District Plans. However, cases have been taken in relation to Christchurch City District Plan and Queenstown Lakes District Plan. The heart of the court discussion has been to what extent short term residential visitor accommodation differs in terms of its effects from a commercial business such as a hotel or motel.

In Queenstown Lakes, analysis by Infometrics indicates that 14% of the housing stock was being used for short term visitor accommodation. The housing affordability problems in Queenstown Lakes are well known and longstanding, however the studies concluded that short term visitor accommodation is a major contributory factor to these problems. Because of the scale of short term visitor accommodation this is also having effects on infrastructure requirements and provision, and substantial effects on traffic and parking.

In Christchurch the proportion of short-term residential visitor accommodation is only 1.5% of the housing stock, but concerns and adverse effects on neighbourhoods are significant.

The ongoing issues have meant that both Queenstown Lakes and Christchurch City have undertaken Plan Changes specifically aimed at managing the effects of short-term residential visitor accommodation.

Both Queenstown Lakes and Christchurch have adopted the view, based on Environment Court cases, that where a dwelling is used for more than 6 months of a year as short-term rental accommodation, that it is in effect a Commercial activity and should not be located in a residential (or rural) zone. Both Plans make this a Non-Complying Activity.

Part of the rationale for these Plan Changes (as outlined in their Section 32 analysis) is that the amenity effects of short-term residential visitor accommodation are primarily felt in residential towns and settlements, rather than in rural areas. The provisions in rural areas are more permissive as a consequence.

Key Issues identified by these Councils as part of their Section 32 Analyses are:

### **1. Inefficient use of housing stock**

Use of holiday homes as short term rentals can improve the efficiency of use of what is an inefficient use of housing stock. The main public benefit of allowing short term residential visitor accommodation is that it might reduce the need for construction of new buildings and this could be a more sustainable approach than allowing more large scale commercial visitor accommodation. This more flexible capacity can also be used to meet surges in demand for large scale events.

### **2. Maintaining residential and rural amenity coherence and character**

Amenity values are defined in the RMA as: "*those natural and or physical qualities or characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.*"

In a residential context, this can include the ability to use one's residential property for rest and relaxation, to live in an aesthetically pleasing environment, to enjoy a reasonable level of privacy, and to feel safe in one's home. These are important contributors to the quality of life of residents.

In a rural context, character and amenity values include a landscape dominated by openness and vegetation, visual separation between buildings and, where appropriate, buildings integrated into a predominantly natural setting.

The District Plan primarily manages residential amenity effects in residential zones through a package of built form standards such as setbacks from the road and internal boundaries, height limits and standards for noise and lighting/glare.

Noise and disturbance appear to be the principal concern in Christchurch and Queenstown Lakes communities. Noise issues can also be more difficult to resolve with frequent, unhosted accommodation where the neighbours do not know who to ask to reduce noise levels. A high turnover of guests also make it more difficult for Council enforcement officers and police to take action to reduce noise levels as each new set of guests will not be aware of previous incidents.

Surveys of the communities in these districts identified particular concerns over increased noise and the potential for unsupervised "party houses". Larger groups tend to favour staying in home-share accommodation compared with traditional hotels or motels because they can share communal areas and private outdoor living and recreation facilities with the group. Survey respondents noted that some kinds of home-share accommodation can be regularly rented out for functions or events such as wedding receptions.

While owner-occupants and long-term renters can also potentially throw parties or otherwise generate noise that disturbs neighbours, survey respondents noted that people on holiday are less constrained in their behaviour. A longer term resident has an incentive to build a positive relationship with neighbours they may one day need assistance from, whereas a visitor is generally not there for long enough to need or want to develop those kinds of connections to the same degree.

This disturbance can also be smaller but cumulative. A regularly cited issue with both hosted and unhosted accommodation is the impact of regular late-night and early-morning arrivals and departures disturbing neighbours' sleep. This can also result in security alarms being set off in the middle of the night as guests try to find the access code. Several respondents noted that they had been disturbed and woken late at night by guests knocking on their door asking for directions to a neighbouring house they had booked.

Feedback also raised concern regarding parking and traffic associated with home-share accommodation. Demand for spaces from visitors can contribute to competition for on-street and off-street parking that causes frustration for residents or their guests in finding a car park. High levels of demand for on-street car parking can also affect the amenity of the street environment and sites adjoining the road corridor.

Other adverse amenity effects noted in the feedback included increased littering, rubbish bins not being taken out or brought in, and disposal of rubbish in neighbours' bins which were then not collected.

These amenity effects would be over and above what might be expected from a residential use of the property because a long-term resident of the site would have greater knowledge of the site and requirements and would have a greater motivation to maintain positive relationships with neighbours. Where there is no permanent resident in occupancy or responsible supervision by a property manager, there is a risk that these effects will be more frequent and more significant.

Beyond amenity effects, enabling a high proportion of home-share accommodation can also impact the look and feel of residential neighbourhoods (their coherence as residential areas and their character).

In rural zones, however, because dwellings are generally much further apart from each other, a number of these adverse amenity and coherence impacts (e.g. noise, loss of privacy, lack of car parking) are not experienced to the same extent as in urban residential areas. The sense of safety can be increased to some extent by knowing that neighbouring dwellings are occupied instead of empty.

Queenstown Lakes noted that residential coherence effects can be experienced differently in areas that already have a high proportion of holiday and second homes. For example in Wanaka where

there is a larger representation of holiday and second homes, and permanent residents there are more accepting of large numbers of houses that are only temporarily occupied.

### **3. Reduced Social Cohesion**

A number of studies have looked at the benefits of high levels of social capital within neighbourhoods. Strong community bonds build resilience in the face of natural disasters, socio-economic challenges or other crises, whereas neighbourhoods where residents don't know or distrust each other can be more vulnerable to crime and/or mental health issues.

In Christchurch a high percentage of Central City residents considered that home-share accommodation had had a negative impact on their sense of community. However a higher percentage of Banks Peninsula residents felt that home-share accommodation had had a positive impact on their sense of community, likely as the result of increased occupancy rates of holiday homes that might otherwise not be in use.

In Queenstown studies found the intermixing of visitor accommodation activities with residential development tends to adversely impact the integrity of community cohesion, possibly resulting in noise and parking issues and a reduced feeling of safety. In particular:

- Loss of neighbours/residential feel, feeling of not being in a stable neighbourhood and uncertainty about where the area is "headed" if there is a constant expansion of visitor accommodation developments
- Reduced sense of safety from more strangers about, not knowing neighbours, large number of empty units during off peak times leading to a sense of isolation.
- The loss of a domestic feeling to the built form. Larger building masses with a uniform appearance tend to dominate. The individuality created by owners or long term renters adding features to their houses or gardens is lost as complexes are managed by the same organisation and occupiers stay for only a few nights.

### **4. Housing Supply and Affordability**

Home-share accommodation provides an opportunity for people to supplement their incomes by letting out spare rooms or the whole unit while they are away on holiday. This can potentially make home or bach ownership more affordable for people whose ability to cover mortgage payments on their own might otherwise be marginal. However, the effect may also be to inflate rental and house prices.

Purchasing residential units to offer home-share accommodation full time can be attractive to investors. Some real estate marketing materials in Christchurch include appraisals for listing properties for home-share accommodation. There is also a growing industry of property management companies that offer or specialise in management of home-share accommodation properties while owners are away.

A number of studies have looked at the impacts of home-share accommodation on house prices and rents. That analysis acknowledges that drivers of the housing market are complex and dynamic. Notwithstanding this, there are several international studies that suggest that home-share accommodation reduces the supply of housing stock available for owner-occupiers and renters and that this puts upward pressure on house prices and rents.

#### Christchurch City

Home-share accommodation listings as a proportion of the total housing stock in Christchurch is only 1.5%. While there may be localised effects in areas where there is particularly strong demand for home-share accommodation units, such as specific neighbourhoods within the Central City, again, this demand is likely to be able to be met by new development

In the smaller settlements on Banks Peninsula, there is less opportunity for new development to meet demand, in some cases due to infrastructure constraints, and a smaller overall housing stock, this can mean that more home-share accommodation listings have a disproportionate impact. In the feedback, some employers in Akaroa noted the difficulty their employees have in finding affordable housing there.

### Queenstown Lakes

With 14% of the residential housing stock being utilised for short – term visitor accommodation, housing availability and affordability has been the key driver of the Queenstown Lakes Plan Change. The District is recognised as having some of the least affordable housing in New Zealand as well as experiencing significant population growth.

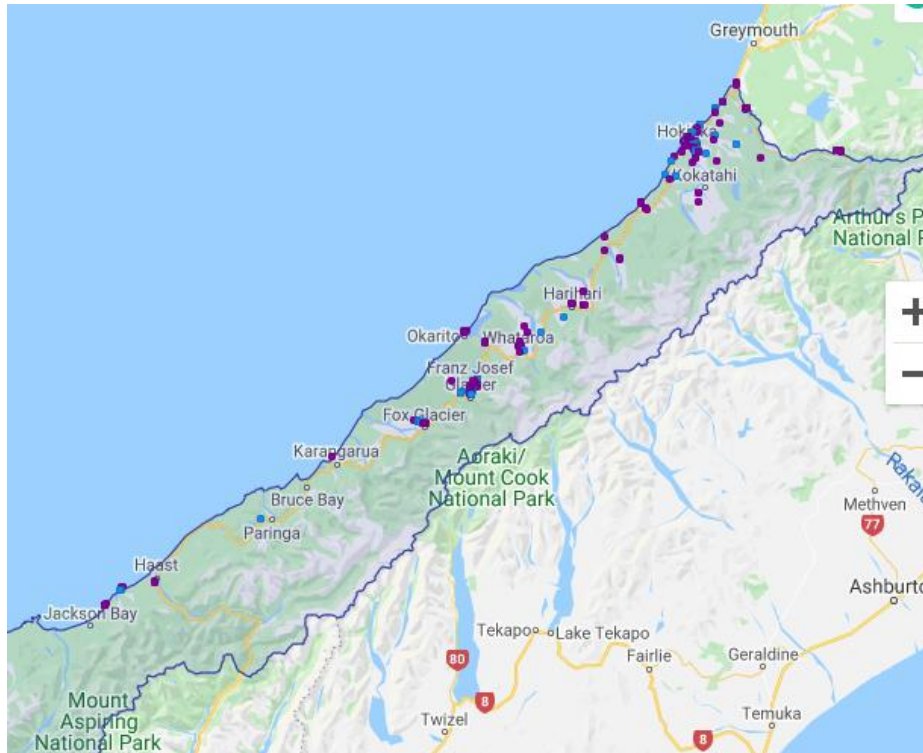
A study by Infometrics illustrates the scale and intensity of residential visitor accommodation activities within the District. They show that a significant number of listings comprise whole houses/apartments and that these properties are likely to be used exclusively for visitor accommodation purposes. It is therefore likely that a high proportion of these properties have been removed from the general pool of accommodation available for long term residents. A clear financial incentive, driven by the District's population and employment growth, and burgeoning tourism growth and the high returns available from visitor accommodation is likely to be driving this behaviour.

it is reasonable to assume that residential visitor accommodation activities, by removing properties from the general pool of accommodation, are an important contributing factor to the District's housing affordability challenge.

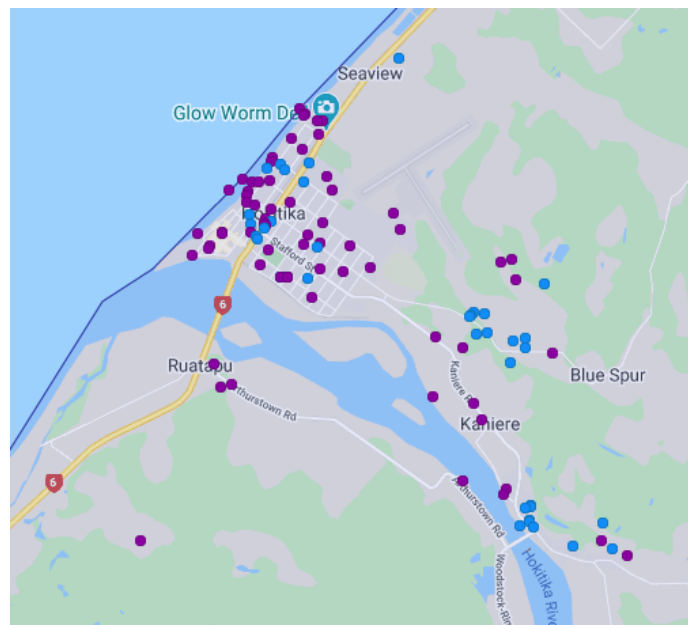
**APPENDIX TWO : INFORMATION FROM THE AIR DNA ANALYSIS WEBSITE**

<https://www.airdna.co/vacation-rental-data/app/nz/west-coast/grey-district/overview>

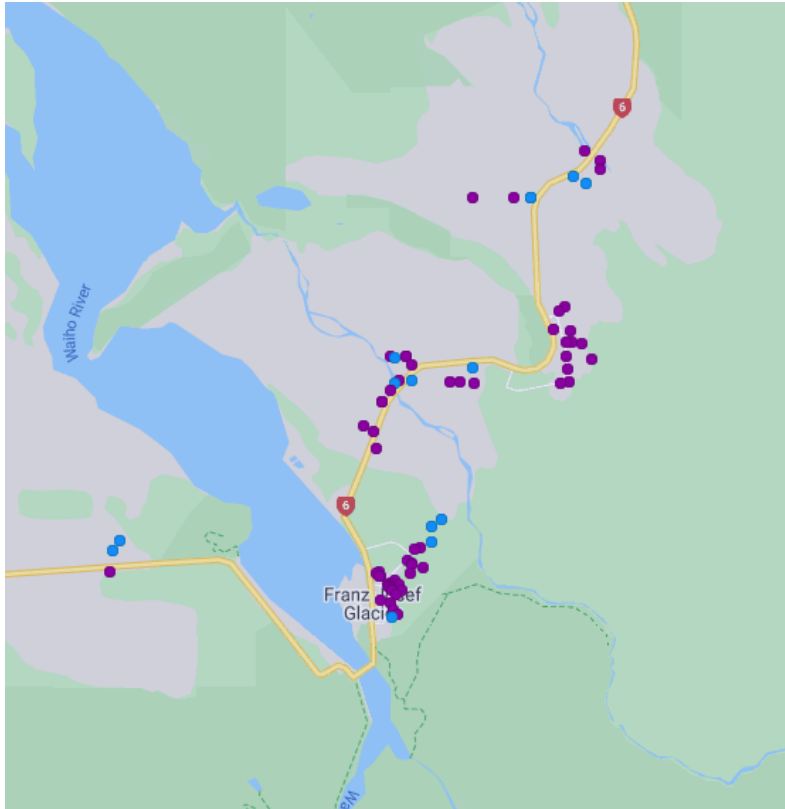
**Westland**



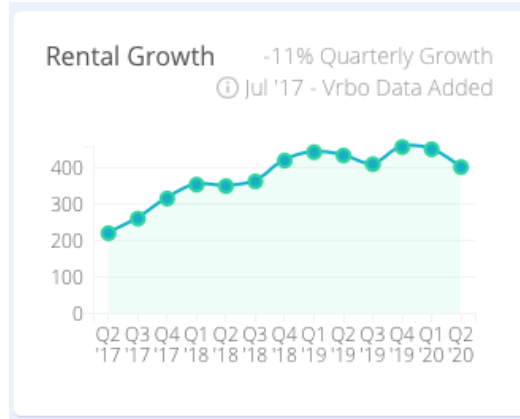
Location of short term rentals – Westland (Blue is hosted, purple is unhosted)



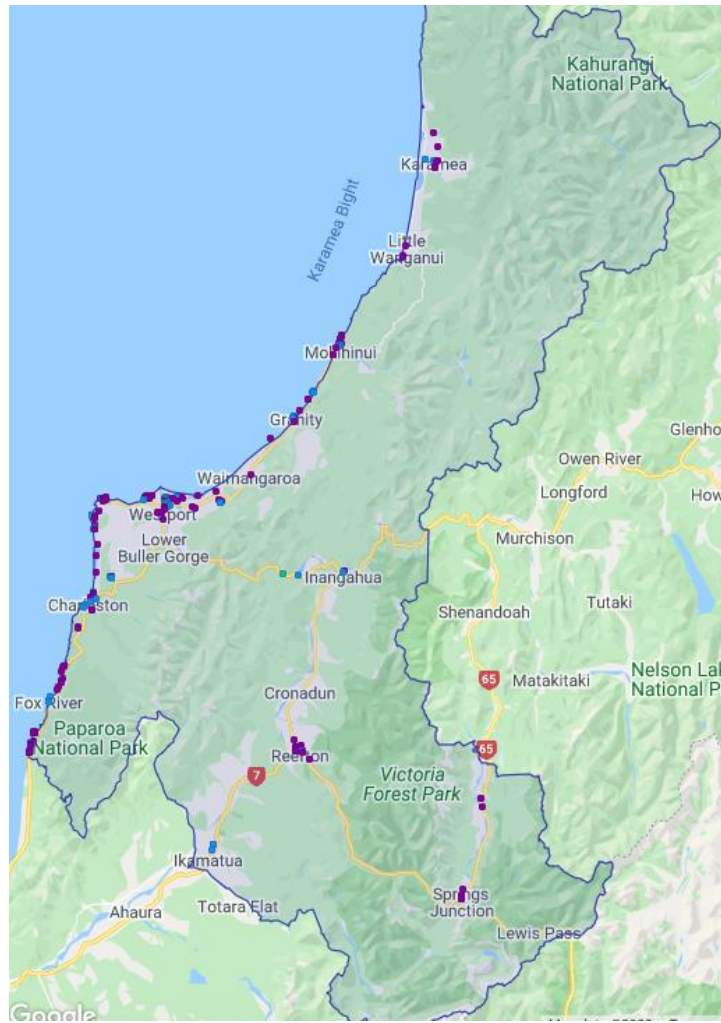
Location of short term rentals – Hokitika (Blue is hosted, purple is unhosted)



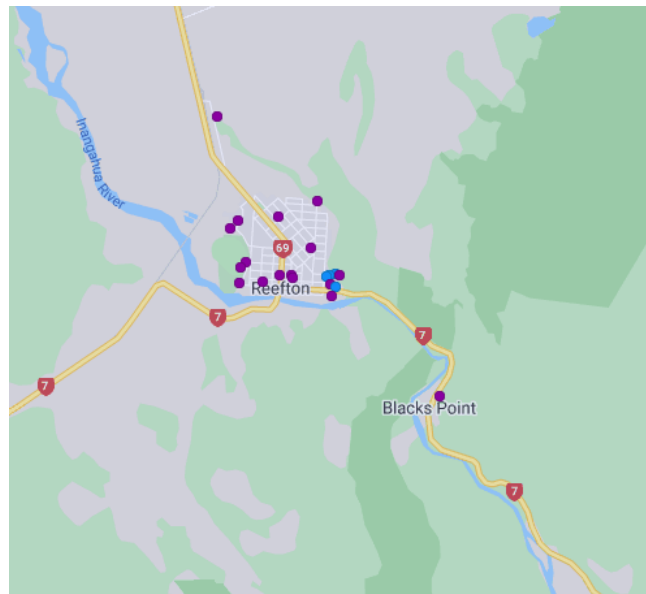
Location of short term rentals – Franz Josef (blue is hosted, purple is unhosted)



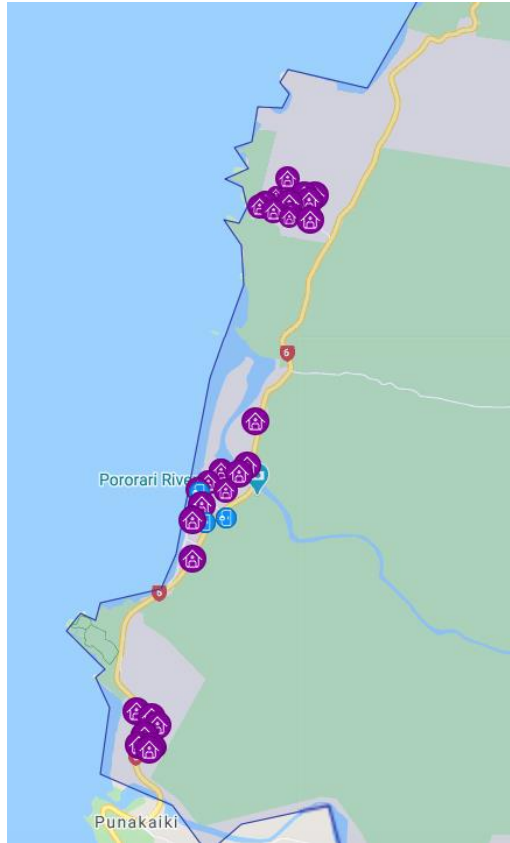
## Buller



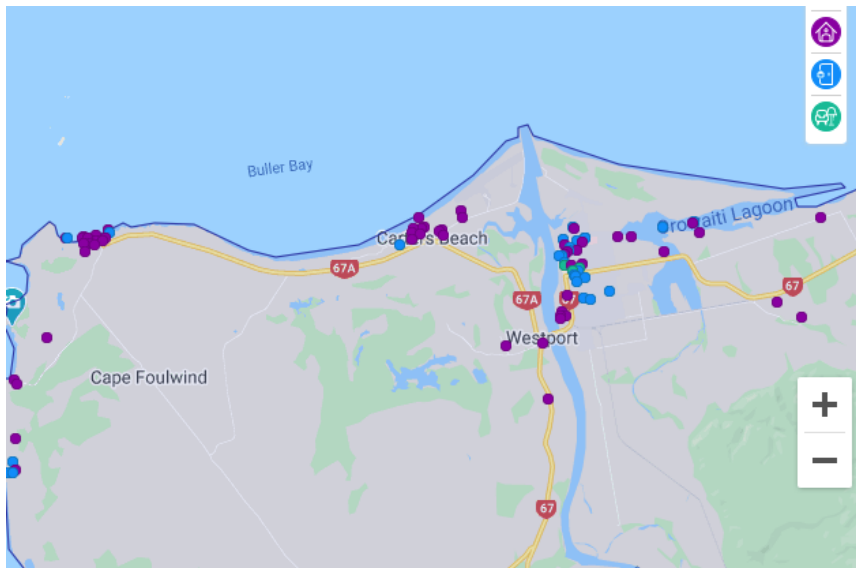
Location of short term rentals – Buller (Blue is hosted, purple is unhosted)



Location of short term rentals – Reefton (Blue is hosted, purple is unhosted)

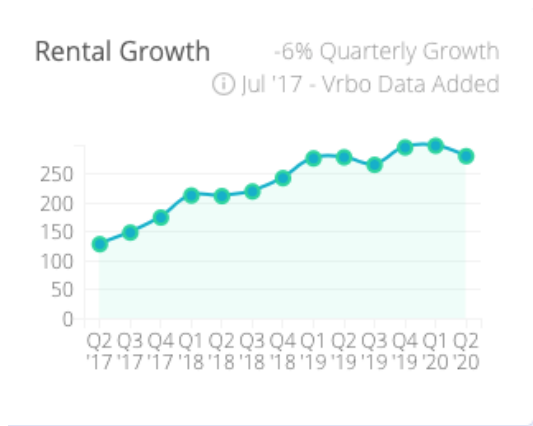
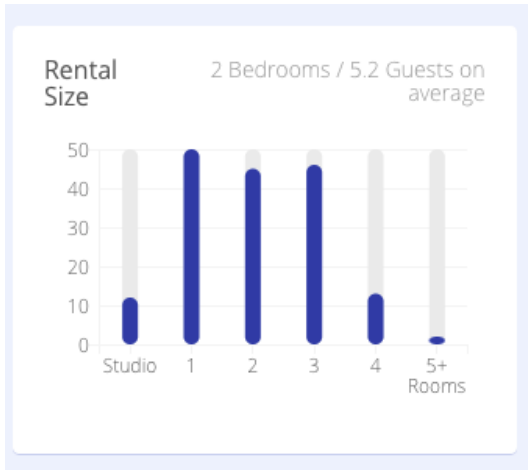


Location of short term rentals – Punakaiki (Blue is hosted, purple is unhosted)

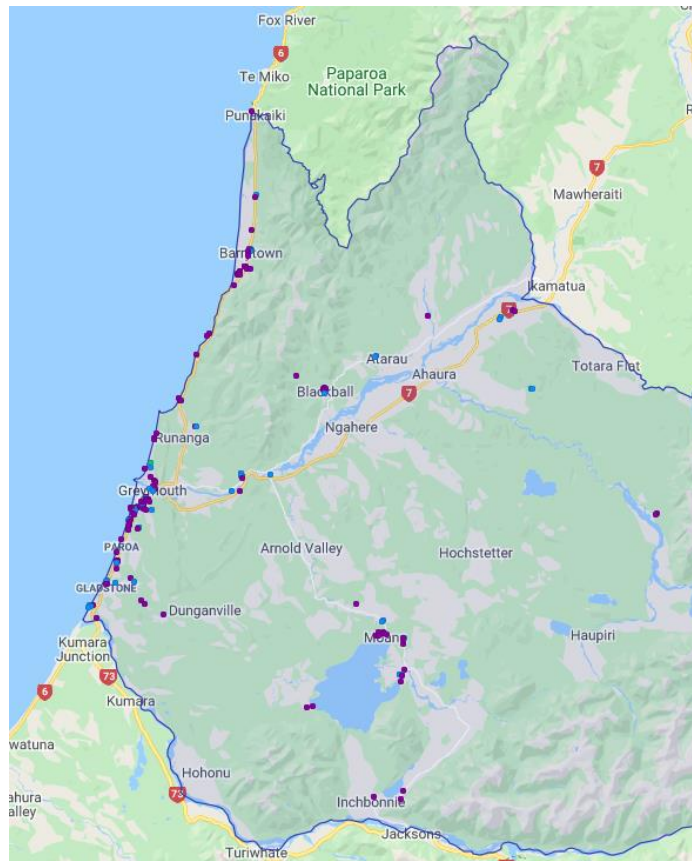


Location of short term rentals – Westport (Blue is hosted, purple is unhosted)

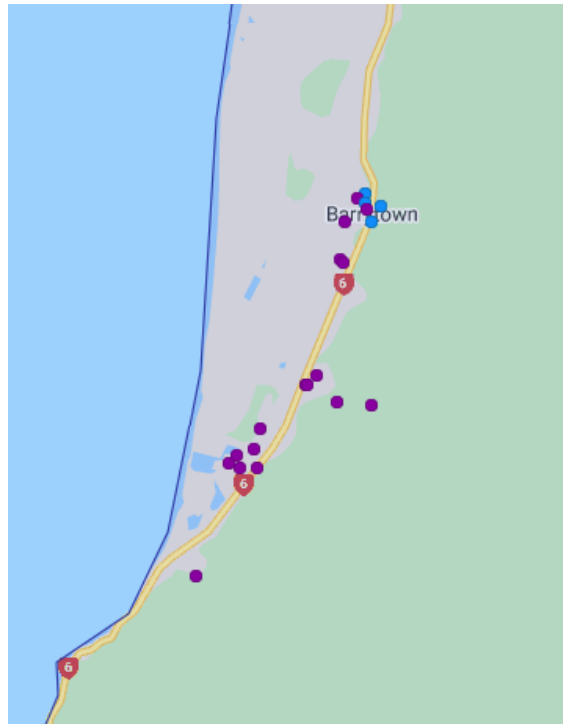




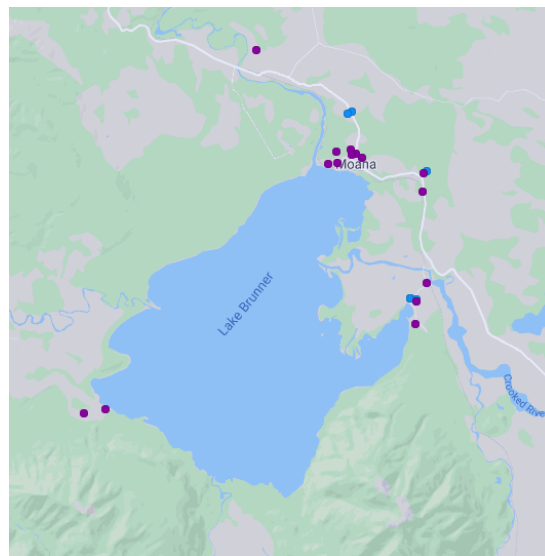
## Grey



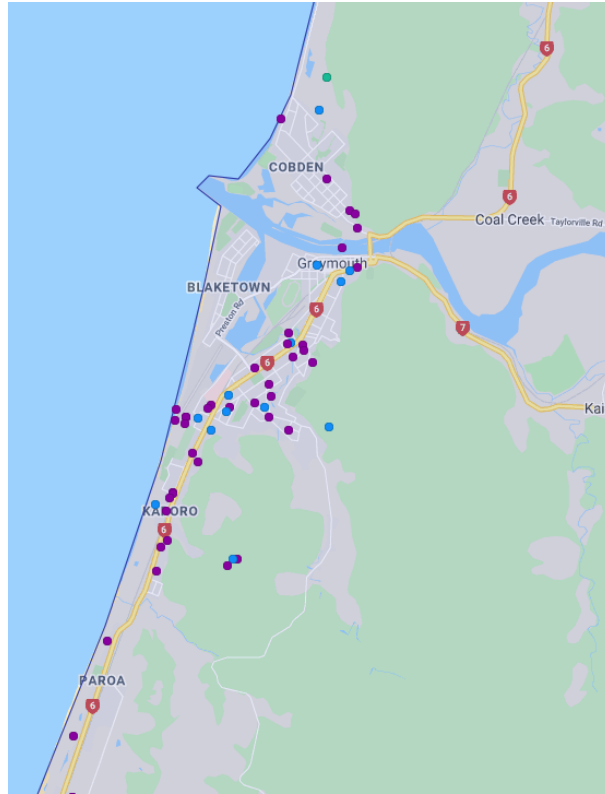
Location of short term rentals – Grey (Blue is hosted, purple is unhosted)



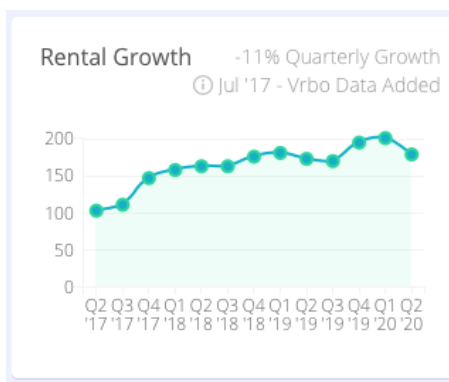
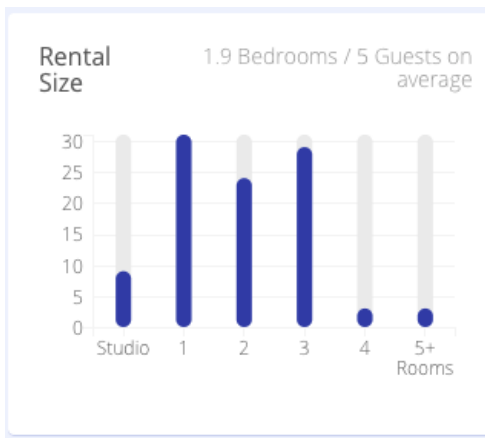
Location of short term rentals – Barrytown (Blue is hosted, purple is unhosted)



Location of short term rentals – Moana (Blue is hosted, purple is unhosted)



Location of Short Term Rentals Greymouth







# 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: July 2021  
Subject: **Technical Update – Ecosystems and Indigenous Biodiversity  
Objectives and Policies**

---

## **SUMMARY**

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

The report outlines draft Objectives and Policies for Ecosystems and Indigenous Biodiversity.

## **RECOMMENDATIONS**

1. That the Committee receive the report.
2. That the Committee provide feedback on the draft Objectives and Policies for Ecosystems and Indigenous Biodiversity.

Lois Easton  
**Principal Planner**

## **INTRODUCTION**

1. The management of natural heritage matters (ecosystems, landscape, natural features, natural character and the coastal environment) are mandatory matters that need to be addressed in Te Tai o Poutini Plan (TTPP).
2. The Committee has previously provided feedback on an overall approach to this through draft Strategic Objectives for Natural Heritage.
3. The draft Strategic Objectives are attached at Appendix One.
4. These draft Objectives recognise that protection of values does not automatically mean that no activities can occur in the areas where these values are found and provide the overarching framework to guide the development of the detailed provisions for natural heritage matters.
5. This report looks specifically at the matters around ecosystems and biodiversity natural heritage "matters of national importance" under the RMA and the overall approach to how they are managed in Te Tai o Poutini Plan.

## **BACKGROUND**

6. There are a number of key matters considered in developing the approach to these matters for Te Tai o Poutini Plan.
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:  
...(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:..."*

And

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

8. The usual approach used across New Zealand to meet these requirements, is to survey the ecological values of a district. Through this survey, assessment of native vegetation is undertaken, and significant natural areas (SNAs) are identified, with specific Objectives, Policies and Rules included in the District Plan.
9. At the June 2021 meeting of the Committee a report into the preliminary desk top assessment of "potential" SNAs was presented, and the Committee resolved not to receive the report.
10. The Committee also resolved to progress an approach of "general" vegetation clearance provisions for Te Tai o Poutini Plan. This is the current approach in the Buller and Westland Plans.

## **DRAFT OBJECTIVES FOR ECOSYSTEMS AND INDIGENOUS BIODIVERSITY**

11. A number of key matters have been considered in developing draft Objectives for Ecosystems and Indigenous Biodiversity and these are outlined in Appendix Two.
12. Potential Objectives need to both give effect to the West Coast Regional Policy Statement (RPS) Objectives and Policies and fit with the wider strategic direction for natural heritage.
13. Once the National Policy Statement for Indigenous Biodiversity (NPSIB) is made available, then a review of all draft provisions will be brought back to the Committee, with any implications and recommendations for the draft provisions outlined in the report.

14. In order to progress the development of the Plan in a timely manner, work has been undertaken on provisional draft Objectives and Policies that would support a “general vegetation clearance rules” approach.
15. Interim draft Objectives and Policies follow.

**Draft Objective 1:** To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna on the West Coast.

16. This objective recognises the protective direction and requirements of the RMA and RPS.

**Draft Objective 2:** To provide for 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.

17. This objective recognises that some use and development is possible within significant natural areas, and that in some cases this can enhance the values of the area. For example pest control.

**Draft Objective 3:** To provide for tino rangatiratanga in relation to management of areas of significant indigenous vegetation and significant habitats of indigenous fauna where these are located on Poutini Ngāi Tahu land.

18. This objective sets the framework for the proposed differential approach to managing significant indigenous vegetation and significant habitats of indigenous fauna on Poutini Ngāi Tahu land and ensuring that both Section 6 (c) and Section 6 (e) matters of national importance are provided for.

**Draft Objective 4:** To maintain the current range and diversity of ecosystems and indigenous species found on the West Coast.

19. This objective recognises the key provisions in the RPS policies seeking to avoid an increase in threat status to ecosystems and species.

**Draft Policy 1:** Areas of significant indigenous vegetation and fauna habitat will be identified when applications are made for resource consents. The criteria in the National Policy Statement for Indigenous Biodiversity will be utilised to assess significance.

20. This policy sets out that significant areas will be identified and assessed at the time of resource consents with reference to the NPSIB criteria. This is in anticipation that the NPSIB will be in force at the time that TTPP is notified.
21. The NPSIB as a national piece of legislation is a higher order document than the RPS. As SNAs have not been identified using the RPS criteria any transitional policies will not apply to TTPP. Therefore, the NPSIB will direct the identification process and criteria.

**Draft Policy 2:** Provide for subdivision, use and development within areas of significant indigenous vegetation and significant habitats of indigenous fauna where:

- a. This is a lawfully established activity; or
- b. This is undertaken on Poutini Ngāi Tahu land in accordance with an Iwi Management Plan; or
- c. The values of the significant indigenous vegetation or fauna habitat are maintained; and
- d. The activity has no more than minor adverse effects on the significant indigenous vegetation or fauna habitat.

22. This policy specifically provides for subdivision use and development in areas of significant vegetation and habitats and where this might be appropriate. One of these circumstances is where the location is Poutini Ngāi Tahu Land. The policy links to Objective 2 in relation to general land and to Objective 3 in relation to Poutini Ngāi Tahu land and the approach taken more widely in TTPP of Iwi Management Plans being the principal vehicle for management of Poutini Ngāi Tahu land.

**Draft Policy 3:** Encourage the protection, enhancement and restoration of significant indigenous biodiversity by:

- a. Allowing additional subdivision rights if an area of significant indigenous vegetation or significant habitat of indigenous fauna within the same property is legally protected as part of the subdivision;
  - b. Promoting the creation of connections and ecological corridors between areas of significant indigenous biodiversity;
  - c. Promoting the use of eco-sourced species from the relevant ecological district;
  - d. Supporting opportunities for Poutini Ngāi Tahu to exercise their customary rights responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity; and
  - e. Supporting initiatives by landowners, community groups and others to protect, restore and maintain areas of significant indigenous biodiversity.
23. This policy outlines ways in which significant indigenous biodiversity is supported. Key to this is the element in a) – the main regulatory tool available through the Plan, by allowing for additional subdivision rights if significant biodiversity is protected.

**Draft Policy 4:** Provide for eco-tourism and recreation activities that complement the protection and/or enhancement of areas of significant indigenous vegetation or significant habitats of indigenous fauna and contribute to the vitality and resilience of the District's economy and wellbeing of the community.

24. This policy recognises that eco-tourism and recreation can be entirely appropriate activities to be undertaken in an area of significant biodiversity.

**Draft Policy 5:** When assessing resource consents for subdivision, use and development in areas of significant indigenous vegetation or significant habitats of indigenous fauna, consider the following matters:

- a. 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;
- b. The impact of the activity on the values of any significant indigenous vegetation or habitat, and how any potential impact could be minimised;
- c. The extent to which the proposed activity recognises and provides for Poutini Ngāi Tahu cultural and spiritual values, rights and interests;
- d. The cumulative effects of activities within or adjacent to any areas of significant biodiversity;
- e. Whether the activity will prevent an indigenous species or community being able to persist within their natural range in the Ecological District;
- f. The impact of the activity on the threat status or proportion of indigenous cover in land environments in category one or two of the Threatened Environment Classification;
- g. Whether the activity will or is likely to 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;
- h. The effects the activity may have on the introduction or spread of exotic weed species and pest animals both terrestrial and aquatic; and



- i. The appropriateness of any biodiversity offsetting or compensation in accordance with Policy 7 to offset any residual adverse effects that remain after avoiding, remedying and mitigating measures have been applied.
25. This policy provides the main guidance for assessment of resource consents. Key provisions to note are points e, f, and g. These have been pulled across from the RPS policy and relate to the core “bottomlines” for biodiversity on the West Coast agreed at the mediation around these matters.
26. Specifically, it should be noted that:
- a. In relation to point f - currently the only location where the Threatened Environment Classification is category two or below is Karamea;
  - b. In relation to point g – a list of bird species currently in Threat Categories 1-3a is attached at Appendix Four. This includes a wide range of coastal and wetland species, and in terms of forested species birds such as kaka, kea, rowi, great spotted kiwi and blue duck, but does not include birds such as brown kiwi, robins, whitehead, little spotted kiwi or Westland petrel.

**Draft Policy 6:** Maintain indigenous habitats and ecosystems across the West Coast by:

- a. Maintaining and, where appropriate, enhancing or restoring the functioning of ecological corridors, linkages, dunes and indigenous coastal vegetation and wetlands;
  - b. Minimising adverse effects on and providing access to areas of indigenous biodiversity which is significant to Poutini Ngāi Tahu;
  - c. Restricting the modification or disturbance of coastal indigenous vegetation, dunes, estuaries and wetlands; and
  - d. Recognising the benefits of active management of indigenous biodiversity, including voluntary pest and stock control and/or formal legal protection.
27. This policy provides more general guidance where an area of vegetation may not meet the threshold of “significant”. For example, some locations in the coastal environment and in riparian areas. Depending on the final NPSIB some modification may be required.

**Draft Policy 7:** Where biodiversity offsets or compensation are proposed to manage residual adverse effects of an activity it shall ensure:

- a. The goal of the biodiversity offsets is no net loss and, preferably, a net gain of biodiversity;
  - b. The conservation outcomes are measurable and positive;
  - c. The offset or compensation is not proposed to address more than minor adverse effects on highly vulnerable and irreplaceable biodiversity components; and
  - d. The biodiversity offsets or compensation are in accordance with best practice, including but not limited to NZ Government guidance on biodiversity offsetting.
28. This policy relates specifically to offsetting and compensations which are key measures used to address environmental effects for some types of activities where effects cannot be avoided or remedied. It is particularly useful for activities which can only occur in a specific location such as mineral extraction sites or some types of infrastructure such as hydro dams.

## **NEXT STEPS**

29. Feedback from the Committee on the draft Objectives and Policies is sought. The next step is to identify potential Rules, as well as consider any implications of the exposure draft NPSIB. It is expected that draft Rules will be brought back in September or October depending on the timing of the exposure draft being released.

## Appendix One: Draft Natural Heritage Strategic Objectives

<b>Natural Heritage Strategic Objectives</b>	
<b>NH - O1</b>	To ensure that the rights interests and values of Poutini Ngai Tahu to natural heritage areas and features are protected and provided for and that the ability to exercise kaitiakitanga and tino rangatiratanga is maintained and enhanced.
<b>NH - O2</b>	To protect areas of significant natural heritage on the West Coast while recognising: <ul style="list-style-type: none"><li>• the substantial contribution that is made by the existence of conservation land in protecting significant areas, habitats and features</li><li>• the need to support the ethic of stewardship and enable positive effects of the conservation estate on achieving the requirements of the RMA</li></ul>
<b>NH - O3</b>	To clearly identify: <ul style="list-style-type: none"><li>• unique and important natural heritage areas and features on the West Coast; and</li><li>• areas where subdivision, use and development to enable community economic, cultural and social wellbeing can be sustainably managed.</li></ul>

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

## **Appendix Two: Analysis of Key Policy and Drivers for Management of Ecosystems and Indigenous Biodiversity**

### **BACKGROUND**

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

### **National Direction**

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

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

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

And

*"have particular regard to—*

*...(a) kaitiakitanga:*

*...(aa) the ethic of stewardship:..*

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

3. There is substantial case law which has been established around implementation of these provisions under the RMA, with the "King Salmon" decision in relation to Section 6 matters being particularly useful. Probably the key matters to note for consideration around developing policy for this area is:
  - "Give effect to" means "implement"
  - "avoid" means "not allowing"

### **National Policy Statement for Indigenous Biodiversity**

4. A draft National Policy Statement for Indigenous Biodiversity (NPSIB) was developed for consultation in 2020. An "exposure draft" of the final NPSIB is expected in August and it is expected to take effect in December 2021.
5. It is unknown what will be in the final NPSIB. The TTPP project manager and principal planner met with central government staff working on the NPSIB to talk through the implications for TTPP and what might change. Central government staff were clear that they would not recommend any "carve out" provisions for the West Coast – or in fact address many of the issues raised in the West Coast Regional Council Submission.
6. A review of the summary of submissions produced by the Ministry for the Environment and any direction that might give has been undertaken. Some key points to note are:
  - there were 7000 submissions
  - 6575 of these were from a Forest and Bird form submission.
7. If just the unique submitters are considered (disregarding the Forest and Bird form submission)
  - 30% opposed at least in part
  - 54% supported at least in part

- All but 1 Regional Council supported the proposal
  - 5 of the 40 District Council submitters opposed the proposal
  - 16 of the 39 iwi submitters opposed the proposal.
8. In terms of themes raised by submitters:
- Generally, there was support for the criteria for identifying SNAs but concern that too much vegetation would be identified as significant;
  - There was support for the mobile fauna provisions but concern that they were not very workable and the expertise in Councils to implement them is not there;
  - Concern about the “high” and “medium” SNA proposals;
  - Support for the proposals managing indigenous biodiversity outside SNAs, but concerns with the drafting of this proposal
  - Opposition to the provision for managing effects on SNAs on Māori land, because of potential for restricted development opportunities and perceived breaches of rangatiratanga;
  - Support for the frameworks for biodiversity offsetting and biodiversity compensation;
  - Preference for implementation as soon as reasonably practicable for the identification, mapping, scheduling and notification of SNAs;
  - Support for public conservation land to be included in SNA identification, with a preference for public conservation land to be ‘deemed’ as SNA rather than site surveys done across all public conservation land.
9. In drafting potential Objectives and Policies for Te Tai o Poutini Plan, these will need to be reviewed in light of the final NPSIB provisions however the following are key matters identified in the draft NPSIB that should be taken into account.
- Policy 6 requires that SNAs be identified and managed and this is required to be undertaken within 5 years of the commencement date
  - Policy 7 focuses on indigenous biodiversity outside of SNAs and that is managed as necessary to ensure indigenous biodiversity is maintained.
  - Policy 8 recognises the locational constraints that apply to specific subdivisions, uses and developments:
  - The following adverse effects on SNAs must be avoided
    - i. loss of ecosystem representation and extent:
    - ii. disruption to sequences, mosaics or ecosystem function:
    - iii. fragmentation or loss of buffering or connectivity within the SNA and between other indigenous habitats and ecosystems:
    - iv. a reduction in population size or occupancy of threatened species using the SNA for any part of their life cycle.
  - The draft provisions recognise there are some activities (e.g. nationally significant infrastructure, mineral extraction, customary activities and use and development of Māori land) which could occur within “medium value” SNAs

## **REGIONAL DIRECTION**

10. TTPP is required to “give effect to” (i.e., implement) the West Coast Regional Policy Statement 2020 (RPS). Chapter 7 Biodiversity sets the requirements for Te Tai o Poutini Plan. The provisions in the RPS are notably protective of biodiversity and this therefore is a key requirement for TTPP. Key policy provisions to consider are as follows:

*Policy 2: Activities shall be designed and undertaken in a way that does not cause:*

- a) The prevention of an indigenous species’ or a community’s ability to persist in their habitats within their natural range in the Ecological District, or*
- b) A change of the Threatened Environment Classification to category two or below at the Ecological District Level; or*

c) Further measurable reduction in the proportion of indigenous cover on those land environments in category one or two of the Threatened Environment Classification at the Ecological District Level; or

d) A reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Classification Categories 1 – nationally critical, 2 – nationally endangered, and 3a – nationally vulnerable

Policy 6. Allow for subdivision, use or development within SNAs, including by:

- a. Allowing existing lawfully established activities to continue provided the adverse effects are the same or similar in scale, character or intensity;
- b. Allowing activities with no more than minor adverse effects provided that the values of the SNA are maintained.

Policy 7. Provide for subdivision, use or development within land areas or water bodies containing indigenous biological diversity that does not meet any of the significance criteria in Appendix 1 or 2, by:

- a. Allowing activities with no more than minor adverse effects;
- b. Avoiding, remedying or mitigating more than minor adverse effects;
- c. Where there are significant residual adverse effects, considering any proposal for indigenous biological diversity offsetting or compensation.

## CURRENT DISTRICT PLAN PROVISIONS

11. The three District Plans all contain provisions aimed at specifically protecting significant indigenous vegetation and habitats of indigenous fauna. These are outlined in the table below:

Buller	Grey	Westland
<ul style="list-style-type: none"> <li>Objective and detailed policy framework.</li> <li>Detailed and comprehensive rule framework for different vegetation types of Permitted, Controlled, Restricted Discretionary and Discretionary Activity rules for indigenous vegetation clearance</li> </ul> <p><b>Permitted Activities:</b></p> <ul style="list-style-type: none"> <li>Clearance of native vegetation 0.5ha/site/3 years</li> <li>Except manuka/kanuka/bracken 5ha/site/3 yrs</li> </ul> <p><b>Controlled Activities:</b></p> <ul style="list-style-type: none"> <li>Clearance of native vegetation up to 5 ha/site/3 years</li> </ul> <p><b>Restricted Discretionary Activities</b></p> <ul style="list-style-type: none"> <li>Indigenous forestry in accordance with the Forests Act</li> <li>Indigenous veg clearance &gt;5ha/site/ 3 years</li> </ul>	<ul style="list-style-type: none"> <li>Objective and detailed policy framework</li> <li>Rule framework in rural zone focussed on the expectation of the SNA identification process being undertaken and this has now occurred.</li> <li>Discretionary Activity to clear indigenous vegetation within an SNA and riparian area.</li> <li>Impacts of activities on SNAs considered part of many resource consent assessments</li> </ul> <p><b>Permitted Activities:</b></p> <ul style="list-style-type: none"> <li>Clearance of native vegetation outside of SNAs</li> </ul> <p><b>Discretionary Activities:</b></p> <ul style="list-style-type: none"> <li>Native vegetation clearance in an SNA</li> </ul>	<ul style="list-style-type: none"> <li>3 Objectives and detailed policy framework.</li> <li>Rule framework in rural zone</li> <li>Discretionary Activity rules for indigenous vegetation clearance</li> </ul> <p><b>Permitted Activities</b></p> <ul style="list-style-type: none"> <li>Clearance of native vegetation 2000m<sup>2</sup>/5 years where contiguous with DOC land or a block greater than 5ha</li> <li>Clearance of any native vegetation block less than 5ha in size</li> </ul> <p><b>Discretionary Activities:</b></p> <ul style="list-style-type: none"> <li>All other native vegetation clearance</li> </ul>

<b>Discretionary Activity</b> <ul style="list-style-type: none"> <li>• indigenous forestry logging for milling other than under the Forests Act</li> </ul>		
--	--	--

**OTHER COUNCIL APPROACHES**

12. A review of how other Councils have managed these issues has been undertaken – with an emphasis on recent plans.
13. Some key things which this review identifies are that:
  - SNAs are included in nearly all 2<sup>nd</sup> and 3<sup>rd</sup> generation plans. However, the Hurunui District Council (plan operative 2018) and the Opotiki District Plan (operative 2020) are notable exceptions.
  - General native vegetation clearance rules are in all plans.
  - More recent plans have more restrictive rules for general vegetation clearance and SNAs (Discretionary and Non-Complying are more common) – this is particularly the case where Plans have been via the Environment Court.
  - Older plans have more Permitted, Controlled and Restricted Discretionary Activities.
  - Where SNAs are not identified there are generally reasonably restrictive (Discretionary or Non-Complying) general vegetation clearance rules.
  - New Plymouth, Auckland and Far North all have a “Development Bonus” regime where legal and other types of protection of significant areas is undertaken. This means landowners have fewer restrictions on development elsewhere on their properties.

**Appendix Four: Nationally Critical, Nationally Endangered and Nationally Vulnerable Threatened Birds**

<b>Species</b>	<b>Typical Habitat</b>
<b>Nationally Critical</b>	
Grey Duck	Lakes, wetlands
White heron	Wetlands, estuaries, lagoons, riparian areas
Australasian bittern	Wetlands
Southern NZ dotterel	Sand dunes, coast
Orange fronted parakeet	Forest
Antipodean albatross	Open sea, islands and stacks
Gibson's albatross	Open sea, islands and stacks
White tern	Coast
Chatham Islands Oystercatcher	Coast
White tern	Coast
Black Stilt	Braided rivers
Black billed gull	Coast, braided rivers
Chatham island shag	Riparian areas of rivers, coast
Kermadec white faced storm petrel	Coast
Black robin	Sanctuaries only
Chatham Island taiko	Coast
NZ fairy tern	Coast
Pitt Island Shag	Coast
Kakapo	Sanctuaries only
Salvin's mollymawk	Open sea, islands and stacks
NZ shore plover	Coast
<b>Nationally Endangered</b>	
Southern Fiordland tokoeka	Coast
Rakiura tokoeka	Coast
Black fronted tern	Coast
Antipodes island snipe	Coast
Forbes parakeet	Forest
Reef heron	Coast, estuaries, lagoons, riparian areas
White-bellied storm petrel	Coast
King shag	Coast, estuaries, lagoons, riparian areas
Yellow-eyed penguin	Coast
Kea	Alpine areas
Chatham Island tomtit	Chatham Islands
Chatham Island tui	Chatham Islands
Masked (blue-faced) booby	
<b>Nationally Vulnerable</b>	
Wrybill	Coast, estuaries, lagoons
Auckland Island teal	Auckland Islands
Campbell island teal	Campbell Islands
Antipodes Island pipit	Antipodes Islands
Great spotted kiwi	Scrub to sub alpine areas – mainly Buller
Rowi	Forest Southwestland
Stewart Island fernbird	Stewart Island
Lesser knot	Coast
Banded dotterel	Coast, dunes, braided riverbeds
Campbell Island snipe	Campbell Island
Chatham Island snipe	Chatham Islands
Eastern rockhopper penguin	Coast
Fiordland Crested penguin	Coast – south westland

New Zealand storm petrel	Sanctuaries only
Stewart Island weka	Stewart Island
Chatham Island pigeon	Chatham Island
Caspian tern	Coast
Blue duck	Fast flowing rivers and streams
Auckland Island shag	Coast
Foveaux shag	Stewart Island
South Island kaka	Forest
Stichbird	Sanctuaries only
Southern crested grebe	Wetlands
South Island takahe	Sanctuaries only
Black petrel	Coast
Chatham petrel	Coast
Flesh – footed shearwater	Coast
Southern white-fronted tern	Coast
Grey – headed mollymawk	Open sea, islands and stacks
Campbell Island mollymawk	Open sea, islands and stacks





# 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: July 2021  
Subject: **Technical Update Natural Character and the Coastal Environment Objectives and Policies**

---

## **SUMMARY**

This report gives an update on work being undertaken in relation to Natural Character and the Coastal Environment in Te Tai o Poutini Plan.

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

## **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the Objectives and Policies for Natural Character and the Coastal Environment in Te Tai o Poutini Plan.

Lois Easton

**Principal Planner**

## **INTRODUCTION**

1. At the May meeting of the Committee the overall approach to natural character and the coastal environment was discussed, within the wider context of other key natural heritage matters.
2. The management of natural heritage matters (ecosystems, landscape, natural features, natural character and the coastal environment) are mandatory matters that need to be addressed in Te Tai o Poutini Plan (TTPP).
3. The Committee has previously provided feedback on an overall approach to this through draft Strategic Objectives for Natural Heritage. These Objectives are attached at Appendix One.
4. The focus is on protecting the values, processes and features that define these matters, recognising that change and development can be accommodated and that the greatest priority for protection is those identified priority areas in the Coastal Environment.
5. Areas of Outstanding and High Coastal Natural Character were identified in the Brown 2013 Landscape study and are shown in Appendix Two.
6. It should also be acknowledged that because the areas identified as Outstanding/High Coastal Natural Character are almost always vegetated, they also usually fall within the Outstanding Natural Landscape identification. In other words, these matters all layer on top of each other largely affecting the same properties – and in particular the DOC administered lands, but also settlements such as Punakaiki and Fox River.
7. In terms of the Coastal Environment, work is still underway which may influence the final boundary. At the moment the 'landscape boundary' is being used as a proxy for this, however geomorphological considerations may pull this boundary seaward – reducing the area affected.

## **DEVELOPMENT OF OBJECTIVES AND POLICIES**

8. There are a number of key matters considered in developing the approach to these matters for TTPP. An analysis of the key policy context and drivers is included in Appendix Three.
9. In developing the draft Objectives and Policies these are grouped around
  - Natural Character (waterbodies outside of the Coastal Environment) which relate to the natural character of lakes, rivers and wetlands and their margins; and
  - Natural Character (in the Coastal Environment).
10. Because of the way that the National Planning Standards have carved up the RMA provisions, coastal natural hazards will also be included in the Coastal Environment chapter of the Plan. The following draft Objectives and Policies do not address coastal natural hazards – those provisions are being developed under the Natural Hazards topic – and relevant Objectives, Policies and Rules will be transferred across into the Coastal Environment chapter.
11. Because of the National Planning Standards requirements significant cross referencing between all the Natural Heritage chapters will be needed – however this will be made easier with the E planning tool.

### **Draft Objectives and Policies for Natural Character (waterbodies outside of the Coastal Environment)**

12. Two objectives and four policies are proposed for natural character of freshwater bodies. As discussed in Appendix Three, this is a matter currently dealt with in a relatively consistent approach across the three existing District Plans, and a similar approach to the rules in TTPP is proposed. The objectives and policies aim to support a similar rule framework to the current approach.

**Draft Objective 1:** To preserve the natural character of lakes, rivers and wetlands and their margins while providing for appropriate subdivision, use and development where adverse effects can be avoided or mitigated.

**Draft Objective 2:** To recognise and provide for the relationship of Poutini Ngāi Tahu and their traditions, values and interests associated with the natural character of lakes, rivers and wetlands and their margins.

13. Draft Objective 1 recognises the critical RMA requirement while also reinforcing that development can occur.
14. Draft Objective 2 links to the strategic direction for Poutini Ngāi Tahu specific provisions and recognises their role in TTPP. As mana whenua they have particular and specific traditions, values and interests associated with freshwater bodies.

**Draft Policy 1:** Minimise the adverse effects of activities on the natural character of the margins of lakes, rivers and wetlands by ensuring that subdivision and land use maintains the elements, patterns and processes that contribute to their natural character.

15. Policy 1 follows the overall approach for natural character which was signalled in the RPS – that it is elements, patterns and processes that make up natural character. This policy includes the expectation that subdivision and land use will occur in these areas and it is about managing the effects.

**Draft Policy 2:** Provide for indigenous vegetation removal and earthworks within riparian margins of lakes, rivers and wetlands where significant adverse effects on natural character are avoided and:

- a. It is for the purpose of natural hazard mitigation; or
- b. It is for the maintenance, repair and extension of public infrastructure; or
- c. It is for the establishment of renewable energy generation structures; or
- d. It is for Poutini Ngāi Tahu cultural purpose; or
- e. It is for the repair and maintenance of legally established structures; or
- f. The activity has a functional need to be located adjoining a waterbody.

**Draft Policy 3:** Provide for buildings and structures within riparian margins of lakes, rivers and wetlands where these:

- a. Have an operational or functional need for their location; and
  - b. They are of a form and scale that will not detract from the natural character of the riparian area.
16. Policies 2 and 3 link to the general approach to the rules, which is proposed to be continuing the approach of having general setbacks for activities in riparian margins. They set out the circumstances where Permitted Activities are expected.

**Draft Policy 4:** Provide for and encourage the restoration and enhancement of the natural character of the riparian margins of lakes, rivers and wetlands.

17. Policy 4 supports non-regulatory activity, and also where resource consents are required for activities, provides some context for mitigation.

### **Draft Objectives and Policies for Coastal Natural Character**

18. Natural character in the coastal environment is a more difficult issue than around freshwater bodies as the NZ Coastal Policy Statement (NZCPS) and the RPS are both very restrictive as they reflect the RMA requirement to protect all natural character in the coastal environment – not just that which is high or outstanding. Areas of both Outstanding Coastal Natural Character and High Coastal Natural Character have been identified in Brown 2013.
19. Areas of Outstanding Coastal Natural Character are largely unmodified, but this does include Punakaiki and part of Fox River.
20. Areas of High Coastal Natural Character includes modified areas where farming in particular occurs.
21. The approach taken in developing the objectives and policies seeks to differentiate outstanding, high and “general” coastal natural character areas to allow for difference in the rule framework and a tiered approach reflecting the degree of natural character value.

**Draft Objective 1:** To preserve the natural character of the coastal environment while enabling people and communities to provide for their social, economic and cultural wellbeing in a manner appropriate for the coastal environment.

**Draft Objective 2:** The relationship of Poutini Ngāi Tahu with their cultural values, traditions, interests and ancestral lands in the coastal environment is recognised and provided for and Poutini Ngāi Tahu are able to exercise tino rangatiratanga and kaitiakitanga

22. Draft Objective 1 recognises the critical RMA/NZCPS and RPS requirement while also reinforcing that development can occur.
23. Draft Objective 2 links to the strategic theme of Poutini Ngāi Tahu and their role in TTPP. As mana whenua they have particular and specific traditions, values and interests associated with the coastal environment. It links to the overall approach of TTPP to enable tino rangatiratanga for Poutini Ngāi Tahu.

**Draft Policy 1:** Preserve the natural character qualities and values of areas within the coastal environment that have:

- a. Outstanding coastal natural character as described in Schedule xxxx;
  - b. High coastal natural character as described in Schedule xxx; and
  - c. Other areas with natural character.
24. Policy 1 specifically differentiates between Outstanding, High and general natural character. This provides a framework for a proposed tiered rule approach.

**Draft Policy 2:** Only allow new subdivision, use and development within areas of Outstanding and High Coastal Natural Character where:

- a. The elements, patterns, processes and qualities that contribute to the outstanding or high natural character are maintained;
  - b. Significant adverse effects on natural character are avoided;
  - c. The development is of a size, scale and nature that is appropriate to the environment;
- or
- d. It is for a Poutini Ngāi Tahu cultural purpose
25. Policy 2 interprets the very restrictive requirements of the NZCPS and RPS and outlines the circumstances where new development can occur. As per the general approach to natural character it links to the elements, patterns, processes and qualities that make up natural character. It also specifically provides for Poutini Ngāi Tahu activities.

**Draft Policy 3:** Provide for primary production activities within the outstanding and high natural character areas of the coastal environment where:

- a. These are existing lawfully established activities; or
  - b. The use does not degrade the elements, patterns or processes that contribute to the outstanding or high natural character.
26. Policy 3 specifically provides for primary production (which includes mineral extraction) in the outstanding and high natural character areas of coastal environment. Primary production will be a significant land use in high natural character areas in particular. It is an important policy to support activities such as the Okuru quarry as well as other ongoing uses.

**Draft Policy 4:** Provide for buildings and structures within the coastal environment outside of areas of outstanding and high coastal natural character where these:

- a. Avoid significant adverse effects;
- b. Are of a size, scale and nature that is appropriate to the area;
- c. Are in the parts of the coastal environment that have been historically modified by built development and primary production activities.

27. Policy 4 deals with the areas other than outstanding or high natural character and directs development towards those that have already been modified. In practice this is quite a wide extent of the coastal environment – as many areas have been modified by past sand and alluvial mining as well as other primary production activities.

**Draft Policy 5:** Recognise that there are existing settlements and urban areas located within the coastal environment of the West Coast including parts of Westport, Greymouth and Hokitika and enable new subdivision, buildings and structures within and expansion of towns and settlements where:

- a. These are located in areas already modified by built development or primary production activities, or
  - b. Where located in unmodified areas, any adverse impact on natural character can be mitigated;
  - c. In areas of outstanding or high natural character:
    - i. Provide for lawfully established land uses and activities to continue;
    - ii. Allow for other uses with a functional or operational need to locate in the coastal environment;
    - iii. Allow for Poutini Ngāi Tahu cultural uses;
    - iv. Minimise encroachment into unmodified areas of the coastal environment; and
    - v. Ensure subdivision and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are minimised.
28. Policy 5 specifically addresses existing settlements and the coastal environment. Parts of the major towns and some small settlements may be within the area. This policy specifically aims to enable development in existing modified areas, to allow the expansion and growth of towns and settlements. Where these settlements abut or edge into outstanding or high natural character areas, the policy also supports additional development.

#### **NEXT STEPS**

29. Feedback from the Committee on the draft Objectives and Policies is sought. The next step is to identify potential Rules.

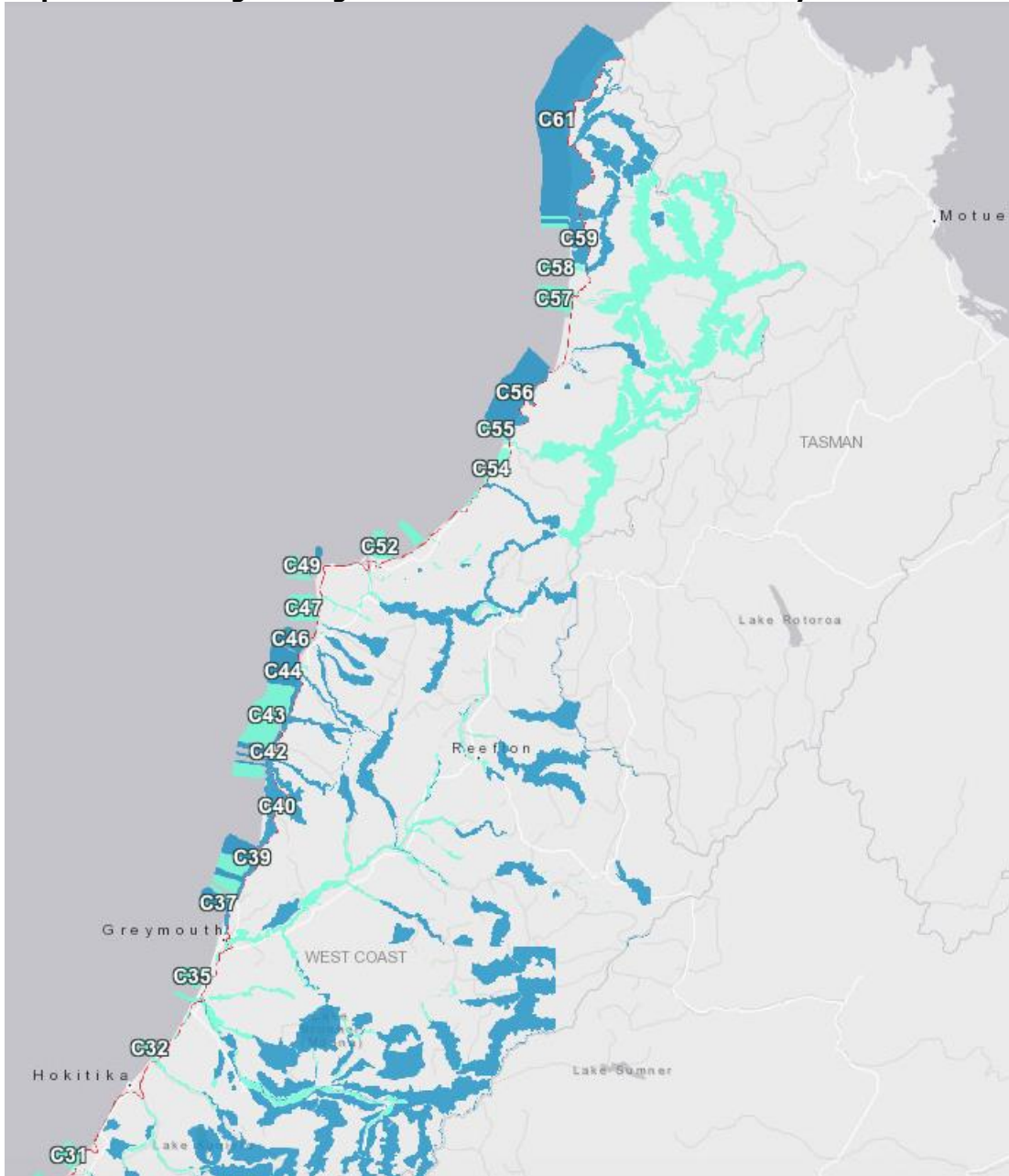
## Appendix One: Draft Natural Heritage Strategic Objectives




Natural Heritage Strategic Objectives	
<b>NH - O1</b>	To ensure that the rights interests and values of Poutini Ngai Tahu to natural heritage areas and features are protected and provided for and that the ability to exercise kaitiakitanga and tino rangatiratanga is maintained and enhanced.
<b>NH - O2</b>	To protect areas of significant natural heritage on the West Coast while recognising: <ul style="list-style-type: none"><li>• the substantial contribution that is made by the existence of conservation land in protecting significant areas, habitats and features</li><li>• the need to support the ethic of stewardship and enable positive effects of the conservation estate on achieving the requirements of the RMA</li></ul>
<b>NH - O3</b>	To clearly identify: <ul style="list-style-type: none"><li>• unique and important natural heritage areas and features on the West Coast; and</li><li>• areas where subdivision, use and development to enable community economic, cultural and social wellbeing can be sustainably managed.</li></ul>

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

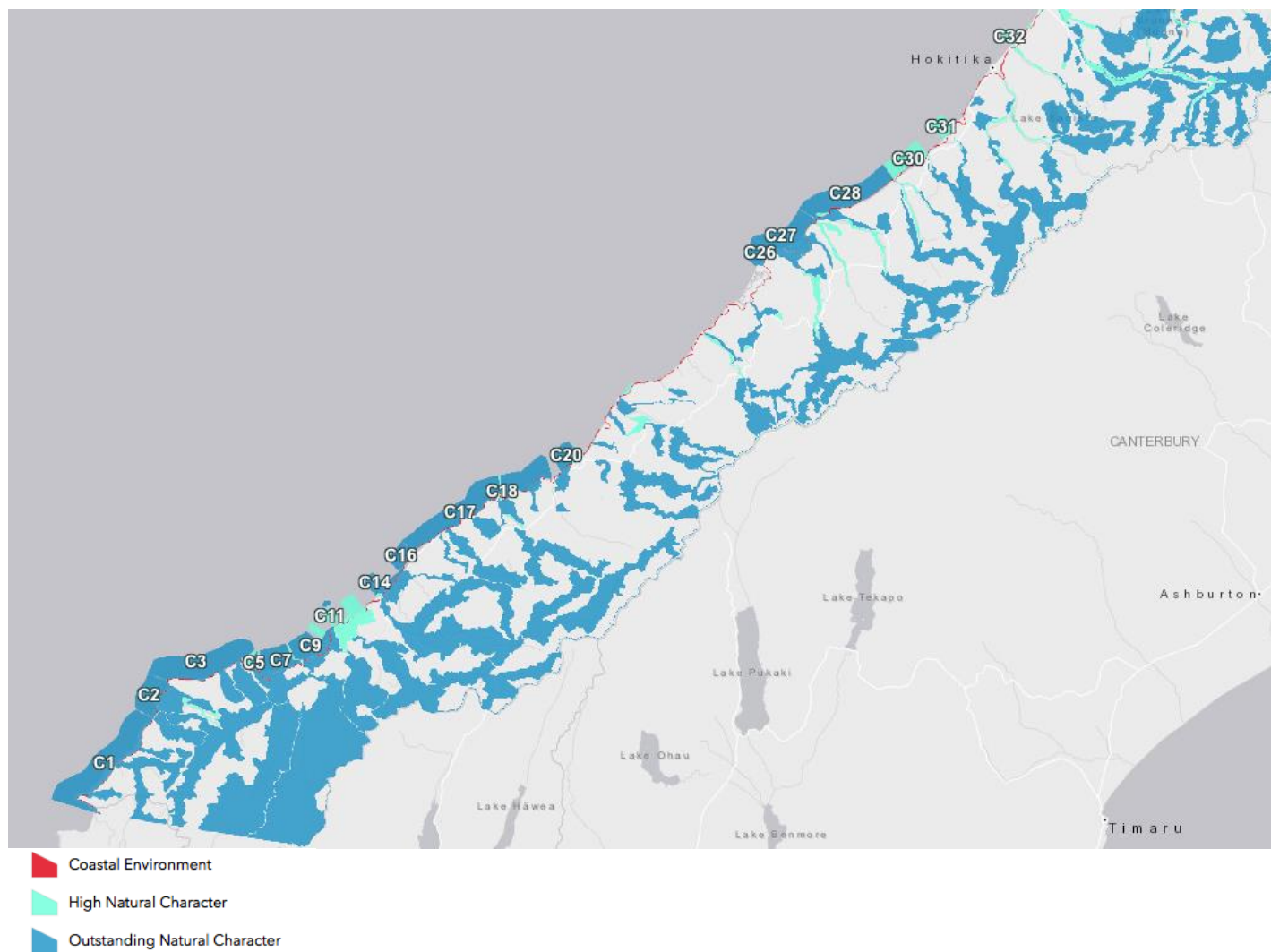
**Appendix Two: Maps of Outstanding and High Natural Character and the Coastal Environment from the Brown 2013 Study**

**Map 1: Outstanding and High Natural Character – Buller and Grey Districts**



-  Coastal Environment
-  High Natural Character
-  Outstanding Natural Character

**Map 2: Outstanding and High Natural Character – Westland District**





## **Appendix Three: Analysis of Key Policy and Drivers for Natural Character and the Coastal Environment**

### **BACKGROUND**

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

### **NATIONAL AND REGIONAL DIRECTION**

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

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

- a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*

### **New Zealand Coastal Policy Statement Direction 2010**

3. The Plan must be prepared in accordance with the New Zealand Coastal Policy Statement. There are a number of specific Objectives and Policies which are relevant to landscape, natural features and natural character.
4. It is notable that the requirements are substantial, and exceedingly restrictive. In particular Policies 13 and 15 which direct that adverse effects on outstanding natural landscapes and features and on outstanding natural character are avoided.
5. There is no proviso that this relates just to significant adverse effects and put in place a framework whereby Te Tai o Poutini Plan should consider the use of Non-complying Activities in these circumstances.
6. The NZCPS places significant emphasis on natural character of the Coast. It is important to note, that it is "natural character" per se which is the focus of this emphasis – as it is in Section 6a – not "Outstanding" Natural Character.

### **WEST COAST REGIONAL POLICY STATEMENT PROVISIONS**

1. Chapter 7A of the West Coast Regional Policy Statement (WCRPS) contains the provisions on natural character and Chapter 9 contains the provisions on the Coastal Environment. Key matters to note follow.
2. In relation to natural character:
  - The RPS identifies that regionally consistent criteria should be used to identify the elements, patterns, processes and qualities of natural character.
  - It is the elements, patterns, processes and qualities of natural character that it seeks to protect.
  - It identifies that there are different levels of importance or significance of natural character (local or regional – but not "high" or "outstanding").
  - Cumulative effects are a specific concern
  - Only activities with no more than minor adverse effects on natural character are specifically provided for.
3. In relation to the coastal environment:
  - It is indigenous biodiversity, not just significant indigenous biodiversity which is to be protected.
  - It is natural character, natural features and natural landscapes not just those that are significant or outstanding which are to be preserved or protected.
  - Appropriate subdivision use and development within the coastal environment is anticipated.

- There are three specific policies on coastal hazards –coastal hazards are required to be dealt with in the Coastal Environment chapter under the National Planning Standards, however for the purposes of policy development they are being looked at in the natural hazards work Edith is leading.
  - There is a specific requirement to identify “high” and “outstanding” coastal natural character in district plans.
  - Adverse effects on significant indigenous biological diversity, areas of outstanding natural character and outstanding natural landscapes and features must be avoided. There is no requirement that these effects must be significant.
  - Significant adverse effects on all indigenous biodiversity, natural character, natural features and natural landscapes must be avoided and all other adverse effects remedied or mitigated.
4. These RPS provisions, which TTPP must give effect to, create a very high bar for activities within the Coastal Environment, but outside of this, in relation to rivers, lakes and wetlands the focus is on protecting processes, patterns and qualities of natural character.

#### **WEST COAST PROPOSED REGIONAL COASTAL PLAN PROVISIONS**

5. The Proposed West Coast Regional Coastal Plan (WCRCP) also has a range of provisions which TTPP must have regard to. Most notably specifically identifies areas of Outstanding Coastal Natural Character, as identified through the Stephen Brown work.
6. The combination of the provisions “use a consistent framework” requirements from the RPS and use of the Brown work for the WCRCP create the direction that the Brown work on natural character should also be used for TTPP.

#### **CURRENT DISTRICT PLAN PROVISIONS**

7. Natural character and the significance of the coastal environment are both recognised reasonably well in the current district plans.
8. All three Councils have substantive policies.
9. All three Councils consider natural character in assessment criteria in resource consents.
10. In Buller the Paparoa Special Character Area has specific policy and rules to support retention of natural character.
11. In Westland there are policies that direct subdivision and development within the coastal environment to areas that are already significantly modified.
12. All three Councils have riparian setbacks for vegetation clearance and land disturbance: 10m against streams >3m, 25m of wetlands (0.25ha in Grey and Buller and >2ha in Westland), and 20m of lakes.
13. All three Councils have coastal setbacks - Buller 50m in the Paparoa Character Area and 150m in the Rural Zone, Grey 100m in most zones except residential, Westland 150m in the Rural Zone.

#### **OTHER COUNCIL APPROACHES**

14. A review of how other Councils have managed these issues has been undertaken – with an emphasis on recent plans, and localities where there are similar situations with large areas of publicly owned land and significant areas of outstanding landscapes.
15. Some key things which this review identifies are that:  
Natural Character of Freshwater Bodies
16. There’s quite a variable approach to this. Generally, all Councils require some degree of setback -the current setbacks in the West Coast District Plans are at the less restrictive end of the spectrum but not really out of step with these.
17. Under the National Planning Standards people are using the Natural Character chapter to address natural character of freshwater bodies, and the Coastal Environment Chapter for natural character of the Coast. This is the proposed approach for TTPP.  
Coastal Environment
18. All the Council plans reviewed had a high degree of restriction of activities in the Coastal Environment.

19. Most differentiate between “normal” coastal areas and those with high or outstanding natural character – in these areas restrictions are even greater. Non-complying activities for anything beyond maintenance or minor work is common.

**KEY MATTERS TO ADDRESS IN OBJECTIVES AND POLICIES**

30. The Strategic Objectives recognise that the very large area of DOC administered land is already being managed for natural heritage values. Based on the preliminary outstanding natural character assessment for the West Coast Region (Stephen Brown 2013 – to be refined) 50,000 ha of private land within the region has outstanding natural character – further areas have high natural character.
31. While a large proportion of these outstanding/high natural character areas can be found near the coast, there are also very significant areas of outstanding natural character around lakes, rivers and wetlands.
32. There is a very high degree of overlap between Outstanding/High natural character and Outstanding Natural Landscape – hardly surprising, it’s the natural character that is a major factor in making the landscape outstanding.
33. The WCRPS is incredibly restrictive about the coastal environment – its use of avoid would suggest many activities will be non-complying.
34. The WCRPS is more enabling around natural character outside of the coastal environment - appropriate development is anticipated.

**MAPPING SIGNIFICANT AREAS**

*Natural Character of Local and Regional Significance*

35. Policy 3a of the Natural Character chapter of the RPS requires us to assess whether the natural character is of local or regional significance when deciding whether an activity is appropriate. This is supposed to have been done using regionally consistent criteria. The Brown work identifies the following elements, processes and values to identify areas of outstanding and high natural character.

<b>BIOPHYSICAL VALUES:</b>	<b>GENERIC BIOPHYSICAL VALUES:</b> <ul style="list-style-type: none"> <li>▪ LANDFORMS</li> <li>▪ VEGETATION TYPE &amp; COVER</li> <li>▪ LAND USES / ACTIVITIES / STRUCTURES</li> <li>▪ SEA / FRESHWATER BODIES</li> </ul>		<b>‘SCIENTIFIC’ BIOPHYSICAL SYSTEMS &amp; PROCESSES:</b> <ul style="list-style-type: none"> <li>▪ ECOLOGY / HABITAT VALUES</li> <li>▪ GEOMORPHOLOGY</li> <li>▪ HYDROLOGY</li> </ul>
<b>PERCEPTUAL VALUES:</b>	<b>SCENIC &amp; AESTHETIC VALUES:</b> <ul style="list-style-type: none"> <li>▪ LEGIBILITY</li> <li>▪ COMPOSITION</li> <li>▪ COHERENCE</li> </ul>	<b>PERCEIVED:</b> <ul style="list-style-type: none"> <li>▪ BIOPHYSICAL / NATURALNESS</li> <li>▪ EXPRESSION OF FORMATIVE PROCESSES</li> <li>▪ INTACTNESS</li> <li>▪ SMELL &amp; SOUNDS OF THE SEA</li> </ul>	<b>PERCEPTIONS OF:</b> <ul style="list-style-type: none"> <li>▪ REMOTENESS</li> <li>▪ WILDNESS</li> <li>▪ WILDERNESS</li> <li>▪ SURF BREAKS</li> </ul>
<b>PERCEPTUAL VALUES:</b>	<b>SHARED &amp; RECOGNISED VALUES:</b> <ul style="list-style-type: none"> <li>▪ IDENTITY</li> <li>▪ SENSE OF PLACE</li> <li>▪ VALUE TO COMMUNITY</li> </ul>	<b>TANGATA WHENUA VALUES</b> <b>HERITAGE VALUES</b>	

36. It's not unreasonable to consider that if an area is identified as "outstanding" that it's probably regionally significant. However, when comparing the Brown areas of identified "Outstanding Natural Character" outside of the coastal environment and land tenure, the overwhelming majority of this area is within DOC management.

*Outstanding and High Natural Character in the Coastal Environment*

37. Policy 9.1 a) of the Coastal chapter of the RPS effectively requires TTPP to identify areas of Outstanding and High Natural Character as an Overlay. The Outstanding Natural Character areas (below Mean High Water Springs) are already Scheduled in the Proposed Regional Coastal Plan (Schedule 3E), however in order to meet the WCRPS requirements then the High Natural Character Areas need to be scheduled as well.
38. While the Outstanding Natural Landscapes predominantly fall over public conservation land most of the High Natural Character areas fall on private land.

*Coastal Environment*

39. The Coastal Environment boundary is not currently in place for the West Coast Region – the proposed Regional Coastal Plan currently only addresses activities seaward of mean high water springs. It is recognised that this doesn't meet the requirements of the NZCPS and will need to be addressed, however this is not urgent for the WCRC.
40. We are required in TTPP to explain how we intend to manage land use in the coastal environment, so the matter of it not currently being defined spatially becomes more pressing.
41. From the case law it is clear that a range of factors are considered – but landscape is undoubtedly a significant factor in many of these cases. When the matters identified in the NZCPS are considered some of the factors required for identification are held, and some are not, as follows.
- Landscape: Stephen Brown undertook a landscape and character assessment in 2013. A statement is included in the structure of the report "The inland extent of the coastal environment based on the NZCPS description is indicated by a red line" and the maps are marked.
  - Coastal Hazards: The GNS tsunami mapper could be used as a proxy for coastal hazards.
  - Ecological Values: Work undertaken to look at "potential" significant natural areas provides some information around the ecological setting. Information is known about some migratory fauna – seals, penguins and petrels.
  - Cultural and Historical Heritage: There are no scheduled items of historic heritage value on the coast. The identification of cultural items is underway.
  - Coastal Processes: This is a key missing component - an assessment of the landward extent of coastal processes. GNS are undertaking this work with Envirolink (funding through MBIE) and GNS internal funding and is expected to be available in August.
42. When reviewing how other Councils have approached the spatial extent of the coastal environment, use of the landscape boundary is the most common approach. This is probably because it is easiest to define. However, some Councils (e.g. Bay of Plenty Regional Council) have taken a composite approach. Given the wide range of factors, a composite approach is considered appropriate for TTPP.



# 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: July 2021

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

---

## **SUMMARY**

This report gives an update on the technical work being undertaken on draft Rules for Activities on the Surface of Water in Te Tai o Poutini Plan.

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

Proposed draft Objectives and Policies for Activities on the Surface of Water were discussed at the March Committee meeting and draft Rules are outlined in this report.

## **RECOMMENDATIONS**

1. That the Committee receive the report.
2. That the Committee provide feedback on the draft Rules for Activities on the Surface of Water

Lois Easton  
**Principal Planner**

## INTRODUCTION

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

## DRAFT RULES

### Definitions

**Artificial lake or pond** means a body of freshwater created by human intervention in a location where a lake or pond did not naturally exist.

8. A summary of the draft rules is outlined below. The full draft rule set is attached at Appendix Three.

Activity	Rule
Non-commercial not motorised watercraft – all waterbodies	Permitted
Non-commercial motorised watercraft	Permitted except on Arahura and Makaawhio River and Lake Mahinapua – unless provided for in an Iwi Management Plan Otherwise Discretionary
Structures on artificial waterbodies	Permitted
Structures on natural waterbodies	Permitted <ul style="list-style-type: none"> <li>• if whitebait stands or temporary swimming platforms or structures provided for in an Iwi Management Plan for Arahura and Makaawhio River and Lake Mahinapua</li> </ul> Controlled <ul style="list-style-type: none"> <li>• if permanent swimming platforms</li> </ul> Restricted Discretionary <ul style="list-style-type: none"> <li>• other structures except on Arahura and Makaawhio Rivers and Lake Mahinapua</li> </ul> Discretionary

	<ul style="list-style-type: none"><li>• structures on Arahura and Makaawhio Rivers and Lake Mahinapua if not in an Iwi Management Plan</li></ul>
--	--

**NEXT STEPS**

9. This paper brings the draft Rules for Activities on the Surface of Water. The next steps are consultation on the full draft provisions as part of the Draft TTPP consultation.

## Appendix One: Draft Objectives and Policies for Activities on the Surface of Water

Activities on the Surface of Water Objective	
<b>ASW - O1</b>	The ecological, recreational, natural character, amenity and Poutini Ngāi Tahu values of the District's rivers, lakes and lagoons are protected from the adverse effects of activities on the surface of water.
Activities on the Surface of Water Policies	
<b>ASW - P1</b>	Enable the non-commercial use of non-motorised water craft on rivers lakes and lagoons where this does not conflict with Poutini Ngāi Tahu values in relation to their awa, roto and hapua on the West Coast.
<b>ASW - P2</b>	Enable the non-commercial use of motorised water craft on rivers lakes and lagoons on the West Coast where this does not impact significantly on natural heritage, Poutini Ngāi Tahu values, public access or disruption of natural quiet.
<b>ASW - P3</b>	<p>Provide for commercial activities on the surface of West Coast rivers, lakes and lagoons provided that the activity does not create:</p> <ul style="list-style-type: none"><li>• Adverse effects on<ul style="list-style-type: none"><li>○ Significant natural heritage values including identified scheduled sites;</li><li>○ Cultural and spiritual values including sites of significance to Māori;</li><li>○ Poutini Ngāi Tahu values and in particular as relate to Makaawhio and Arahura River and on Lake Mahinapua;</li></ul></li><li>• Significant adverse effects on<ul style="list-style-type: none"><li>○ Amenity values; or</li><li>○ Other recreational uses; and</li></ul></li><li>• Cumulative adverse effects with any other structures or activities on the surface of waterbodies.</li></ul>



## **Appendix Two: Matters Considered in the Development of Rules for Activities on the Surface of Water**

### **STRATEGIC CONTEXT**

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

### **CURRENT PLAN APPROACHES**

5. The three current District Plans take different approaches to Activities on the Surface of Water.
6. Currently both Grey and Westland manage activities on the surface of freshwater bodies as though the freshwater body was zoned as per the surrounding land – in most cases this is rural zoned land.
7. The Ministry for the Environment has confirmed that the Activities on the Surface of Water provisions are the correct location for managing any activities on freshwater bodies – zoning is a land use tool so cannot be used for freshwater bodies.
8. The main effects/activities that are currently managed through zone rules in Grey and Westland are commercial activities and noise.
9. In Buller activities on the surface of water are specifically identified as Permitted – except commercial activities on the Buller and Karamea Rivers which are Discretionary.

### **OTHER COUNCIL APPROACHES**

10. There are now 6 Plans (draft and Proposed) available under the National Planning Standards (Timaru, Selwyn, Porirua, New Plymouth, Far North and Nelson) and these have been reviewed. The approach taken by other Councils to this matter varies.
11. Porirua has no navigable waters under its jurisdiction and therefore does not have any provisions for activities on the surface of water.
12. New Plymouth requires a resource consent for all structures on the surface of water.
13. Nelson controls motorised and non-motorised watercraft and commercial activities.
14. Selwyn regulates motorised watercraft on the surface of lakes with a shortlist of Permitted Activities and all other use of motorised watercraft Prohibited.
15. Timaru has detailed waterbody specific provisions which focus on motorised craft and commercial activities and structures.
16. Far North regulates motorised watercraft on some lakes, commercial activities on all waterbodies and structures on all waterbodies (excluding crossing structures).

### **KEY MATTERS TO CONSIDER IN DEVELOPMENT OF RULES**

17. Management of Activities on the surface of water via the District Function is largely about four aspects:
  - Natural character;
  - Cultural values;
  - Ecological values; and
  - Public amenity including noise and public access.
18. The effects of land use activities and activities on the surface of water can adversely affect the values associated with waterbodies. Localised impacts have the potential to be quite

detrimental to ecological values located in the immediate vicinity, for example effects on nesting birds or whitebait spawning habitat. Noise and activity can also affect natural character and public amenity, and in some circumstances impact cultural values.

19. Because the boundary of the Regional Coastal Plan is mean high water springs, large estuarine areas are included in the waters managed under the district plans under these provisions.
20. These areas can support major whitebait spawning habitat. Estuaries are also major fish and bird habitats important for feeding and breeding activities.
21. Generally, feedback through consultation and from staff and the Committee to date is that the main issues arising in relation to activities on the surface of water relate to:
  - a. Management of commercial activities – though not just on the main rivers, as there is commercial interest in activities on the surface of water around the National Parks and some lagoon area.
  - b. Management of motorised watercraft and their impact on Poutini Ngāi Tahu values – particularly at Lake Mahinapua, Makaawhio River and Arahura River. It should be noted that Poutini Ngāi Tahu own the bed of Lake Mahinapua and the Arahura River. The management plan for Lake Mahinapua (which is an Iwi Management Plan in terms of the RMA and we must have regard to it) specifically identifies there is a need to exclude motorised watercraft however there is currently no mechanism to enforce this. The Buller Plan currently includes policy to exclude motorised watercraft from Lake Christabel, Lake Hanlon and Kohaihai River but there are currently no rules to address this.
  - c. Issues of engine capacity - as a proxy for speed of motorised watercraft. Normally this would be a matter managed in a navigation and safety bylaw by the West Coast Regional Council, however no bylaw exists West Coast Regional Council staff advise there are no plans to develop one. The Buller Plan currently includes policy around the engine capacity of motorised watercraft being restricted to 5 knots on Lake Daniells, Punakaiki River (upstream of road bridge), Pororari River (upstream of road bridge), Otamahana Lagoon, Orowaiti River (upstream of rail bridge), and Okari River (upstream of road bridge) however there are no rules to address this.
  - d. Issues of structures blocking public access and navigational safety in some waterbodies – this relates principally to the potential for freshwater aquaculture but also pontoons and jetties.

### Appendix Three: Draft Rules for Activities on the Surface of Water

<b>ASW - R1</b>	<b>Use of Non-motorised Watercraft for Non-commercial Use on the Surface of Rivers, Lagoons and Lakes</b>	
<b>Activity Status Permitted</b> Where:  1. Any use of watercraft on Lake Mahinapua, Makaawhio River and Arahura River is in accordance with any Iwi Management Plan for these awa and roto.		<b>Activity status where compliance not achieved:</b> Restricted Discretionary
<b>ASW - R2</b>	<b>Use of Motorised Watercraft for Non-commercial Use on the Surface of Rivers, Lagoons and Lakes</b>	
<b>Activity Status Permitted</b> Where:  1. This does not occur on the surface of Lake Mahinapua, Makaawhio River or Arahura River except as provided for in an Iwi Management Plan for these awa and roto.  <b>Advice Note:</b>  1. Refer to Maritime New Zealand for Navigational Safety Rules under the Water Recreation Regulations. These include rules for boat speed and avoiding collisions on the water.		<b>Activity status where compliance not achieved:</b> Restricted Discretionary
<b>ASW - R3</b>	<b>Installation of Structures on the Surface of Artificial Lakes and Ponds</b>	
<b>Activity Status Permitted</b>		<b>Activity status where compliance not achieved:</b> N/A
<b>ASW - R4</b>	<b>Installation of Structures on the Surface of Natural Waterbodies</b>	
<b>Activity Status Permitted</b> Where:  1. These are whitebait stands installed in accordance with West Coast Whitebait Fishing Regulations; 2. These are temporary swimming platforms installed for a single swimming season;		<b>Activity status where compliance not achieved:</b> Controlled where standard 2 is not complied with. Discretionary where standards 1 and 3 are not complied with.

<p>3. These are structures installed by Poutini Ngāi Tahu that are identified in an Iwi Management Plan for Arahura River, Makaawhio River or Lake Mahinapua and have written approval of the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio.</p>		
<p><b>Advice Note:</b></p> <p>1. Whitebait stands are primarily regulated by the West Coast Regional Council through the West Coast Regional Land and Water Plan.</p>		
<p><b>Controlled Activities</b></p>		
<p><b>ASW - R5</b></p>		<p><b>Permanent Swimming Platforms on the Surface of Natural Waterbodies</b></p>
<p><b>Activity Status Controlled</b></p> <p>1. Where this does not occur in the Arahura River, Makaawhio River or Lake Mahinapua.</p> <p><b>Matters of control are:</b></p> <ul style="list-style-type: none"> <li>a. Size, design and location of structure; and</li> <li>b. Water safety measures</li> <li>c. Compliance with any Iwi Management Plan.</li> </ul>		<p><b>Activity status where compliance not achieved:</b> Discretionary</p>
<p><b>Restricted Discretionary Activities</b></p>		
<p><b>ASW - R6</b></p>		<p><b>Commercial Activities on the Surface of Rivers, Lagoons and Lakes</b></p>
<p><b>Activity Status Restricted Discretionary</b></p> <p>Where:</p> <p>1. Any commercial activity on the Makaawhio River, Arahura River or Lake Mahinapua is in accordance with an Iwi Management Plan and has written approval of the relevant Poutini Ngāi Tahu rūnanga - Te Rūnanga o Ngāti Waewae of Te Rūnanga o Makaawhio.</p> <p><b>Discretion is restricted to:</b></p>		<p><b>Activity status where compliance not achieved:</b> Discretionary</p>

<ul style="list-style-type: none"> <li>a. Effects on public access and recreational use of the waterbody;</li> <li>b. Effects on landscape, natural features or natural character of the waterbody and its margins;</li> <li>c. Effects on the amenity values or any adjacent residential activities;</li> <li>d. Effects on significant natural or historic heritage values including effects on scheduled sites or areas;</li> <li>e. Effects of noise on the natural character, ecological and amenity values; and</li> <li>f. Effects on Poutini Ngāi Tahu cultural values including access to mahinga kai and scheduled sites and areas.</li> </ul>	
<b>ASW - R7 Structures on the Surface of Natural Waterbodies not meeting Permitted or Controlled Activity Standards</b>	
<p><b>Activity Status Restricted Discretionary</b> Where:</p> <ul style="list-style-type: none"> <li>1. These are not located on the surface of Lake Mahinapua, Makaawhio River or Arahura River except as provided for in an Iwi Management Plan for these awa and roto.</li> </ul> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>a. Effects on public access and recreational use of the waterbody;</li> <li>b. Effects on landscape, natural features or natural character of the waterbody and its margins;</li> <li>c. Effects on the amenity values or any adjacent residential activities;</li> <li>d. Effects on significant natural or historic heritage values including effects on scheduled sites or areas; and</li> <li>e. Effects on Poutini Ngāi Tahu cultural values including access to mahinga kai and scheduled sites and areas.</li> </ul> <p><b>Advice Note:</b></p> <ul style="list-style-type: none"> <li>1. Activities which affect the bed of a waterbody are regulated by the West Coast Regional Council in the West Coast Regional Land and Water Plan.</li> </ul>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>
<b>Discretionary Activities</b>	
<b>ASW - R7 Activities on the Surface of Water not meeting Permitted or Restricted Discretionary Rules.</b>	

**Activity Status Discretionary**

**Notification:** Any activity not provided for in an Iwi Management Plan for Makaawhio River, Arahura River or Lake Mahinapua will always be notified to the relevant Poutini Ngāi Tahu rūnanga and may be publicly notified.

**Activity status where compliance not achieved: N/A**



# 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: July 2021  
Subject: **Technical Update Earthworks Rules**

---

## **SUMMARY**

This report gives an update on the technical work being undertaken on draft Rules for Earthworks in Te Tai o Poutini Plan.

Earthworks is a District Wide matter which is required to be included under the National Planning Standards. The focus of TTPP regulation is the effects of earthworks on “district matters” such as amenity, natural hazards and terrestrial natural values, while the Regional Land and Water Plan addresses the impacts of earthworks on water quality.

Proposed draft Objectives and Policies for Earthworks were discussed at the May 2021 Committee meeting and draft Rules are outlined in this report.

## **RECOMMENDATIONS**

1. That the Committee receive the report.
2. That the Committee provide feedback on the draft Rules for Earthworks

## BACKGROUND

1. This report brings the proposed draft Rules for Earthworks. The Objectives and Policies were discussed at the May 2021 Meeting of the Committee and the amended provisions are attached at Appendix One.
2. Earthworks are often an essential prerequisite for development. Earthworks are the physical works that modify land so that it can be used for living, business, and recreation purposes, farming and forestry and the construction and maintenance of infrastructure. The scope and scale of earthworks range from large greenfield bulk earthworks, which can alter the landform and its topography, to small and discrete areas of works most often associated with minor suburban development.
3. Earthworks can adversely affect amenity values (visual, dust nuisance, noise and traffic) and result in changes to natural landforms. Earthworks can cause changes to the appearance and character of the neighbourhoods they are located in and can impact on people's experience of their environment.
4. In terms of the RMA, Earthworks are regulated by both District and Regional Councils. The focus of Regional regulation is effects on water quality and soil conservation (Section 30 matters) whereas the focus of District regulation is effects on land including matters such as amenity, nuisance effects, landscape, natural character, riparian areas, effects on cultural and historic heritage and avoidance of natural hazards.
5. Matters considered in developing the draft Rules are attached in Appendix Two.

## DRAFT RULES

### Definitions

**Earthworks** (*from national planning standards*) means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.

**Approved building platform** means a building platform approved by building consent, resource consent or identified on the applicable computer freehold register.

6. The approach taken in the draft Rules is to set out a general list of standards for Permitted Activities with Zone specific rules reflecting the scale of impact of earthworks in different locations. In rural areas earthworks are commonly associated with Permitted Activities and provided general standards are met, could be expected to have little adverse effect.
7. In urban zones impacts on neighbours such as noise, dust and traffic movements are the main concern so a volumetric based limit for Permitted Activities is proposed.
8. The table below summaries the draft Permitted Activity Standards. Where resource consent is required, this is a Restricted Discretionary Activity resource consent.
9. The full draft Rule set is included in Appendix Three.

Permitted Activities
Standards All Zones: <ul style="list-style-type: none"><li>• Max 1.5m depth/height of cut or fill close to boundaries</li><li>• Max slope 25%</li><li>• Fill must be cleanfill</li><li>• No earthworks on contaminated land</li><li>• Erosion and sediment control measures required</li><li>• Stormwater and overland flow not to be diverted beyond the site boundary</li><li>• Reinstatement within 6 months of completion</li><li>• Archaeological protocols must be followed</li></ul>
Permitted Earthworks All Zones <ul style="list-style-type: none"><li>• Where associated with an approved subdivision, constructing an approved building platform or access, network utility, swimming pool, urupā or cemetery</li><li>• For contaminated land or geotechnical assessment</li></ul>



<ul style="list-style-type: none"> <li>Limited earthworks within the Electricity Transmission and Distribution Yard</li> </ul>
<p>General Rural Zone, Rural Lifestyle Zone, all Open Space Zones Māori Purpose Zone</p> <ul style="list-style-type: none"> <li>Where undertaken in accordance with Permitted Activity standards for any overlays</li> <li>Where ancillary to a Permitted Activity</li> <li>In the Rural Lifestyle Zone a maximum of 500m<sup>2</sup>/site/year is disturbed.</li> </ul>
<p>Residential Zones, Neighbourhood Centres, Settlement Zone</p> <ul style="list-style-type: none"> <li>Where undertaken in accordance with Permitted Activity standards for any overlays</li> <li>Maximum of 250m<sup>2</sup>/site/year is disturbed;</li> <li>A maximum of 200m<sup>3</sup> is transported off site/year</li> <li>There is a maximum 1m change of existing ground level.</li> </ul>
<p>Commercial and Mixed Use Zones, Hospital Zone, Stadium Zone</p> <ul style="list-style-type: none"> <li>Where undertaken in accordance with Permitted Activity standards for any overlays</li> <li>Maximum of 1000m<sup>2</sup>/site/year is disturbed;</li> </ul>
<p>Buller Coalfield, Paparoa Coalfield, Mineral Extraction Zone</p> <ul style="list-style-type: none"> <li>Where ancillary to a Permitted Activity or activity authorised by resource consent.</li> </ul>

#### **NEXT STEPS**

- Draft provisions for earthworks have now been developed. The next step is seeking feedback through the Draft Te Tai o Poutini Plan process.

## Appendix One: Draft Objectives and Policies for Earthworks

<b>Earthworks Objectives</b>	
<b>EW - O1</b>	To provide for earthworks to facilitate subdivision, use and development of the West Coast's land resource, while ensuring that their adverse effects on the surrounding environment are avoided or mitigated.
<b>Earthworks Policies</b>	
<b>EW - P1</b>	Enable necessary earthworks for the subdivision, use and development of land, the provision of utilities, and hazard mitigation.
<b>EW - P2</b>	Manage earthworks to minimise impacts on landscape, amenity, natural features, cultural and heritage sites and the quality of the environment.
<b>EW - P3</b>	Require the use of accidental discovery protocols to mitigate the potential risk to earthworks to archaeological sites and sites of significance to Māori that are not identified in the Plan.
<b>EW - P4</b>	Protect nationally and regionally significant infrastructure and natural hazard defences from the adverse effects of earthworks.

## **Appendix Two: Matters Considered When Developing Rules**

### **STRATEGIC CONTEXT**

1. In terms of the RMA, Earthworks are regulated by both District and Regional Councils. The focus of Regional regulation is effects on water quality and soil conservation (Section 30 matters) whereas the focus of District regulation is effects on land (Section 32 matters) including matters such as amenity, nuisance effects, landscape, natural character, riparian areas, effects on cultural and historic heritage and avoidance of natural hazards.
2. The West Coast Regional Policy Statement does not have specific provisions for earthworks, but there are many objectives and policies which are relevant to the topic – primarily in the Resilient and Sustainable Communities, Natural Features and Landscapes, Land and Water and Natural Hazards Sections.
3. The West Coast Regional Land and Water Plan contains specific objectives, policies and rules with a focus on earthworks taking place over an area of greater than 1 hectare.

### **CURRENT PLAN APPROACHES**

4. The three current District Plans all take a relatively light regulation of earthworks, and all have a different approach. None of the Plans have objectives or policies for earthworks, with a general approach of grouping the earthworks associated with an activity as part of the activity.
5. All three Councils regulate earthworks as part of subdivision consents, in addition, Grey has provisions around the National Grid Yard.
6. In the Buller Plan, there are a range of earthworks requirements in the Zone provisions, with tight restrictions in the Paparoa and Natural Environments Character Areas and the requirement for retention and treatment of stormwater from earthworks in the Industrial Zone.
7. In Buller and Westland earthworks also provide a threshold for permitted activities around mineral prospecting.
8. In Buller the Plan also explicitly states that earthworks are part of the activity – for example vegetation clearance may include earthworks, and presumably earthworks effects are assessed as part of a vegetation clearance application.
9. In Westland this is not so explicit, however presumably earthworks can/are assessed as part of any Discretionary or Non-complying Activity consent.

### **OTHER COUNCIL APPROACHES**

10. The West Coast Councils are relatively unusual in their light-handed approach to earthworks regulation. However, many Councils that heavily regulate earthworks do so because of the amenity impacts in urban areas. A review of rural focussed district plans has been undertaken. This found that rural plans generally also have quite permissive regimes, however volume limits for earthworks beyond consent is required as the norm, and performance standards around cut and fill heights, slope, reinstatement and cleanfills are the norm.

### **KEY ISSUES FOR RULE DEVELOPMENT**

11. Bulk earthworks are regulated by the West Coast Regional Plan with a focus on discharges to water and soil conservation. These matters should not be duplicated in TTPP.
12. Some problems have been identified with the current permissive regime in place on the West Coast in relation to matters relevant to TTPP, specifically:
  - Earthworks in the residential environment and impacts on adjacent neighbours resulting from noise and vibration;
  - Uncontrolled filling activities or earthworks on sections that have been left “rough” changing ground contour, altering overland flow paths and exacerbating flooding;
  - Mineral extraction (primarily amenity effects – part of the wider issues needing to be managed, but also water quality which is a Regional matter),
  - The problems of land contouring/hump and hollowing affecting drainage systems and creating localised stormwater and flooding problems
  - Earthworks in areas of cultural and historic heritage; and
  - Inappropriate disposal of contaminated fill resulting in creation of new contaminated sites

## Appendix Three: Draft Earthworks Rules

Permitted Activities	
<b>EW - R1</b>	<b>Earthworks General Standards</b>
<p><b>All Permitted activities must comply with the following relevant standards.</b></p> <ol style="list-style-type: none"> <li>1. Earthworks must not exceed a maximum depth or height above ground level of 1.5m measured vertically within 1.5m of a boundary;</li> <li>2. No earthworks are undertaken on any point on land with a slope gradient greater than 1 in 4 (25 degrees);</li> <li>3. All fill must consist of cleanfill material;</li> <li>4. No earthworks are undertaken on contaminated land;</li> <li>5. Erosion and sediment control measures must be put in place to avoid sediment run-off from earthworks activities entering a Council reticulated network or into waterbodies;</li> <li>6. No diversion of stormwater and overland flow shall occur beyond the site boundary and water must not be diverted to adjacent properties or the road;</li> <li>7. No more than 6 months after earthworks are completed land disturbed is to be built on, sealed, landscaped or recontoured in a manner consistent with the surrounding land;</li> <li>8. Any earthworks within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:2001);</li> <li>9. No earthworks are to be undertaken on or within 10m of any public natural hazard defence structure unless under the written authority of the relevant local government agency; and</li> <li>10. In the event of discovery of any sensitive or archaeological material that the Accidental Recovery Protocol outlined in Appendix Four must be followed.</li> </ol> <p><b>Advice Note:</b> Earthworks are also regulated by the West Coast Regional Council Land and Water Plan.</p>	
	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>
<b>EW - R2</b>	<b>Earthworks - All Zones</b>
<p><b>Activity Status Permitted</b> Where the earthworks are not undertaken within a Scheduled Site or Area; and</p> <ol style="list-style-type: none"> <li>1. These are earthworks associated with the construction of an approved building platform and access; or</li> <li>2. These are earthworks associated with an approved subdivision consent; or</li> <li>3. These are earthworks including stockpiles required for network utility maintenance, operation, repair or upgrade, including public roads; or</li> <li>4. These are earthworks associated with installation of swimming pools; or</li> <li>5. The earthworks are for interments in a cemetery or urupā; or</li> </ol>	
	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>

<p>6. The earthworks are test pits for geotechnical or contaminated land assessment where reinstated within 48 hours; or</p> <p>7. The earthworks are for replacement or removal of fuel storage systems Permitted under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health; or</p> <p>8. They are earthworks within the Electricity and Distribution Yard where:</p> <ol style="list-style-type: none"> <li>a. any earthworks must not exceed a depth or fill of 300mm; except <ol style="list-style-type: none"> <li>i. earthworks for a network utility as part of an electricity transmission activity; and</li> <li>ii. earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.</li> </ol> </li> </ol> <p><b>Advice Notes:</b></p> <ol style="list-style-type: none"> <li>1. Rules in relation to earthworks in Scheduled Sites and Areas can be found in the Hazards and Risks, Historical and Cultural Values and Natural Environment Values Chapters of this Plan.</li> <li>2. Earthworks undertaken in areas of contaminated land are subject to the Rules in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.</li> </ol>	
<p><b>EW - R3 Earthworks in the General Rural Zone, Rural Lifestyle Zone, Any Open Space and Recreation Zone and the Māori Purpose Zone</b></p>	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. Where the earthworks are undertaken within a Scheduled Site or Area these meet the Permitted Activity standards for the relevant overlay chapter; and</li> <li>2. These are ancillary earthworks for a Permitted Activity; and</li> <li>3. In the Rural Lifestyle Zone a maximum of 500m<sup>2</sup>/site of land is disturbed in any 12 month period.</li> </ol> <p><b>Advice Note:</b> Rules in relation to earthworks in Scheduled Sites and Areas can be found in the Hazards and Risks, Historical and Cultural Values and Natural Environment Values Chapters of this Plan.</p>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<p><b>EW - R4 Earthworks in any Residential Zone, the Neighbourhood Centre Zone or Settlement Zone</b></p>	
<p><b>Activity Status Permitted</b> Where:</p>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>

<ol style="list-style-type: none"> <li>1. Where the earthworks are undertaken within a Scheduled Site or Area these meet the Permitted Activity standards for the relevant overlay chapter;</li> <li>2. A maximum of 250m<sup>2</sup>/site of land is disturbed in any 12 month period;</li> <li>3. A maximum of 200m<sup>3</sup> of material is transported off site in any 12 month period; and</li> <li>4. There is a maximum 1m change of existing ground level.</li> </ol> <p><b>Advice Note:</b> Rules in relation to earthworks in Scheduled Sites and Areas can be found in the Hazards and Risks, Historical and Cultural Values and Natural Environment Values Chapters of this Plan.</p>	
<b>EW - R5</b> Earthworks in any Commercial or Mixed Use Zone, Hospital Zone or Stadium Zone	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. Where the earthworks are undertaken within a Scheduled Site or Area these meet the Permitted Activity standards for the relevant overlay area;; and</li> <li>2. A maximum of 1000m<sup>2</sup>/site or land is disturbed in any 12 month period.</li> </ol> <p><b>Advice Note:</b> Rules in relation to earthworks in Scheduled Sites and Areas can be found in the Hazards and Risks, Historical and Cultural Values and Natural Environment Values Chapters of this Plan.</p>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<b>EW - R6</b> Earthworks in the Buller Coalfield Zone, Paparoa Coalfield Zone and Mineral Extraction Zone	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. These are in ancillary to a Permitted Activity or activity authorised by Resource Consent.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<b>Restricted Discretionary Activities</b>	
<b>EW - R8</b> Earthworks in the Electricity Transmission and Distribution Yard Not Meeting Rule EW - R2	
<p><b>Activity Status Restricted Discretionary</b></p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Effects on the operation, maintenance, upgrading and development of the National Grid;</li> <li>b. The risk to the structural integrity of the National Grid support structure (s);</li> </ol>	<p><b>Activity status where compliance not achieved:</b> N/A</p>

<ul style="list-style-type: none"> <li>c. Any impact on the ability to access the National Grid;</li> <li>d. The risk of electrical hazards affecting public or individual safety and the risk of property damage; and</li> <li>e. The outcome of any consultation with the owner and operator of the National Grid.</li> </ul>	
<b>EW - R7 Earthworks not meeting Rules EW - R1 to R6 outside of the Electricity Transmission and Distribution Yard</b>	
<p><b>Activity Status Restricted Discretionary</b> Where:</p> <ul style="list-style-type: none"> <li>1. The earthworks are not undertaken within a Scheduled Site or Area</li> </ul> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>a. The impact on visual amenity, landscape character, outlook and privacy;</li> <li>b. potential dust nuisance, sedimentation, land instability, contamination and erosion effects;</li> <li>c. The impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and</li> <li>d. The impact on stormwater infrastructure and any overland flow paths</li> <li>e. The impact on any natural hazards infrastructure and the effectiveness of its operation.</li> </ul> <p><b>Advice Note:</b> Rules in relation to earthworks in Scheduled Areas can be found in the Hazards and Risks, Historical and Cultural Values and Natural Environment Values Chapters of this Plan.</p>	<p><b>Activity status where compliance not achieved:</b> Refer to the Hazards and Risks, Historical and Cultural Values and Natural Environment Values Chapters of this Plan.</p>



# 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: July 2021

Subject: **Technical Update – Temporary Activities – Objectives, Policies and Rules**

---

## **SUMMARY**

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

Temporary Activities are a District-Wide Matter and are already regulated by the three West Coast Councils.

The proposed objectives, policies and rules provide a simplified approach to management of temporary activities within Te Tai o Poutini Plan.

## **RECOMMENDATIONS**

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



## INTRODUCTION

1. This report gives an update on the technical work being undertaken on the objectives, policies and rules for Temporary Activities in Te Tai o Poutini Plan (TTPP).
2. Temporary Activities are a District-Wide Matter and are currently regulated by the three West Coast Councils.

## CONTEXT

3. Temporary activities are a relatively minor matter regulated in TTPP with predominantly short-term amenity effects. Key adverse effects often relate to aspects regulated by other parts of TTPP – e.g., signs, noise and light.
4. The main types of temporary activities where there are potential adverse effects are events, temporary military and emergency services training and temporary buildings.

## MATTERS CONSIDERED IN DRAFTING PROVISIONS

5. The three plans take similar approaches to temporary activities.
6. All three plans make specific provision for construction related temporary activities, temporary military training activities and a wide range of event type activities. The details of the rules are different however, with a mix of rules written within the definitions (which is not allowed under the National Planning Standards) and a variable approach to how temporary buildings are managed.
7. There are now 6 Plans (draft and Proposed) available under the National Planning Standards (Timaru, Selwyn, Porirua, New Plymouth, Far North and Nelson) a review has been undertaken of the provisions in these Plans.
8. The major focus of the provisions are:
  - Temporary military training (and in some cases emergency management training)
  - Temporary construction buildings
  - Events
9. Generally, feedback to date is that the main issues arising in relation to temporary activities relate to construction buildings and events. Temporary activities have not been highlighted through consultation as being a major concern for the West Coast.
10. There is an issue (or was an issue) with Freedom Camping and the problem that the Council Bylaws do not apply to NZTA – Waka Kotahi land. Since the State Highway is the main road on the West Coast, there are issues with, in particular, Freedom Camping in South Westland.
11. In light of the fact that Central Government is doing a major review of Freedom Camping and in particular the issue of self-containment and wastewater systems at the moment, staff recommend that this topic is not further pursued in relation to TTPP.
12. In light of the small number of issues and reasonably minor nature of environmental effects from temporary activities fairly simple draft objectives, policies and rules have been developed.

## DRAFT OBJECTIVE AND POLICIES

13. One objective and three policies have been developed. Each policy focuses on one aspect of temporary activity management.

**Draft Objective One:** To provide for temporary activities where they contribute to social, economic and cultural wellbeing of the West Coast.

**Draft Policy One:** Enable temporary construction and demolition activities while minimising their adverse effects on amenity values of adjacent sites.

**Draft Policy Two:** Enable temporary military and emergency management training activities where adverse effects on amenity values and the environment are minimised.

**Draft Policy Three:** Enable a wide range of temporary events on the West Coast recognising their positive contribution to community wellbeing.

## DRAFT RULES

14. Draft rules have been developed with the general approach to take the existing rules with minor updates.
15. Emergency Management Training Activities have been combined with Temporary Military Training Activities – the Fire Service in particular undertake these, and Fire and Emergency New Zealand seeks an enabling approach to this.

## Definitions

**Temporary Activity** means activities and their ancillary buildings and structures that are intended to have a limited duration and incidence and are not part of a permanent activity that occurs on the site. They include:

- a. Fairs, festivals, sporting and special events;
- b. Commercial filming or video production activities;
- c. Emergency services training events;
- d. Public firework displays;
- e. Structures for construction and demolition projects;
- f. Temporary farmers or crafts markets.

Note Temporary Activities does not include Permitted Recreation Activities meeting Zone standards or events and other types of activities meeting Zone standards in the Stadium Zone.

**Temporary military training activity means** a temporary activity undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under section 5 of the Defence Act 1990 which are:

- a. The defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act;
- b. The protection of the interests of New Zealand, whether in New Zealand or elsewhere;
- c. The contribution of forces under collective security treaties, agreements, or arrangements;
- d. The contribution of forces to, or for any of the purposes of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations;
- e. The provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency;
- f. The provision of any public service.

16. A summary of the key draft rules is provided in the tables below. The full draft Rules are contained in Appendix One.

## Permitted Activities

Activity	Proposed Temporary Activities Rule
Temporary Military and Emergency Management Training	<ul style="list-style-type: none"> <li>• Max 31 days per year</li> <li>• No permanent structures</li> <li>• No earthworks requiring a resource consent</li> </ul>
Temporary Buildings and Structures Ancillary to Construction and Demolition	<ul style="list-style-type: none"> <li>• Removed within 1 month of activity ceasing</li> <li>• Meet setback rules for the relevant zone where these adjoin a Residential or Settlement Zone</li> <li>• One the same site as the activity</li> <li>• Max 50m<sup>2</sup> for any temporary building where adjoins a residential zone</li> </ul>
Temporary Motorsport Activities	<ul style="list-style-type: none"> <li>• Where no building or structures</li> <li>• Notice provided to the Council minimum 30 days prior to the event</li> </ul>

	<ul style="list-style-type: none"> <li>• Maximum 3 days/event/year</li> </ul>
Other Temporary Activities and Buildings	<ul style="list-style-type: none"> <li>• Aircraft and helicopter movements</li> <li>• Community markets 1 day/week/site</li> <li>• Other activities and events max 3 times in any one calendar year/site</li> <li>• Maximum 5 consecutive days at any site excluding 7 days for setup prior and 7 days to pack up</li> <li>• Permitted activity Noise and Light standards are met except in Open Space and Recreation Zones a temporary activity may exceed zone Permitted Activity noise and light standards once in a 3 month period for a maximum of 3 days.</li> </ul>

### Key Activities Requiring Resource Consent

Activity	Summary of draft Sign Rule
Temporary Military and Emergency Management Training not Permitted	Restricted Discretionary
Other Temporary Activities and Buildings not Permitted	Restricted Discretionary

### NEXT STEPS

17. This paper outlines the draft Objectives, Policies and Rules for Temporary Activities. The next step will be consultation as part of the draft TTPP consultation process.

**APPENDIX ONE: DRAFT RULES FOR TEMPORARY ACTIVITIES**

<b>Permitted Activities</b>	
<b>TEMP - R1</b>	<b>Temporary and Military Training Activities and Emergency Management Training</b>
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. These are for a maximum of 31 days per year;</li> <li>2. No permanent structures are erected; and</li> <li>3. No earthworks requiring a resource consent are undertaken.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<b>TEMP - R2</b>	<b>Temporary Buildings and Structures Ancillary to Construction and Demolition Activity</b>
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. These are removed within 1 month of the activity ceasing;</li> <li>2. The building or structure is located on the same site as the construction or demolition activity;</li> <li>3. Relevant zone Setback standards are met where the activity adjoins any Residential or Settlement Zone;</li> <li>4. The building or structure is on the same site as the construction or demolition activity; and</li> <li>5. Any temporary building is no more than 50m<sup>2</sup> in gross floor area where this adjoins a residential zone.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<b>TEMP - R3</b>	<b>Temporary Motorsport Activities</b>
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. There are no ancillary buildings or structures;</li> <li>2. Notice of the activity is provided to the relevant district council a minimum of 30 days prior to the event; and</li> <li>3. The event occurs for a maximum of 3 days at one site in any one calendar year.</li> </ol> <p><b>Advice Note:</b></p>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>

<ol style="list-style-type: none"> <li>1. It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency - Waka Kotahi) if the activity is accessed from a State Highway, and the relevant District Council (if accessed from any other roads) to arrange an appropriate traffic management plan to avoid traffic safety hazards being generated from the activity.</li> </ol>	
<b>TEMP - R4 Other Temporary Activities and Buildings</b>	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. These are aircraft or helicopter movements;</li> <li>2. Community markets occur a maximum of 1 day/week at any one site;</li> <li>3. For other activities and events: <ol style="list-style-type: none"> <li>a. These are for a maximum of 3 times in any one year at one site;</li> <li>b. These only occur for a maximum of 3 consecutive days at any site;</li> <li>c. In all zones except the Open Space and Recreation Zones the relevant Permitted Activity NOISE and LIGHT standards are met; and</li> <li>d. In the Open Space and Recreation Zones a temporary activity may exceed the zone Permitted Activity NOISE and LIGHT standards on a site on one occasion in a 3 month period and for a maximum of 3 days.</li> </ol> </li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<b>Restricted Discretionary Activities</b>	
<b>TEMP - R5 Temporary Military Training Activities and Emergency Services Training not meeting Permitted Activity Standards</b>	
<p><b>Activity Status Restricted Discretionary</b></p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Effects on outlook, shading, loss of privacy and amenity to any nearby residential properties;</li> <li>b. Location and design;</li> <li>c. Traffic safety;</li> <li>d. Dust and sediment control; and</li> <li>e. Ground stability.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> N/A</p>

<b>TEMP - R6</b>	<b>Temporary Buildings and Structures Ancillary to a Construction Activity not meeting Permitted Activity Standards</b>	
<b>Activity Status Restricted Discretionary</b> <b>Discretion is restricted to:</b> <ul style="list-style-type: none"> <li>a. Effects on outlook, shading, loss of privacy and amenity to any nearby properties; and</li> <li>b. Location and design.</li> </ul>		<b>Activity status where compliance not achieved: N/A</b>
<b>TEMP - R6</b>	<b>Other Temporary Activities and Buildings not meeting Permitted Activity Standards</b>	
<b>Activity Status Restricted Discretionary</b> <b>Discretion is restricted to:</b> <ul style="list-style-type: none"> <li>a. Traffic safety;</li> <li>b. Dust and sediment control;</li> <li>c. Ground stability; and</li> <li>d. Visual amenity from neighbouring properties and public places.</li> </ul> <b>Advice Note:</b> <ul style="list-style-type: none"> <li>1. It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency - Waka Kotahi) if the activity is accessed from a State Highway, and the relevant District Council (if accessed from any other roads) to arrange an appropriate traffic management plan to avoid traffic safety hazards being generated from the activity.</li> </ul>		<b>Activity status where compliance not achieved: N/A</b>



# 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: July 2021  
Subject: **Te Tai o Poutini Plan Draft Chapter Review – Residential Zones**

---

## **SUMMARY**

This report gives an opportunity for the Committee to review draft provisions from Te Tai o Poutini Plan. It is intended to bring chapters to the Committee for review over the next 4 months, ahead of the final draft Plan in December.

The second set of provisions for review are the Residential Zones.

## **RECOMMENDATIONS**

1. That the Committee receive the report
2. That the Committee provide feedback on the draft Residential Zone provisions for Te Tai o Poutini Plan.

## INTRODUCTION

1. With the decision to fast track the notification of Te Tai o Poutini Plan, there is a need to ensure that draft work developed is reviewed to ensure consistency and coherence in the Plan. Draft chapters will be brought to the Committee for review each month, ahead of the entire draft Plan coming to the Committee in December for adoption for consultation.
2. The second chapter for review is the Residential Zones section.
3. To note is that the rules for Residential Visitor Accommodation are a placeholder pending the decision of the Committee on this matter.

## DRAFT PROVISIONS AND NEXT STEPS

4. The following text is the current draft provisions – with an overview of the Zones, Objectives and Policies and then a Rule set for each of the three Residential Zones.
5. Following any amendments sought by the Committee, these provisions will be incorporated into the Draft Te Tai o Poutini Plan.

## KEY DEFINITIONS

**Accessory building** means a detached *building*, the use of which is ancillary to the use of any *building*, *buildings* or activity that is or could be lawfully established on the same *site*, but does not include any *minor residential unit*.

**Ancillary activities** means any activity that supports and is subsidiary to a primary activity.

**Building** means a temporary or permanent movable or immovable physical construction that is:

- a. partially or fully roofed, and
- b. is fixed or located on or in *land*, but
- c. excludes any motorised vehicle or other mode of transport that could be moved under its own power.

**Building coverage** means the percentage of the *net site area* covered by the *building footprint*

**Community facility** means *land* and *buildings* used by members of the community for recreational, sporting, cultural, safety, health, welfare or worship purposes. It includes provision for any *ancillary activity* that assists with the operation of the community facility.

**Height** means the vertical distance between a specified reference point and the highest part of any feature, *structure* or *building* above that point.

**Height in relation to boundary** means the *height* of a *structure*, *building* or feature, relative to its distance from either the boundary of a:

- a. *site*, or
- b. other specified reference point

**Home business** means a *commercial activity* that is:

- a. Undertaken or operated by at least one resident of the *site*;
- b. Is incidental to the use of the *site* for a *residential activity*; and
- c. Is performed entirely within a dwelling or an accessory building on the site.

**Minor residential unit** means a self-contained *residential unit* that is ancillary to the principal *residential unit* and is held in common ownership with the principal *residential unit* on the same *site*.

**Residential Activity** means the use of *land* and *building(s)* for people's living accommodation

**Residential Unit** means a *building* or party of a *building* that is used for a *residential activity* exclusively by one household and must include sleeping, cooking, bathing and toilet facilities

**Visitor accommodation** means *land* and/or *buildings* used for accommodating visitors, subject to a tariff being paid, and includes any *ancillary activities*.

## DRAFT PROVISIONS

### RESZ

#### Residential Zones - Objectives and Policies

##### Overview

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



Residential Zone Objectives	
<b>RESZ - O1</b>	To provide for a variety of housing forms and densities to enable individual residential lifestyle options.
<b>RESZ - O2</b>	To maintain or enhance the distinctive character, amenity and heritage values of residential areas and protect these areas from the adverse effects of inappropriate development.
<b>RESZ - O3</b>	To provide for a range of non-residential activities within residential zones where the effects are compatible with the residential character, scale and amenities.

Residential Zone Policies	
<b>RESZ - P1</b>	A range of housing forms, densities and types which provide for a diversity of households are suitable for residential zones provided they are of a scale and density that fits with the surrounding residential character and does not adversely impact on neighbouring properties.
<b>RESZ - P2</b>	Activities in the Residential Zone should: <ul style="list-style-type: none"> <li>a. Maintain or enhance residential character;</li> <li>b. Minimise nuisance from noise, light spill and vibration</li> <li>c. Maintain and enhance the natural and cultural heritage features of the zone;</li> <li>d. Maintain reasonable levels of sunlight and daylight access for residential properties;</li> <li>e. Maintain reasonable levels of privacy for residential properties;</li> <li>f. Maintain visual amenity by avoiding accessory buildings dominating streetscape and urban form; and</li> <li>g. Provide safe, efficient and easily accessible movement for pedestrians, cyclists and vehicles</li> </ul>
<b>RESZ - P3</b>	The design and location of residential development should support resilience of communities including energy efficiency and generation, enabling use of garden rainwater tanks and low impact stormwater management principles.
<b>RESZ - P4</b>	Enable existing non-residential activities and home occupations to continue and new non - residential activities to establish provided they do not have a significant adverse effect on the character and amenity of residential zones, particularly in relation to scale, car parking, vehicle movements, noise, visual appearance, glare and odour.
<b>RESZ - P5</b>	Non-residential activities which involve noxious, offensive and dangerous activities and those with a significant negative impact on amenity shall not be located in residential areas.
<b>RESZ - P6</b>	Enable community based facilities and visitor accommodation to locate in residential areas where they are in keeping with the character and amenity values while minimising adverse effects on residential areas.
<b>RESZ - P7</b>	Provide for a diverse range of independent housing options that are suitable for the particular needs and characteristics of senior citizens throughout residential areas.
<b>RESZ - P8</b>	Recognise that housing for senior citizens can require higher densities than typical residential development, in order to be affordable and, where required, to enable provision of assisted living and care services.
<b>RESZ - P9</b>	New residential development and redevelopment should connect to existing infrastructure investment where possible.
<b>RESZ - P10</b>	Ensure that developments are serviced with all required infrastructure in an effective and efficient manner. Where new infrastructure such as roads and three waters (wastewater, water supply, stormwater) is provided to serve multiple households this should generally be vested in the appropriate public agency.
<b>RESZ - P11</b>	Enable the housing needs of Poutini Ngāi Tahu whānau to be met throughout residential areas though papakāinga housing where there is an ongoing relationship with ancestral lands.

<b>RESZ - P12</b>	New residential development and redevelopment should support and where possible improve accessibility and connectivity within settlements.
<b>RESZ - P13</b>	New residential development should be located outside of areas of outstanding natural landscape value and significant natural hazard risk, and away from wāhi tapu, wāhi taonga and areas of significant biodiversity unless effects on these areas are minimised.
<b>RESZ - P14</b>	Enable limited low density residential development adjacent to existing residential towns and small settlements, which complements the surrounding environment, is able to be efficiently serviced by public infrastructure and is in locations not subject to significant risks to life or safety and property damage from natural hazards.
<b>RESZ - P15</b>	Where cultural landscapes are identified in residential areas or development, ensure activities are managed in a way that provides for the cultural relationships of Poutini Ngāi Tahu including; <ul style="list-style-type: none"> <li>a. Protection of wāhi tapu and taonga sites scheduled in the Plan using culturally appropriate methods;</li> <li>b. Identification and utilisation of opportunities to enhance sites, values and other taonga of cultural significance to Poutini Ngāi Tahu; and</li> <li>c. Protection of the relationship of tangata whenua with freshwater, including cultural wellbeing and customary use opportunities.</li> </ul>
<b>RESZ - P16</b>	Avoid reverse sensitivity effects from residential development adjacent to strategic infrastructure including: <ul style="list-style-type: none"> <li>a. Hokitika, Greymouth and Westport Airports;</li> <li>b. The rail network;</li> <li>c. The arterial road network;</li> <li>d. The Ports of Westport and Greymouth;</li> <li>e. Wastewater treatment plants;</li> <li>f. Landfills;</li> <li>g. Potable water supply plants;</li> <li>h. The National Grid.</li> </ul>

## GRZ

### General Residential Zone - Rules

#### Overview

The General Residential Zone encompasses the majority of the areas where people live in the main towns on the West Coast - Hokitika, Greymouth, Westport and Reefton. Generally these areas are characterised by low height built form. This, combined with generally wide gridded streets, creates a very open character with vistas of the mountains being a defining characteristic of the areas. While there are non-residential activities present in the General Residential Zone, these are low key activities with minimal impacts on the amenity and character of the zone.

The Residential objectives, policies and General Residential Zone rules provide the framework for managing the effects of development and ensuring that residential amenity values and the quality of the built environment are maintained and enhanced. They also provide for a range of housing types to meet the diverse needs of the community in the form of standalone houses, semi-detached housing, residential conversions and minor residential units.

Home business, retirement villages and community activities that support the social wellbeing of the community may also occur in the Zone where these are compatible with residential amenity values. Non-residential activities that are incompatible with residential amenity values or which are more appropriately located within the Town Centre Zone, Commercial Zone, Mixed Use Zone, General Industrial Zone or Neighbourhood Centre Zone are discouraged.

#### Rules

Note: There may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity is provided in [General Approach](#).

#### Permitted Activities

##### GRZ - R1

##### Residential Activities and Residential Units

##### Activity Status Permitted

Where:

1. Residential unit density is no more than
  - i. 1 unit per 350m<sup>2</sup> net site area; or
  - ii. 1 unit per 300m<sup>2</sup> net site area where two or more adjoining sites are developed;
2. There is no more than 1 minor residential unit per site;
3. Maximum building height above ground level of 10m;
4. Buildings are setback a minimum 4.5m from road boundaries, except that a roof overhang may encroach 750mm;
5. Maximum site coverage is 40%;
6. A minimum of 30m<sup>2</sup> of outdoor living space is provided per residential unit and 12m<sup>2</sup> per minor residential unit which is separate to the outdoor space for the principal dwelling and excluding any parking and manoeuvring areas;
7. No more than one heavy vehicle is stored on site;

##### Activity status where compliance not achieved:

Discretionary where standards 1 to 7 are not complied with.

**{Link,7303,GRZ - R13}**

Restricted Discretionary where standards 8 and 9 are not complied with.

**{Link,7381,GRZ - R10}**

<p>8. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix 2 to commence 2.5m above any site boundary except where neighbour's consent is provided to the Council under Section 87AAB of the Act. This standard does not apply to:</p> <ul style="list-style-type: none"> <li>i. Road boundaries;</li> <li>ii. Buildings on adjoining sites that have a common wall along the boundary;</li> <li>iii. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard;</li> <li>iv. Boundaries adjoining any site in a Commercial, Mixed Use, Industrial or Rural Zone;</li> <li>v. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (eg finials, spires) provided these do not exceed the recession plane by more than 3m vertically; or</li> <li>vi. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically; and</li> </ul> <p>9. Buildings are setback a minimum of 1m from all other site boundaries, except that:</p> <ul style="list-style-type: none"> <li>i. Duplexes do not require a setback from the side boundary of the other duplex unit; and</li> <li>ii. Setbacks are not required from adjacent residential boundaries where neighbour's consent is provided to the Council under Section 87AAB of the Act.</li> </ul>	
<p><b>GRZ - R2</b>                      <b>Minor Structures</b></p>	
<p><b>Activity Status Permitted</b> Where:</p> <ul style="list-style-type: none"> <li>1. All performance standards for rule GRZ - R1 are complied with;</li> <li>2. Masts, poles, aerials and pou whenua must not exceed 7m in height;</li> <li>3. Any antenna dish must be less than 1m in diameter;</li> <li>4. Any ornamental or garden structure must not exceed 2.4 m in height; and</li> <li>5. Any other structure must not exceed 10m<sup>2</sup> and 2m in height.</li> </ul>	<p><b>Activity status where compliance not achieved:</b> Controlled {<a href="#">Link,7379,GRZ - R8</a>}</p>
<p><b>GRZ - R3</b>                      <b>Fences, Walls and Retaining Walls</b></p>	
<p><b>Activity Status Permitted</b> Where:</p> <ul style="list-style-type: none"> <li>1. Fences, walls and retaining walls are a maximum 2m height above ground level; and</li> <li>2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.</li> </ul>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>
<p><b>GRZ - R4</b>                      <b>Relocated Buildings</b></p>	
<p><b>Activity Status Permitted</b> Where:</p> <ul style="list-style-type: none"> <li>1. All performance standards for rule GRZ - R1 are complied with;</li> </ul>	<p><b>Activity status where compliance not achieved:</b> Controlled</p>

<ol style="list-style-type: none"> <li>2. The building was constructed within the 10 years prior to location on the site;</li> <li>3. is constructed of new materials; and</li> <li>4. is established on foundations complying with the Building Code at the time of relocation.</li> </ol>	<b>{Link,7379,GRZ - R9}</b>
<b>GRZ - R5</b>	<b>Home Business</b>
<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. This is ancillary to a residential activity;</li> <li>2. All performance standards for rules GRZ - R1, NOISE R1-R3, LIGHT - R2 and SIGN - R10 are complied with;</li> <li>3. Hours of operation are limited to: <ol style="list-style-type: none"> <li>i. 7am-7pm weekdays; and</li> <li>ii. 8am - 5pm weekends and public holidays;</li> <li>iii. Except where: <ol style="list-style-type: none"> <li>a. The entire activity is located within a building;</li> <li>b. Each person engaged in the activity outside the above hours resides permanently on site; and</li> <li>c. There are no visitors, customers or deliveries to the activity outside of the above hours</li> </ol> </li> </ol> </li> <li>4. A maximum of 4 heavy vehicle movements per day and whichever is the greater of 20 light vehicle movements per day or 140 light vehicle movements per week;</li> <li>5. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place; and</li> <li>6. No external generation of dust, odour or smoke occurs as part of the activity.</li> </ol>	<p><b>Activity status where compliance not achieved:</b>  Discretionary  <b>{Link,7303,GRZ - R14}</b></p>
<b>GRZ - R6</b>	<b>Visitor Accommodation</b>
<p><b>Activity Status Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. This is ancillary to a residential activity;</li> <li>2. All performance standards for rules GRZ - R1, NOISE R1-R3, LIGHT - R2 and SIGN - R10 are complied with;</li> <li>3. The accommodation is homestay accommodation with a permanent resident living on site;</li> <li>4. There is a maximum of 5 guests at any one time;</li> <li>5. Notification to the District Council is required prior to the activity commencing;</li> <li>6. Records of letting activity must be kept and provided to the Council on request; and</li> <li>7. No heavy vehicle movements are generated.</li> </ol>	<p><b>Activity status where compliance not achieved:</b>  Restricted Discretionary <b>{Link,7381,GRZ - R11}</b></p>
<b>GRZ - R7</b>	<b>Community Facilities</b>

<b>Activity Status Permitted</b>		<b>Activity status where compliance not achieved:</b> Restricted Discretionary <b>Activity {Link,7381,GRZ -12}</b>
Where: 1. All performance standards for rules GRZ - R1, NOISE R1-R3, LIGHT - R2 and SIGN R10 and Temporary Activities are complied with; 2. A maximum of 4 heavy vehicle movements and whichever is the greater of 20 light vehicle movements per day or 140 vehicle movements per week; and 3. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place.		
<b>GRZ - R8</b>	<b>Supported Residential Accommodation</b>	
<b>Activity Status Permitted</b>		<b>Activity status where compliance not achieved:</b> Restricted Discretionary <b>Activity {Link,7381,GRZ -12}</b>
Where: 1. All performance standards for rules GRZ - R1, NOISE R1-R3, LIGHT - R2 and SIGN R10 are complied with; 2. There is a maximum of 6 residents; and 3. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place.		
<b>Controlled Activities</b>		
<b>GRZ - R9</b>	<b>Minor Structures not meeting Rule GRZ - R2</b>	
<b>Activity Status Controlled</b>		<b>Activity status where compliance not achieved:</b> Discretionary <b>{Link,7303,GRZ -R13}</b>
Where: 1. The minor structure does not exceed 10m in height; and 2. All other performance standards for rule GRZ - R1 are complied with. <b>Matters of control are:</b> a. Design and location of structures; and b. Landscape measures.		
<b>GRZ -R10</b>	<b>Relocated Buildings not meeting Rule GRZ - R4</b>	
<b>Activity Status Controlled</b>		<b>Activity status where compliance not achieved:</b> Discretionary <b>{Link,7303,GRZ - R13}</b>
Where: 1. All performance standards for rule GRZ - R1 are complied with. <b>Matters of control are:</b> a. Design and location of structures; b. Landscape measures; and c. Appearance of buildings.		
<b>Restricted Discretionary Activities</b>		
<b>GRZ - R11</b>	<b>Buildings not meeting Rule GRZ-R1</b>	

<p><b>Activity Status Restricted Discretionary</b> Where:</p> <ol style="list-style-type: none"> <li>1. The building projects into the recession plane as defined in <b>Appendix 6</b>; or</li> <li>2. The building is set back less than 1m from internal boundaries; and</li> <li>3. All other performance standards for rule GRZ - R1 are complied with.</li> </ol> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Design and location of buildings;</li> <li>b. Design and location of parking and access; and</li> <li>c. Landscape measures.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Discretionary {Link,7303,GRZ -13}</p>
<b>GRZ - R11</b>	<b>Visitor Accommodation not meeting GRZ - R6</b>
<p><b>Activity Status Restricted Discretionary</b> Where:</p> <ol style="list-style-type: none"> <li>1. This is ancillary to a residential activity;</li> <li>2. Notification to the District Council is required prior to the activity commencing;</li> <li>3. Records of letting activity must be kept and provided to the Council on request;</li> <li>4. No heavy vehicle movements are generated; and</li> <li>5. All performance standards for rules GRZ - R1, NOISE R1-R3, LIGHT - R2 and SIGN - R10 are complied with.</li> </ol> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Design and location of buildings;</li> <li>b. Design and location of parking and access;</li> <li>c. Landscape measures;</li> <li>d. Hours of operation; and</li> <li>e. Acoustic and noise insulation requirements.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>
<b>GRZ - R12</b>	<b>Community Facilities not meeting rule GRZ - R7, Retirement Homes and Supported Residential Accommodation not meeting rule GRZ - R8 and Retirement Villages</b>
<p><b>Activity Status Restricted Discretionary</b></p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>a. Design and location of buildings;</li> <li>b. Design and location of parking and access;</li> <li>c. Landscape measures;</li> <li>d. Hours of operation; and</li> <li>e. Acoustic and noise insulation requirements.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> N/A</p>

<b>Notification:</b> Applications for community facilities will always be notified to adjacent neighbours and may be publicly notified.		
<b>GRZ -R13</b>	<b>Development of medium density developments</b>	
<b>Activity Status Discretionary</b> Where: <ol style="list-style-type: none"> <li>These do not meet the GRZ - 1 Permitted Activity Standards in relation to any of density, height, setbacks, recession planes and building coverage;</li> <li>All performance standards for rules NOISE R1-R3, LIGHT - R2 and SIGN - R10 are complied with;</li> <li>The minimum lot size is 150m<sup>2</sup> net site area;</li> <li>The maximum height is 12.5m;</li> <li>Within 10 metres of a site boundary that is zoned General Residential the maximum height shall be 10m; and</li> <li>Maximum building coverage is 50%.</li> </ol>		<b>Activity status where compliance not achieved:</b> Non-complying
<b>Discretionary Activities</b>		
<b>GRZ - R14</b>	<b>Residential Activity, Residential Units, Fences, Walls and Minor Structures and Relocated Buildings not meeting Permitted, Controlled or Restricted Discretionary Standards.</b>	
<b>Activity Status Discretionary</b> Where: <ol style="list-style-type: none"> <li>All performance standards for rules NOISE R1 - R3 and LIGHT - R2 are complied with.</li> </ol>		<b>Activity status where compliance not achieved:</b> Non-complying
<b>GRZ - R15</b>	<b>Home Business not meeting Rule GRZ - R5</b>	
<b>Activity Status Discretionary</b> Where: <ol style="list-style-type: none"> <li>All performance standards for rules NOISE R1 - R3 and LIGHT R2 are complied with.</li> </ol>		<b>Activity status where compliance not achieved:</b> Non-complying
<b>GRZ - R16</b>	<b>Visitor Accommodation not meeting the Permitted or Restricted Discretionary Standards</b>	
<b>Activity Status Discretionary</b> Where: <ol style="list-style-type: none"> <li>All performance standards for rules NOISE R1-R3 and LIGHT - R2 are complied with.</li> </ol>		<b>Activity status where compliance not achieved:</b> Non-complying
<b>GRZ - R17</b>	<b>Commercial Activities other than Home Businesses and Visitor Accommodation</b>	
<b>Activity Status Discretionary</b> Where: <ol style="list-style-type: none"> <li>All performance standards for rules NOISE R1-R3 and LIGHT R2 are complied with;</li> <li>Hours of Operation are limited to 7am to 7pm weekdays and 8am to 5pm weekends and public holidays; and</li> <li>No external generation of dust, odour or smoke occurs as part of the activity.</li> </ol>		<b>Activity status where compliance not achieved:</b> Non-complying



<b>Non Complying Activities</b>	
<b>GRZ - R17</b>	<b>Industrial Activities</b>
<b>Activity Status Non-complying</b>	<b>Activity status where compliance not achieved: N/A</b>
<b>GRZ - R19</b>	<b>Any activity that is not a Permitted, Controlled, Restricted Discretionary or Discretionary Activity</b>
<b>Activity Status Non-complying</b>	<b>Activity status where compliance not achieved: N/A</b>

## **LLRZ**

### **Large Lot Residential Zone - Rules**

#### **Overview**

The Large Lot Residential Zone encompasses areas which are served by reticulated water supply and wastewater systems but are of a lower density character than the General Residential Zone. They are predominantly located on the edges of towns.

The Residential objectives, policies and Large Lot Residential Zone rules provide the framework for managing the effects of development and ensuring that residential amenity values and the quality of the built environment are maintained and enhanced.

In addition to residential activities, the zone provides for some non-residential activities that operate from existing houses or purpose built buildings, where these activities are compatible with residential activities and the character and amenity of the zone. Incompatible non-residential activities are not anticipated or provided for in this zone.

<b>Rules</b>	
Note: There may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity is provided in General Approach.	
<b>Permitted Activities</b>	
<b>LLRZ - R1</b>	<b>Residential Activities and Residential Units</b>
<b>Activity Status Permitted</b> Where: <ol style="list-style-type: none"> <li>1. There is no more than 1 unit per 1000m<sup>2</sup> net site area;</li> <li>2. The maximum height of a building above ground level is 10m;</li> <li>3. There is no more than 1 minor residential unit per 1000m<sup>2</sup> net site area;</li> <li>4. Buildings are setback a minimum 10m from road boundaries, except that a roof overhang may encroach 750mm;</li> </ol>	<b>Activity status where compliance not achieved:</b> Discretionary <b>{Link,7298,LLZ -R10}</b>

<ol style="list-style-type: none"> <li>5. Maximum site coverage is 40% or 500m<sup>2</sup> whichever is the lesser;</li> <li>6. Stormwater is managed on site with any off site discharge is managed in accordance with NZS4404:2010 Land Development and Subdivision Infrastructure;</li> <li>7. No more than two heavy vehicles are stored on site;</li> <li>8. Buildings are setback a minimum of 4m from all other site boundaries except where neighbour's consent is provided to the Council under Section 87AAB of the Act; and</li> <li>9. No building shall project beyond a building envelope defined by a recession plane as defined in <b>Appendix 2</b> to commence 2.5m above any site boundary except where neighbour's consent is provided to the Council under Section 87AAB of the Act. This standard does not apply to: <ol style="list-style-type: none"> <li>i. Road boundaries</li> <li>ii. Buildings on adjoining sites that have a common wall along the boundary</li> <li>iii. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard.</li> <li>iv. Boundaries adjoining any site in a Commercial, Mixed Use, General Industrial or Rural Zone.</li> <li>v. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (eg finials, spires) provided these do not exceed the recession plane by more than 3m vertically</li> <li>vi. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically</li> </ol> </li> </ol>	
<b>LLRZ - R2</b> <b>Minor Structures</b>	
<b>Activity Status Permitted</b> Where: <ol style="list-style-type: none"> <li>1. All performance standards for rule LLRZ - R1 are complied with;</li> <li>2. Masts, poles, aerials and pou whenua must not exceed 7m in height;</li> <li>3. Any antenna dish must be less than 1m in diameter;</li> <li>4. Any ornamental or garden structure must not exceed 2.4 m in height; and</li> <li>5. Any other structure must not exceed 10m<sup>2</sup> and 2m in height.</li> </ol>	<b>Activity status where compliance not achieved:</b> Controlled <b>{Link,7541,LLRZ - R8}</b>
<b>LLRZ - R3</b> <b>Fences, Walls and Retaining Walls</b>	
<b>Activity Status Permitted</b> Where: <ol style="list-style-type: none"> <li>1. Fences, walls and retaining walls are a maximum 2m height above ground level; and</li> <li>2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.</li> </ol>	<b>Activity status where compliance not achieved:</b> Discretionary <b>{Link,7543,LLRZ -R10}</b>
<b>LLRZ - R4</b> <b>Relocated Buildings</b>	

<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. All performance standards for rule LLRZ - R1 are complied with;</li> <li>2. The building was constructed within the 10 years prior to location on the site;</li> <li>3. Is constructed of new materials; and</li> <li>4. Is established on foundations complying with the Building Code at the time of relocation.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Controlled {Link,7542,LLRZ -R9}</p>
<p><b>LLRZ - R5 Home Business</b></p>	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. This is ancillary to a residential activity;</li> <li>2. All performance standards for rules LLRZ - R1, NOISE R1-R3 and LIGHT - R2 are complied with;</li> <li>3. Hours of operation are limited to: <ol style="list-style-type: none"> <li>i. 7am-10pm weekdays; and</li> <li>ii. 8am - 8pm weekends and public holidays;</li> <li>iii. Except where: <ol style="list-style-type: none"> <li>a. The entire activity is located within a building;</li> <li>b. Each person engaged in the activity outside the above hours resides permanently on site; and</li> <li>c. There are no visitors, customers or deliveries to the activity outside of the above hours</li> </ol> </li> </ol> </li> <li>4. A maximum of 4 heavy vehicle movements per day and whichever is the greater of 30 light vehicle movements per day or 210 light vehicle movements per week;</li> <li>5. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place; and</li> <li>6. No external generation of dust, odour or smoke occurs as part of the activity.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Discretionary {Link,7538,LLRZ -R11}</p>
<p><b>LLRZ - R6 Visitor Accommodation</b></p>	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. This is ancillary to a residential activity;</li> <li>2. All performance standards for rules LLRZ - R1, NOISE R1 - R3, LIGHT - R1 and SIGN - R10 are complied with;</li> <li>3. The accommodation is homestay accommodation with a permanent resident living on site;</li> <li>4. There is a maximum of 5 guests at any one time;</li> <li>5. Notification to the District Council is required prior to the activity commencing;</li> <li>6. Records of letting activity must be kept and provided to the Council on request; and</li> <li>7. No heavy vehicle movements are generated.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<p><b>LLRZ - R7 Community Facilities</b></p>	

<b>Activity Status Permitted</b>		<b>Activity status where compliance not achieved:</b> Restricted Discretionary
Where: <ol style="list-style-type: none"> <li>1. All performance standards for rules LLRZ - R1, NOISE R1 - R3, LIGHT R2, SIGN - R10 and Temporary Activities are complied with;</li> <li>2. A maximum of 4 heavy vehicle movements and whichever is the greater of 30 light vehicle movements per day or 210 vehicle movements per week; and</li> <li>3. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place.</li> </ol>		
<b>LLRZ - R8</b>	<b>Supported Residential Accommodation</b>	
<b>Activity Status Permitted</b>		<b>Activity status where compliance not achieved:</b> Restricted Discretionary
Where: <ol style="list-style-type: none"> <li>1. All performance standards for rules LLRZ - R1, NOISE R1 - R3, LIGHT R2 and SIGN - R10 are complied with;</li> <li>2. The maximum number of residents is 6; and</li> <li>3. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place.</li> </ol>		
<b>Controlled Activities</b>		
<b>LLRZ - R9</b>	<b>Minor Structures not meeting Rule LLRZ - R2</b>	
<b>Activity Status Controlled</b>		<b>Activity status where compliance not achieved:</b> Discretionary
Where: <ol style="list-style-type: none"> <li>1. The minor structure does not exceed 10m in height; and</li> <li>2. All other performance standards for rule LLRZ - R1 are complied with.</li> </ol> <b>Matters of control are:</b> <ol style="list-style-type: none"> <li>a. Design and location of structures; and</li> <li>b. Landscape measures.</li> </ol>		
<b>LLRZ -R10</b>	<b>Relocated Buildings not meeting Rule LLRZ - R4</b>	
<b>Activity Status Controlled</b>		<b>Activity status where compliance not achieved:</b> Discretionary
Where: <ol style="list-style-type: none"> <li>1. All performance standards for rule LLRZ - R1 are complied with.</li> </ol> <b>Matters of control are:</b> <ol style="list-style-type: none"> <li>a. Design and location of structures;</li> <li>b. Landscape measures; and</li> <li>c. Appearance of buildings.</li> </ol>		
<b>Restricted Discretionary Activities</b>		

<b>LLRZ – R11</b>	<b>Community Facilities not meeting Rule LLRZ -R7, Supported Residential Accommodation and Retirement Homes not meeting Rule LLRZ - R8 and Retirement Villages</b>	
<b>Activity Status Restricted Discretionary</b>		<b>Activity status where compliance not achieved:</b> N/A
<p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>Design and location of buildings</li> <li>Design and location of parking and access</li> <li>Landscape treatment</li> <li>Hours of operation</li> <li>Acoustic and noise insulation requirements.</li> </ol> <p><b>Notification:</b> Applications for community facilities will always be notified to adjacent neighbours and may be publicly notified.</p>		
<b>LLRZ - R12</b>	<b>Visitor Accommodation</b>	
<b>Activity Status Restricted Discretionary</b>		<b>Activity status where compliance not achieved:</b> Discretionary
<p>Where:</p> <ol style="list-style-type: none"> <li>This is ancillary to a residential activity;</li> <li>Notification to the District Council is required prior to the activity commencing;</li> <li>Records of letting activity must be kept and provided to the Council on request;</li> <li>No heavy vehicle movements are generated; and</li> <li>All performance standards for rules LLRZ - R1, NOISE R1 - R3, LIGHT R2, SIGN - R10 are complied with.</li> </ol> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>Design and location of buildings;</li> <li>Design and location of parking and access;</li> <li>Landscape measures;</li> <li>Hours of operation; and</li> <li>Acoustic and noise insulation requirements.</li> </ol>		
<b>Discretionary Activities</b>		
<b>LLRZ-R13</b>	<b>Residential Activity, Residential Unit, Fences and Minor Structures not meeting Permitted, Controlled or Restricted Discretionary Standards</b>	
<b>Activity Status Discretionary</b>		<b>Activity status where compliance not achieved:</b>
<p>Where:</p> <ol style="list-style-type: none"> <li>All performance standards for NOISE R1 - R3 and LIGHT R2 are complied with.</li> </ol>		Non-complying
<b>LLRZ - R14</b>	<b>Home Business not meeting Rule LLRZ - R5</b>	
<b>Activity Status Discretionary</b>		<b>Activity status where compliance not achieved:</b>
Where:		

1. All performance standards for NOISE R1 - R3 and LIGHT R2 are complied with.	Non-complying
<b>LLRZ - R15</b>	<b>Visitor Accommodation not meeting Rule LLRZ - R12</b>
<b>Activity Status Discretionary</b> Where: 1. All performance standards for NOISE R1 - R3 and LIGHT R2 are complied with.	<b>Activity status where compliance not achieved:</b> Non-complying
<b>Non Complying Activities</b>	
<b>LLRZ - R16</b>	<b>Visitor Accommodation not meeting the Permitted, Restricted Discretionary or Discretionary Activity Rules</b>
<b>Activity Status Non-complying</b>	<b>Activity status where compliance not achieved:</b> N/A
<b>LLRZ - R17</b>	<b>Commercial Activities including Home Business and Visitor Accommodation not meeting the Permitted, Restricted Discretionary or Discretionary Activity Rules</b>
<b>Activity Status Non-complying</b>	<b>Activity status where compliance not achieved:</b> N/A
<b>LLRZ - R18</b>	<b>Industrial Activities</b>
<b>Activity Status Non-complying</b>	<b>Activity status where compliance not achieved:</b> N/A

## MDRZ

### Medium Density Residential Zone - Rules

#### Overview

The Medium Density Residential Zone provides for residential development at a greater density than in the General Residential Zone. This Zone is a transformative zone that will result in changes to existing densities and built form characteristics and a greater diversity of housing options for the West Coast towns. The Zone supports a higher density of development through its proximity to the Town Centre Zone and areas of public open space, providing easy access to shops, services and amenities. The zone is generally characterised by a mix of uses, including existing suburban scale residential housing (stand-alone houses) and townhouses/flats. However, it is anticipated that the character and scale of buildings in this zone will transition over time as the number of medium density residential developments increases (i.e. multi-unit, semi-detached and terraced houses).

The Residential objectives, policies and Medium Density Zone rules provide the framework for managing the effects of development and ensuring the reasonable maintenance of residential amenity values and a high quality of the built environment in a way that recognises the character intended for the Zone. They also provide for a range of housing types to meet the diverse needs of the community. Multi-unit housing, including town houses and apartments, may occur when there is a high standard of urban design that integrates the development into the surrounding area, creates a high level of on-site amenity and minimises the effects of development on adjoining sites, including visual amenity, privacy and access to daylight and sunlight.

To ensure a good quality of life and amenity for existing and future residents, the District Plan seeks to ensure that high standards of on-site amenity are achieved, including by controlling the level of noise and light that may be emitted in the zone, and by requiring that residential properties are provided with good access to sunlight and daylight and have a reasonable level of privacy. The provisions also require that site design and layout be considered in order to protect and/or enhance the amenity of surrounding properties and the wider neighbourhood.

In addition to residential activities, the zone provides for home businesses and non-residential activities that operate from existing houses or purpose built buildings, where these activities are compatible with residential activities and the character and amenity of the zone. Incompatible non-residential activities are not anticipated or provided for in this zone.

## Rules

Note: There may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity is provided in General Approach.

## Permitted Activities

### MRZ - R1

### Residential Activities and Residential Units

#### Activity Status Permitted

Where:

1. Residential unit density is no more than 1 unit per 300m<sup>2</sup> net site area;
2. The maximum building height above ground level is 10m;
3. Buildings are setback a minimum 4.5m from road boundaries, except that a roof overhang may encroach 750mm;
4. Maximum site coverage is 40%;
5. A minimum of 30m<sup>2</sup> of outdoor living space is provided per residential unit excluding any parking and manoeuvring areas;
6. No heavy vehicles are stored on site;
7. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix 2 to commence 2.5m above any site boundary except where neighbour's consent is provided to the Council under Section 87AAB of the Act. This standard does not apply to:
  - i. Road boundaries;
  - ii. Buildings on adjoining sites that have a common wall along the boundary;
  - iii. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard;
  - iv. Boundaries adjoining any site in a Commercial, Mixed Use, General Industrial or Rural Zone;
  - v. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (eg finials, spires) provided these do not exceed the recession plane by more than 3m vertically; or
  - vi. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically; and
8. Buildings are setback a minimum of 1m from all other site boundaries, except that:

#### Activity status where compliance not achieved:

Controlled where this is for Medium Density Housing and standards 1 - 4 are not complied with.  
Otherwise: Discretionary

<ul style="list-style-type: none"> <li>i. Duplexes do not require a setback from the side boundary of the other duplex unit; and</li> <li>ii. Setbacks are not required from adjacent residential boundaries where neighbour's consent is provided to the Council under Section 87AAB of the Act.</li> </ul>	
<b>MRZ - R2</b> <b>Minor Structures</b>	
<b>Activity Status Permitted</b> Where: <ul style="list-style-type: none"> <li>1. All performance standards for rule MRZ - R1 are complied with;</li> <li>2. Masts, poles, aerials and pou whenua must not exceed 7m in height;</li> <li>3. Any antenna dish must be less than 1m in diameter;</li> <li>4. Any ornamental or garden structure must not exceed 2.4 m in height; and</li> <li>5. Any other structure must not exceed 10m<sup>2</sup> and 2m in height.</li> </ul>	<b>Activity status where compliance not achieved:</b> Controlled
<b>MRZ - R3</b> <b>Fences, Walls and Retaining Walls</b>	
<b>Activity Status Permitted</b> Where: <ul style="list-style-type: none"> <li>1. Fences, walls and retaining walls are a maximum 2m height above ground level; and</li> <li>2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall.</li> </ul>	<b>Activity status where compliance not achieved:</b> Discretionary
<b>MRZ - R4</b> <b>Relocated Buildings</b>	
<b>Activity Status Permitted</b> Where: <ul style="list-style-type: none"> <li>1. All performance standards for rule MRZ - R1 are complied with;</li> <li>2. The building was constructed within the 10 years prior to location on the site;</li> <li>3. Is constructed of new materials; and</li> <li>4. Is established on foundations complying with the Building Code at the time of relocation.</li> </ul>	<b>Activity status where compliance not achieved:</b> Controlled
<b>MRZ-R5</b> <b>Home Business</b>	
<b>Activity Status Permitted</b> Where: <ul style="list-style-type: none"> <li>1. This is ancillary to a residential activity;</li> <li>2. All performance standards for rules MRZ - R1, NOISE R1-R3 and LIGHT - R2 are complied with;</li> <li>3. Hours of operation are limited to: <ul style="list-style-type: none"> <li>i. 7am-7pm weekdays; and</li> <li>ii. 8am - 5pm weekends and public holidays;</li> <li>iii. Except where: <ul style="list-style-type: none"> <li>a. The entire activity is located within a building;</li> <li>b. Each person engaged in the activity outside the above hours resides permanently on site; and</li> </ul> </li> </ul> </li> </ul>	<b>Activity status where compliance not achieved:</b> Discretionary



<p>c. There are no visitors, customers or deliveries to the activity outside of the above hours</p> <ol style="list-style-type: none"> <li>4. A maximum of 4 heavy vehicle movements per day and whichever is the greater of 20 light vehicle movements per day or 140 light vehicle movements per week;</li> <li>5. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place; and</li> <li>6. No external generation of dust, odour or smoke occurs as part of the activity.</li> </ol>	
<p><b>MRZ - R6</b>                      <b>Visitor Accommodation</b></p>	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. This is ancillary to a residential activity;</li> <li>2. All performance standards for rules MRZ - R1, NOISE R1-R3, LIGHT - R2, SIGN - R10 are complied with;</li> <li>3. The accommodation is homestay accommodation with a permanent resident living on site;</li> <li>4. There is a maximum of 5 guests at any one time;</li> <li>5. Notification to the District Council is required prior to the activity commencing;</li> <li>6. Records of letting activity must be kept and provided to the Council on request; and</li> <li>7. No heavy vehicle movements are generated.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<p><b>MRZ - R7</b>                      <b>Community Facilities</b></p>	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. All performance standards for rules MRZ - R1, NOISE R1-R3, LIGHT - R2, SIGN - R10 and Temporary Activities are complied with;</li> <li>2. A maximum of 4 heavy vehicle movements and whichever is the greater of 20 light vehicle movements per day or 140 vehicle movements per week; and</li> <li>3. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<p><b>MPZ - R8</b>                      <b>Supported Residential Accommodation</b></p>	
<p><b>Activity Status Permitted</b> Where:</p> <ol style="list-style-type: none"> <li>1. All performance standards for rules MRZ - R1, NOISE R1-R3, LIGHT - R2, SIGN - R10 and Temporary Activities are met.</li> <li>2. There are a maximum of 6 residents living on site; and</li> <li>3. No external storage of products except those associated with residential use shall be visible from any residential zoned property or public place.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<p><b>Controlled Activities</b></p>	
<p><b>MRZ - R9</b>                      <b>Minor Structures not meeting Rule MRZ - R2</b></p>	

<p><b>Activity Status Controlled</b> Where:</p> <ol style="list-style-type: none"> <li>1. The minor structure does not exceed 10m in height; and</li> <li>2. All other performance standards for rule MRZ - R1 are complied with.</li> </ol> <p><b>Matters of control are:</b></p> <ol style="list-style-type: none"> <li>a. Design and location of structures; and</li> <li>b. Landscape measures.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>
<b>MRZ - R10</b>	<b>Relocated Buildings not meeting Rule MRZ - R4</b>
<p><b>Activity Status Controlled</b> Where:</p> <ol style="list-style-type: none"> <li>1. All performance standards for rule MRZ - R1 are complied with.</li> </ol> <p><b>Matters of control are:</b></p> <ol style="list-style-type: none"> <li>a. Design and location of structures;</li> <li>b. Landscape measures; and</li> <li>c. Appearance of buildings.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>
<b>MRZ - R11</b>	<b>Development of medium density developments</b>
<p><b>Activity Status Controlled</b> Where:</p> <ol style="list-style-type: none"> <li>1. These do not meet the MRZ - 1 performance standards in relation to any of density, height, setbacks, recession planes and building coverage;</li> <li>2. All performance standards for rules NOISE R1-R3, LIGHT - R2 and SIGN - R10 are complied with;</li> <li>3. The maximum height is 12.5m;</li> <li>4. Residential unit density is no more than 1 unit per 150m<sup>2</sup> net site area;</li> <li>5. Within 10 metres of a site boundary that is zoned General Residential the maximum height shall be 10m; and</li> <li>6. Maximum building coverage is 50%</li> </ol> <p><b>Matters of control are:</b></p> <ol style="list-style-type: none"> <li>a. Provision of infrastructure to service the development;</li> <li>b. Design and location of parking and access;</li> <li>c. Design and location of buildings and compliance with the Medium Density Design guidelines; and</li> <li>d. Landscape measures.</li> </ol>	<p><b>Activity status where compliance not achieved:</b> Restricted Discretionary</p>
<b>Restricted Discretionary Activities</b>	
<b>MRZ -R12</b>	<b>Community Facilities not meeting Rule MRZ - R7, Supported Residential Accommodation and Retirement Homes not meeting Rule MRZ - R8 and Retirement Villages</b>

<p><b>Activity Status Restricted Discretionary</b></p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>a. Design and location of buildings;</li> <li>b. Design and location of parking and access;</li> <li>c. Landscape measures;</li> <li>d. Hours of operation; and</li> <li>e. Acoustic and noise insulation requirements.</li> </ul> <p><b>Notification:</b> Applications for community facilities will always be notified to adjacent neighbours and may be publicly notified.</p>	<p><b>Activity status where compliance not achieved:</b> N/A</p>
<p><b>MRZ - R13 Medium Density Housing not meeting Rule MRZ - R11</b></p>	
<p><b>Activity Status Restricted Discretionary</b></p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>a. Number of units;</li> <li>b. Height of buildings;</li> <li>c. Design and location of buildings;</li> <li>d. Provision of infrastructure to service the development;</li> <li>e. Design and location of parking and access;</li> <li>f. Compliance with the Medium Density Design guidelines;</li> <li>g. Landscape measures; and</li> <li>h. Acoustic and noise insulation requirements</li> </ul>	<p><b>Activity status where compliance not achieved:</b> N/A</p>
<p><b>MRZ - R14 Visitor Accommodation not meeting Rule MRZ - R6</b></p>	
<p><b>Activity Status Restricted Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. This is ancillary to a residential activity;</li> <li>2. Notification to the District Council is required prior to the activity commencing;</li> <li>3. Records of letting activity must be kept and provided to the Council on request;</li> <li>4. No heavy vehicle movements are generated; and</li> <li>5. All performance standards for rules GRZ - R1, NOISE R1-R3, LIGHT - R2, SIGN - R10 are complied with.</li> </ol> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>a. Design and location of buildings;</li> <li>b. Design and location of parking and access;</li> <li>c. Landscape measures;</li> <li>d. Hours of operation; and</li> <li>e. Acoustic and noise insulation requirements.</li> </ul>	<p><b>Activity status where compliance not achieved:</b> Discretionary</p>

<b>Discretionary Activities</b>		
<b>MRZ - R15</b>	<b>Residential Activity, Residential Units, Fences, Walls, Relocated Buildings and Minor Structures not meeting Permitted, Controlled or Restricted Discretionary Standards.</b>	
<b>Activity Status Discretionary</b>		<b>Activity status where compliance not achieved:</b>
Where:		Non-complying
1. All performance standards for rules NOISE R1-R3 and LIGHT - R2 are complied with.		
<b>MRZ - R16</b>	<b>Home Business not meeting Rule MRZ - R5</b>	
<b>Activity Status Discretionary</b>		<b>Activity status where compliance not achieved:</b>
Where:		Non-complying
1. All performance standards for rules NOISE R1-R3 and LIGHT - R2 are complied with.		
<b>MRZ - R17</b>	<b>Visitor Accommodation not meeting Rule MRZ - R6</b>	
<b>Activity Status Discretionary</b>		<b>Activity status where compliance not achieved:</b>
Where:		Non-complying
1. This is ancillary to a Residential Activity; and		
2. All performance standards for rules NOISE R1-R3 and LIGHT - R2 are complied with.		
<b>Non Complying Activities</b>		
<b>MRZ - R14</b>	<b>Visitor Accommodation not meeting the Permitted, Restricted Discretionary or Discretionary Activity Rules</b>	
<b>Activity Status Non-complying</b>		<b>Activity status where compliance not achieved:</b> N/A
<b>MRZ - R15</b>	<b>Any Commercial Activity not meeting another Rule in the Zone</b>	
<b>Activity Status Non-complying</b>		<b>Activity status where compliance not achieved:</b> N/A
<b>MRZ - R16</b>	<b>Industrial Activities</b>	
<b>Activity Status Non-complying</b>		<b>Activity status where compliance not achieved:</b> N/A
<b>MRZ - R17</b>	<b>Any other activity not meeting another Rule in the Zone</b>	
<b>Activity Status Non-complying</b>		<b>Activity status where compliance not achieved:</b> N/A



**Te Tai o Poutini**

**PLAN**

*A combined district plan for the West Coast*

# Project Manager Update

**1 June 2021 – 30 June 2021**

Prepared By: **Jo Armstrong**  
Date Prepared: **30 June 2021**

## Accomplishments this Period

- The planning team have been working on the following topics:
  - Ecosystems and Indigenous Biodiversity
  - Natural Hazards
  - Outstanding Natural Landscapes, Features and Character
  - Financial Contributions
  - Temporary Activities
  - Noise
  - Earthworks
  - Subdivision
  - Light and Glare
  - Activities on the Surface of Water
  - Stadium Zone
  - Public Access
- The number and breath of topics is keeping the Planning Team very busy.
- All papers are discussed with, and modified by, the Technical Advisory Team before coming to the Committee.
- The zoning workshop with Westland District Council took place on 30 June. A number of areas either available for, or requiring re-zoning were discussed. There was great input from Westland councillors who helped to identify sites on maps for future uses and growth.
- Contact with the mining sector is ongoing, and they are working to provide further information to aid discussions with the sector.
- A TTPP update was presented at the West Coast Regional Council Resource Managers Group meeting on 9 June.
- The Contract for GIS content delivery was signed on 11 June. The Property Group have been very responsive to our needs, working well with our staff and the Isovist E-Plan Team to set up systems to support data sharing and reporting.
- Staff are working through the contractual process with the company selected to identify Noise Contours for Hokitika Airport, Franz Josef Heliport, Westport Airport, Greymouth Aerodrome

and Karamea Aerodrome.

- Wildland Consulting are finalising their report for the desktop study they undertook for us. Once complete we will send a copy of the section covering conservation land to the local DOC office.
- Please note that we have swapped venues for the September and November Committee meetings. We will now be holding our November meeting at Te Tauraka Waka a Maui Marae at Bruce Bay. We hope this gives you plenty of time to plan to be there.

### Plans for Next Period

- Policy work on topics mentioned above will continue
- National Coastal Adaptation Forum
- TTPPC meeting at Grey District Council on Monday 26 July from 9.30-2.30
- TAT meeting at Grey District Council on 28 July
- The Project Manager and Principal Planner will Zoom into the July meeting.

### Key Issues, Risks & Concerns

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

Item	Action/Resolution	Responsible	Completion Date
Not getting key stakeholder buy-in	Contact and meet with them individually. Plan a stakeholder workshop and on-going engagement process	Project Manager	28 February 2020
Not producing a proposed plan in a timely manner	Set achievable milestones and monitor/report progress. Identify additional expertise/capacity	Project Manager Planning Team	30 June 2022
Decision makers can't agree	Get agreement on pieces of work prior to plan completion	Chairman	Ongoing
Budget insufficient for timely plan delivery	Work with TTPPC to recommend budget, and with WCRC to raise rate to achieve deliverables	Project Manager TTPP Committee CE WCRC	Annually Jan/Feb
Project extended due to reduced 2020/21 budget	Ensure 2021/22 research budget is sufficient to complete all remaining research required for robust Plan	Project Manager TTPP Committee CE WCRC	30 June 2022
Changes to national legislation	Planning team keep selves, Committee and Community updated on changes to legislation and the implications for TTPP	Project Manager Planning Team	Ongoing
Staff safety at public consultation	Committee members to proactively address & redirect aggressive behavior towards staff	TTPP Committee	Ongoing
National emergencies such as Covid-19 lock down	Staff and Committee ensure personal safety and continue to work remotely as able	Project Manager TTPP Committee	Ongoing
Committee delay or reduce scope of required research	Committee ensure timely research is enabled	TTPP Committee	Ongoing
Time and Cost of Appeals Process	Realistic budget set for best case costs. Awareness that contentious issues such as SNAs, Natural hazards and landscape provisions could see an extended appeals process, increasing costs to reach operative plan status	TTPP Committee TTPP Steering Group Project Manager	Ongoing
Fast track budget insufficient to meet new timing for Proposed Plan notification by 31 July 2022	Project Manager to report monthly on whether anticipated expenditure for the remainder of the period is on track to be met by the allocated budget	Project Manager TTPP Committee	31 July 2022
Increased fast track funding not provided by WCRC	Make a timely decision to slow down delivery to meet budgetary constraints	TTPP Committee	30 Sept 2021

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

### Status

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

### Schedule

Stage	Target Completion	Revised Fast Track Completion	Comments
Complete project initiation documentation	30-Apr-19	19-July-2019	TTPPC approved
Identify and contact key stakeholders	03-May-19	Ongoing	Connection made with all key stakeholders and started a second round of contact with other interested parties
Contract senior planning consultant	01-Aug-19	29-July-2019	Contract in place 29/7/19 -30/6/20
Recruit permanent senior planner	30-Sep-19	7-Sep-2019	Started at WCRC on 14 October 2019
Set up Te Tai o Poutini Plan website and communications package	30-Sep-19	30 Nov- 2019	Development complete. Available at <a href="http://www.ttp.westcoast.govt.nz">www.ttp.westcoast.govt.nz</a>
Set planning milestones	31-Oct-19	30 Aug-2019	Presented at August TTPPC meeting
Hold key stakeholder workshop for Settlements section	28-Feb-20	23 Oct and 21 Nov 2019	Greymouth and Hokitika, then Westport
Hold Community information meetings	31-Mar-20	16-27 Mar 20 and 24-22 Sep 2020	Roadshow in March 2020 and opportunities to coincide with council-community meetings and local events Outcome of Roadshow to be presented to May TTPPC meeting
Hold key stakeholder workshops for Infrastructure section	30-Apr-20	31-Jul-20	Greymouth and Hokitika, then Westport. Delayed due to Covid-19 Lockdown
Draft Provisions (Issues, Objectives, Policy and Rules) for Urban Areas developed	31-May-20	31-May-20	For presentation to May TTPPC meeting
Workshop discussion with environmental interests re biodiversity provisions	30-Jul-20	31-Aug-20	Delayed due to Covid-19 Lockdown

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



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



# Te Tai o Poutini PLAN

*A combined district plan for the West Coast*