



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Te Tai o Poutini Plan Committee Meeting
To be held via Zoom and Live Streamed via Council's Facebook Page
2 September 2021
AGENDA

10.00	Welcome and Apologies	Chair
	Confirm previous minutes	Chair
	Matters arising from previous meeting	Chair
10.05	Topics for Committee members to declare an interest in. Under discussion today: Future Zoning – Urban, Commercial, Stadium Subdivision Visitor Accommodation	Chair
10.10	Financial Report	Acting Corporate Services Manager WCRC
10.20	Technical Update – Natural Hazards Objectives and Policies, and Rules Options	Senior Planner
11.00	Technical Update – Future Urban Zone Rules	Principal Planner
11.30	Technical Update – Subdivisions Rules	Principal Planner
12.00	Technical Update – Short Term Residential Visitor Accommodation Approach and separate Rules Options Paper	Principal Planner
12.30	Lunch	
1.00	Technical Update – Design Guidelines for Greymouth, and Westport	Principal Planner
1.40	Technical Update – Stadium Zone Rules	Principal Planner
2.00	Draft Chapter Review Commercial and Mixed Used Zones	Principal Planner
2.20	Project Manager's Report	Project Manager
2.30	General Business	Chair
3.00	Meeting Ends	

Meeting Dates for 2021

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

THE WEST COAST REGIONAL COUNCIL

MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD ON 26 JULY 2021, AT THE GREY DISTRICT COUNCIL & VIA ZOOM, COMMENCING AT 10.30 A.M.

PRESENT:

R. Williams (Chairman), T. Gibson, B. Smith, L. Martin 10:41am, L. Coll McLaughlin via Zoom, A. Becker, A. Birchfield 10:38, P. Madgwick

IN ATTENDANCE:

J. Armstrong (Project Manager), L. Easton, E. Bretherton (WCRC), N. Selman (WCRC), H. Mabin (WCRC) 10:46am, T. Ramage (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:

Moved (Smith / Martin) *that the apologies from Cr Roche, Mayor Cleine, and F. Tumahai be accepted along with a lateness apology from L. Martin and A. Birchfield.*

Carried

CONFIRMATION OF MINUTES

Moved (Gibson / Becker) *that the minutes of the meeting dated 29 June 2021, be confirmed as correct.*

Carried

MATTERS ARISING

Cr Coll McLaughlin noted two corrections in previous minutes.
Page one, S. Bastion made the query and Cr Coll McLaughlin followed it up.
Page three, third line down, hydrology should read 'hydro-electric potential rivers.'

Moved (Gibson / Becker) *that the changes be accepted.*

Carried

Declarations of Interest

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

There were no Declarations of Interest.

LATE ITEM

Contracting Research and Legal Services for Te Tai o Poutini Plan

Moved (Madgwick / Gibson) *that the late item be accepted.*

Carried

J. Armstrong spoke to this report and advised there are three contracts that need signing to meet the fast-track timeline and must be signed by the appropriate WCRC staff. J. Armstrong offered to answer questions.

Moved (Becker / Smith)

1. *That the Committee receives the report.*
2. *That the Committee authorise that the Contract for NIWA for Coastal Hazard Mapping is signed by the Acting Chief Executive of the West Coast Regional Council.*
3. *That the Committee authorise that the contracts for Flood Mapping and Legal Services be signed by the Acting Chief Executive of the West Coast Regional Council once suppliers have been selected.*

Carried

Financial Report

N. Selman spoke to this report and advised it was early for the June report to be produced and highlighted the fact it was a draft. The year's financials aligned well with the budget. The increase in research costs was unbudgeted for but was largely offset by the DOC contribution. The budget did not consider the superannuation contribution that is made to employees and the impact of outstanding leave.

Cr Becker thanked N. Selman for getting the accounts out even if they are provisional and said it was a good sign of credibility when the accounts are out early.

J. Armstrong explained that staff will seek to offset the unbudgeted staff expenses in 2021/22 against the research expense, as the GIS contract came in under budget.

Moved (Coll McLaughlin / Birchfield)

1. *That the financial report is received.*
2. *That the Committee acknowledges the unbudgeted Superannuation cost, and that staff will seek to offset the impact by reducing research expenditure.*

Carried

Technical Update: Short-Term Residential Visitor Accommodation Approach in the Plan

L. Easton spoke to this report and acknowledged there are different views across the board. L. Easton advised to leave this lying on the table so the Buller representatives unable to attend can contribute. Chairman Williams offered to have some discussion now and leave it open so at the next meeting a decision can be made based off discussion today. Cr Birchfield communicated he didn't want too much bureaucracy put in the path of people regarding Air BnB's and accommodation. Cr Coll McLaughlin's views remain the same stating the residential housing crisis has increased and the long-term tenants need priority. Cr Coll McLaughlin supports P. Madgwick and is in favour of controlling the Unhosted Residential Visitor Accommodation and would like to see pathways in place. Mayor Smith observed all Air BnB's in Hokitika are full as Westland Dairy have their maintenance programme every winter. Chairman Williams commented that noise issues need to be considered. Cr Birchfield queried if the committee was still open to different rules for different towns. L. Easton advised that it would be better moving forward for different provisions for different locales. P. Madgwick voiced concern on the effect on long term accommodation. It was agreed that L. Easton will circulate a table of options for split rules prior to the next meeting.

Moved (Gibson / Becker)

1. *That the information be received.*
2. *That the item be left on the table.*

Carried

Technical Update: Ecosystems and Indigenous Biodiversity Objectives and Policies

L. Easton spoke to this report and advised that the report looks specifically at the matters around the ecosystems and biodiversity natural heritage 'matters of national importance' under the RMA, and the approach as to how they are managed in the Te Tai o Poutini Plan focusing strong recognition on kaitiakitanga and stewardship of the land.

Mayor Smith questioned whether it was worth waiting for the NPS to see what comes out of that. L. Easton advised that it would be preferable, however, there is no guarantee that the NPS for Ecosystems and Indigenous Biodiversity will be available before the draft needs to be ready for community feedback. Once the NPS is out, a paper will be provided to the committee identifying any information that the committee needs to be aware of. Chairman Williams sought clarification that it was better to have a place holder instead of leaving a gap. L. Easton assured it was critical to have something to be fair to the landowners. Mayor Gibson queried the need as it still imposes on landowners. L. Easton advised it is required to include Ecosystems and Biodiversity in the TTPP under the RMA. Cr Birchfield suggested leaving landowners land alone and marking the national parks as outstanding areas. L. Easton advised the topic has been well canvassed in the court and if nothing is provided on private land the consequences would be someone else making the rules through the environment court process. There was a discussion on SNA's and the property rights of landowners with concern that smaller communities may not be sustainable with P. Madgwick voicing this report goes against Te Tiriti o Waitangi.

Chairman Williams urged the committee to focus on the detail and Cr Coll McLaughlin agreed.

A discussion was held on threatened species, habitats, mobile fauna, and terrestrial corridors.

Cr Martin felt that the committee was dealing with unknowns and felt the committee was clear on the direction wanting it to be as enabling as possible and protect ownership rights on land and referred to deleting the second sentence in Draft Policy 1.

Chairman Williams noted paragraph 9-15 could be up for compromise.

Cr Martin emphasized that with this item in particular the committee would like it to be as enabling as possible, to meet the legislative requirements while still providing a West Coast flavour for the plan. The Committee is unanimous in wanting the rights of landowners to be protected. Mayor Smith shared concern over the legal property rights of owners.

A decision was made to amend Draft Policy 7 and remove "more than minor" and to directly refer Draft Policy seven to Draft Policy two after Cr Coll McLaughlin queried whether the wording was necessary in Draft Policy 7.

Moved (Martin / Becker)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the Objectives and Policies for Ecosystems and Indigenous Biodiversity.*

Carried

Technical Update: Natural Character and the Coastal Environment Objectives and Policies

L. Easton spoke to this report and advised that there is strong direction in the RMA and RPS to address these matters. The current three district plans already deal with natural character in relation to fresh water. The coastal provision is new. Discussion on coastal regions.

Cr Martin suggested having a separate objective for freshwater activities that have functional and operational needs. Cr Martin queried if drawing water from rivers and lakes was provided for in the report. L. Easton will capture this in Objective 3. Cr Martin referred to Draft Objective 1 and queried mitigating or avoiding adverse effect if applied to a river run hydro scheme or developments on rivers. L. Easton agreed it would need a separate objective to specifically address renewable development and water supplies that essentially need to be done in water bodies. Cr Coll McLaughlin questioned if the objective would flow on in Policy 3. L. Easton advised that there will be separate policies as this is an important topic for the West Coast and will be read in conjunction with the draft policies. E. Bretherton advised of other chapters in the Plan that could support the objectives and policies. Discussion on provisions and how to mitigate adverse effects. P. Madgwick addressed the Climate Change Report and if that would incur changes in the report. L. Easton replied that Natural Hazards approach would have greater weight for the present. Objective 3 will mention hydro power, drinking water supply and a catch-all for other things that have a functional and/or operational need to be in a freshwater body or adjacent to a freshwater body capturing fish farming and water-based recreation

and gold mining. Cr Martin queried if there are policies in the document that relate to water discharge like storm water. L. Easton advised this comes under the district council. Chairman Williams asked if the objective and polices would hinder developments within the next 30 years. Policy 5 should enable the ongoing developments on the West Coast. Discussion on the boundary lines for the coastal boundaries.

Moved (Madgwick / Gibson)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the Objectives and Policies and rules for Natural Character and the Coastal Environment in Te Tai o Poutini Plan.*
3. *Update the objectives and policies for waterbodies and Coastal character.*

Carried

Technical Update: Activities on the Surface of Water Rules

L. Easton spoke to this report and advised that artificial water bodies are not included in this document. P. Madgwick felt there was an opportunity to add more water bodies that do not need motorized craft. DOC will be regulating access and structures on water bodies if they are the owner. There was a discussion about the different water bodies and activities on the surface of the water. The committee discussed structures on natural water bodies. Chairman Williams suggested refining the definition of motorized watercraft to differentiate between light powered and noisy jet ski and boats. L. Eason replied that is usually regulated by bylaw, but the West Coast doesn't have a bylaw. P. Madgwick asked L. Easton to try DOC again for a response.

Moved (Coll McLaughlin / Gibson)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the draft Rules for Activities on the Surface of Water.*

Carried

The meeting adjourned at 12.39 and reconvened at 1.00 pm

Technical Update: Earthworks Rules

L. Easton spoke to this report and advised it was around the amenity and noise not the environmental effect of discharge. The focus is on the earthworks in the urban environment with permissive provision for the rest of the West Coast. L. Easton advised that work involving contaminated sites that they would need a Resource Consent under the National Environmental Standard for Contaminated Land and a Discharge consent under the Regional Land and Water Plan. Discussion on landfills, to include in permitted activity where consented under the Regional provisions, in Rule 3. Cr Coll McLaughlin clarified that landfill only permitted the earthworks and land use effects and noise would need to go through the process. L. Easton replied that it would apply more to traffic generation. Chairman Williams asked for clarification around terminology in the report. Mayor Smith referred to Rule 3(3) and queried whether the maximum size of 500m² was large enough to build on. L. Easton explained that in the rural lifestyle zone the permitted footprint of buildings is 500m², and she will check to see if it is sufficient to build on a rural lifestyle block. P. Madgwick would like the protocols tightened around the archaeological accidental discovery protocols and earthworks on slopes and something for geothermal.

Moved (Coll McLaughlin / Gibson)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the draft Rules for Earthworks.*

Carried

Technical Update: Temporary Activities – Objectives, Policies and Rules

L. Easton spoke to this report and advised that the provisions cover temporary military training and FENZ, as well as more common uses like events. Mayor Gibson would like the military training provision extended to 60 days from 31 days. Discussion on Freedom Camping. L. Easton advised that the three councils should have by laws in place as this is how Freedom Camping is regulated, however, those bylaws do not apply on State Highways. Mayor Gibson advised Grey had just looked extensively at their bylaw around Freedom Camping and it seems to be working with restrictions in place. The committee decided L. Easton to take another look. Mayor Smith would like no Freedom Camping unless permitted by council following public consultation. The committee agreed to it should occur in designated areas only.

Chairman Williams raised whether the temporary housing in Buller is provided for. Discussion on Franz Josef using commercial areas for residential. Cr Coll McLaughlin queried having a cross zone rule allowing councils to have temporary housing for post disaster or hazard. E. Bretherton advised that she had written rules allowing for temporary structures in the infrastructure chapter.

Moved (Becker / Smith)

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

Carried

Te Tai o Poutini Plan Draft Chapter Review – Residential Zones

L. Easton spoke to this report and advised this was the complete set of residential zones. Cr Coll McLaughlin wondered if Policy 1 for Residential Zone Policies was limiting the ability to utilize land in the best possible way by having to fit with the surrounding residential character. L. Easton agreed and spoke to the process of writing the rules. Cr Coll McLaughlin referred to Policy 11 arguing that all rohe land is ancestral and referred to the hui held and spoke to Policy 14 referring to Westport and if it was limiting because areas could not be developed because of possible damage from natural disasters. L. Easton agreed and offered to add to the policy. Mayor Gibson advised that Abbyfield being built is for 12 residents. L. Easton offered to take emails in regards to this item.

Moved (Smith / Martin)

1. *That the Committee receives the report.*
2. *That the Committee provides feedback on the draft Residential Zone provisions for Te Tai o Poutini Plan.*

Carried

Project Manager's Report

Chairman Williams took the report as read and advised that the first topic is keeping the planning team very busy. J. Armstrong briefly spoke to the report and anticipated more work coming into August and September and reiterated the importance of the discussions.

J. Armstrong reminded the next meeting for August will be held on Thursday 2nd of September at 9 am.

Mayor Smith expressed his thanks to the staff "for working the tightrope that exists in this process between the political reality on the ground and the legislative reality that is your world. I like the way that you do not pack a sad when we pack a sad."

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

Carried

GENERAL BUSINESS

Chairman Williams picked up from last meetings matters arising which was around the attendance of councillors at a meeting and referred to the Local Government Reorganisation Scheme Order in Council June 2019 paragraph 11- Parties being able to nominate deputies to attend in the absence of a member. Meeting is open to members of the public but there is a procedure for appointing a deputy.

The meeting closed at 1:45 p.m.

The Chairman thanked everyone for their attendance.

NEXT MEETING

.....
Chairman

.....
Date

Meeting Dates for 2021

	Type of meeting	Day, Date and Time	Venue
August	In Person	Thursday 2 September 9am	Grey District Council
September	In Person	Tuesday 28 9am	West Coast Regional Council
October	In Person	Friday 29	Buller District Council
November	In Person	Tuesday 30	Te Tauraka Waka a Maui Marae
December	In Person	Thursday 16	Grey District Council



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Jo Armstrong
Date: 2 September 2021
Subject: July 2021 Financial Report

SUMMARY

This report includes the statement of financial performance to 31 July 2021.

Costs generally tracked as expected with us reporting a deficit of \$34,990 compared with a budgeted deficit of \$30,010. This presents an unfavourable variance of \$4,980 for the month.

We have also attached table 2, which presents the accumulated deficit (or borrowing requirement) and we have attached table 3, a draft phased annual budget.

RECOMMENDATION

1. That the Committee receive the report
2. That the Committee gives approval for the Acting Chief Executive West Coast Regional Council to sign a contract for Landscape research to a maximum value of \$25,000.

Jo Armstrong

Project Manager

Discussion

1. The financial statement shows that in July there were a number of minor timing variances resulting in an overall variance against budget of \$4,980.
2. The main contributor is the unbudgeted employee superannuation costs, plus the uneven nature of the research and consultant services work.
3. We are forecasting exceeding the employee cost budget at the end of the year, but making up the difference through reduced research costs.
4. Information on accumulated operating deficit (the borrowing requirement) is set out in table 2. WCRC has yet to establish any funding arrangements.
5. Table 3 provides the draft phased budget that the monthly actuals will be reporting against. This table presents the expected timing of expenditure throughout this financial year.
6. Approval is also being sought for the Acting Chief Executive West Coast Regional Council to sign a contract to refine some previous Landscape research undertaken by Stephen Brown. This budgeted work should cost \$20,000-\$25,000.

Table 1

Statement of financial performance to July 2021						
	Year to date			Full year		
	Actual	Budget	Variance	Forecast	Budget	Variance
INCOME						
Targeted Rate	41,667	41,667	0	500,000	500,000	0
	41,667	41,667	0	500,000	500,000	0
EXPENDITURE						
Employee costs	21,940	20,833	(1,107)	270,000	250,000	(20,000)
Consultant Planner	10,417	8,333	(2,083)	100,000	100,000	0
Governance	5,053	5,417	363	65,000	65,000	0
Poutini Ngai Taha	4,167	4,167	(0)	50,000	50,000	0
TTPP Website	0	0	0	5,000	5,000	0
Isovist e-plan Platform	903	903	(0)	10,833	10,833	0
Research	20,473	13,900	(6,573)	570,000	590,000	20,000
Travel & Accommodation	1,204	1,000	(204)	15,000	15,000	0
Workshops & Events	0	0	0	3,000	3,000	0
Design & Printing	0	0	0	5,000	5,000	0
Media Costs	0	0	0	25,000	25,000	0
Mail Outs	0	0	0	20,000	20,000	0
Legal Advice	0	0	0	50,000	50,000	0
Hearings	0	0	0	0	0	0
Mediation	0	0	0	0	0	0
Environment Court	0	0	0	0	0	0
Interest	0	4,624	4,624	55,491	55,491	0
Share of WRC Overhead	12,500	12,500	0	150,000	150,000	0
	76,657	71,677	(4,980)	1,394,324	1,394,324	0
Net Surplus / (Deficit)	(34,990)	(30,010)	(4,980)	(894,324)	(894,324)	0

Table 2**Accumulated deficit / borrowing requirement**

Start of year	183,110	183,110
During period	34,990	894,324
End of period	218,100	1,077,434

Table 3 Draft Phased 2021/22 Budget

	July 21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Total
Income	41,667	41,667	41,667	41,667	41,667	41,667	41,667	41,667	41,667	41,667	41,667	41,667	500,000
Fixed costs													
WCRC overheads	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	12,500	150,000
Employee cost	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	20,833	250,000
Consultant Planner	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	8,333	100,000
Governance	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	5,417	65,000
Poutini Ngai Tahu	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	50,000
TTPP website	0	0	0	0	2,500	0	0	0	0	0	2,500	0	5,000
Isovist e-plan	903	903	903	903	903	903	903	903	903	903	903	903	10,833
	52,153	52,153	52,153	52,153	54,653	52,153	52,153	52,153	52,153	52,153	54,653	52,153	630,833
Variable costs													
Research	13,900	70,000	120,000	55,000	55,350	45,000	45,000	45,000	105,000	6,950	13,900	14,900	590,000
Travel & accom	1,000	1,000	1,500	1,500	1,500	1,000	1,000	1,500	1,500	1,500	1,000	1,000	15,000
Workshops events	0	0	0	0	0	0	0	750	750	750	750	0	3,000
Design & printing	0	0	0	0	0	2,500	0	0	0	0	0	2,500	5,000
Media costs	0	0	0	0	0	0	12,500	0	0	0	0	12,500	25,000
Mail outs	0	0	0	0	0	0	20,000	0	0	0	0	0	20,000
Legal	0	0	0	15,000	0	0	0	0	0	20,000	0	15,000	50,000
Hearings	0	0	0	0	0	0	0	0	0	0	0	0	0
Mediation	0	0	0	0	0	0	0	0	0	0	0	0	0
Environment Court	0	0	0	0	0	0	0	0	0	0	0	0	0
	14,900	71,000	121,500	71,500	56,850	48,500	78,500	47,250	107,250	29,200	15,650	45,900	708,000
Funding costs													
Interest	4,624	4,624	4,624	4,624	4,624	4,624	4,624	4,624	4,624	4,624	4,624	4,624	55,491
Total costs	71,677	127,777	178,277	128,277	116,127	105,277	135,277	104,027	164,027	85,977	74,927	102,677	1,394,324
Net surplus / (deficit)	(30,010)	(86,110)	(136,610)	(86,610)	(74,460)	(63,610)	(93,610)	(62,360)	(122,360)	(44,310)	(33,260)	(61,010)	(894,324)



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Edith Bretherton, Senior Planner
Date: August 2021
Subject: **Te Tai o Poutini Plan: Draft Objectives, Policies and Rule Direction for Natural Hazards**

SUMMARY

This report gives an update on the technical work being undertaken on Natural Hazards in Te Tai o Poutini Plan.

The proposed approach for Natural Hazards were shared at the April 2021 Committee meeting.

This report seeks feedback on the draft Objectives and Policies for Natural Hazards and seeks direction on rules for Natural Hazards.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the Committee provide feedback on the draft Objectives and Policies for Natural Hazards.
3. That the Committee provide rule direction for Natural Hazards.

Edith Bretherton
Senior Planner

INTRODUCTION

1. This report outlines the issues in managing significant natural hazards on the West Coast and options for plan development in Te Tai o Poutini Plan (TTPP).
2. Natural Hazard management is subject to a complex statutory framework. This is detailed in "Te Tai o Poutini Plan approach to Natural Hazards May 2021" paper to this committee. The details are in Appendix A.
3. The management of significant risk from natural hazards is an RMA matter of national importance (s.6). This elevation highlights the impacts from recent events and the national direction to manage significant risk. Particular regard (s7.i) of the effects of climate change is also required. Concurrently the potential impacts on iwi must also be considered (s.8). Also s.106 specifically pertains to subdivision consents and requires the consideration of natural hazards when assessing proposals.
4. National Planning Standards require natural hazards within the coastal environment to be contained within the coastal environment chapter. All other natural hazards are contained within their own chapter.

EXISTING DISTRICT PLAN PROVISIONS

5. The current provisions are no longer fit for purpose. Management of significant risk from natural hazards became a matter of national importance after the plans became operative. Buller District Council (BDC) undertook Plan Change 139 to address this but did not reach decision stage. Westland District Council (WDC) undertook Plan Change 7 to address fault avoidance in Franz Josef, but the plan change was withdrawn at Appeals stage. The existing provisions are contained with Appendix B.
6. A strong theme from consultation thus far is the lack of clarity and region wide consistency in our plans. There is a general understanding and acceptance of natural hazards, but frustration and anxiety about how and when they will be addressed.
7. The current plans use an activity-based approach, this is common in first generation plans. However, with management of natural hazards becoming a s.6 matter, and with the direction from the New Zealand Coastal Policy Statement (NZCPS), a risk-based approach is more appropriate, and is used in most second and third generation plans.
8. More data is now held by councils which allow better understanding of natural hazards and their impacts. However, as this data is not able to be used in the current plan provisions, applicants are having to complete assessments, when it might not be necessary, and vice versa. This is ineffective and inefficient.
9. Impacts of climate change on natural hazards, which we must have regard for under s.7, are not currently considered.
10. The current plans do not identify the following natural hazards:
 - Land stability and resultant landslides and debris flows, except in a small area of Greymouth,
 - The Alpine Fault and other active faults,
 - Flooding, except the Franz Josef flood overlay, no other areas are identified in RMA plans,
 - Coastal areas subject to flooding, erosion, inundation, storm surge and tsunami above mean high water springs,
 - Wildfire,
 - Liquefaction.

OTHER COUNCIL APPROACHES

11. A wide review of other district council approaches to natural hazard management and climate change adaption has been undertaken. Selwyn District Council, Porirua City Council and New Plymouth District Council have all recently notified their proposed plans. Their section 32 analysis has been read to understand the approaches taken.
12. A risk-based approach is used in all, there are different hazards and levels of risk in each district. The NZCPS requires a risk-based approach to coastal hazards.

13. A risk-based approach differs from an effects-based district plan which often identified natural hazards on planning maps and regulated (often by prohibiting activities) regardless of the actual risk level. For example, when considering tsunami, all of New Zealand's coastline could be impacted by a tsunami, this is an effects-based approach.
14. Considering the hazard more closely, and undertaking a risk assessment, including likely sources, time to coast from various sources, and the impact of the tsunami once it reaches land a more nuanced set of provisions can be put in place.
15. Despite the different types of hazard and levels of risk, there are broadly speaking some consistencies around New Zealand.
 - Councils that have identified fault avoidance zones and used buffers.
 - The recognition, protection and defence of natural features to mitigate some effects of natural hazards is in all plans reviewed.
 - A precautionary approach to unknown factors, where the hazard, or the impact on the hazard of climate change is commonplace.
 - In regard to infrastructure, and the use of hazard mitigation structures, there is a consistent policy direction to only allow this when it is the only option, and a shift towards greater consideration of the natural environment, and the long-term sustainability of such structures
 - Flood zone responses are tied to the level of hazard, sometimes avoidance is required, often however, minimum floor levels and evacuation routes are sufficient.
16. In depth analysis of the above plans, and Dunedin District Plan, Queenstown Lakes District Plan, Christchurch City Council District Plan, Ashburton District Plan, Auckland Unitary Plan, Thames Coromandel District Plan, Far North District Plan, Gisborne District Plan, Southland District Plan, Central Hawkes Bay District Plan and Kapiti Coast District Plan are contained within Appendix C.

Key Definitions

17. Some key definitions for this topic follow:

Building Importance Category 1. Buildings posing low risk to human life or the environment, or a low economic cost, should the building fail. These are typically small non-habitable buildings, such as sheds, barns, fences, pou, minor storage facilities, backcountry huts.

Building Importance Category 2. Building posing normal risk to human life or the environment, or a normal economic cost, should the building fail.

2a is timber framed residential buildings only.

2b other residential, commercial, and industrial buildings. All buildings and facilities except those listed in other importance categories.

Building Importance Category 3. Buildings of a higher level of societal benefit or importance, or with higher levels of risk-significant factors to building occupants. House large numbers of people, vulnerable populations, or occupants with other risk factors, or fulfil a role of increased importance to the local community or to society in general. Marae. Buildings where more than 300 people congregate, buildings where primary, secondary, or daycare facilities with a capacity over 250, buildings with tertiary or adult education facilities with a capacity over 500, healthcare facility with a capacity of 50 or more residents but not having surgery or emergency treatment facilities, jails and detention facilities, buildings for power generation, potable water treatment facilities, waste water treatment facilities, public utilities not included in level 4.

Building Importance Category 4. Hospitals and other healthcare facilities with surgery / emergency treatment facilities, fire, rescue, police stations, buildings intended to be used as emergency shelters, buildings used as communication or operations centres in emergency, other facilities required for emergency response. Power generating stations, hazardous or explosive material storage, aviation control tower, air traffic control centres, emergency aircraft hangars, fuel storage and major dams.

Sensitive Activities means:

1. *In relation to hazardous substances, any school, childcare facility or hospital;*
2. *In relation to natural hazards and noise any:*
 - a. *residential activity;*
 - b. *visitor accommodation;*
 - c. *community facility;*
 - d. *education facility; and*
3. *In relation to energy activities, any*
 - a. *residential activity;*
 - b. *visitor accommodation;*
 - c. *community facility;*
 - d. *education facility; and*
 - e. *uninhabited agricultural or horticultural building including packing sheds, milking sheds, intensive agricultural activities and herd homes.*

Greenfield means built development (industrial, commercial, residential or mixed use) on a piece of previously undeveloped land (generally on the urban fringe), which had been either used for agriculture or was in its natural state.

Brownfield means land that has already been developed and therefore has existing infrastructure.

Additions and Alterations means changes to the building or structures internal layout, or to enlarge or extend the building / structure.

DRAFT OBJECTIVES AND POLICIES

18. Based on the above analysis, and direction given by the committee on the approach for Natural Hazards the following Objectives and Policies have been drafted. To give effect to the National Planning Standards hazard in the coastal environment will need to be addressed in the coastal environment chapter. For ease of review all the provisions have been kept together during development.

Draft Natural Hazard Objective 1

To use a regionally consistent, risk-based approach to natural hazard risk management.

19. This objective reflects the need to consider the risk from the hazard not just the hazard, and that using a regionally consistent approach ensures consistency and equity.

Draft Natural Hazard Objective 2

To reduce the risk to life, property and the environment from natural hazards, thereby promoting the well-being of the community.

20. Reducing risk will be challenging, and therefore needs to result in an improvement to the economic, social and cultural wellbeing of the community.

Draft Natural Hazard Objective 3

To only locate infrastructure within areas of significant natural hazard risk where there is no reasonable alternative and to design infrastructure so as not to exacerbate natural hazard risk to people and property.

21. Infrastructure may need in some case to locate in hazardous areas. This does lead to a reduction in the resilience of that infrastructure to the community and an increase in the cost to provide that infrastructure. The provision of some infrastructure can negatively impact on other infrastructure. For example, SH6 at Punakaiki was badly damaged by ex-Cyclone Fehi. The Waka Kotahi NZTA sea wall was rebuilt with substantial improvements to its longevity. These improvements to protect the state highway infrastructure require assessment to ensure they do not impact the seawall funded by the Punakaiki Beach community.

Draft Natural Hazard Objective 4

To ensure the role in hazard mitigation played by natural features including dunes and wetlands is recognised and protected.

22. Natural features can provide a buffer in hazard mitigation. For example the foredunes at Carters Beach were destroyed by ex-Cyclone Fehi but did provide a buffer for the road and houses landward of them.

Draft Natural Hazard Objective 5

To recognise and provide for the effects of climate change, and its influence on sea levels and the frequency and severity of natural hazards.

23. The Resource Management Act (RMA) s.7 requires consideration of the impacts of climate change. The West Coast Regional Coastal Policy statement also requires this. The impacts of change on hazards including flooding, land instability and coastal hazards is required for the hazard overlays.

Draft Natural Hazard Policy 1

Identify in overlays areas at significant risk from natural hazards.

24. This policy makes it explicit how the hazards will be identified.

Draft Natural Hazard Policy 2

Where a natural hazard has been identified, with an unknown but potentially significant risk to people and communities, apply a precautionary approach to how the risk is managed.

25. The RMA requires a precautionary approach where effects are potentially significant. This is prudent practice as allowing development in areas with an unknown level of risk creates potential liability for councils.

Draft Natural Hazard Policy 3

Promote the use of natural features, buffers and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risk.

26. Using natural buffers "soft engineering" as a first option in mitigation of natural hazards is required by the NZCPS and minimises costs of funding hard protection structures and potential end effects. End effects is the term used for what happens at the physical ends of the structure. For example, if a private property builds a rock wall, it might protect itself, but transfer the water, and the risk, to neighbouring properties.

Draft Natural Hazard Policy 4

Natural hazard assessments, managed retreat locations and resource consent applications will consider the implications of climate change. In particular the likelihood of the following matters should be considered:

- a. *Change in sea level;*
- b. *Alteration of coastal processes;*
- c. *Increased inundation of low lying areas;*
- d. *Changes in local temperatures;*
- e. *Changes in rainfall patterns; and*
- f. *Increase in cyclonic storms.*

27. This policy details potential impacts of climate change that need to be considered, this will allow any changes to be recognised and assessed accordingly.

Draft Natural Hazard Policy 5

When assessing areas suitable for managed retreat, the following matters should be considered:

- a. *That the natural hazard risk of the area is less than the existing location, and*
- b. *The potential future need to protect the community and associated infrastructure by hazard mitigation works.*

28. Over the lifetime of TTPP it may be that some communities begin to undertake managed retreat. A key consideration of managed retreat is ensuring that communities do not

inadvertently move to a more hazardous area, or an area which requires substantial investment to protect it.

Draft Natural Hazard Policy 6

In the fault avoidance overlay:

- a. Allow building importance category 1 in all buffer areas;
 - b. Avoid building importance category 2a in the 20m buffer areas and limit these buildings in all other buffer areas;
 - c. Avoid building importance category 2b in the 20m and 50m buffer areas, and limit these within the 100, 150 and 200m buffer areas,
 - d. Avoid building importance category 3 in the 20m, 50m and 100m buffer areas, and limit these in the 150m and 200m buffer areas,
 - e. Avoid brownfield building importance category 4 in all buffer areas,
 - f. Prohibit greenfield building category 4 in all buffer areas.
29. This policy sets the hierarchy for activities in the fault avoidance buffers, with post-disaster recovery functions closest to the active faults most heavily restricted.

Draft Natural Hazard Policy 7

Avoid locating critical facilities, public utilities, medical facilities, post-disaster function facilities, emergency services, large dams, hazardous facilities within the tsunami hazard overlay zone.

30. Aligned with the direction given by the committee, this policy steers post-disaster recovery facilities away from the most at risk areas.

Draft Natural Hazard Policy 8

In the lake tsunami hazard overlay restrict development of sensitive activities.

31. The West Coast has many lakes which may be subject to lake tsunami, however, the majority of these lakes have minimal development proximate to them. This policy ensures only sensitive activities are considered so as not to restrict activities where it is not necessary.

Draft Natural Hazard Policy 9

In areas of severe hazard risk prohibit further development of sensitive activities.

32. There are in some locations risk so significant that it is necessary to prohibit development. That is because the risk to life, property and the environment is so substantial, and allowing development creates an expectation that the development is safe. This in turn leads to a significant liability risk to councils.
33. The Technical Advisory Team strongly support this policy direction as necessary to address some of the current and future issues for this region.

Draft Natural Hazard Policy 10

In the coastal hazard and flood hazard overlays

- a. Avoid development in severe hazard areas unless it can be demonstrated that the activity has an operational and functional need to locate within the hazard area, and that the activity incorporates mitigation of risk to life, property and the environment; and
 - b. Allow development in coastal hazard areas where mitigation measures avoid risk to life, property and the environment, and the risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.
34. Some parts of the West Coast region are at severe threat from coastal hazards. Other areas have a risk, but it is less significant and can potentially be lived with. This policy sets a framework where development can occur, and outlines where it cannot.

Draft Natural Hazard Policy 11

In areas identified in a flood overlay do not allow known flowpaths to be modified in a way that results in the flooding of another property.

35. When considering development it is important to ensure that one development does not compromise another existing use. For example, a property owner may wish to build a structure which could push flood waters onto a neighbouring property creating a hazard which was not previously there.

Draft Natural Hazard Policy 12

In areas identified in land instability overlays

- a. *Avoid development in high hazard areas unless it can be demonstrated that the activity has an operational and functional need to locate within the hazard area, and that the activity incorporates mitigation of risk to life, property and the environment;*
 - b. *Consider development in coastal hazard areas where mitigation measures avoid risk to life, property and the environment, and the risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.*
36. This policy sets a pathway to allow for development where the risk can be mitigated, and where it can be to a degree, and where it can't be.

Draft Natural Hazard Policy 13

In areas identified in wildfire overlays enable vegetation clearance as a hazard mitigation strategy.

37. This policy looks to manage some wildfire risk by enabling clearance of highly flammable vegetation. This policy may be moved to the vegetation for integration reasons.

Draft Natural Hazard Policy 14

When assessing the effects of activities in natural hazard overlays consider:

- a. *The effects of natural hazards on people and property;*
 - b. *The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk;*
 - c. *The clearance or retention of vegetation or other natural features to mitigate natural hazard risk;*
 - d. *The timing, location, scale and nature of any earthworks in relation to natural hazard risk;*
 - e. *The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.; and*
 - f. *Any significant adverse effects on the environment of any proposed mitigation measures.*
38. It is highly likely that some activities will require discretionary consents. This policy makes it explicit what the natural hazard considerations of that consent would be and provides clarity to plan users.

DEVELOPMENT OF RULES

39. Direction from the Committee on the Draft Natural Hazard Rules is sought. While initial proposals have been developed, as staff are still in the process of identifying natural hazard overlay areas it may be that some overlays can be combined with fewer rules required.
40. Rules to manage significant risk from Wildfire are proposed to be contained within chapters relating to the activity / land use that relates to that risk.
41. The Building Consent process currently manages risk from liquefaction. An updated set of maps is currently being developed to show the location of this risk in this plan. It is not intended to duplicate the building consent process through rules in this plan unless there are areas of significant risk identified.
42. Permitted activity rules will be required for all hazard layers for repairs and maintenance. This is because existing use rights exist which a district plan cannot extinguish. Options for these have not been presented as there is no legal option.
43. Where permitted activity performance standards are not met the default direction is proposed to be a discretionary activity. A discretionary activity consent allows consideration of all types of information and doesn't restrict the kind of innovation we could have in the future.
44. Direction is also sought in regard to subdivision within extreme / severe hazard layers. The subdivision topic is further through development than the Natural Hazard provisions. The rules would sit in the subdivision chapter but direction is sought through this topic.
45. The types of subdivision that direction is required on are those that create new lots for residential / commercial / industrial development. Some types of subdivision that do not increase natural hazard risk include: boundary adjustments that do not create new residential sites, creation of allotments for QEII Trust, a Nga Whenua Rahui Kawenata, a Conservation

Covenant under the Reserves Act 1977 and the Conservation Act 1987 or a Heritage Covenant under the Heritage New Zealand - Pouhere Taonga Act 2014, for a Public Network Utilities, Access or for the creation of esplanade reserves.

Update on Defended Areas Overlays

46. Following on from previous discussion and reflecting the committee direction, a planning pathway for “defended areas” is being considered.
47. Hokitika and Greymouth have protection works in place to manage some of the natural hazard risk. There is however risk that these structures might not have a service level appropriate for land use planning risk management, that the service level may change over the lifetime of the plan, or that the protection structure might fail.
48. Expert input is being sought to understand the residual risk, and appropriate tools to manage that to enable the committee to make informed decisions.
49. Waikato District Council are currently taking this approach through their proposed plan. At this stage rule options are not identified as the residual risk is currently unknown and therefore appropriate activity status options are unknown. However, the rules in the proposed Waikato District Plan are included in Appendix D for reference.

RULE DIRECTION FOR NATURAL HAZARDS

Flooding

50. A number of different types of overlay are proposed for different hazard areas recognising the spatial difference in risk and quality of information available on the risk in some locations. At the lowest level an “Alert” Layer is proposed where areas have a known hazard but the detailed modelling to define the level of risk has not been undertaken. At the other end a “Severe” Layer is proposed where a very significant level of risk is well known and quantified.

Flood Hazard Overlay - Alert

51. Flood Hazard Overlay – Alert, is intended for areas which have a known flood hazard, but depths and speed are unknown.

Activity	Option 1	Option 2
<i>Additions and Alterations; and New Buildings and Structures</i>	<i>Permitted activity with standards such as fixed floor levels, and not blocking flow paths and flooding neighbouring properties.</i> Pro – Minimises cost to owner. Con – Technical permitted activity standards may be difficult to meet. Flow path locations, for example, might not be known by the layperson. This could lead to accidental increase in risk.	<i>Controlled activity</i> Pro - allows oversight to ensure a risk is managed, a controlled consent must be granted so the owner has certainty of outcome. Con – Cost and time of consent processing to developer, it is noted that controlled activity consents have a ten working day time period.

Flood Hazard Overlay – Severe and Coastal Hazard Overlay – Severe

52. These overlays are intended for areas which present severe risk. Expert input is being sought to ensure the extents are robust.

Activity	Option 1	Option 2
<i>Additions and Alterations</i>	<i>Discretionary</i> Pro – allows consideration of all types of information and doesn’t	<i>Non-Complying</i> Pro – send a clear signal that this area is subject to severe hazards and

	<p>restrict the kind of innovation we could have in the future.</p> <p>Con – discretionary consent is generally for activities that are somewhat anticipated, if we want to reduce risk we don't want to encourage further investment through creating an expectation that consent may be granted.</p>	<p>further development is not encouraged. There is a potential for consent to be granted, but only if it is not inconsistent with the objectives and policies of the Plan.</p>
<p><i>New Buildings and Structures, Subdivision</i></p>	<p><i>Non-Complying</i></p> <p>Pro – sets an expectation that there is not to be an increased risk to people and property.</p> <p>Con – may give people the hope that there is some possibility of being able to gain consent, rather than accept the risks are known and too high for new development.</p>	<p><i>Prohibited</i></p> <p>Pro – prohibited consents cannot be processed. Setting a prohibited status will result in risk reduction.</p> <p>Con – As consents cannot be considered, drafting must be very clear and careful to ensure that the rule reduces the risk.</p> <p>Note. The technical team support a prohibited rule. Our iwi partners have indicated a non-complying activity is more appropriate areas in South Westland.</p>

Coastal Hazard Overlay – Alert

53. Coastal Hazard Overlay – Alert, is intended for areas which have a known coastal hazard, but the level of risk, and landward extent is unknown.

Activity	Option 1	Option 2
<p><i>Additions and Alterations</i></p>	<p><i>Permitted activity</i> with standards such as not increasing the extent of habitable rooms.</p> <p>Pro – Minimises consent cost to owner while managing risk.</p> <p>Con – Permitted activities should only be for less than minor effects activities, the varying risk levels might mean the activity has effects greater than minor.</p>	<p><i>Controlled activity</i></p> <p>Pro - allows oversight to ensure a risk is managed. Granting of consent is guaranteed which means surety of outcome, but could also increase liability of councils.</p> <p>Con – Increased cost and time compared with a permitted activity.</p>
<p><i>New Buildings and Structures</i></p>	<p><i>Discretionary</i></p> <p>Pro – allows the specifics of the site to be considered, and hazard assessment specific to the proposal.</p> <p>Con – May increase overall amount of property and people in hazardous areas as most discretionary consents are granted.</p>	<p><i>Non-Complying</i></p> <p>Pro – sets a clear expectation that there is not to be an increased risk to people and property.</p> <p>Con – It is likely this overlay will apply to areas with differing levels of hazard. A non-complying activity status may not be justified in all circumstances and present unwarranted restrictions.</p>

Coastal Tsunami Overlay

54. This overlay is intended for the “red” zone.

Activity	Option 1	Option 2
<i>Building Importance Category 4 - New Buildings and Structures</i>	<i>Non-Complying</i> Pro – sets a clear direction that post disaster recovery facilities, and hazardous facilities should not be located in this area as the impacts on our recovery are so significant.	<i>Prohibited</i> Pro – sends strongest possible signal, a consent cannot be considered. Con – Modelling in this area is ongoing, and it may be that some areas shown to be at risk are not. A complete restriction on development might not be justified.

Fault Avoidance Overlays

55. The fault avoidance overlay will apply to the Alpine, Clarence, Hope and Awatere faults.

Activity	Option 1	Option 2
<i>Additions & Alterations, and New Buildings and Structures</i> <ul style="list-style-type: none"> <i>Building Importance Category 2a, buffer 50m, 100m, 150m or 200m</i> <i>Building Importance Category 2b, buffer 200m</i> 	<i>Restricted Discretionary</i> Pro – The site-specific risk can be considered and mitigated, keeping options for owners while reducing risk. Con – This may be too enabling to manage the level of damage from fault rupture.	<i>Discretionary</i> Pro – A wider assessment of effects and ways in which they can be mitigated can be considered and liability reduced. Con – This approach may be too restrictive for the buffers further out from the known fault.
<i>Additions & Alterations, and New Buildings and Structures</i> <ul style="list-style-type: none"> <i>Building Importance Category 2b, buffer 100m, 150m</i> <i>Building Importance Category 3, buffer 150m, 200m</i> 	<i>Discretionary</i> Pro – buildings housing a large number of people increase risk. Ensuring a thorough assessment is undertaken ensures this is mitigated and liability is minimised. Con – May increase overall amount of property and people in hazardous areas as most discretionary consents are granted.	<i>Non-Complying</i> Pro – sets a clear expectation that there is not to be an increased risk to people and property. Con – It is likely this overlay will apply to areas with differing levels of hazard. A non-complying activity status may not be justified in all circumstances and present unwarranted restrictions.
<i>Additions & Alterations, and New Buildings and Structures</i> <ul style="list-style-type: none"> <i>Building Importance Category is 2a, 2b or 3 and Fault Avoidance Buffer is 20m; or</i> <i>Building Importance Category is 2b or 3 and Fault Avoidance Buffer is 50m; or</i> <i>Building Importance Category is 3 and</i> 	<i>Non Complying</i> Pro – makes it clear that very close to the fault rupture zone further development is not appropriate. Cascading distance with building importance type helps improve resilience. Con – This may be too enabling to manage the level of risk from fault rupture. There is a potential for consent to be granted, but only if it is not inconsistent with the objectives and policies of the Plan	<i>Prohibited</i> Pro – Ensures no further development occurs, reducing significant risk. Con – There may be circumstances when some of these building types could be appropriate with robust mitigation. A prohibited activity status does not allow consents to be considered.

<i>Fault Avoidance Buffer is 100m.</i>		
<i>Additions & Alterations, and New Buildings and Structures in brownfield areas Building Importance Category 4, Buffer all</i>	<i>Non Complying</i> Pro – building importance category 4 are critical post disaster facilities, and hazardous storage facilities. Following a fault rupture these would not be available significantly impacting the community. Destruction of hazardous facilities may cause further risk and damage. Con – This may be too enabling to manage the level of risk from fault rupture. There is a potential for consent to be granted, but only if it is not inconsistent with the objectives and policies of the Plan.	<i>Prohibited</i> Pro – Ensures no further development occurs, reducing significant risk. Con – There may be circumstances when some of these building types could be appropriate with robust mitigation. A prohibited activity status does not allow consents to be considered.
<i>New Buildings and Structures in greenfield areas Building Importance Category 4, Buffer all</i>	<i>Non Complying</i> Pro – Siting new building importance category 4 items in areas with no development, but high hazard risk would be counter intuitive. Con – This may be too enabling to manage the level of risk from fault rupture. There is a potential for consent to be granted, but only if it is not inconsistent with the objectives and policies of the Plan.	<i>Prohibited</i> Pro – Ensures no development in new areas. This ensures that new liability issues are created. Con – There may be ways that are discovered in the future to engineer to withstand the impacts of fault rupture, which could make mitigation possible. This could not be considered with a prohibited consent.
<i>Subdivision in 20m and 50m buffer</i>	<i>Non Complying</i> Pro – Consent can be declined but does leave a potential path. May not be restrictive enough this proximate to fault lines Con – Allowing subdivision creates an expectation that the land can be developed. This in turn creates further liability issues for councils. The destruction from fault rupture may extend beyond the 50m buffer.	<i>Prohibited</i> Pro – Ensures no new sites are created which could house sensitive activities.
<i>Subdivision in 100m, 150m and 200m buffer</i>	<i>Non Complying</i> Pro – Consent can be declined, may not be restrictive enough this proximate to the fault lines, increasing council liability. Con - Allowing subdivision creates an expectation that the land can be developed. This in turn creates further liability issues for councils.	<i>Prohibited</i> Pro - Ensures no new sites are created which could house sensitive activities.

Land Instability Overlays

56. The Land Instability – High is intended for areas where stability issues are well known. The Land Instability – Alert is intended for areas with steep slopes or lithology prone to failure but the degree of risk is less certain and could be dealt with by a site by site assessment.

Activity	Option 1	Option 2
<i>New Buildings and Structures – Alert overlay</i>	<i>Restricted Discretionary</i> Pro – The site-specific risk can be considered and mitigated, keeping options for owners while reducing risk. Con – This may be too enabling to manage the level of damage from land instability.	<i>Discretionary</i> Pro – A wider assessment of effects and ways in which they can be mitigated can be considered and liability reduced. Con – This approach may be too restrictive for some types of land instability.
<i>New Buildings and Structures – High overlay</i>	<i>Discretionary</i> Pro – Ensuring a thorough assessment is undertaken ensures this is mitigated and liability is minimised. Con – May increase overall amount of property and people in hazardous areas as most discretionary consents are granted.	<i>Non-Complying</i> Pro – sets a clear expectation that there is not to be an increased risk to people and property. Con – It is likely this overlay will apply to areas with differing levels of hazard, rockfall and slope creep slope for example. A non-complying activity status may not be justified in all circumstances.
<i>Subdivision – High Overlay</i>	<i>Non Complying</i> Pro – Consent can be declined but does leave a potential path. May not be restrictive enough for some types of instability. Con – Allowing subdivision creates an expectation that the land can be developed. This in turn creates further liability issues for councils.	<i>Prohibited</i> Pro – Ensures no new sites are created which could house sensitive activities. Con – The destruction from land instability may extend beyond the overlay.

Lake Tsunami Overlay

57. Lakes proximate to faults are likely to be included in this overlay.

Activity	Option 1	Option 2
<i>Building Importance Category 1, 2a, 2b and 3 - New Buildings and Structures for sensitive activities</i>	<i>Restricted Discretionary</i> Pro – Allows certainty of requirements for consent, and individual aspects of the site and activity to be considered. Con – There is an expectation that restricted discretionary consents will be granted, this could create liability issues for councils.	<i>Discretionary</i> Pro – Allows all effects and mitigation strategies to be considered Con – It may be inappropriate for some building importance categories to be this restricted.
<i>Building Importance Category 4 - New Buildings and</i>	<i>Non-Complying</i> Pro – sends a clear direction that post disaster recovery facilities, and hazardous facilities should not	<i>Prohibited</i> Pro – sends an even stronger signal than a non-complying activity status, and a consent cannot be considered.

<i>Structures for sensitive activities</i>	located in this area as the impacts on our recovery are so significant. Con – Non-complying consent can still be granted, this might negatively impact improvements on resilience.	Con – Modelling in this area is ongoing, and it may be that some areas shown to be at risk are not. A complete restriction on development might not be justified.
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Next steps

58. Draft rules will be brought back to the committee later this year.

Appendix A

Natural Hazards Regulatory and Policy direction

The Regulatory framework was analysed to identify the higher order documents relevant to these provisions. Guidance documents from Central Government were also reviewed.

Local Government Act 2002 (LGA)

The LGA provides the obligations and powers of local government and the general framework under which they must operate. Section 10 states that the purpose of the LGA is to enable democratic local decision-making that meets the current and future needs of communities in terms of infrastructure, services and regulatory performance in a cost-effective manner.

Section 11A(d) directs that in performing its role, local government shall have particular regard to the avoidance and mitigation of natural hazards. It is under the LGA that the Long Term Plan (LTP) is prepared by local authorities, which must cover a period of at least 10 years and provide for integrated and coordinated decision-making. It provides a description of local authority activities, which can include actions to manage the effects of natural hazards and climate change.

Resource Management Act 1991 (RMA)

The management of significant risk from natural hazards is a matter of national importance (s.6). This elevation highlights the impacts from recent events and the national direction to manage significant risk. Particular regard (s7.i) of the effects of climate change are also required. Concurrently the potential impacts on iwi must also be considered (s.8). s.106 specifically pertains to subdivision consents and requires the consideration of natural hazards when assessing proposals.

Building Act 2014

The Building Act has a different role to the RMA, and provisions in the Building Act do not replace the responsibility of Councils to act under the RMA, The Building Act concerns a building's construction and the safety and integrity of the structure. Therefore, relying solely on the Building Act to address the adverse effects of natural hazards is not effective. Councils need to consider and develop a policy response in their district plans, with the Building Act being one of the methods that can help avoid or mitigate the risk. The primary purpose of the natural hazard provisions of the Building Act is to ensure consideration is given to how building work affects natural hazards and impacts on the land or other property.

The natural hazard provisions exist so that the risk to the land can be recognised, the effect of the building work considered, and steps taken to mitigate those risks and effects. Where the risks and effects cannot be sufficiently mitigated then the provisions recognise that it may nevertheless be acceptable to build on the land and require notification of the risk on the title to the land and provide councils with immunity (on the basis that the owner is knowingly building on land affected by the natural hazard of inundation for example). Placing a notice on the title ensures that future purchasers and other interested parties are aware that the land is subject to a natural hazard.

Under the Building Act, all building work must comply with the mandatory Building Code 1992. The Building Code sets out a series of minimum performance criteria for buildings. However, no existing technology will prevent damage to buildings caused by some natural hazards – for example coastal erosion, crushing by a landslide or being sited across a fault, meaning significant damage can occur even if the Building Code is complied with.

Civil Defence Emergency Management Act (CDEMA) 2002

The four West Coast councils have significant statutory responsibilities for Civil Defence Emergency Management.

The purpose of CDEMA, relevant to Natural Hazard District Planning are:

- Improve and promote the sustainable management of hazards in a way that contributes to the social, economic, cultural and environmental well-being and safety of the public and the protection of property,
- Encourage and enable communities to achieve acceptable levels of risk by identifying risks and applying risk reduction management practices,

- Provide for planning and preparation for emergencies and for response and recovery in the event of an emergency.

One of the key functions of Civil Defence Management Groups is to identify and understand local hazards and risks and implement cost effective risk reduction measures. Ongoing work by the natural hazards and civil defence team will also feed into Te Tai o Poutini Plan process.

National Instruments

New Zealand Coastal Policy Statement

Several policies relate to natural hazard provisions in TTPP. Policy 3 requires the identification of areas of significant coastal hazards within the coastal environment. Policy 24 requires areas potentially affected by coastal hazards for at least 100 years with assessment matters. Policy 25 directs avoidance of residential development away from hazard areas, and for infrastructure where practicable, and discourages hard protection structures. Policy 26 requires provision and recognition of natural defences against hazards. Policy 27 is a framework of strategies for protecting existing significant development.

National Planning Standards

The following aspects of the National Planning Standards are relevant to this topic / issue: The National Planning Standards direct that local authorities must implement the District Wide Matters Standard, including a Hazards and Risks heading.

If matters relating to natural hazards (except coastal hazards) are to be addressed in the plan, they must be located in the Natural hazards chapter under the Hazards and Risks heading.

The Natural Hazards chapter must include cross references to any coastal hazard provisions in the Coastal Environment chapter, located under the General district-wide matters heading.

The Coastal Environment chapter must set out provisions for implementing the local authority's functions and duties in relation to coastal hazards and provide cross-references to any other specific coastal provisions that may be located within other chapters. All the objectives and over half of the policies relating to coastal hazards are those that apply to natural hazards more widely. So that provisions to implement these objectives and policies are located in the same chapter as the objectives and policies they give effect to, the provisions relating to coastal hazards are therefore located in the natural hazards chapter, with a cross reference to this chapter located in the overview of the coastal environment chapter.

National Guidance documents

National guidance has been reviewed and considered.

Regional Direction

West Coast Regional Policy Statement

The West Coast Regional Policy Statement (RPS) Chapter 11 Natural Hazards and Chapter 9 Coastal Environment have a significant bearing on the implementation of Section 6 of the RMA. TTPP is required to give effect to the RPS.

Chapter 9 – Coastal Environment

The significant issues in relation to the management of the coastal environment for the West Coast region are:

Issue 2. Enabling appropriate subdivision, use, and development of the coastal environment while reducing the risk of harm to people, property, and infrastructure from natural hazards in the coastal environment.

Objective 3. Ensure that any new subdivision, use or development allowed in the coastal environment has appropriate regard to the level of coastal hazard risks.

Objective 4. Ensure that coastal hazard risks potentially affecting existing development are managed so as to enable the safety, and social and economic wellbeing of people and communities

Policy 4. Where new subdivision, use or development in the coastal environment may be adversely affected by coastal hazards, adopt a risk management approach taking into account, where applicable:

- a). Official, nationally recognised guidelines for sea level rise;
- b) The type and life-cycle of the proposed development, including whether it is (i.e. short-term, long term, or permanent);
- c) Whether the predicted impacts are likely to have material or significant consequences;
- d) The acceptability of those potential consequences, given their likelihood; and,
- e) Whether there are suitable options to avoid increasing the risk of harm from coastal hazards, and whether future adaptation options are feasible.

Policy 5. Coastal hazard risks should be assessed over at least a 100 year timeframe.

Policy 6. In areas of significant existing development likely to be affected by coastal hazards, a range of options for reducing coastal hazard risk should be assessed. This should include recognition that hard protection structures may be the only practical means to protect people, property, and infrastructure.

Chapter 11 – Natural Hazards

The significant issues in relation to the management of the natural hazards for the West Coast are:

- 1. Natural hazards, particularly flooding and earthquake, have the potential to create significant risk to human life, property, community and economic wellbeing on the West Coast.*
- 2. Increasing public awareness of, and planning for, natural hazards is required for communities to become more resilient.*
- 3. Subdivision, use and development can contribute to natural hazard risk.*

Objective 1. The risks and impacts of natural hazard events on people, communities, property, infrastructure and our regional economy are avoided or minimised.

Policy 1. Reduce the susceptibility of the West Coast community and environment to natural hazards by improving planning, responsibility and community awareness for the avoidance and mitigation of natural hazards.

Policy 2. New subdivision, use and or development should be located and designed so that the need for hazard protection works is avoided or minimised. Where necessary and practicable, further development in hazard-prone areas will be restricted.

Policy 3. Avoid or mitigate adverse effects on the environment arising from climate change by recognising and providing for the development and protection of the built environment and infrastructure in a manner that takes into account the potential effects of rising sea levels and the potential for more variable and extreme weather patterns in coming decades.

Policy 4. The appropriateness of works and activities designed to modify natural hazard processes and events will be assessed by reference to:

- a) The levels of risk and the likely increase in disaster or risk potential;*
- b) The costs and benefits to people and the community;*
- c) The potential effects of the works on the environment; and*
- d) The effectiveness of the works or activities and the practicality of alternative means, including the relocation of existing development or infrastructure away from areas of natural hazard risk.*

West Coast Natural Hazard Strategy

The West Coast Natural Hazard Strategy acknowledges several challenges; policy vacuum, legacy development, imperfect information, small rating base and affordability of options, competing demands for resources, readiness to discuss relocation as a future option, and unknown when the next hazard event will happen, and what it will be.

West Coast Regional Land Transport Strategy

The West Coast Draft Regional Land Transport Plan 2021-2031 has been reviewed. A key direction from that is Objective 1 – Resilience – a transport network that can better cope with unknown stresses, natural disasters and the impact of climate change. The narrative details the impact of storms on the roading network, including flooding, erosion, slips and rockfall. The impacts of warming seas and rising sea levels will exacerbate these issues. The high seismic risk due to proximity to the Alpine Fault is also highlighted.

Other

Natural Hazard publications held by the West Coast Regional Council have been reviewed. Technical input to the withdrawn Westland District Council Plan Change 7 has also been reviewed. The GNS guides to the areas contained within the region have also been consulted.

Appendix B – Current District Plan Provisions

Buller (plan change 138)	Grey	Westland
<p><i>Objective 1. Avoiding and Mitigating Natural Hazards</i> To avoid or mitigate the adverse effects of natural hazards upon human life, infrastructure, property and the natural environment.</p> <p><i>Objective 2. Westport Township Development</i> To ensure the development of Westport township recognises and mitigates against the effects of potential flood hazard from the Buller River.</p> <p><i>Policy 1. Information on Natural Hazards</i> Areas where natural hazards represent a significant threat to human health, the safety of individuals and communities and / or to buildings or infrastructure shall be identified as information becomes available and this information shall be used in consideration of applications for resource consent.</p> <p><i>Policy 2. Adequate assessment of Natural Hazard Risk</i> Where the Council does not possess sufficient information concerning a potential natural hazard risk to site, to require an applicant for resource consent to adequately assess the level of this risk and to provide a site assessment in terms of the specific natural of and likely effects on their property, where the Council has reason to believe that this is necessary.</p> <p><i>Policy 3. Protection from Natural Hazards</i> Where a natural hazard is likely to impact adversely upon human health and / or safety, property and / or infrastructure, development must not occur unless adequate avoidance or mitigation of natural hazards can be demonstrated.</p> <p><i>Policy 4. Flood Prone Areas of Westport</i></p>	<p><i>Objective 1.</i> The adverse effects of natural hazard son people, property and the environment are avoided, or mitigated.</p> <p><i>Policy 1</i> To adopt an integrated approach to minimising the potential adverse effects of natural hazards on the community.</p> <p><i>Policy 2</i> To gather and make available information regarding natural hazards to assist resource management decisions.</p> <p><i>Policy 3</i> Development should not occur in areas that are prone to natural hazards, unless the applicant has shown adequate avoidance or mitigation of natural hazards.</p> <p><i>Policy 4</i> An assessment by an appropriately qualified person will be required, where appropriate, for resource consent applications.</p> <p>Grey DC have also</p> <ul style="list-style-type: none"> • Taken into account natural hazards in zoning decisions around Greymouth and Cobden. 	<p><i>Objective.</i> Rules for the avoidance and mitigation of natural hazards have been incorporated into the District Plan given that severe hazards post a significant threat to the built resource and infrastructure of the District and people and communities.</p>

<p>New buildings in areas of Westport township, on land prone to high flood risk, shall be located or constructed to mitigate, to an acceptable level the risks associated with flooding.</p> <p><i>Policy 5. Coastal Hazards</i> To manage subdivision, development of buildings and structures within the Coastal Environment on land which may be susceptible to coastal erosion or inundation unless the activity can demonstrate:</p> <ul style="list-style-type: none"> a). There will be a significant community benefit b). There is a functional requirement for the proposed location; c). The activity would not adversely affect the Natural Character of the Coastal Environment; d). It is relocatable; or e). That it will not increase the susceptibility of other nearby properties to natural hazards. 	<ul style="list-style-type: none"> • Included fault lines on planning maps 	<p>WDC have also undertaken</p> <ul style="list-style-type: none"> • Identification of a coastal erosion zone at Hokitika. • Identification of a general and severe flood hazard zone on the Waiho River and at Franz Josef. • Consideration of natural hazards as part of subdivision consents
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Appendix C - Other council approaches

Proposed Porirua Council District Plan was notified August 2020.

A risk-based approach has been used.

Hazards have been identified as

- High: Flood hazard – Stream corridor, Oharui Fault Rupture Zone (20m or closer to the fault), Tsunami hazard (1:100 year inundation extent), Coastal Hazard – Current Inundation, Coastal Hazard – Current Erosion
- Medium: Flood Hazard overland flow path, Pakerua Fault Rupture zone 20m or closer to the fault, Tsunami hazard (1:500 year inundation extent), Coastal Hazard – with 1m SLR, Coastal Hazard – Future Erosion – with 1m SLR.
- Low: Flood Hazard ponding, Oharui Fault Rupture Zone excluding 20m either side of the fault, Moonshine Fault 20m or closer either side of fault), Pakerua Fault Rupture zone excluding 20m either side of the fault, Tsunami hazard (1:100 year inundation extent).

Activities have been classified into hazard sensitive, such as childcare facilities, marae and visitor accommodation, potentially hazard sensitive, a large sports facility, and less hazard sensitive such as non-habitable accessory buildings.

Land stability was the other hazard of major concern to the community. This is addressed through earthworks provisions.

The coastal hazard objectives focus on not significantly increasing risk, and not reducing the ability to recover from an event. Natural features that offer protection and soft engineering are encouraged. The policies form a cascade with less hazard sensitive activities in low hazard areas being enabled, through to restrictions on further high sensitive activities in high risk areas. Hard protection structures are only allowed when it is to protect significant infrastructure, life or private property at immediate risk, will not impact natural features or create end effects and where soft engineering measures will not provide mitigation of risk.

The general natural hazard provisions are aligned with this. At a rule level, buildings cannot locate in the high flood hazard area, and sensitive or potentially activities and buildings within the fault zones are non-complying. Evacuation routes are required for less risk prone areas.

Proposed Selwyn Council District Plan was notified August 2020.

A risk-based approach has been used.

There are overlays for coastal erosion, coastal inundation, tsunami, Waimakariri Flood Management, Plains Flood Management. Faults are recognized as "Greendale Fault avoidance overlay", "Fault Investigation" and "Fault Awareness Overlay". Liquefaction is grouped into damage unlikely and damage likely.

The coastal erosion and inundation, and Waimakariri Flood management zone are subject to restrictive provisions, most activities require a non-complying resource consent, as does important infrastructure in the Greendale Fault overlay. Following the 2010 Darfield (Canterbury) earthquake, Environment Canterbury commissioned GNS Science to undertake more detailed mapping of the Greendale Fault, to develop fault avoidance zones for the fault zone and estimate the fault's recurrence interval to help Selwyn District Council make rebuild and future development decisions on and near the fault. The mapping showed areas of well-defined, distributed and uncertain fault rupture deformation varying in width from 15 metres to 300 metres. A fault avoidance zone was created by placing a 20 metre buffer around the fault rupture deformation areas, as per the Ministry for the Environment guidelines Planning for development of land on or close to active faults ("the MfE guidelines") The Greendale Fault Avoidance Overlay covers the land identified in this fault avoidance zone.

The other overlays require the hazards to be considered as a matter of control or discretion. There is a more nuanced approach for the flood plains, residential and earthworks are permitted, subdivision is restricted discretionary and hazard mitigation works are discretionary.

New use is to be avoided in areas where hazard levels are unacceptable, infrastructure should only be located in hazard areas where there is no reasonable alternative, and risk to people, property and the environment are not exacerbated. Avoid policies are used for high hazard areas and sensitive activities. Hazard mitigation works must consider climate change over at least 100 years and must consider the impacts of works on the environment. There are very strong policies around coastal hazards, avoidance of hard protection structures, except for existing significant infrastructure, if they

are necessary there must be significant public or environmental benefit. Flood hazard policies are also directive, with a 200 ARI design being required, and protection of evacuation routes. The fault policies require avoidance of the Greendale Fault zone for community facilities, infrastructure, and Major Hazard facilities, similarly within the fault investigation and fault awareness overlay these are restricted as are subdivision and rezoning.

Proposed Queenstown Lakes District Plan was notified August 2020.

The s.32 details that, generally speaking, the proposed Otago Regional Policy Statement advocates for a more cautious approach with regard to natural hazards than the Proposed District Plan, seeking to avoid development where a significant hazard exists. Therefore, there is not strict alignment between the Proposed RPS and the Proposed District Plan on this matter. QLDC will be making a submission to the ORC on this matter, considering that the proposed ORC approach is overly risk averse and does not adequately account for the District's limited urban land resource and strong population growth (whilst noting that QLDC supports the notion, as expressed by the ORC, that development should not proceed where intolerable risk is present that cannot be adequately mitigated). An important matter relates to how "significant risk" is defined – there may be situations where significant risk is presented, and mitigation can be achieved to adequately address the risk (presuming 'significant' does not necessarily imply 'extreme' or 'intolerable' risk). Notwithstanding the above, the proposed provisions have regard to the proposed RPS.

QLD are choosing to retain and improve their existing approach in their second generation plan. That is to Retain the existing approach to managing natural hazards – that is no rules (excluding flooding) using natural hazards as a trigger for needing resource consent. Instead focus on ensuring there is a consistent approach to how hazards are dealt with in the Plan and a consistent framework for the assessment of resource consents that includes natural hazard risk consideration as a matter for control / discretion.

Natural Hazards that exist in the District include: • Flooding and inundation • Erosion and deposition (including landslip and rockfall) • Land instability • Earthquakes and liquefaction • Avalanche • Alluvion¹, avulsion² • Subsidence • Tsunami / seiche³ • Fire

The planning provisions are focused on the managing of risk to tolerable levels. The determination of risk and tolerance levels are detailed in the policy framework and include matters such as climate change, consequence and response to past events, displacement of risk, risk to human life. Avoidance of intolerable risk is included, and avoiding infrastructure being located in hazard areas. Where risk is not well known or understood the precautionary principle is applied.

Proposed New Plymouth District Plan was notified August 2020.

The proposed plan uses a risk based approach for natural hazards, replacing the previous effects based approach. The focus for natural hazards management through the District Plan Review has been on coastal hazards (flooding and erosion) and stormwater flooding as high risk. Coastal hazards are addressed with three overlays, with specific objectives.

- Proposed Coastal Environment Area Areas with coastal values that need to be protected from development, and areas that could be impacted by coastal hazards resulting from increased rates of sea level rise associated with climate change.
- Proposed Coastal Erosion Hazard Area Areas expected to be affected by erosion and land instability within 100 years, if erosion continues at current rates. Management of these areas is based on a directive and precautionary approach.
- Proposed Coastal Flooding Hazard Area Areas around lowlying river mouths. Siting and design is required to avoid or mitigate effects of flooding.

The Natural Hazards chapter includes: Flood Plain Area, Flood Detention Area/Spillway, Fault Hazard Area, Volcanic Hazard Area and Stormwater Flooding Area. The Building Act and CDEM are considered appropriate methods for addressing: Tsunami, Volcanic activity other than high risk lahar/flooding, Liquefaction, Drought, and high winds

For development in flood hazard areas, the Proposed Plan allows for some activities to occur as a permitted activity but requires particular design considerations. Demolition and removal of, and alterations to, buildings and structures are permitted activities. New buildings are permitted in flood hazard areas where floor levels are managed (with the minimum floor level being above the flooding

predicted to occur in a one percent AEP flood event, plus 500mm freeboard), buildings are relocatable, and buildings do not impact flood water.

New buildings (excluding accessory buildings) and structures (including network utilities) will require a Restricted Discretionary resource consent within the Fault Hazard Area. The fault hazard area is 20m either side of the Inglewood and Norfolk faults. Building additions in this area will only trigger resource consent if the building changes result in intensified use of the site, or the number of people likely to occupy the site.

Proposed Dunedin City Council District Plan (Appeals)

A risk-based approach is taken where activities are classified based on their sensitivity to the effects of natural hazard events of different likelihoods to produce an assessment of low, moderate or high risk. Sensitivity of activities is based on the building importance levels defined in the Building Code. Likelihood estimates are indicatively applied, rather than specifically modelled. Where likelihood is unknown or poorly established, a likelihood of 'moderately likely' is applied.

This approach forms the basis of the policy framework which seeks that the risk from natural hazards (including climate change) is no more than low. The activity status becomes more restrictive with increased risk and activity sensitivity. Flood and land instability in different areas are either high or moderate. Coastal flooding, a further flood overlay and an alluvial fan subject to instability are all low risk hazards.

No coastal areas currently identified as being at high or moderate risk from coastal hazards but may change based on future assessments. No areas have been identified as being at low risk from land instability in the framework, as for these sites risk is primarily managed via the earthworks provisions and under the Building Act (e.g. foundation design).

Liquefaction is not mapped, however, policy requires that in areas identified as having a moderate to high likelihood of susceptibility to liquefaction, changes in zoning to permit rural residential or residential activity shall only be allowed where the risks from liquefaction are no more than low or can be mitigated so that they will be no more than low.

Christchurch District Plan 2017

Risk-based approach that considers the various scales of a particular natural hazard event (e.g., different magnitude earthquakes and different intensities and durations of rainfall events) together with the likelihood of that particular event occurring and the effects that it would cause, particularly on people and property.

In areas where risk from natural hazards is considered unacceptable and the risks cannot be practically reduced to acceptable levels, new activities are generally to be avoided. In areas where risk may be able to be mitigated to acceptable levels, Council may require site specific assessment. Where risk is considered to be acceptable and similar to the levels of everyday risks faced, no intervention is required by the District Plan.

Risk is expressed in a number of ways, e.g. the risk to life is the primary concern in areas susceptible to slope instability, whereas in most areas at risk from flooding, the primary concern is the damage to property and the frequency with which this may occur.

Use of Annual Individual Fatality Risk (AIFR) metric in areas of slope instability, which is the probability of a fatality for an individual occupying a specific site in any one year due to slope instability. A life safety risk of $\geq 10^{-4}$ is considered an unacceptable risk to life. Underlying assumptions include:

The percentage of time that an individual is present on a site

The level of seismicity

Whether or not people evacuate after a major seismic event.

Given the uncertainty present in calculations of AIFR, the District Plan allows for risk to be recalculated on a site-specific basis by a suitably qualified person.

In areas of flooding, Annual Exceedance Probability (AEP) is used to describe the likelihood of a flood event of a certain size occurring. Flood risk is primarily managed by specifying minimum floor levels.

In areas where there is likely to be a liquefaction risk to property, no specific measure of risk is applied. The area mapped is based on whether liquefaction is more likely to occur than not. Within that area, liquefaction risk and appropriate mitigation is assessed on a site-specific basis using best practice geotechnical and engineering methods to determine the performance of infrastructure and buildings.

Ashburton District Plan – operative 2017

The plan was made operative before national planning standards were gazetted. The provisions sit within the zones and in the infrastructure chapter. In Ashburton District the main natural hazards relate to erosion of the coastline and surface flooding across parts of the plains. However other hazards can also occur in relation to landslip, rockfall, alluvion, avulsion, unconsolidated fill, subsidence and contamination. The policies are directive in avoidance of growth and development in high risk areas and in the establishment of infrastructure that may result in requirements for new coastal protection works. (rural).

Auckland Unitary Plan (Operative 2016)

The Unitary Plan takes a risk-based approach to address the risks associated with natural hazards. A risk management approach applies to existing development and infrastructure, while a risk reduction (including avoidance where appropriate) approach applies to development of greenfield land. Risk assessment needs to consider both current and future risks, including the effects of climate change, such as sea level rise.

The Plan states that risks from events with low probability but high potential impact (e.g. volcanic activity, tsunamis and earthquakes) cannot be addressed through land use planning and may be better addressed through measures put in place by emergency management groups, including education, warning systems and preparedness.

General policy directive to allow subdivision, use and development in urban areas provided natural hazard risk is not increased, but it is to be avoided outside of urban areas unless significant adverse effects can be avoided. Floodplain provisions for urban areas consider the vulnerability of activities intended to be accommodated by new buildings. Provisions require the redevelopment of sites where existing vulnerable activities are located within the 1% AEP floodplain to minimise the risks from flood hazards, e.g. by locating habitable rooms above flood levels and providing safe evacuation routes from buildings and sites. Less vulnerable activities can locate in the 1% AEP floodplains where the activity can avoid, remedy or mitigate effects from flood hazards on other properties.

Thames Coromandel District Plan – Appeals Version 2019

Adopts the risk-based approach developed by GNS Science, that combines the consequence table with likelihood to determine a risk matrix of acceptable, tolerable and intolerable risk.

There is a specific directive that development should be 'future proofed' to allow retreat and/or relocation of structures and buildings where there is a potential future hazard risk in the next 100 years. The natural hazards section applies to all natural hazard risks in the District, not just those identified on the Overlay Planning Maps. For example, while there are map overlays for flooding and coastal erosion, the rules for tsunami inundation do not have corresponding overlays on the planning maps.

Flood mapping is based on modelling of a 1% AEP rainfall event, combined with a spring high tide level, including the effects of a 20% increase in rainfall intensity by 2080 and a 0.5m increase in sea level by 2100.

The Current Coastal Erosion Line (CCEL) is based on existing coastal erosion risk and does not factor in sea level rise or other climate change effects. Site-specific assessment of coastal erosion and coastal inundation risks is recommended for resource consent applications triggered by the CCEL. Future Coastal Process Line (FCPL) is also applied in the coastal environment that corresponds to a possible chance of erosion risk in 2100. It factors in the effect of 0.9m of sea level rise relative to 1990.

Non-complying and prohibited activity statuses apply to new dwellings in specific coastal areas. Council also applies conditions to indemnify themselves from liability associated with the failure of any coastal defense structure where dwellings, accessory buildings and additions are constructed in specific areas identified as at risk from coastal erosion and inundation.

Kapiti Coast Proposed District Plan – Appeals Version 2018

Takes a precautionary risk-based approach that avoids new development in areas subject to high risk from hazards if the risk cannot be mitigated and allowing a greater level of development in areas subject to lower risk from hazards or where the hazard has a low probability or long recurrence interval. The approach takes into account the effects of climate change and considers relocation of existing development subject to hazards worsened by climate change effects.

Flood hazard categories are based on the extent of an estimated 1% AEP flood event.

Fault avoidance areas are identified based on the method proposed in the MfE Active Fault guidelines, that uses Recurrence Interval Class (RIC) and fault complexity.

Tsunami risk is considered as best managed by civil defense actions.

Central Hawkes Bay Draft District Plan

The plan seeks to avoid loss of life, minimize other impacts from erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought and fire. There is also a potential for erosion and/or inundation from high seas or from a tsunami along the coast.

River flooding is Concise provisions for policies, hazard protection in circumstances.

The Hawkes Bay Regional Council identify flooding in planning maps, these are used to set minimum floor levels through the Building Act. The 22 known active faults in the region are identified in planning maps. Both of these overlays do not permit buildings in them. Lower level building classifications require a restricted discretionary consent, and BIC 4 requires a non-complying resource consent.

Coastal Hazards are also identified and engineered coastal protection works should only be undertaken when they are the best practicable option. Natural features such as beaches and dunes should be maintained or, where possible, enhanced to provide protection from coastal hazards.

There is a strong direction to avoid subdivision where there are significant natural hazards unless these can be mitigated without significant adverse effects on the environment.

Southland District Plan

The provisions sit within zones, infrastructure and subdivision.

Protection works for existing are allowed only where all alternatives and opportunities to avoid or mitigate have been exhausted. New development should be located and designed so as to preclude the need for further physical protection works. Subdivisions is to be avoided, and infrastructure development must seek to avoid. The protection, enhancement and recreate of natural features that mitigate natural hazard risk are encourage. A precautionary approach is used to manage the effects of climate change and the exacerbation of natural hazards.

Gisborne District Plan – 2018

The plan manages land instability, flooding, seismic and volcanic, and coastal hazards.

There is a general objective, directing safety for human settlement, avoidance or mitigation for built resources, an informed community, and that human settlement does not worsen the effects of natural hazards upon the natural and physical environment. Further than natural features that could lessen the impact of natural hazards are protected.

Flooding is managed through minimum floor levels being set and encouraging relocatable residential buildings, ensuring flood paths are not impeded. There is strong policy direction for protection works. They are restricted to where they are need to protect existing development and new public infrastructure, but they must have a favourable cost benefit ratio, impact the coastal environment, natural or cultural features, and will not worsen other hazards. Mitigation works must be considered with the environment in focus; effects on landscape, public access, and physical processes. Natural systems and features, and their ability to protect and mitigate from hazards is recognized and protected. A precautionary approach is detailed, and climate change must be considered in hazard assessments and consent applications.

Far North District Plan

Fire, coastal erosion, storm damage and landslips are managed.

The objectives are framed in a similar way to Gisbourne District council, with a focus on reduction of threats to life, property and environment. Hazard protection is managed by ensuring there are no adverse effects on the environment, and that the role of natural features is recognized.

Appendix D – Waikato District Plan Proposed Defended Areas Rule

15.6.1 Permitted Activities

Stage 2 Content

1. Activities are permitted activities within the Defended Area identified on the planning maps, unless specified in Rules 15.6.2 or 15.6.3 below, or as otherwise specified in the relevant zone chapter or the district-wide rules in Chapter 14 Infrastructure and Energy.

15.6.2 Restricted Discretionary Activities

Stage 2 Content

1. The activities listed below are restricted discretionary activities within the Defended Area shown on the Planning Maps.
2. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.
3. Activities may also be discretionary activities, as specified in Rule 15.6.3.

Activity	Matters of Discretion
<p>RD1</p> <ol style="list-style-type: none"> 1. Subdivision that creates one or more additional vacant lot(s). 2. Rule 15.6.2 RD1(1) does not apply to subdivision for a <u>utility allotment</u>, an <u>access allotment</u> or subdivision to create a reserve allotment. 	<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> 1. The actual level of service provided by the structural defence and associated flood protection works, including any change in the level of service anticipated due to climate change and sea level rise; 2. The impact of any planned improvements, maintenance or upgrading on the residual risk; 3. The effect of groundwater levels and variability in ground conditions on stop-bank security at and adjacent to the site to be subdivided; 4. the likely depth and duration of flooding as a result of a breach or overtopping event or flood ponding; 5. the location of the subdivision, including services such as wastewater, water supply and roading/access (including escape routes), in relation to potential breakout points (failure zone); 6. The adverse effects to people and property and overall vulnerability from potential failure or overwhelming of the structural defences and associated flood protection works relevant to the proposed new lot(s); 7. Potential for the development to transfer/increase flood risk/residual risk to neighbouring properties; 8. Any additional mitigation measures proposed or site features which reduce residual risk (e.g. natural high ground; evacuation plan).

15.6.3 Discretionary Activities

Stage 2 Content

1. The activities listed below are discretionary activities within the Defended Area.

D1	Construction of a new <u>building</u> or new <u>accessory building</u> , located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.
D2	<u>Earthworks</u> located within 50m of the toe of a stop-bank where the stop-bank is under the responsibility of the Council, the Waikato Regional Council or the Crown.



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: August 2021
Subject: **Future Urban Zone Rules**

SUMMARY

This report brings proposed Rules for the Future Urban Zone to the Committee for review. The Future Urban Zone is defined as “areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use.”

The Future Urban Zone is essentially a holding pattern that identifies rural land suitable for urban development in the future. This holding pattern will remain in place until a Structure Plan is developed and the land is released for urban use.

The Future Urban Zone is proposed to be located in the following areas:

- near Westport on the Alma Road terrace and potentially around Sergeants Hill
- in the Grey Valley around Dobson and Kaiata
- in the Boddytown area
- at Seaview near Hokitika

RECOMMENDATIONS

1. That the information be received
2. That the Committee provide feedback on the draft Rules for the Future Urban Zone.

Lois Easton
Principal Planner

INTRODUCTION

1. At the December 2020 meeting of the Committee the objectives and policies for the Future Urban Zone were discussed. Updated Objectives and Policies are attached at Appendix One.
2. The Future Urban Zone is defined as “areas suitable for urbanisation in the future and for activities that are compatible with and do not compromise potential future urban use.”
3. The Future Urban Zone is essentially a holding pattern that identifies rural land suitable for urban development in the future. This holding pattern will remain in place until a Structure Plan is developed and the land is released for urban use.
4. The Future Urban Zone is proposed to be located in the following areas:
 - near Westport on the Alma Road terrace and potentially around Sergeants Hill;
 - in the Grey Valley around Dobson and Kaiata
 - in the Boddytown area
 - at Seaview near Hokitika (although it is also proposed to look at expanding the urban area in the current rezoning as well as identifying “future” areas)
 - any other locations as identified as part of the Natural Hazards work programme.
5. Key to the intent of the Future Urban Zone is preventing development which would limit its future urban use. For example, subdivision into rural residential style development that prevents future cost effective infrastructure servicing by roading networks and water/wastewater infrastructure. In particular the zone aims to protect the land for comprehensive development as part of any managed retreat to that location. For that reason, the development of urban infrastructure ahead of land development and subdivision needs to be provided for.
6. Another consideration is that where reticulated networks are developed, as the area becomes developed for its urban use there is a need for the existing developments to connect to that reticulated infrastructure.
7. Currently future urban uses are not something that the existing District Plans provide for – however they represent an important new zone to help the West Coast address both growth demands and managed retreat from significant hazards.

Non-Statutory Strategic Direction

8. There have been a range of non-statutory processes which do provide some strategic direction on this issue. Most significant of these is the Westport 2100 process, which explicitly identifies long term relocation of Westport as being a possible requirement.
9. Westport 2100 has some specific recommendations that relate to Te Tai o Poutini Plan as follow:

Planning provisions and hazard information

TTPP development to include:

- zoning within the wider Westport area to avoid new development in hazard prone areas and provide more suitable areas for residential development
- more stringent building restrictions within hazard areas to encourage organic relocation over time.

Relocation

It is possible that parts of Westport may not be able to remain in their current location in the future recognising the unpredictable effects of natural hazards, including climate change. The development of the TTPP provides an opportunity to start discussing options for the future as well as in other high level documentation for the District.

Consider the relocation of Westport as a long term outcome recognising that this may not occur for 50, 80, 100 or more years.

KEY MATTERS TO CONSIDER IN DEVELOPING RULES

10. There are two main reasons to identify a Future Urban Zone in Te Tai o Poutini Plan.
11. The first of these is to provide some certainty to the local community and landowners about the future intentions for an area and safeguard its future use. This particularly applies to areas on the periphery of towns where unplanned or ad hoc development could compromise this future use. This is the normal use for Future or Deferred zoning. Plan provisions should be focussed around protecting the future urban use and provide a clear mechanism by which the urban use is unlocked. This would normally be via Plan Change, and only occur when infrastructure planning for the area is complete.
12. The second relates specifically to the need to provide for managed retreat options should a natural hazard event occur creating an immediate need for relocation. Plan provisions should provide for the potential that such a retreat could need to be put in place quickly and have additional mechanisms and triggers to unlock the zoning. Planned managed retreat on the West Coast has been discussed in relation to Westport 2100, Granity and Franz Josef.
13. An area with Future Urban Zone could be developed on a staged basis. Key to this will be the timing of establishment of infrastructure to support the development. This infrastructure could be provided by the Council and included within the Infrastructure Strategy and Long-Term Plan – or it could be provided ahead of time by a developer wanting to move to meet a market demand – perhaps created by things such as the requirement for freeboard, relocatable homes or other managed retreat mechanisms in the locations subject to the natural hazards. The key issue is that adequate standards of all necessary services are required for Future Urban Zone areas, whether the services are provided before or after the zone change to the appropriate urban zone type.
14. While the Objectives and Policies may be broadly the same, there will be different approaches in timing and implementation for the different areas of Future Urban Zone.

DRAFT RULES

12. The draft Rules have most aspects which are similar or the same as the General Rural Zone. The main differences are to ensure that activity which may be incompatible with the future urban use does not occur, or only occurs in a carefully managed way, and that subdivision does not occur in such a way that the future urban development pattern is compromised.
13. Ideally Te Tai o Poutini Plan would include an indicative development plan for each future urban area, which would assist Council staff and landowners to interpret what development is and isn't appropriate in the interim time. Provision is made in the draft Rules for these Plans to be included, however if they are not, then a default rule is provided for.
14. A comparison between the key draft Future Urban Zone and General Rural Zone rules are outlined in the table below. As can be seen from the table, essentially the Permitted Activity rules are very similar, but the Future Urban Zone is more limited when it comes to activities that require resource consent where there may be a risk that incompatibility with future urban uses could arise. The full draft Rules are attached at Appendix Two.

Permitted Activities	General Rural Urban Zone	Future Urban Zone
Agricultural, horticultural and pastoral activities	Permitted	Permitted
Conservation and recreation activities	Permitted	Permitted
Residential activities and residential units	Permitted – 1 per site + 3 minor units, density 1 dwelling/20ha	Permitted – 1 per site + 1 minor unit, density 1 dwelling/20ha
Minor structures, Fences walls and retaining walls, Relocated Buildings	Permitted	Permitted
Home Business	Permitted	Permitted
Mineral Prospecting and Exploration	Permitted	Permitted

Mineral Extraction	Permitted – 60 days/year, 2ha disturbed at a time except within Overlay areas	Permitted – 60 days/year, 2ha disturbed at a time except within Overlay areas
Activities Requiring Resource Consent	General Rural Zone	Future Urban Zone
Relocated Buildings, Minor Structures not Permitted	Controlled	Controlled
Home Business, Visitor Accommodation, Mineral Extraction Not Permitted	Restricted Discretionary	Restricted Discretionary
Intensive Primary Production, Rural Industry	Restricted Discretionary	Non-complying
Community Facilities	Discretionary (non-rural activities)	Restricted Discretionary
Camping Grounds	Not specifically provided for	Restricted Discretionary
Non-rural activities	Limited provision as a Discretionary activity	Non-complying
Agricultural, horticultural, pastoral, conservation and recreation activities not meeting Permitted standards	Discretionary	Discretionary provided no intensive indoor primary production

NEXT STEPS

15. The draft Rules will be consulted on as part of the Draft Plan consultation at the beginning of 2022.
16. Active work is underway within the three Councils looking at the potential development planning of the future urban areas. While this is unlikely to be complete prior to the draft Plan consultation, it is hoped that these concept plans can be included in the Proposed Plan.

APPENDIX ONE: DRAFT FUTURE URBAN ZONE OBJECTIVES AND POLICIES

Future Urban Zone Objectives	
FUZ - O1	Future urban development is not compromised by incompatible subdivision, use and development.
FUZ - O2	Future urban land is available for managed retreat of vulnerable communities.
FUZ - O3	Rural activities are provided for to support the rural community until the land is rezoned for urban purposes.
FUZ - O4	Urbanisation on sites zoned Future Urban Zone occurs in a planned manner either by Plan Change, or by implementation of a Structure Plan where Council resolution identifies that natural hazard risk thresholds have been met.
Future Urban Zone Policies	
FUZ - P1	Provide for use and development that supports the policies of the General Rural Zone unless that use will give rise to reverse sensitivity issues when urban development occurs.
FUZ - P2	Avoid subdivision that will result in the fragmentation of land and compromise future urban development
FUZ - P3	Avoid subdivision, use and development of land that may result in one or more of the following: <ul style="list-style-type: none"> a. Structures and buildings of a scale and form that will hinder or prevent future urban development; b. Compromise the efficient and effective operation of a future urban transport and infrastructure networks; c. Require the provision, or extension of the transport, wastewater, water supply, stormwater networks or other infrastructure unless this is provided as part of the development in a way that will not compromise the ultimate infrastructure configuration of the zone; d. Create or extend infrastructure out of sequence or that is not contiguous with the existing network infrastructure; e. Will give rise to reverse sensitivity issues when urban development occurs; or f. Undermine the form or nature of future urban development or compromise the integrity of any relevant Structure Plan.
FUZ - P4	Where land is zoned Future Urban Zone subject to adequate provision of any infrastructure, to allow for: <ul style="list-style-type: none"> a. The provision of the necessary infrastructure by any person or by the Council for any part or all of that land; b. In the case of wastewater infrastructure that disposal to land is the approach taken; c. Infrastructure servicing plans that are approved by Council, prior to the removal of the Future Urban Zone, which are required to be implemented under the urban zone through subsequent subdivision or development.
FUZ - P5	Where the Future Urban Zone is activated by Council Resolution, or where urban development is undertaken prior to rezoning, provide for use and development which supports the policies of the relevant urban zone as identified in the Structure Plan for the area.

Permitted Activities	
FUZ - R1	Agricultural, Pastoral and Horticulture Activities
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. The maximum gross ground floor area of a single building is 500m²; 2. Maximum building height above ground level is 10m; 3. Buildings are setback a minimum of 10m from the road boundary, 5m from side boundaries and 20m from rear boundaries. 4. The minimum separation distance between buildings housing more than 10 animals or commercial livestock and a residential/settlement/rural lifestyle zone boundary shall be 30m and from any dwelling on another site 50m, and from any other boundary 20m. 	Activity status where compliance not achieved: Discretionary
FUZ - R2	Conservation and Recreation Activities
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. All performance standards for Rule FUZ - R1 are complied with. 	Activity status where compliance not achieved: Discretionary
FUZ - R3	Residential Activities and Residential Units
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. All performance standards for Rule FUZ - R1 are complied with; 2. Residential unit density is no more than one unit per 20ha net site area except where the site is already in existence at the date of notification of the Plan 3. There is a maximum 1 residential dwelling per site; 4. There is no more than 1 minor residential unit with a maximum gross floor area of 65m² where this is located within 20 metres of and shares the driveway with the principal residential dwelling 5. Any minor residential unit shares a driveway with the site's principal residential unit. 	Activity status where compliance not achieved: Non Complying
FUZ - R4	Minor Structures
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. All performance standards for Rule FUZ - R1 are complied with; 2. Masts, poles, aerals and pou whenua must not exceed 7m in height; 3. Any antenna dish must be less than 1m in diameter; 4. Any ornamental or garden structure must not exceed 2.4 m in height; and 5. Any other structure must not exceed 10m² and 2m in height. 	Activity status where compliance not achieved: Controlled

FUZ - R5	Fences, Walls and Retaining Walls	
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. Fences, walls and retaining walls are a maximum 2m height above ground level; and 2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall. 		Activity status where compliance not achieved: Discretionary
FUZ - R6	Relocated Buildings	
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. All performance standards for Rule FUZ - R1 and FUZ - R2 are complied with; 2. The building was constructed within the 10 years prior to location on the site; and 3. Is established on foundations complying with the Building Code at the time of relocation. 		Activity status where compliance not achieved: Controlled
FUZ - R7	Home Business	
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. All performance standards for Rules FUZ - R1, FUZ - R2, NOISE - R1, -R2 and -R4, LIGHT - R1 and -R3 and SIGN - R13 are complied with; 2. There is a maximum of 10 heavy vehicle movements per day and whichever is the greater of 30 light vehicle movements per day or 210 light vehicle movements per week; and 3. No external generation of dust, odour or smoke occurs as part of the activity. 		Activity status where compliance not achieved: Restricted Discretionary
FUZ - R8	Residential Visitor Accommodation	
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. This is ancillary to a residential or rural activity; 2. All performance standards for Rules FUZ - R1, FUZ - R2, NOISE - R1, -R2 and -R4, LIGHT - R1 and -R3 and SIGN - R13 are complied with; 3. There are a maximum of 6 guests at any one time; 4. Notification to the District Council is required at the time of the activity commencing; and 5. Records of letting activity are kept and provided to the Council on request. Advice Note: Compliance with the Building Code is also required.		Activity status where compliance not achieved: Restricted Discretionary
FUZ - R9	Mineral Prospecting and Exploration	
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. This is authorised under a prospecting or exploration permit from NZPAM; 2. Notice is provided to the relevant District Council Consent Authority 5 working days ahead of work being undertaken; 		Activity status where compliance not achieved: N/A

<ol style="list-style-type: none"> 3. Where areas are to be disturbed, topsoil shall be stripped and stockpiled and then replaced over the area of land disturbed as soon as possible and no later than 3 months after the disturbance has occurred; 4. The site shall be rehabilitated generally to its original condition; and 5. All stripped material (including vegetation, soil and debris) is deposited or contained in such a manner that it does not enter any waterbody or cause the destruction of habitat. 	
FUZ - R10 Mineral Extraction	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. This is undertaken for less than 60 days per 12 month period; or 2. Less than 20,000m³ of material is disturbed or removed within a 12 month period; or 3. Progressive rehabilitation of the mined area occurs so that disturbance is limited to no more than 2ha at any one time per property on which the activity is occurring. <p>And</p> <ol style="list-style-type: none"> a. The activity does not occur within an Outstanding Natural Landscape, Significant Natural Area or Outstanding Natural Feature or within 20m of a stream 3m or wider, a lake, a wetland, a Historic Heritage site, or a Site of Significance to Māori; b. The activity does not occur within 500m of a Residential, Settlement or Rural Lifestyle Zone boundary; c. There are no stockpiles within 20m of the property boundary; d. The maximum stockpile height is 7m; e. There shall be no visible evidence of suspended solids or particulate matter in the air or deposited particular matter beyond the property boundary; f. There are a maximum of 10 heavy vehicle movements and 30 light vehicle movements per day generated by the activity; g. Hours of operation are limited to 7am to 7pm; h. Noise levels meet the Permitted Activity Standards in Rule NOISE -R4; and i. Light meets the Permitted Activity standards in Rule LIGHT - R2. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
Controlled Activities	
FUZ - R9 Relocated Buildings not meeting FUZ - R5	
<p>Activity Status Controlled Where:</p> <ol style="list-style-type: none"> 1. All performance standards for Rules FUZ - R1 and FUZ - R2 are complied with. <p>Matters of control are:</p> <ol style="list-style-type: none"> a. Design and location of structures b. Landscape measures c. Appearance of buildings 	<p>Activity status where compliance not achieved: Discretionary</p>

FUZ - R10	Minor Structures not meeting Rule FUZ - R3	
Activity Status Controlled Where: <ol style="list-style-type: none"> The minor structure does not exceed 10m in height above ground level; and All other performance standards from Rule FUZ - R1 are complied with. Matters of control are: <ol style="list-style-type: none"> Design and location of structures Landscape measures 		Activity status where compliance not achieved: Discretionary
Restricted Discretionary Activities		
FUZ - R10	Home Business not meeting Rule FUZ - R7	
Activity Status Restricted Discretionary Where: <ol style="list-style-type: none"> This is ancillary to a residential or rural activity; and All performance standards for Rules FUZ - R1 and FUZ - R2 are complied with. Discretion is restricted to: <ol style="list-style-type: none"> Compatibility with the character and amenity values of the Future Urban Zone; Site design, layout and scale; Adequacy of infrastructure servicing including on-site servicing; Whether the activity could compromise the future intended use of the Future Urban Zone; Ensuring that the activity avoids constraining the establishment of activities otherwise anticipated within the Future Urban Zone; The extent to which measures are included that internalise effects and avoid conflict and potential reverse sensitivity effect on activities anticipated within the Future Urban Zone; and No external generation of dust, odour or smoke occurs as part of the activity. 		Activity status where compliance not achieved: Non-complying
FUZ - R11	Visitor and Temporary Worker Accommodation	
Activity Status Restricted Discretionary Where: <ol style="list-style-type: none"> This is ancillary to a residential, farming or conservation activity; and Performance standards for Rules FUZ - R1 and FUZ - R2 are complied with. Discretion is restricted to: <ol style="list-style-type: none"> Requirements for record keeping of letting activity; Compatibility with the character and amenity values of the Future Urban Zone; Site design, layout and scale; Adequacy of infrastructure servicing including on-site servicing; Whether the activity could compromise the future intended use of the Future Urban Zone; 		Activity status where compliance not achieved: Non-complying

<ul style="list-style-type: none"> f. Ensuring that the activity avoids constraining the establishment of activities otherwise anticipated within the Future Urban Zone; and g. The extent to which measures are included that internalise effects and avoid conflict and potential reverse sensitivity effect on activities anticipated within the Future Urban Zone. 	
FUZ -R12 Mineral Prospecting, Mineral Exploration and Mineral Extraction not complying with Rule FUZ - R10	
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> 1. The activity does not occur within an Outstanding Natural Landscape, Outstanding Natural Feature, Significant Natural Area, a Historic Heritage site, or a Site of Significance to Māori <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Whether the activity could compromise the future intended use of the Future Urban Zone b. Ensuring that the activity avoids constraining the establishment of activities otherwise anticipated within the Future Urban Zone c. The extent to which measures are included that internalise effects and avoid conflict and potential reverse sensitivity effect on activities anticipated within the Future Urban Zone; d. Management of access, parking, traffic generation and transport of minerals from the site; e. Noise, glare, light, dust, blasting and vibration management; f. Hours of operation; g. Hazardous substances and waste management; h. Historic and cultural heritage requirements; i. Extent and design of earthworks and native vegetation clearance; j. Effects on any threatened fauna or their habitats; k. Design and location of ancillary buildings, structures and infrastructure; l. Landscape measures; m. Overburden management; n. Monitoring, reporting and community liaison requirements; o. Financial contributions and any requirement for bonds; and p. Site rehabilitation and mine closure requirements. 	<p>Activity status where compliance not achieved: Discretionary</p>
FUZ -R13 Community Facilities	
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> 1. Performance standards for Rules FUZ - R1 and FUZ - R2 are complied with. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Compatibility with the character and amenity values of the Future Urban Zone; b. Site design, layout and scale; c. Adequacy of infrastructure servicing including on-site servicing; 	<p>Activity status where compliance not achieved: Discretionary</p>

<p>d. Whether the activity could compromise the future intended use of the Future Urban Zone; e. Ensuring that the activity avoids constraining the establishment of activities otherwise anticipated within the Future Urban Zone; and f. The extent to which measures are included that internalise effects and avoid conflict and potential reverse sensitivity effect on activities anticipated within the Future Urban Zone.</p>	
<p>FUZ -R14 Camping Grounds</p>	
<p>Activity Status Restricted Discretionary Where: 1. Performance standards for Rules FUZ - R1 and FUZ - R2 are complied with. Discretion is restricted to: a. Compatibility with the character and amenity values of the Future Urban Zone; b. Site design, layout and scale; c. Adequacy of infrastructure servicing including on-site servicing; d. Whether the activity could compromise the future intended use of the Future Urban Zone; e. Ensuring that the activity avoids constraining the establishment of activities otherwise anticipated within the Future Urban Zone; and f. The extent to which measures are included that internalise effects and avoid conflict and potential reverse sensitivity effect on activities anticipated within the Future Urban Zone.</p>	<p>Activity status where compliance not achieved: Discretionary</p>
<p>Discretionary Activities</p>	
<p>FUZ - R15 Relocated Buildings, Minor Structures, Fences, Walls and Retaining Walls, Community Facilities and Camping Grounds not meeting Permitted, Controlled or Restricted Discretionary Standards</p>	
<p>Activity Status Discretionary Where: 1. The performance standards for Rule FUZ - R2 are complied with.</p>	<p>Activity status where compliance not achieved: Non-complying</p>
<p>FUZ - R16 Agricultural, Pastoral and Horticultural Activities not meeting FUZ - R1</p>	
<p>Activity Status Discretionary Where: 1. There is no intensive indoor primary production being undertaken.</p>	<p>Activity status where compliance not achieved: Non-complying</p>
<p>Non Complying Activities</p>	
<p>FUZ - R17</p>	<p>Residential Activities not provided for as a Permitted Activity</p>
<p>FUZ - R18</p>	<p>Commercial Activities not provided for in another rule within the Future Urban Zone</p>
<p>FUZ - R19</p>	<p>Industrial Activities including Rural Industrial Activities</p>
<p>FUZ - R20</p>	<p>Intensive Indoor Primary Production</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: August 2021
Subject: **Technical Update Subdivision Rules**

SUMMARY

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

Subdivision is a key matter for Te Tai o Poutini Plan. It is often an essential prerequisite for development. It enables the intensification of land uses, (including residential activity), which in turn increases levels of activity, density of built form, traffic generation and demand on infrastructure services.

Proposed draft Rules for Subdivision are outlined in the report.

RECOMMENDATIONS

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

Lois Easton
Principal Planner

INTRODUCTION

1. This report gives an update on the technical work being undertaken on draft provisions for Subdivision in Te Tai o Poutini Plan (TTPP).
2. The draft Objectives and Policies were considered at the April 2021 meeting of the Committee. Amended Objectives are attached at Appendix One.

KEY CONTEXT

3. Subdivision is often an essential prerequisite for development. It enables the intensification of land uses, (including residential activity), which in turn increases levels of activity, density of built form, traffic generation and demand on infrastructure services.
4. The way an allotment is subdivided, including its size and shape, is important as it not only determines the quality and character of development, but it also impacts on adjacent sites and the future use of the land.
5. It is also important that the design and layout of a subdivision responds to any constraints on the ability for the allotments to be developed. Constraints may include significant natural, cultural, historical or ecological features within or adjoining the site, the potential impact of development on, or effects of, strategic infrastructure, or risks from natural hazards.
6. Subdivision introduces long-term development patterns that cannot be easily changed. The subdivision process regulates the provision of services for development and activities, including reserves and infrastructure.
7. The adverse effects of activities are generally controlled by the provisions for each zone at the time of development.
8. However, some potential effects of those activities that may be undertaken on sites are most appropriately managed at the time of subdivision. For example, the formation of new connections to roads may have an impact on the amenity values of an area and the safety and efficiency of the transport network, and the most effective means of addressing such effects is through a subdivision consent. It is also important to ensure that new sites being created are of a size and shape that can accommodate future development and be adequately serviced, either by reticulated services or on-site
9. The subdivision of land to create new sites on undeveloped land also creates expectations and property rights. It requires consideration of the need for public open space, esplanade reserves, community facilities and connections to and servicing by other infrastructure. Cost-effective servicing by infrastructure is an important consideration for greenfield developments. However, ensuring sufficient infrastructure capacity can also be an issue for the subdivision of already developed land.
10. Māori land held under Te Ture Whenua Māori Act 1993 is exempt from the subdivision provisions of the RMA. It is primarily controlled by the Te Ture Whenua Māori Act 1993 and administered by the Māori Land Court.
11. Appendix Two provides a further consideration of the key matters in developing draft provisions for subdivision.

KEY DRAFT RULE PROVISIONS

Permitted Subdivision

12. The draft rules retain a Permitted Activity for Boundary Adjustments and to create lots for network utilities – essentially a rewrite of the Buller/Westland Rules and now applied also to Grey. There are some specific standards to ensure that this does not result in a mechanism to allow ad hoc additional development in the General Rural Zone.

Controlled Activities

13. The approach taken is that in most situations there should be provision for a Controlled Activity subdivision with a minimum lot size. This sends a strong signal to the development sector about what is expected and appropriate subdivision.

Minimum Lot Sizes

14. A key matter for subdivision rules is where there are minimum lot sizes – and where these are not required. Based on the land use/zone density draft rules the minimum lot sizes are outlined below.

Zone	Proposed Minimum Lot Size from Density Rules	Proposed Subdivision Rule
General Residential	350m ²	Controlled Activity
Large Lot Residential	1000m ²	Controlled Activity
Medium Density Residential	150m ²	Controlled Activity
Settlement Zone	500m ² in sewered areas, 1000m ² in unsewered	Controlled Activity
Settlement Zone – Coastal Settlement Precinct	1000m ²	Controlled Activity (note will be subject to other rule restrictions as a result of overlays which may affect this precinct in particular)
Settlement Zone – Rural Residential Precinct	4000m ²	Controlled Activity
Rural Lifestyle Zone	1 ha	Controlled Activity
General Rural Zone	20 ha	Controlled Activity

15. The following Zones however do not have minimum lot sizes set in the density rules and the following approach is included in the draft rules

Zone	Minimum Lot Size
Future Urban Zone	4ha as a Restricted Discretionary (rather than Controlled) Activity
Commercial Zone	No minimum lot size provided meets subdivision standards
Town Centre Zone	No minimum lot size provided meets subdivision standards
Neighbourhood Centre Zone	350m ² - same minimum lot size as General Residential zone (so is potential for area to revert to residential should local shops continue to decline)
General Industrial Zone	No minimum lot size provided meets subdivision standards
Port Zone	1000m ² in unsewered areas Otherwise, no minimum lot size provided meets subdivision standards
High Use Visitor	Subdivision restrictions relating to natural hazard provisions only (TBC with Natural Hazard work) – no minimum lot size
All other Special Zones [Hospital, Stadium, Māori Purpose, Mineral Extraction, Buller Coalfield, Airport]	All subdivision a Discretionary Activity No minimum lot size
Open Space Zones	All subdivision a Discretionary Activity No minimum lot size

Subdivision in Overlay Areas

16. There are a wide range of overlays in TTPP – ranging from historic heritage, to natural hazards, the coastal environment, airport noise contours and the electricity corridor. The general approach is that for all overlay areas, a Restricted Discretionary, rather than Controlled Activity consent is required, enabling the consideration of the impacts of the subdivision on the overlay feature and to ensure the Councils are able to deliver on the other objectives and policies of the Plan. Where new lots would impact on the overlay feature, then a Discretionary activity consent is generally required. However, reflecting the priority of

these areas, subdivision with the outstanding coastal natural character overlay, or any high-risk natural hazard overlay is a non-complying activity.

17. As the overlay rules themselves have not been discussed in any detail as yet with the Committee, the overlay subdivision draft rules will need to be reviewed in light of those future discussions with the Committee.

Prevention of Reverse Sensitivity

18. In order to avoid reverse sensitivity effects, subdivision creating a new lot within 100m of a Mineral Extraction Zone or the Buller Coalfield Zoned land is a Non-complying Activity.
19. Subdivision which allows a residential dwelling to be built within the Airport Noise Control Overlay is also identified as a non-complying activity, however once the Noise Control overlays are developed these will be brought back to the Committee for further discussion.

Subdivision to Protect Significant Biodiversity

20. As previously discussed with the Committee, a provision to provide for a subdivision incentive around the protection of areas of significant biodiversity is included.

NEXT STEPS

21. This paper outlines the draft rules for subdivision. These are still likely to need further amendment following discussions with the Committee around the overlay provisions.

APPENDIX ONE: DRAFT SUBDIVISION OBJECTIVES AND POLICY

Subdivision Objectives	
SUB - 01	Subdivision achieves patterns of land development that are compatible with the purpose, character and qualities of each zone.
SUB - 02	Subdivision occurs in locations and at a rate that: <ol style="list-style-type: none"> Is supported by the capacity of infrastructure networks, or provides for infrastructure facilities and networks that are sufficient to accommodate growth and development; Facilitates the operation of nationally significant infrastructure; Provide for the health, wellbeing and safety of the West Coast community; Provides for growth and expansion of West Coast communities and businesses; and Are resilient to natural hazards..
SUB - 03	Subdivision design and development protects significant natural, ecological, historical and Poutini Ngāi Tahu features and resources and responds to the physical characteristics and constraints of the site and surrounding environment.
SUB - 04	Subdivision within the Future Urban Zone does not result in the fragmentation of sites that would compromise the potential of land within the Future Urban Zone to accommodate integrated and serviced urban development.
SUB - 05	Esplanade reserves and strips created through subdivision contribute to the protection of identified significant natural heritage and Poutini Ngāi Tahu values, provide natural hazard mitigation, and provide for public access to and along rivers and the coastal marine area.
Subdivision Policies	
SUB - P1	Enable subdivision that creates allotments that: <ol style="list-style-type: none"> Are consistent with the purpose, character, and qualities of the applicable zone; Maintains the integrity of the zone with lot sizes and dimensions sufficient to accommodate intended land uses; Minimise natural hazard risk to people's lives and properties; and Have legal and physical access to each allotment created by the subdivision.
SUB - P2	Ensure subdivision is appropriately serviced and integrated with existing or planned infrastructure that is provided in an efficient, integrated and co-ordinated manner by ensuring: <ol style="list-style-type: none"> Infrastructure networks have sufficient capacity to accommodate the additional development, and requiring any necessary upgrades to be completed at the time of subdivision; and Infrastructure is installed at the time of subdivision, except for on-site infrastructure that cannot be determined until the allotment is developed; Sufficient provision has been made for legal and physical access to each allotment created by the subdivision; Provision of safe and efficient vehicle access; Adequate provision for open space and reserves, including pedestrian and cycle linkages; Drinking water compliant with New Zealand Drinking Water Standards; Adequate water supply for firefighting; Treatment and safe disposal of stormwater that does not result in increased flooding and erosion risk; Treatment and safe disposal of wastewater with a preference for land-based treatment where no reticulated network is in place; Supply of electricity and telecommunications using a method that is appropriate to the type of development, location and character of the area including off-grid supply / wireless /satellite where deemed reasonable by the Council; Connections are made to wastewater, water supply and stormwater systems where they are available and there is capacity; Where new community infrastructure is developed, that there is adequate provision for ongoing maintenance either by the vesting of the infrastructure in the relevant Council,

	<p>or in the case of papakāinga developments, that an ongoing hapū entity may be responsible for maintenance;</p> <p>m. In all Residential, Industrial and Commercial Zones requiring:</p> <ol style="list-style-type: none"> i. Roads to a sealed standard; ii. Underground reticulation of services; iii. Sealed footpaths ; and iv. Streetlights in urban areas; and <p>n. Financial contributions are provided where additional or upgraded network utility infrastructure is required to service development.</p> <p>Advice Note: The standards for road construction can be found in the Transport section of the Plan.</p>
SUB - P3	<p>Provide for the subdivision of land within or containing riparian margins, outstanding natural features and landscapes, the coastal environment, significant natural areas, sites and areas of significance to Poutini Ngāi Tahu or historic heritage settings, where it can be demonstrated that the design and layout of allotments and the location of any building platforms will:</p> <ol style="list-style-type: none"> a. Not compromise the identified characteristics and values of the Overlay it is located within; and b. Achieve the relevant objectives and policies for the Overlay.
SUB - P4	<p>Manage significant risks from natural hazards by restricting subdivision that:</p> <ol style="list-style-type: none"> a. Creates new or exacerbates existing natural hazards including coastal hazards, erosion, slippage, subsidence, falling debris, fault rupture, severe ground shaking or flooding; or b. Results in adverse effects on the stability of land and buildings; and c. Does not provide safe, flood free and stable building platforms at the time of subdivision.
SUB - P5	<p>Avoid subdivision within the Future Urban Zone that may result in one or more of the following:</p> <ol style="list-style-type: none"> a. The efficient and effective operation of the local and wider transport network being compromised; b. The need for significant upgrades, provisions or extensions to the reticulated wastewater, reticulated water supply or stormwater networks, or other infrastructure in advance of integrated urban development; c. The efficient provision of infrastructure being compromised; d. Reverse sensitivity effects when urban development occurs; e. Reverse sensitivity effects on existing rural activities or infrastructure; or f. Fragmentation of sites in a manner that may compromise the appropriate form or nature of future urban development.
SUB - P6	<p>Avoid subdivision:</p> <ol style="list-style-type: none"> a. In the Rural Zones that could result in the creation of an unplanned new settlement; b. Where detached minor residential units in Rural Zones become legally separated from the main residential unit thereby creating cumulative effects on rural character and productivity; c. Where this could create significant reverse sensitivity issues in relation to the Mineral Extraction Zone or Buller Coalfield Zone; d. In the Coastal environment outside of areas that are already modified unless adverse effects on the natural character of the coastal environment can be avoided or mitigated; and e. In areas of significant risk of natural hazards, where this is for the purposes of accommodating and/or servicing people and communities.
SUB - P7	<p>Allow subdivision in the Residential Zones that does not comply with the minimum lot design and parameters when:</p> <ol style="list-style-type: none"> a. The site size and configuration is appropriate for development intended by the zone; and b. The subdivision design maintains residential character and amenity; and c. It can be demonstrated that it is consistent with the quality and types of development envisaged by Residential Zone Objectives and Policies and any residential or medium density housing design guides in place for the zone.

SUB - P8	<p>Avoid subdivision that creates allotments that are less than the required minimum net site area within the General rural zone – Highly Productive Land Overlay unless:</p> <ol style="list-style-type: none"> a. The subdivided allotments are solely for the purpose of network utilities, esplanade reserves or strips, roads, walkways, cycleways or access; or b. The subdivision maintains the dwelling density anticipated for the zone; and c. The subdivision will enable natural hazard mitigation; or d. The subdivision will enable more productive use of the land; or e. The subdivision will assist to protect significant natural and physical resources including heritage or sites and areas of significance to Maori.
SUB - P9	<p>To require esplanade reserves or esplanade strips for allotments of less than 4 ha in order to enable public access, reduce natural hazard risk, and contribute to the protection of natural character and biodiversity values, except that the width of the esplanade reserve or strip may be varied from 20 metres or waived if:</p> <ol style="list-style-type: none"> a. The natural values warrant a wider or narrower esplanade strip or esplanade reserve; or b. Topography, or the siting of any building or other feature, renders the 20-metre width inadequate or excessive; or c. The protection of Sites of Significance to Māori or other taonga requires an esplanade reserve or esplanade strip of greater or lesser width than 20 metres; or d. The protection or enhancement of biodiversity values or water quality requires an esplanade reserve or esplanade strip of greater or lesser than 20 metres; or e. The land is within a natural hazard area of where there is an identified risk from one or more natural hazards (such as coastal erosion); or f. The costs of the provision and maintenance of a 20-metre-wide esplanade reserve or esplanade strip are more than the potential public benefits of the purposes of esplanade reserves or strips.

APPENDIX TWO: Key Matters Informing the Development of Subdivision Rules

STRATEGIC CONTEXT

1. In terms of the RMA, Subdivision is entirely a District matter. However, some of the physical activities required to enable the implementation of a subdivision consent such as road and lot formation 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, ecological values, 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 subdivision, 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.

CURRENT PLAN APPROACHES

3. The current plans take quite different approaches to subdivision. The rules are summarised below:

Grey

- Controlled activity to meet specified minimum lot sizes in all Zones and in general accordance with the outline plan (Kaiata Park).
- Controlled activity with no minimum lot sizes to create access, for utilities, roads and reserves
- All other subdivision Discretionary Activity. I understand the practice is that few Discretionary consents are applied for or granted.

Westland

- Permitted activity for boundary adjustments or subdivision for a public network utility.
- Controlled activity to meet specified minimum lot sizes in urban zones and in accordance with concept plans (Racecourse Terraces, Kumara Junction)
- Discretionary activity for all rural subdivision. Given the large amount of rural residential development in Westland it appears that rural Discretionary subdivisions consents are frequently applied for and granted.
- Discretionary activity for smaller lot sizes in urban areas, with Discretionary minimums for Residential and Settlement Zones, but no minimums for Commercial or Industrial except on rear sites. I am not sure to what degree Discretionary consents are applied for in these locations – but I would hazard a guess not that frequently.
- Non-complying where Discretionary minimums are not met – Residential, Kumara Junction, Industrial/Commercial rear sites, Rural Zone. I would hazard a guess that non-complying consent applications are infrequent.

Buller

- Permitted activity for boundary adjustments or subdivision for a public network utility.
- Controlled Activity in Urban Zones to subdivide to create lots that can comply with the relevant (permitted activity) standards – where an existing building doesn't currently comply, the subdivision must not increase the extent of non-compliance. Minimum lot size for unsewered areas and shape factors apply. Subdivision at Sergeant's Hill Industrial area in general accordance with the concept plan.
- Discretionary Activity for subdivision in the Rural Zone, Scenically Sensitive Residential, Paparoa Character Area and Natural Environments Character Area. Like Westland this has had the effect that Discretionary Activity applications are common – and appear to be almost always granted.
- Non-complying activity for Scenically Sensitive Residential subdivision to <1500m² where unsewered or not meeting the shape factor.

KEY MATTERS TO NOTE FROM EXISTING RULES

4. The first key matter to note is that the Grey Plan does not have any Permitted subdivision whereas there are Permitted subdivisions in Buller and Westland. Permitted subdivisions are unusual nationally. The Permitted Subdivisions in Buller and Westland are boundary

adjustments, creating a network utility lot or creating an esplanade. Discussion with Grey staff indicates they are comfortable with this approach also applying in Grey.

5. The second key matter is that there are no minimum lot sizes in any zone in Buller. The only minimum lot size is a requirement for 1500m² site for unsewered areas. Harmonisation of subdivision provisions across the three districts will result in substantial change from the current situation in Buller.
6. Thirdly Buller and Westland have a number of rural zones where all subdivision is a Discretionary Activity (no controlled or restricted discretionary subdivision). This has had the effect of “skewing” the balance of the Plan – as Discretionary Activity consent applications are consequently fairly common with probably the assumption that they will be granted. In a more balanced plan, a Discretionary Activity consent is normally quite a high bar and would be expected to be less frequently applied for.
7. And finally, ad hoc rural subdivision is something that is an issue in all three districts but in particular is common in Buller and Westland. This is predominantly because the current plans do not provide any direction about where development is and isn’t appropriate, combined with the common-ness of Discretionary applications. Going forward the use of the Rural Lifestyle and Settlement – Rural Residential Precinct are proposed as ways to provide for targeted locations for this type of development and avoid the reverse sensitivity problems and land fragmentation that occurs with ad hoc rural subdivision.

OTHER COUNCIL APPROACHES

8. A review of a range of other district plans has been under. Key things to note from the review are:
 - All the Council plans reviewed have a number of Controlled Subdivision activities. It’s common that there be a Controlled or Restricted Activity for subdivision in most zones with a minimum lot size set.
 - Some Councils differentiate between subdivision creating vacant allotments and those around existing buildings.
 - Some Councils place an emphasis that a subdivision should result in dwellings/buildings on the new allotments being able to be developed within the Permitted Activity zone standards.
 - New Plymouth District Council has an incentive scheme for SNAs as part of their subdivision rules – the staff view is that a subdivision incentive scheme recognising protection of significant indigenous biodiversity is really worth pursuing.
 - Where there are natural hazards, significant areas of biodiversity, Outstanding Landscapes, Coastal Environment and other overlays it’s normal to be more restrictive (Discretionary and/or Non-complying) with subdivision provisions.
 - Not all Councils provide for a minor unit in rural areas – Nelson does and has a specific Non-complying Activity around the subdivision of these from the principal residential unit.
 - Nelson’s has a similarly relaxed approach to papakāinga development as is provided for the draft TTPP – and as a consequence have a rule whereby subdivision within a papakāinga is non-complying so that papakāinga development on general title land does not lead to subdivision by stealth.

Permitted Activities	
SUB - R1	General Residential Zone and General Rural Zone - Boundary adjustments
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. The boundary adjustment does not alter: <ol style="list-style-type: none"> a. The permitted activity status of any existing permitted activities occurring on the allotments and/or the ability of an existing permitted activity to continue to comply as a permitted activity under the rules and standards in this Plan; b. The extent or degree to which any consented or otherwise lawfully established activity occurring on the allotments does not comply with a rule or standard in this Plan; and c. The ability of an existing permitted activity (including on adjacent lots) to continue to comply with the Plan. 2. No new roading or access points are required; 3. No new Council services are required; and 4. In the General Rural Zone the boundary adjustment does not result in additional potential for residential units as a permitted activity. 	Activity status where compliance not achieved: Controlled
SUB - R2	All Zones - Subdivision for a public network utility
Activity Status Permitted Where: <ol style="list-style-type: none"> 1. Any new lot created is solely for a public network utility which is either a Permitted Activity under the Energy, Infrastructure and Transport Section or is approved as a result of a resource consent; 2. Any existing buildings comply with the relevant zone Permitted Activity standards; 3. No new roading or access points are required; and 4. No new Council services are required. 	Activity status where compliance not achieved: Controlled
Controlled Activities	
SUB - R3	All Zones - Boundary Adjustments
Activity Status Controlled Where: <ol style="list-style-type: none"> 1. These are not Permitted Activities under Rule SUB - R1; 2. All Subdivision Effects Standards are complied with; 3. The existing or proposed buildings must either: <ol style="list-style-type: none"> a. Comply with all permitted activity standards relevant to the zone and any overlays and a building consent must have been issued for any proposed buildings; or b. Be subject to an approved resource consent for any non-compliances. Matters of control are:	Activity status where compliance not achieved: Discretionary

<ul style="list-style-type: none"> a. The design and layout of allotments, and the ability to accommodate permitted and/or intended land uses; b. The design and provision of access; c. The provision, design and construction of infrastructure and services; d. Effects of development phase works on the surrounding area; and e. Protection, maintenance or enhancement of natural features and landforms, historic heritage, sites of significance to Māori, archaeological sites or any other identified features. 	
SUB - R4 All Zones - Subdivision for a Public Network Utilities, Access or Reserves	
<p>Activity Status Controlled Where:</p> <ol style="list-style-type: none"> 1. The Subdivision is not a Permitted Activity under Rule SUB - R2 <p>Matters of control are:</p> <ul style="list-style-type: none"> a. The size, design and layout of allotments for the purpose of public network utilities, reserves or access; b. Legal and physical access to and from allotments; c. Protection, maintenance or enhancement of natural features and landforms, waterbodies, indigenous vegetation, historic heritage, sites of significance to Māori, archaeological sites or identified features; d. Where relevant, compliance with Subdivision Effects Standards [link]. 	<p>Activity status where compliance not achieved: N/A.</p>
SUB - R5 Subdivision to create allotment(s) in all Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, High Use Visitor or Port Zones	
<p>Activity Status Controlled Where:</p> <ol style="list-style-type: none"> 1. This is not within the Outstanding Coastal Natural Character Overlay, Outstanding Natural Landscape Overlay, Outstanding Natural Feature Overlay, Significant Natural Area Overlay, Sites and Areas of Historic Heritage Overlay, Sites of Significance to Māori Overlay or any Natural Hazard Overlay; 2. All Subdivision Effects Standards [link] are complied with; 3. The subdivision is in general accordance with any development plan in place for the site [link to development plans - Kaiata Park, Kumara Junction, Franz Josef] <p>Matters of control are:</p> <ul style="list-style-type: none"> a. The design and layout of allotments, and the ability to accommodate permitted and/or intended land uses; b. The design and provision of roads, pedestrian and cycle ways; and c. The design and provision of access; d. The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy; e. The adequacy of water supply for firefighting; f. Any requirements arising from meeting the NZS 4404 Code of Practice for Land Development and Subdivision Infrastructure; 	<p>Activity status where compliance not achieved: Restricted Discretionary where 1 is not complied with Discretionary 2-4 is not complied with.</p>

<ul style="list-style-type: none"> g. The provision of easements; h. The provision of local purpose reserves; i. The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; j. Effects of development phase works on the surrounding area; k. Effects on Poutini Ngāi Tahu values, notable trees or historic heritage within or adjacent to the site; l. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created; m. The extent to which any land identified as contaminated is safe for habitation; and n. Natural hazards or geotechnical constraints. o. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control; and p. Management of potential reverse sensitivity effects on existing land uses, including network utilities, rural activities or significant hazardous facilities. 	
<p>SUB - R6 Subdivision to create allotment(s) in any Rural Zone or Māori Purpose Zone</p>	
<p>Activity Status Controlled Where:</p> <ol style="list-style-type: none"> 1. This is not within the Outstanding Coastal Natural Character Overlay, Outstanding Natural Landscape Overlay, Outstanding Natural Feature Overlay, Significant Natural Area Overlay, Sites and Areas of Historic Heritage Overlay, Sites of Significance to Māori Overlay or any Natural Hazard Overlay; 2. All Subdivision Effects Standards [link] are complied with; and 3. Subdivision in the Māori Purpose Zone is in accordance with an Iwi Management Plan for the site. <p>Matters of control are:</p> <ol style="list-style-type: none"> a. The size, design, shape, location and layout of allotments; b. Efficient use of land and compatibility with rural character and the role, function and predominant character of the Rural or Māori Purpose Zone in which the subdivision is located; c. Where relevant consistency with the NZS 4404 Code of Practice for Land Development and Subdivision infrastructure; d. The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy; e. The adequacy of water supply for firefighting; f. The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; g. Effects on Poutini Ngāi Tahu values or notable trees within or adjacent to the site; h. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created; i. Management of any effects on the production value of highly productive land identified in the Highly Productive Land Overlay; 	<p>Activity status where compliance not achieved: Restricted Discretionary where 1 is not complied with Discretionary 2-4 is not complied with</p>

<ul style="list-style-type: none"> j. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control; and k. Management of potential reverse sensitivity effects on existing land uses, including network utilities, rural activities or significant hazardous facilities. 	
<p>SUB - R7 Subdivision of land solely to create an allotment exclusively for an area of Significant Indigenous Biodiversity, or an Open Space Covenant under the Queen Elizabeth II National Trust Act 1977, a Nga Whenua Rahui Kawenata, a Conservation Covenant under the Reserves Act 1977 and the Conservation Act 1987 or a Heritage Covenant under the Heritage New Zealand - Pouhere Taonga Act 2014</p>	
<p>Activity Status Controlled</p> <p>Matters of control are:</p> <ul style="list-style-type: none"> a. Allotment size and shape and the ongoing protection of the area of significant indigenous biodiversity or land subject to a covenant; b. Fencing and other measures to ensure the ongoing maintenance or protection of the area of significant indigenous biodiversity or land subject to a covenant; and c. The provision of legal and physical access to the area of significant indigenous biodiversity and its ongoing maintenance. 	<p>Activity status where compliance not achieved: N/A</p>
<p>SUB - R8 Subdivision of Land Containing an area of Significant Indigenous Biodiversity</p>	
<p>Activity Status Controlled</p> <p>Where:</p> <ul style="list-style-type: none"> 1. One allotment with a minimum lot size of 4,000m² is created from the parent title, provided there is a balance area remaining from the Record of Title subject to subdivision of at least 4 ha; and 2. The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977, and 3. The subdivision will not result in buildings being located within 20 metres of the identified area of significant indigenous biodiversity; and 4. All Subdivision Effects Standards [link] are complied with. <p>Matters of control are:</p> <ul style="list-style-type: none"> a. The provision of an ecological management plan to ensure the ongoing management of the covenant area and that the area of significant indigenous biodiversity is self-sustaining, which addresses as a minimum: <ul style="list-style-type: none"> i. Fencing requirements for the covenant area; ii. Ongoing pest plant and animal control; iii. Any enhancement or edge planting requirements within the covenant area. b. Subdivision layout, design, location and proximity of building platforms to areas of significant indigenous biodiversity; c. Management of earthworks, including earthworks for the location of building platforms and access ways; 	<p>Activity status where compliance not achieved: Restricted Discretionary where 1. is not complied with and Discretionary where 2-4 are not complied with.</p>

<ul style="list-style-type: none"> d. The protection of habitats of threatened or at risk species; e. The measures to avoid, remedy, or mitigate any adverse effects on: <ul style="list-style-type: none"> i. The significant indigenous vegetation and/or significant habitats of indigenous fauna; ii. The cultural significance to Poutini Ngāi Tahu; and iii. Rural character and amenity values. 	
SUB - R9 Subdivision of Land that contains or is within the Electricity Transmission and Distribution Yard	
<p>Activity Status Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. This is not within the Outstanding Coastal Natural Character Overlay, Outstanding Natural Landscape Overlay, Outstanding Natural Feature Overlay, Significant Natural Area Overlay, Sites and Areas of Historic Heritage Overlay, Sites of Significance to Māori Overlay or any Natural Hazard Overlay; 2. All Subdivision Effects Standards are complied with; 3. Any allotment created can contain a 15x15m area of land which: <ol style="list-style-type: none"> i. Is located entirely outside of the Electricity Transmission and Distribution Yard ii. Has reasonable physical and legal access; and iii. Could accommodate a building which can comply with all Permitted Activity standards for the Zone it is located in. 4. The subdivision maintains any existing access to Electricity Transmission and Distribution Yard; 5. Written documentation is provided that demonstrates consultation has occurred with the Electricity Transmission Operator including any response from the operator; and 6. The minimum lot size for any allotment that contains any part of the Electricity Transmission and Distribution Yard shall be 1ha. <p>Matters of control are:</p> <ol style="list-style-type: none"> a. The size, design, shape, location and layout of allotments; b. Efficient use of land and compatibility with the role, function and predominant character of the Zone in which the subdivision is located; c. Where relevant consistency with the NZS 4404 Code of Practice for Land Development and Subdivision infrastructure; d. The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy; e. The adequacy of water supply for firefighting; f. The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; g. Effects on Poutini Ngāi Tahu values or notable trees within or adjacent to the site; h. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created; 	<p>Activity status where compliance not achieved: Restricted Discretionary where 1 is not complied with Discretionary where 2 is not complied with Non-complying where 3-6 is not complied with</p>

<ul style="list-style-type: none"> i. Management of any effects on the production value of highly productive land identified in the Highly Productive Land Overlay; j. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control; and k. Management of potential reverse sensitivity effects on existing land uses, including network utilities, rural activities or significant hazardous facilities. 	
Restricted Discretionary Activities	
SUB - R10 Subdivision of Land Containing an area of Significant Indigenous Biodiversity not meeting Rule SUB – R8	
<p>Activity Status Restricted Discretionary</p> <ol style="list-style-type: none"> 1. Two or three allotments with a minimum lot size of 4,000m² is created from the parent title, provided there is a balance area remaining from the Record of Title subject to subdivision of at least 20 ha; and 2. The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977, and 3. The subdivision will not result in buildings being located within 20 metres of the identified area of significant indigenous biodiversity; and 4. All Subdivision Effects Standards [link] are complied with. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The provision of an ecological management plan to ensure the ongoing management of the covenant area and that the area of significant indigenous biodiversity is self-sustaining, which addresses as a minimum: <ul style="list-style-type: none"> i. fencing requirements for the covenant area; ii. ongoing pest plant and animal control; iii. any enhancement or edge planting requirements within the covenant area. b. Subdivision layout, design, location and proximity of building platforms to areas of significant indigenous biodiversity; c. Management of earthworks, including earthworks for the location of building platforms and access ways. d. The protection of habitats of threatened or at risk species. e. The measures to avoid, remedy, or mitigate any adverse effects on: <ul style="list-style-type: none"> i. The significant indigenous vegetation and/or significant habitats of indigenous fauna; ii. The cultural significance to Poutini Ngāi Tahu; and iii. Rural character and amenity values. 	<p>Activity status where compliance not achieved: Discretionary</p>
SUB - R11 Subdivision of Land in Areas of Historic Heritage Overlay or Sites of Significance to Māori Overlay	
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The site is outside of the Coastal Environment; and 2. All Subdivision Effects Standards [link] are complied with. <p>Discretion is restricted to:</p>	<p>Activity status where compliance not achieved: Discretionary</p>

<ul style="list-style-type: none"> a. Ensuring the values for which the heritage resource or area is scheduled or identified in Te Tai o Poutini Plan are maintained and protected; b. Ensuring sufficient land is provided around the heritage resource to protect associated heritage values; c. Measures used to minimise obstruction of views of the heritage resource from adjoining public spaces that may result from any future land use or development; d. Whether there is any adverse effects on a Notable Tree, that has any associated heritage or Poutini Ngāi Tahu values; and e. The size, design, shape, location and layout of allotments; f. Whether the allotments are of a size that will continue to provide the heritage resource with a suitable setting to maintain the associated heritage or Poutini Ngāi Tahu values. g. The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy; h. The adequacy of water supply for firefighting; i. The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; j. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created. <p>Notification:</p> <ul style="list-style-type: none"> 1. Applications to subdivide a lot with a Site or Area of Significance to Māori will always be notified to the relevant rūnanga and may be publicly notified. 2. Applications to subdivide a lot with a Historical Heritage feature will always be notified to Heritage New Zealand - Pouhere Taonga and may be publicly notified. 	
SUB - R12	Subdivision of Land within the Outstanding Natural Landscape Overlay or Outstanding Natural Feature Overlay
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> 1. The site is outside of the Coastal Environment; and 2. All Subdivision Effects Standards [link] are complied with. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Ensuring that landscape or natural feature values within the overlay for which the area or feature is scheduled are maintained; b. The size, design, shape, location and layout of allotments; c. The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy; d. The adequacy of water supply for firefighting; e. The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; and f. The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created. 	<p>Activity status where compliance not achieved: Discretionary</p>

SUB - R13	Subdivision of Land within the Future Urban Zone	
Activity Status Restricted Discretionary Where: <ol style="list-style-type: none"> All Subdivision Effects Standards [link] are complied with. Discretion is restricted to: <ol style="list-style-type: none"> The size, design, shape, location and layout of allotments; The extent to which the subdivision will be consistent with the Objectives and Policies for the Future Urban Zone [insert link] Where relevant consistency with the NZS 4404 Code of Practice for Land Development and Subdivision infrastructure; The provision of infrastructure and services for drinking water, wastewater and stormwater, telecommunications and energy; The adequacy of water supply for firefighting; The requirement for financial contributions as outlined in Rules FC – R1 to FC – R12; Effects on Poutini Ngāi Tahu values or notable trees within or adjacent to the site; The provision of esplanade reserves or strips, and the need for access to be provided to any esplanade reserve or strip created; Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control; and Management of potential reverse sensitivity effects on existing land uses, including network utilities, rural activities or significant hazardous facilities. 		Activity status where compliance not achieved: Non-complying
Discretionary Activities		
SUB -R14	Subdivision to create allotment(s) in the Hospital, Stadium, Mineral Extraction, Buller Coalfield and Airport Special Purpose Zones or in the Māori Purpose Zone where no Iwi Management Plan is in place.	
Activity Status Discretionary Where: <ol style="list-style-type: none"> All Subdivision Effects Standards [link] are complied with; and The subdivision is in general accordance with any development plan in place for the site. 		Activity status where compliance not achieved: Non-complying
SUB -R15	Subdivision of Land within an area of Significant Indigenous Biodiversity that does not meet Controlled or Restricted Discretionary Standards	
Activity Status Discretionary Where: <ol style="list-style-type: none"> Up to four allotments with a minimum lot size of 4,000m² are created from the parent title, provided there is a balance area remaining from the Record of Title subject to subdivision of at least 20 ha; and 		Activity status where compliance not achieved: Non-complying

<ol style="list-style-type: none"> 2. The area of significant indigenous biodiversity is legally protected in perpetuity by way of a conservation covenant pursuant to the Reserves Act 1977, or the Queen Elizabeth II National Trust Act 1977, and 3. The subdivision will not result in buildings being located within 20 metres of the identified area of significant indigenous biodiversity; and 4. All Subdivision Effects Standards (insert link) are complied with. 	
SUB - R16 Subdivision of land within the Coastal Environment subject to a Outstanding Natural Landscape, Outstanding Natural Feature, High Coastal Natural Character, Historic Heritage or Sites and Areas of Significance to Māori Overlay	
Activity Status Discretionary Where: <ol style="list-style-type: none"> 1. No new allotments are proposed within the Outstanding Coastal Natural Character Overlay; 2. No new allotments are proposed within any Natural Hazard Overlay; and 3. All Subdivision Effects Standards are complied with. Notification: <ol style="list-style-type: none"> 1. Applications to subdivide a lot with a Site or Area of Significance to Māori will always be notified to the relevant rūnanga and may be publicly notified. 2. Applications to subdivide a lot with a historical heritage feature will always be notified to Heritage New Zealand Pouhere Taonga and may be publicly notified. 	Activity status where compliance not achieved: Non-complying
SUB - R17 Subdivision of Land which would otherwise be a Controlled or Restricted Discretionary Activity, Where One or More of the Subdivisions Effects Standards are Not Complied With	
Activity Status Discretionary Where: <ol style="list-style-type: none"> 1. This is not in an Overlay area subject to Rules SUB - R15, SUB - R16 or SUB - R19; 2. This is not the subdivision of a Minor Unit from the parent dwelling in the General Rural Zone; and 3. This is not the subdivision of units within a papākainga development where the minimum lot sizes for the relevant zone are not met. 	Activity status where compliance not achieved: Non-complying where 2 or 3 are not complied with.
SUB -R18 Subdivision in any Open Space and Recreation Zone	
Activity Status Discretionary	Activity status where compliance not achieved: N/A
SUB - R19 Subdivision of Land in any Natural Hazard Overlay	
Activity Status Discretionary Where: <ol style="list-style-type: none"> 1. All building platforms and associated access for each site a located wholly outside the spatial extent of the Natural Hazard Overlay; and 	Activity status where compliance not achieved: Non-complying

2. All Subdivision Effects Standards (link) are complied with.		
SUB - R20 Subdivision within the Airport Noise Control Overlay		
Activity Status Discretionary Where: 1. All building platforms for any sensitive activity are located wholly outside the spatial extent of the Airport Noise Control Overlay; and 2. All Subdivision Effects Standards (link) are complied with.		Activity status where compliance not achieved: Non-complying
Non-complying Activities		
SUB - R21 Subdivision within the Outstanding Coastal Natural Character Overlay		
Activity Status Non-complying		Activity status where compliance not achieved: N/A
SUB - R22 Subdivision of land within any Natural Hazard Overlay not meeting Rule SUB -R19		
Activity Status Non-complying		Activity status where compliance not achieved: N/A
SUB - R23 Subdivision within 100m of the Mineral Extraction Zone or the Buller Coalfield Zone		
Activity Status Non-complying Where: 1. Any new allotment is within 100m of Mineral Extraction or Buller Coalfield Zoned land.		Activity status where compliance not achieved: N/A
SUB - R24 Subdivision of land not subject to another Rule in this Plan		
Activity Status Non-complying		Activity status where compliance not achieved: Prohibited/N/A
Subdivision Standards		
SUB - S1 Minimum Lot Sizes for each allotment		
1. Each allotment, including the balance allotment must meet the following minimum lot size: a. General Residential Zone 350m ² ; b. Large Lot Residential Zone 1000m ² ; c. Medium Density Residential Zone 150m ² ; and d. Neighbourhood Centre Zone 350m ² ; e. Settlement Zone, Settlement Zone – Coastal Settlement Precinct and Settlement Zone – Settlement Centre Precinct 1000m ² in unsewered areas and 500m ² in sewerred areas; f. Settlement Zone – Rural Residential Precinct 4000m ² ;		

- g. Rural Lifestyle Zone 1 hectare;
- h. General Rural Zone 20 hectares; and
- i. Future Urban Zone 20 hectares.

SUB - S2 **Requirements for building platforms for each allotment**

1. Each allotment must provide a stable, flood free building area suitable for building foundations in accordance with the requirements of the New Zealand Building Code - Acceptable Solution B1/AS4 Approved Document B1/4: Structure Foundations.
2. On sites less than 4ha in size, an indicative building platform on each allotment must be identified in subdivision applications and:
 - a. Must allow the buildings to comply with the standards for a permitted activity in the underlying zone under this District Plan; and
 - b. Must not include any area of land to be used for access or for the disposal of wastewater or stormwater; and
 - c. Must be outside of any area identified in a Natural Hazard overlay.

SUB - S2 **Water Supply**

1. Where a connection to a District Council or Community reticulated water supply system is available, all new allotments must be provided with a connection at the boundary and net boundary where access is shared (including firefighting water supply).
2. Where a connection to a District Council or Community reticulated water supply system is unavailable, all new allotments must be provided with access to a self-sufficient potable water supply (including firefighting water supply).

Advice Notes:

1. SNZ PAS 4509 New Zealand Fire Service Firefighting Water Supplies Code of Practice should be consulted when determining the most appropriate design for firefighting water supply. Fire and Emergency New Zealand is available to assist with this.
2. Where water is to be taken from ground or surface water, resource consent from West Coast Regional Council may be required.

SUB - S3 **Stormwater**

1. All allotments must provide the means for disposal of stormwater from the roof of all buildings and all impervious or potentially impervious surfaces, including, but not limited, to structures, compacted soils and sealed surfaces.
2. Where a connection to a District Council or Community stormwater management system is available, all new allotments must be provided with a connection at the boundary or net boundary where access is shared.
3. Where a connection to a District Council or Community stormwater management system is not available, the applicant shall demonstrate that stormwater will be disposed of in such a way that surface flooding of adjacent properties and roads will not be exacerbated.
4. Where the means of stormwater disposal is to ground, that area shall not be subject to instability, slippage or inundation, or used for the disposal of wastewater.

Advice Note: If stormwater disposal to a river, stream or lake is proposed then a resource consent may be required from West Coast Regional Council.

SUB - S4 **Wastewater**

1. All allotments must provide the means for disposal of wastewater from all potential land uses that could be established on the respective allotments.
2. Where a connection to a District Council or Community wastewater management system is available, all new allotments must be provided with a connection at the boundary or the net boundary where access is shared.

3. Where a connection to a District Council or Community wastewater management system is not available, the applicant shall demonstrate that wastewater will be disposed of in a sanitary manner within the net site area of the allotment with no direct discharge to water.	
Advice Note: On site wastewater disposal systems may require a resource consent from the West Coast Regional Council.	
SUB - S5	Transport and Access
1. All allotments must be provided with vehicular access to a road by way of a vehicle access point, driveway or right of way in accordance with the Te Tai o Poutini Plan Transport Standards [insert link]	
2. In all zones any vehicle rights of way or crossings shall be constructed in accordance with the Te Tai o Poutini Plan Transport Standards [insert link]	
3. All new roads and upgrades of existing roads shall be constructed in accordance with: <ul style="list-style-type: none"> i. In Grey District, the Grey District Council Code of Practice [insert link] ii. In Westland and Buller Districts the NZS 4404: Code of Practice for Land Development and Subdivision Infrastructure. 	
Advice Note: SNZ PAS 4509 New Zealand Fire Service Firefighting Water Supplies Code of Practice shall be consulted to ensure compliance with the access way dimensions required for fire appliances for developments where a fire appliance is not able to reach either the residential house or the source of firefighting water supply from the public road.	
SUB - S6	Energy Supply
1. For all new allotments electricity services must be provided to the boundary of each new lot or the applicant shall demonstrate that electricity services are able to be provided by alternative means.	
2. At the time of subdivision, sufficient land for transformers and any associated ancillary services must be set aside. For a subdivision that creates more than 15 lots, consultation with energy network utility operators may be required.	
3. All necessary easements for the protection of energy network utility services must be duly granted and reserved.	
SUB - S7	Telecommunications
1. For all new allotments telecommunication services must be provided to the boundary of each new lot or the applicant shall demonstrate that telecommunication services are able to be provided by alternative means.	
2. At the time of subdivision, sufficient land for telecommunications, transformers and any associated ancillary services must be set aside. For a subdivision that creates more than 15 lots, consultation with telecommunications network utility operators may be required.	
3. All necessary easements for the protection of telecommunications network utility services must be duly granted and reserved.	
SUB - S8	Requirement for Esplanade Reserves or Esplanade Strips
1. An esplanade reserve or esplanade strip shall be provided where any subdivision creates an allotment smaller than 4ha where that allotment adjoins any of: <ul style="list-style-type: none"> a. The coastal marine area; b. A lake; or c. The bank of a river whose bed has an average width of 3m. 	
SUB - S9	Easements for Any Purpose
Easements shall be provided where necessary for: <ul style="list-style-type: none"> 1. Public works and utility services; 2. Easements in gross where a service or access is required by the district council; 	

3. Easements in respect of other parties in favour of nominated allotments or adjoining Certificates of Title;
4. Service easements, whether in gross or for private purposes, with sufficient width to permit maintenance, repair or replacement. Centre line easements shall apply when the line is privately owned;
5. Easements for any of the following purposes:
 - i. Accessways, whether mutual or not;
 - ii. Stormwater, wastewater disposal, water supply, utilities;
 - iii. Party walls and floor/ceilings; or
 - iv. Other utilities.

SUB - S10

Point Strips

1. Point strips shall be provided where in the course of subdivision a new road is constructed and vested that will or could provide frontage to other land. In this instance an agreement is entered into by the first subdivider with the Council, to ensure the benefiting owner pays a fair share towards the cost of providing the frontage road. The point strip agreement sets the amount to be paid, which will be updated from the date of signature of the agreement by the Consumers Price Index.
2. Point strips may also be required where access to any road would be unsafe.
3. A point strip of no less than 100mm in width shall be created along the State Highway 7 frontage of any new allotment, or balance allotment created within the Kaiata Park development area and fronting State Highway 7 including any allotment created to contain the wetland area. Such point strip shall vest in Her Majesty the Queen for Use in Connection with a road (point strip).



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.

Airbnb/VRBO Rentals	Westland	Grey	Buller
Number active rentals July 2021	277	128	220
Number active rentals Oct 2020	401	179	281
Number of active rentals Jan 2017	220	103	129
Percentage Entire Home Rentals Oct 2020	73%	75%	72%
Percentage Entire Home Rentals July 2021	71%	70%	71%
Average number of guests	4.8	5	5.2
Average number of bedrooms	2	1.9	2
Main locations	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.

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

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

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
Increased tourism expenditure	<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>
Reduction in residential housing availability – unhosted accommodation /short term rental	<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"> • Insufficient residential dwellings so that workers do not have accommodation • A “hollowing out” of community leading to loss of community cohesion • Whole streets/areas where all dwellings are unavailable for residential use • Increased prices for long term rental accommodation prices residents out of the market • 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 	<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.	
Noise	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.	
Traffic generation	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

Environmental Effect	Description of Effect	Impacts on Residential Areas	Impacts on other Locations
	<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>
Parking	<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>

Environmental Effect	Description of Effect	Impacts on Residential Areas	Impacts on other Locations
Loss of residential neighbourhood - unhosted accommodation /short term rental	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.
Signs	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.
Rubbish	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.
Pressure on Public Water and	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.

Environmental Effect	Description of Effect	Impacts on Residential Areas	Impacts on other Locations
Wastewater Infrastructure	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.		
On site Wastewater systems	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"> • Homestays in all Zones – 5 guest limit, must meet all Permitted standards for parking etc Controlled <ul style="list-style-type: none"> • Unhosted visitor accommodation in a residential unit - Max length of time available for rental is 90 days/calendar year Restricted Discretionary <ul style="list-style-type: none"> • Homestays – more than 5 guests but meeting all Permitted standards for zone • Unhosted residential visitor accommodation in a residential unit – 	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"> • Homestays breaching Permitted Activity standards for zone (e.g. noise, parking, traffic generation) • Unhosted visitor accommodation in a residential unit where it is available for rental for more than 180 days/year 	<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"> • 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 • 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 • Visitor accommodation accessory to farming, conservation or a rural tourism activity in Rural Zones -up to 6 guests • 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 <p>Controlled Activity</p> <ul style="list-style-type: none"> • 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. • Visitor accommodation in a heritage item in a Residential/settlement Zone with no onsite manager but meeting all other Permitted Activity standards <p>Discretionary Activities</p> <ul style="list-style-type: none"> • Rural Zone – visitor accommodation not meeting Permitted Activity standards 	<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"> • Residential/Settlements Homestays where Permitted Standards not met up to 12 guests • Residential/Settlements - Unhosted visitor accommodation up to 12 guests/night for a maximum 180 nights per year • Residential/Settlements Visitor accommodation in a Heritage item up to 20 guests/night <p>Non-complying activities</p> <ul style="list-style-type: none"> • Residential/Settlements Unhosted visitor accommodation that exceeds 12 persons or 180 nights/year • Residential/Settlements Homestays and visitor accommodation in a heritage item exceeding max number of guests for Discretionary Activity 	
Selwyn (proposed 2020)	<p>Permitted Activity</p> <ul style="list-style-type: none"> • Rural Zone – hosted, max 5 guests • Residential Zone -hosted or unhosted max 5 guests • Settlement Zone -hosted or unhosted max 5 guests <p>Discretionary</p> <ul style="list-style-type: none"> • Visitor accommodation not meeting Permitted Activity standards 	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"> • Residential Zone – hosted or unhosted max 5 guests • Rural/Settlement Zone – max 10 guests <p>Restricted Discretionary</p> <ul style="list-style-type: none"> • Visitor accommodation not meeting Permitted Activity standards 	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"> • Boarding Houses with up to 6 residents • 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) <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.

	Westland	Grey	Buller	West Coast
Number active rentals Oct 2020	401 April 2021 311	179 April 2021 141	281 April 2021 234	861 April 2021 686 Book a Bach 104 (not sure whether overlap)
Number of active rentals Jan 2017	220	103	129	452
Percentage Entire Home Rentals	73% April 2021 70%	75% April 2021 70%	72% April 2021 70%	73% (629) April 2021 70% (
Average number of guests	4.8 April 2021 5	5 April 2021 5.1	5.2 April 2021 5.1	5 April 2021 5.1
Average number of bedrooms	2	1.9 April 2021 2	2	2
Main locations	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.

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

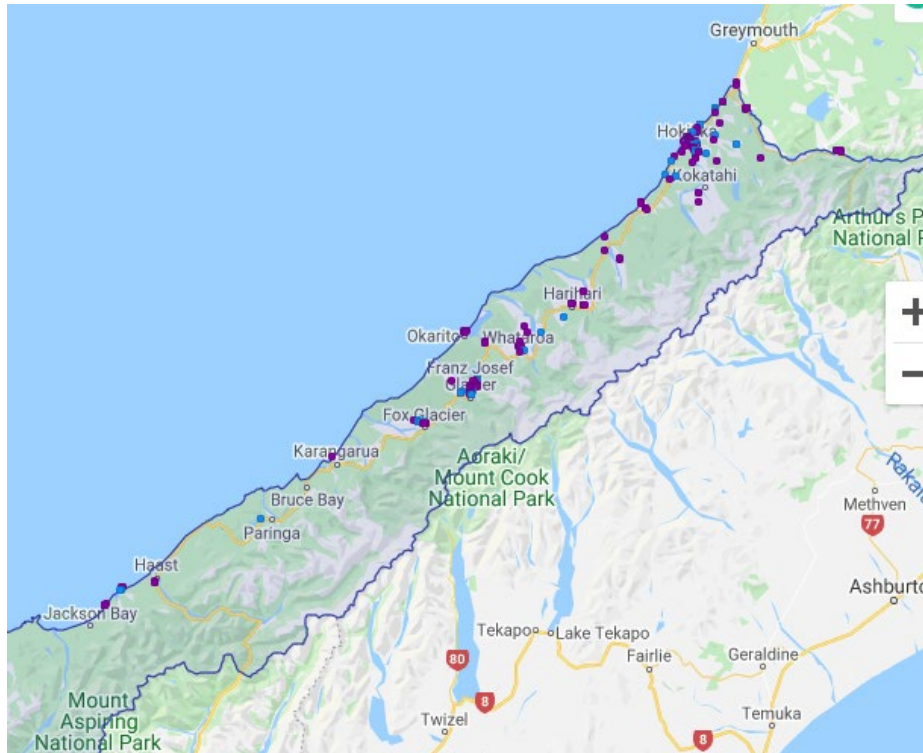
A study by Infometrics illustrates the scale and intensity of residential visitor accommodation activities within the District. They show that a significant number of listings comprise whole houses/apartments and that these properties are likely to be used exclusively for visitor accommodation purposes. 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.

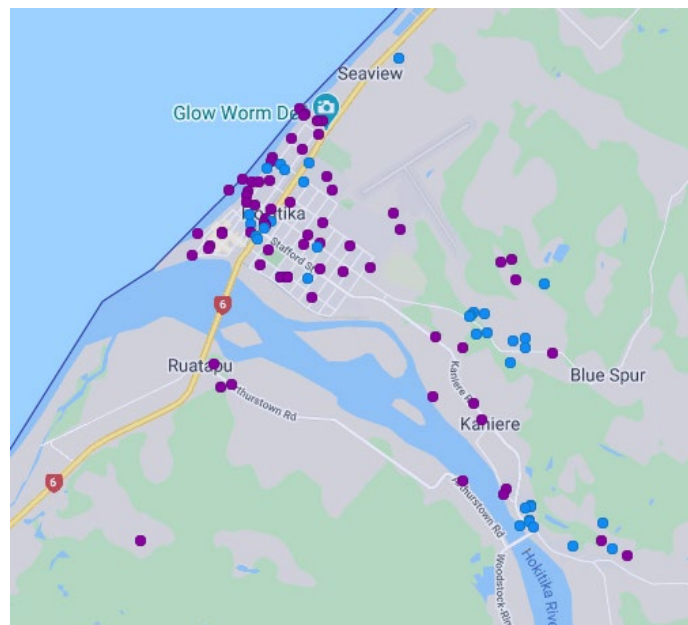
APPENDIX TWO : INFORMATION FROM THE AIR DNA ANALYSIS WEBSITE

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

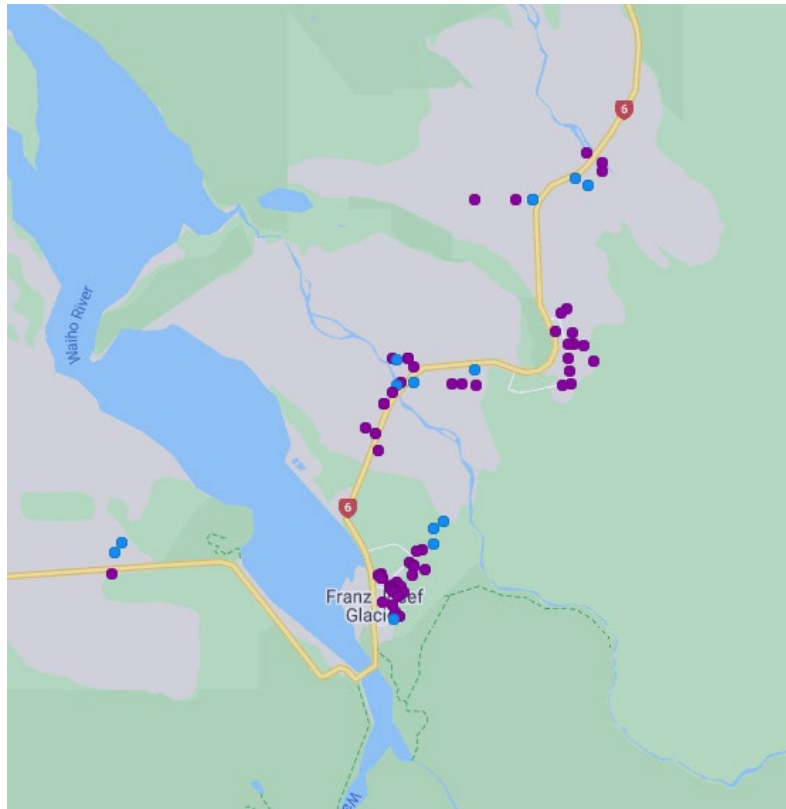
Westland



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



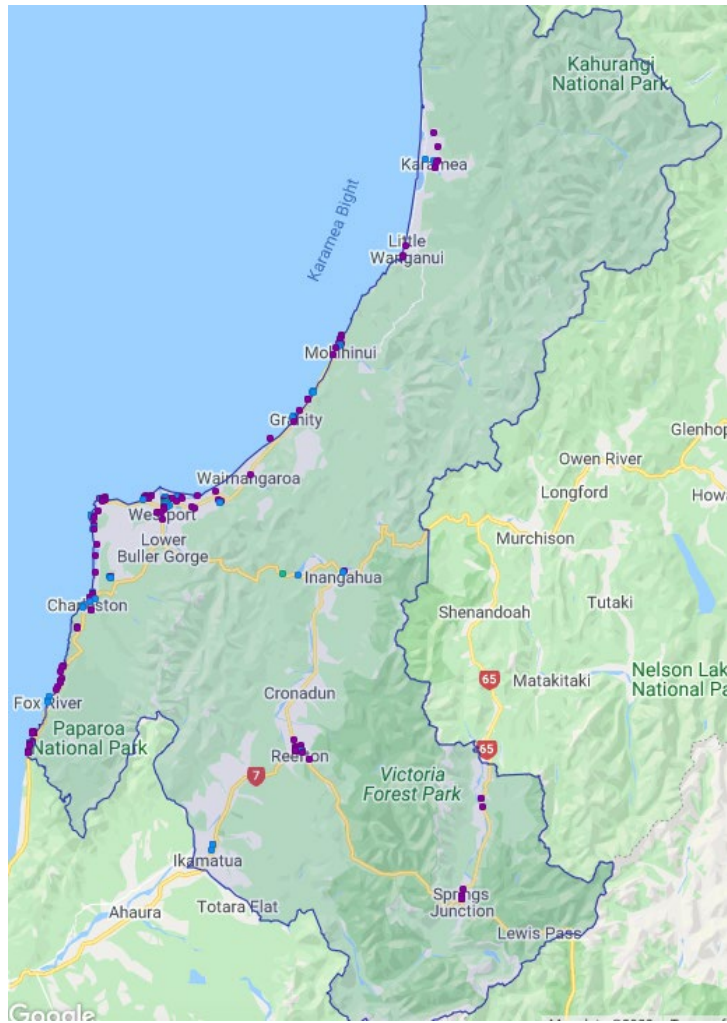
Location of short term rentals – Hokitika (Blue is hosted, purple is unhosted)



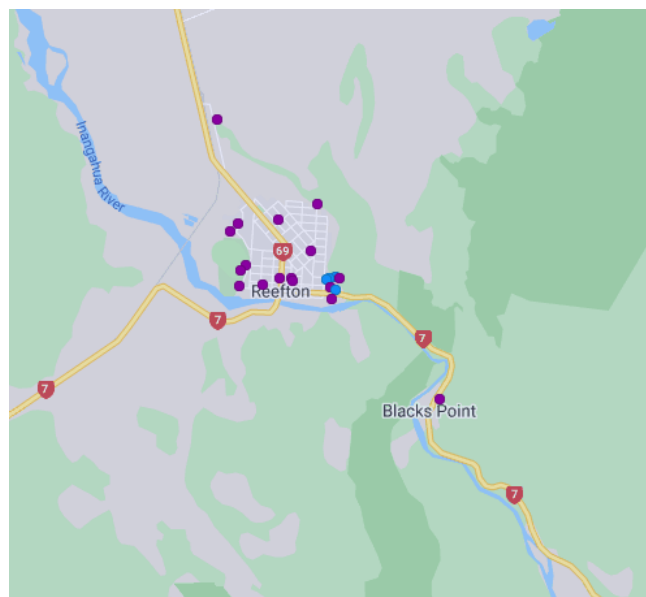
Location of short term rentals – Franz Josef (blue is hosted, purple is unhosted)



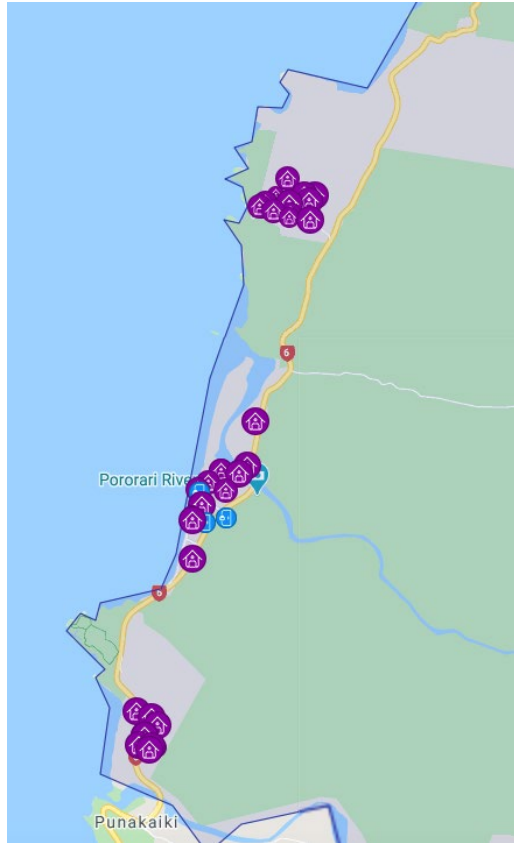
Buller



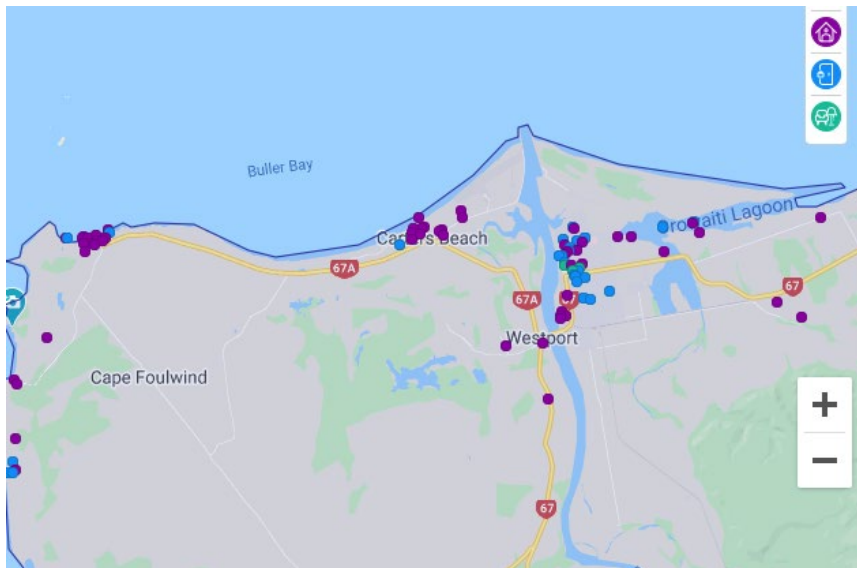
Location of short term rentals – Buller (Blue is hosted, purple is unhosted)



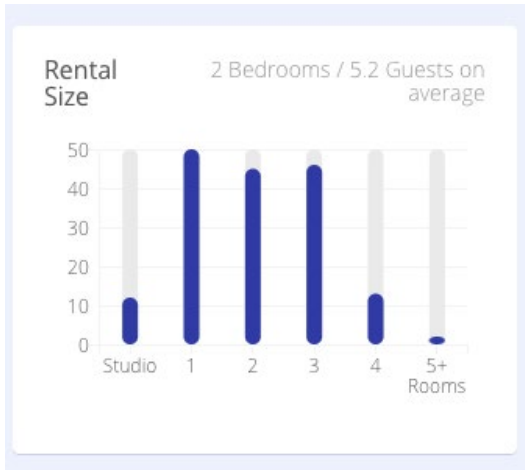
Location of short term rentals – Reefton (Blue is hosted, purple is unhosted)



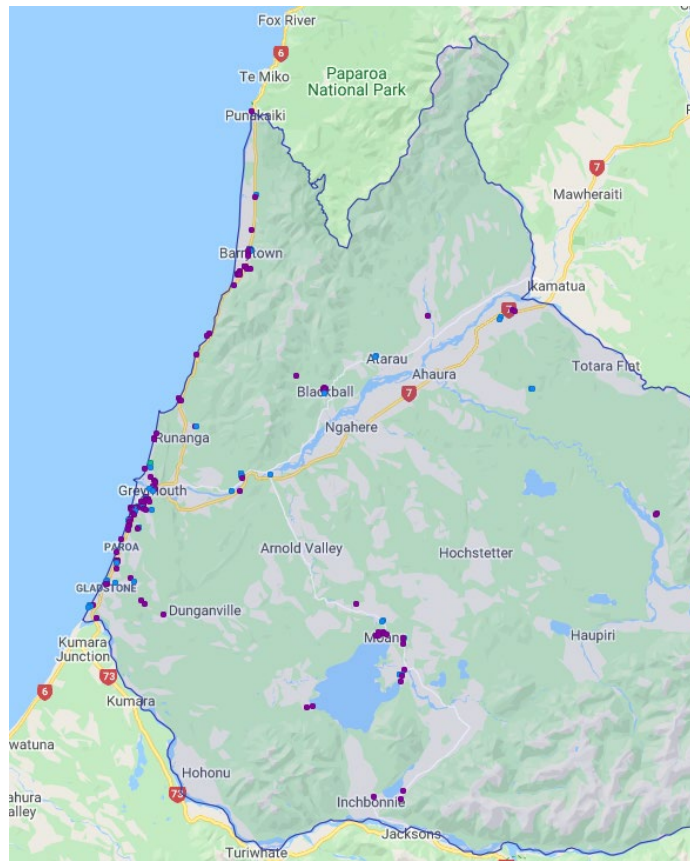
Location of short term rentals – Punakaiki (Blue is hosted, purple is unhosted)



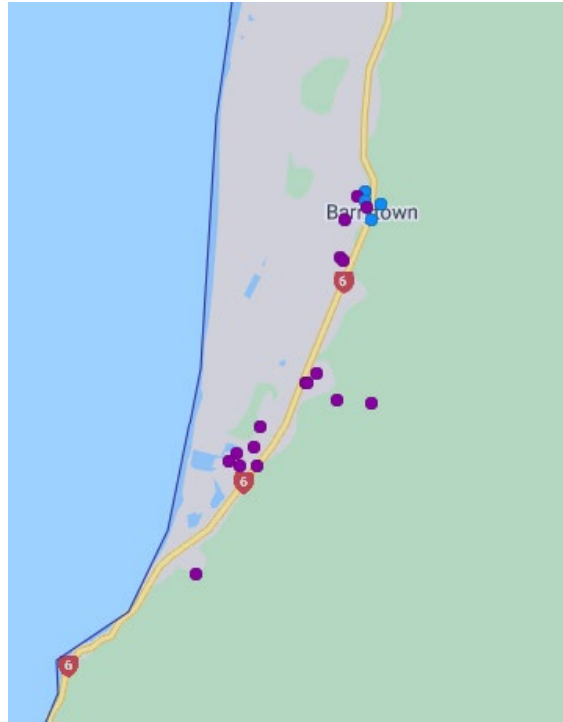
Location of short term rentals – Westport (Blue is hosted, purple is unhosted)



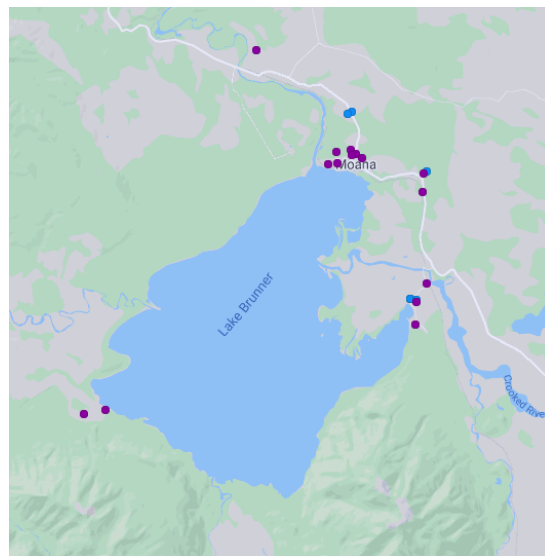
Grey



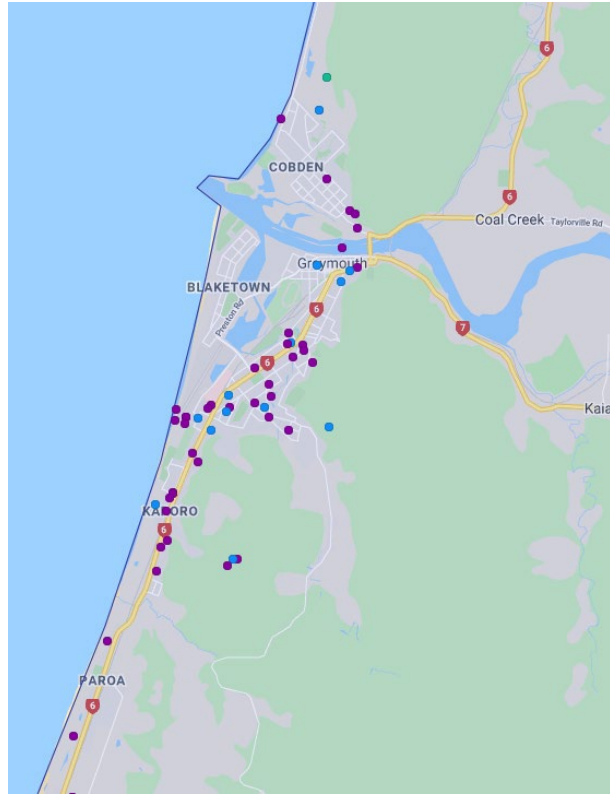
Location of short term rentals – Grey (Blue is hosted, purple is unhosted)



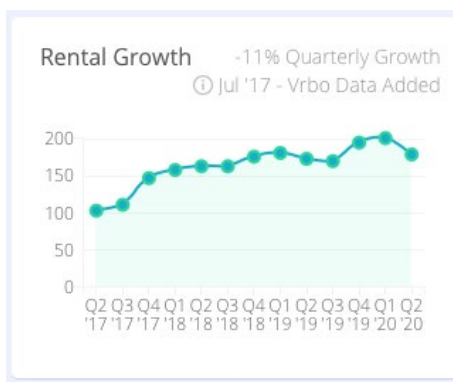
Location of short term rentals – Barrytown (Blue is hosted, purple is unhosted)



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



Location of Short Term Rentals Greymouth



Draft Rule Wording for Short – Term Residential Visitor Accommodation

Option 1 – Homestay Permitted Only. Whole house rentals Restricted Discretionary Activity

Permitted Activity - Homestay

Where:

1. This is ancillary to a residential activity;
2. All performance standards for rules GRZ - R1, NOISE R1-R3, LIGHT - R2 and SIGN - R10 are complied with;
3. The accommodation is homestay accommodation with a permanent resident living on site;
4. There is a maximum of 6 guests at any one time;
5. Notification to the District Council is required prior to the activity commencing;
6. Records of letting activity must be kept and provided to the Council on request; and
7. No heavy vehicle movements are generated.

Restricted Discretionary - Whole House Rental

Where:

1. This is undertaken within a residential unit or minor residential unit or accessory building;
2. No heavy vehicle movements are generated; and
3. All performance standards for rules GRZ - R1, NOISE R1-R3, LIGHT - R2 and SIGN - R10 are complied with.

Discretion is restricted to:

- a. Design and location of buildings;
- b. Design and location of parking and access;
- c. Landscape measures;
- d. Hours of operation; and
- e. Acoustic and noise insulation requirements.

Option 2 -Homestay and Whole House Rental Permitted

Permitted Activity

Where:

1. This is undertaken within a residential unit or minor residential unit or accessory building;;
2. All performance standards for rules GRZ - R1, NOISE R1-R3, LIGHT - R2 and SIGN - R10 are complied with;
3. There is a maximum of 6 guests at any one time;

4. Arrivals and departures of guests is limited to 7am – 7pm weekdays and 8am – 5pm weekends and public holidays; [*These are the same hours provided for home businesses in the General Residential Zone. See note below for Home Business Hours of Operation in other Zones*]
5. Notification to the District Council is required prior to the activity commencing;
6. Records of letting activity must be kept and provided to the Council on request; and
7. No heavy vehicle movements are generated.

Advice Note: *Compliance with the Building Code is required for any use of property for visitor accommodation. Written notice to the relevant Council Building Compliance Team must be provided and a Building Consent may also be required.*

Discretionary Activity

- Residential Visitor Accommodation where Permitted Standards are not met

Note re Hours of Arrivals and Departures.

In order to be consistent with rules for other home businesses it is proposed to align any Permitted Activity rule with the home business hours of operation. These vary by zone as follow:

Zone	Hours of Operation (visitors or deliveries not allowed outside these hours)
General Residential Zone/Medium Density Residential Zone	7am – 7pm weekdays 8am – 5pm weekends and public holidays
Large Lot Residential Zone/ Rural Lifestyle Zone / Settlement Zone	7am-10pm weekdays; 8am - 8pm weekends and public holidays
General Rural Zone	No hours of operation



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: August 2021
Subject: **DRAFT Town Centre Design Guidelines – Greymouth and Westport**

SUMMARY

This report brings proposed guidelines for the Greymouth and Westport Town Centres to the Committee for review.

The Design Guidelines are intended to assist developers and Council staff interpret the requirements for the Town Centre Zone.

The Design Guidelines are not a Rule but will be Schedule in Te Tai o Poutini Plan. Developments requiring resource consent, will be assessed against the design guidelines.

RECOMMENDATIONS

1. That the information be received
2. That the Committee provide feedback on the draft Guidelines for the Greymouth and Westport Town Centres.

Lois Easton

Principal Planner

INTRODUCTION

1. The Town Centre Zone Rules anticipate that design guidelines will be developed for each of the main centres on the West Coast/Tai Poutini.
2. The Design Guidelines are intended to assist developers and Council staff interpret the requirements for the Town Centre Zone.
3. The Design Guidelines are not a Rule but will be Schedule in Te Tai o Poutini Plan (TTPP).
4. Developments requiring resource consent, will be assessed against the design guidelines.
5. Draft guidelines have been prepared for all 4 main centres, and this report brings the guidelines for Westport and Greymouth to the Committee for feedback. Guidelines for Hokitika and Reefton will be brought to the September meeting of the Committee.

DEVELOPMENT OF THE GUIDELINES

6. The guidelines for Greymouth have been developed based on the direction provided in the Greymouth CBD Redevelopment Plan. This includes a provision for a colour palette for buildings in Greymouth, as well as key design elements around how the buildings relate to the street. The guidelines would be used for both the town centre, and new mixed use area.
7. The guidelines for Westport have been developed based on the direction provided in the Westport Town Centre Revitalisation Plan.
8. The draft guidelines are attached at Appendix One.

NEXT STEPS

9. The draft guidelines will be consulted on as part of the Draft Plan consultation at the beginning of 2022.

APPENDIX ONE: DRAFT GREYMOOUTH/MĀWHERA TOWN CENTRE AND MIXED USE GUIDELINES

Greymouth/Māwhera Town Centre and Mixed Use Zone Urban Design Guidelines

1.0 Introduction

This document has been developed to provide direction to those planning, designing and reviewing development proposals in the Greymouth/Māwhera town centre and new mixed use area. This guide seeks to achieve high quality building design that:

- Responds to the context
- Is visually interesting and in keeping with the streetscape values
- Addresses cultural and built heritage values and design elements
- Creates a vibrant, active pedestrian environment
- Incorporates new and innovative design where appropriate
- Takes into account Poutini Ngāi Tahu values.

1.1 When does the Design Guide apply?

Under Te Tai o Poutini Plan rules, all new buildings within the Greymouth/Māwhera Town Centre Zone and Mixed Use Zone are required to be assessed against these design guidelines. Where resource consents are required the Councils will use this guide to help assess and make decisions on those consent applications.

2.0 Greymouth/Māwhera Design Guidelines

2.1 Context

Connection with the Natural Environment

The Grey/Māwhera River provides a natural edge to the town centre and a link to its cultural heritage. The vegetated hills behind Greymouth/Māwhera are an important backdrop to the town and an acknowledged outstanding natural landscape. Keeping access to the Grey/Māwhera River and a visual link between the town centre and the surrounding hills is essential.

Existing built character

The core of Greymouth/ Māwhera's town centre retains a coherent collection of nineteenth and early twentieth century buildings and architecture/building methods of this period. This represents an important part of the historic heritage resource of the West Coast/Tai Poutini.

The following design elements that contribute positively to the character of the town are identified as:

- Building edge – buildings are often built to the street boundary.
- Continuous façade – buildings tend to abut one another creating a sense of enclosure
- Human scale – buildings give a sense of human scale at the publicly occupied edges. They contain proportions, textures and physical elements that fit with the size of people.
- Prominent corner buildings – corner buildings are often taller than the adjoining buildings. This additional height helps define the edge of a block and create a visual anchor point.
- Verandahs – this is a key feature in the main street frontage streets in the Town Centre Zone and Façade Control Streets in the Mixed-Use Zone which provide shelter for pedestrians.
 - Main Street frontage streets in the Greymouth/Māwhera Town Centre Zone are: Māwhera Quay, Mackay Street, Tainui Street, Guinness Street, Albert Street, Werita Street, Custom Street and Tarapuhi Street
 - Façade Control Streets in the Greymouth/Māwhera Mixed Use Zone are: Mackay Street, Boundary Street, Richmond Quay, Gresson Street, Herbert Street, Guinness Street and Tarapuhi Street.
- Four distinct parts of building – traditional buildings show four distinct parts – base, verandah, upper area and parapet
- Rhythm and repetition – windows are often at regular intervals, symmetry of façade features
- Visual interest – although commonalities exist between buildings, each building expresses an individual character
- Active frontage – windows exist on all floor levels of a building's façade

Poutini Ngāi Tahu Cultural Landscapes

Many buildings within the town centre reflect Greymouth/Māwhera's colonial and settler history, however there is limited representation of a much longer Poutini Ngāi Tahu history. Greymouth/Māwhera is solely located within the takiwa of Te Rūnanga o Ngāti Waewae and they are the key Poutini Ngāi Tahu contacts for designers of buildings in Greymouth/Māwhera. Poutini Ngāi Tahu culture and identity highlight the West Coast/Tai Poutini's point of difference in the world and offer design opportunities for the future.

The guidelines in Section 2.2 are based on the Te Aranga Māori Design Principles, which are a set of Māori urban design principles founded on core Māori cultural values and designed to provide practical guidance for enhancing outcomes for the design environment. These principles have arisen to enable greater iwi and hapū presence, visibility and participation in the design of the physical environment.

The use of Poutini Ngāi Tahu design guidelines is predicated on the development of high-quality durable relationships being developed between Te Rūnanga o Ngāti Waewae, their mandated design professionals, developers and the Council. Robust relationships between these groups provide opportunities for unlocking a rich store of design potential.

2.2 Guidelines

Context

GC1 Complement the existing built context with visual links through similarity of overall bulk and form. New development should attempt to complete, improve and enhance the setting of individual buildings or groups of buildings listed as scheduled historic heritage items in Te Tai o Poutini Plan. New buildings/structures shall complement and support, rather than dominate these scheduled buildings and structures.

GC2 Take into account the wider surroundings, including natural features, such as views to other buildings, the mountains and the river.

Iwi Cultural Landscapes

IW1 Mana/authority – The development of a high-level relationship with Te Rūnanga o Ngāti Waewae is essential prior to commencing design approaches which will maximise the opportunities for design outcomes.

IW2 Te Reo, whakapapa/naming – Te Rūnanga o Ngāti Waewae consultation and research on the use of correct ancestral names, including macrons, and the recognition of traditional place names in keeping with the mita (pronunciation of language) of Poutini Ngāi Tahu through signage and wayfinding.

IW3 Tohu/landmarks – Significant wider cultural landmarks (including wāhi tapu, maunga, awa, puna, mahinga kai and ancestral kainga) and associated narratives are acknowledged in the spatial orientation and layout of any new development, allowing visual connection to significant sites to be created, preserved and enhanced.

IW4 Taiao/environment – Landscape design includes a selection of indigenous plant and tree species where possible.

IW5 Mauri Tū/environmental health Rainwater collection systems, grey-water recycling systems, passive solar design, and hard landscape and building materials which are locally sourced and of high cultural value to iwi are explored in the design process.

IW6 Mahi Toi/creative expression –Iwi/hapū narratives are creatively reinscribed through architectural design and building, integrated artwork and iwi/hapū mandated design professionals and artists are appropriately engaged in such processes.

IW7 Ahi kā/a living presence. Opportunities are explored through partnership engagement with iwi to ensure a physical presence (ahi kā) within environments is retained or re-established.

Built Form

BF1 Mass/Scale -New buildings shall relate to the scale of adjacent buildings. Where very wide buildings are proposed, their bulk and width shall be reduced by dividing the façade up by vertical divisions into several smaller “storefronts” – something commonly used in the existing Greymouth/Māwhera building stock. Windows and doors and other architectural details shall be used to reduce the mass of structures. Where a building over three stories is proposed, the section above three stories shall be stepped back from the line of view from the street.



This long low building shape should be avoided. Two storey rather than one storey buildings give better containment to the streetscape. This building also lacks windows and has limited design features and detail to add interest to the building. The buildings colours are also very out of character with other buildings in the vicinity



An example of a wide building with vertical divisions and the use of colour and different materials to break up the facade.

BF2 Location to front – Buildings are to be positioned so their front walls abut the (footpath) boundary

BF3 Continuity – on Main Street Frontage and Façade Control Streets buildings are to extend across the full width of the site frontage to ensure that the street’s “built” edge is continuous. Exceptions to the continuous frontage are for walking access connections and outdoor dining areas/courtyards. The façade will be indicative of the bulk of the building behind (i.e., not just a façade). Beyond Main Street Frontage and Façade Control Streets, maintaining a continuous frontage is still encouraged to maintain a sense of enclosure, however it is not essential.

BF4 Height – New buildings should ideally be at least two storeys in height, but at a minimum, shall appear similar in height to the existing neighbouring buildings.

Any upper floor areas visible in the layout of the façade are to be potentially usable space rather than a false façade.

BF5 Corner buildings. Buildings on corners and main junctions are highly visible which means that building design is especially important. Buildings on corners are able to be visually emphasised with architectural elements such as taller forms, or parapets, cornice, pediment or similar features that wrap around the building.



This building expresses well to the corner with a specific corner facade.



This building does not include any corner features to emphasise its position.

Location Specific Guidance

BF6 Pedestrian Access Lanes – existing pedestrian access lanes shall be retained and enhanced. Lanes should be well lit, attractive and safe. Pedestrian routes shall be lit at a minimum of 10 lux. Buildings facing the lanes shall have ground level openings (windows or doors) to provide connection with the public space and allow natural surveillance of the walkway.

BF7 Roofs/Down pipes – Roofs are encouraged to sit below the height of the parapet and not be visible from the street. Drainpipes should be designed so they are a discrete part of the building and not visually intrusive.

Facades

GF1 Openings – Buildings are to have windows on all street facades with minimum glazing as specified in the relevant rules. Symmetrically located windows are required above ground level, and main doors at ground level are to be oriented to the street (i.e., not at the side or the back). Entrances shall be wide enough to accommodate wheelchairs and pushchairs. Buildings that have more than one frontage (i.e., corner) are to include windows and doors on both facades if there is sufficient length of frontage. The design of side and back elevations that are visible from the street or any other public space should be consistent with the design of the main building frontage.

GF2 Visual permeability – The ground floor window of buildings (including glazed doors) in Main Street Frontages must be no less than 50% of the frontage in the Town Centre Zone and on Façade Control Streets in the Mixed Use Zone must have a minimum 20% glazing. On all facades, fully glazed facades will not be permitted unless there are vertical solid breaks at frequent intervals. The glazing is not to be blocked out with opaque or reflective film, or other treatment that obscures the visual connection from the outside into the building.

GF3 Office/Commercial Activity – where the ground floor is used for offices/commercial activity in Main Street Frontage Streets, the display area immediately behind the windows should be designed as reception and waiting areas.

GF4 Shop fronts and entries – Building entries and shop fronts in Main Street Frontage Streets should be glazed and entries recessed. This allows pedestrians to stop and view the display area and gives depth to the entrance.

GF5 Four elements – Building facades are to show the following distinct elements:

Base (Ground) – in Main Street Frontage streets this should predominantly be a shopfront with vertical division and a recessed entrance

Verandah/Canopy/Balcony – style of verandah/canopy/balcony to be consistent with the building (more detail provided in GF6)

Upper Area – symmetrical placement of windows.

Parapet/Top – top outline of the façade extended or modulated by elements reflecting the building structure and roof form, and generally masking the roof.

GF6 Verandah/canopy/balcony -Verandahs are a requirement in Main Street Frontage Streets and Façade Control Streets and are subject to performance standards in the rules. Verandahs should:

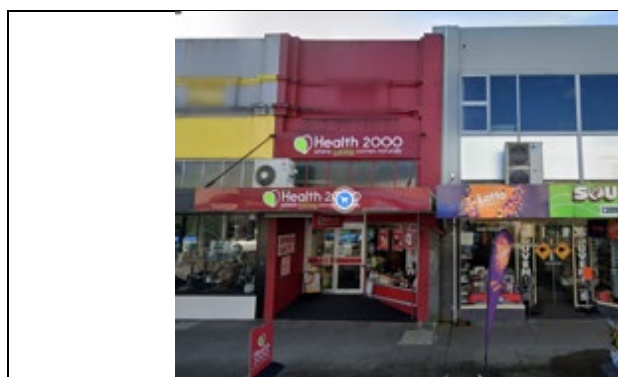
- Complement the building style of the building to which they are attached
- Extend over the footpath and full width of the building frontage
- Take cues from neighbouring verandahs in terms of height, proportion and style, whilst allowing for variation in design features
- Be fully cantilevered with no decorative poles or obstructions of the footpath
- Not obscure windows or architectural details
- Verandahs on corner buildings should wrap around the building and extend the full width of both frontages (even if only one frontage is classed as a Main Street Frontage or Façade Control Street).

Balconies should be designed to be in keeping with the overall architectural detail of the building. Balustrades should allow for views and natural surveillance of the street.

GF7 Articulation and Detail – building facades should include articulation and detailing. Façade articulation may include setbacks, projected bays, balconies etc. Building facades should have detail and depth and not be on a flat plane.

GF8 Colour – building colours, whether a painted finish or natural materials should highlight features such as joinery, decoration or repetition of the building form

- Use colours that are consistent with the existing range of colours in the town centre and be consistent with the Pounamu and Māori Heritage colour palette developed as part of the CBD Redevelopment Plan.
- Side and rear walls should be painted in the same colours as the building’s main façade. Side and rear walls also provide an opportunity for murals to be painted. In these cases colours can deviate from the building’s main façade.
- Bright colours designed to call attention to the building are not acceptable
- Painting the whole building one block colour as a “sign” to brand the building is not acceptable.



The colours used on this building on the left are very bold and not consistent with other building colours in the vicinity.



Colour has been used successfully on this building to highlight window details, the entrance and detailed lines on the building. The colours are in keeping with a traditional heritage palette suitable for other buildings in the town centre

GF9 Building Signage -Signage should not project above the roofline or obscure architectural features.

GF10 Lighting – Buildings can have lighting to highlight building façade features and provide under verandah light to the footpath. Choose lighting fixtures in a style that is appropriate to the building and not susceptible to vandalism.

GF 11 Building entries (non-Main Street Frontage or Façade Control Streets) – Building entries are encouraged to have a canopy or verandah to provide protection from the weather and emphasise the entry point.

GF12 Outdoor dining areas. – These are encouraged on footpaths adjoining buildings within the town centre to give vitality and encourage occupation of the street. The location, size and layout need to take into account public access, pedestrian circulation and the safety of patrons and motorists.

GF13 Mechanical equipment – Try and maintain the integrity of the general form of the building by avoiding detracting secondary features such as air conditioning plants or other mechanical equipment above or in front of the façade, and visible from the street.

Strengthening and Restoration

GS1 External strengthening – if external strengthening has to be used, either avoid the street façade or design strengthening structures as a visible and explicit design feature of the elevation. Do not obscure features such as windows.

GS2 -Façade retention – For heritage and landmark buildings, retaining a building’s street façade is preferable to its demolition. Where only the façade is retained, fit the new structure behind the façade features – reusing window and door openings. Keep the new structure below the façade height and give the visual appearance of retained floors.

Location Specific Requirements

GL1 Mackay Street and Māwhera Quay a focus is on restoration and repurposing of existing buildings. Replacement buildings should have a scale and style that reflects port warehouses in keeping with the riverfront position.

APPENDIX TWO: DRAFT WESTPORT/KAWATIRI TOWN CENTRE DESIGN GUIDELINES

Westport/Kawatiri Town Centre and Mixed Use Zone Urban Design Guidelines

1.0 Introduction

This document has been developed to provide direction to those planning, design and reviewing development proposals in the Westport/Kawatiri town centre and new mixed use area. This guide seeks to achieve high quality building design that:

- Responds to the context
- Is visually interesting and in keeping with the streetscape values
- Addresses cultural and built heritage values and design elements
- Creates a vibrant, active pedestrian environment
- Incorporates new and innovative design where appropriate
- Takes into account Poutini Ngāi Tahu values.

1.1. When does the Design Guide apply?

Under Te Tai o Poutini Plan rules, all new buildings within the Westport/Kawatiri Town Centre Zone and Mixed Use Zone are required to be assessed against these design guidelines. Where resource consents are required the Councils will use this guide to help assess and make decisions on those consent applications.

2.0 Westport/Kawatiri Design Guidelines

2.1 Context

Connection with the Natural Environment

The Buller/Kawatiri River provides a natural edge to the town centre and a link to its cultural heritage and the Kawatiri River Trail. Improving access to the Buller/Kawatiri River is important. Victoria Park lies directly behind the town centre - visual and access links through to Victoria Park should be improved.

Existing built character

Palmerston Street retains a mixed collection of nineteenth and early twentieth century buildings and architecture/building methods of this period. This represents an important part of the historic heritage resource of the Buller and West Coast/Tai Poutini.

The following design elements that contribute positively to the character of the town are identified as:

- Building edge – buildings are often built to the street boundary.
- Continuous façade – buildings tend to abut one another creating a sense of enclosure
- Human scale – buildings give a sense of human scape at the publicly occupied edges. They contain proportions, textures and physical elements that fit with the size of people.
- Prominent corner buildings – corner buildings are often taller than the adjoining buildings. This additional height helps define the edge of a block and create a visual anchor point.
- Verandahs of similar heights and shapes with decorative poles – this is a key feature in Palmerston Street which provides shelter for pedestrians.
- Visual interest – although commonalities exist between buildings, each building expresses an individual character
- Active frontage – windows exist on all floor levels of a building's façade

Poutini Ngāi Tahu Cultural Landscapes

Many buildings within the town centre reflect Westport/Kawatiri's colonial and settler history, however there is limited representation of a much longer Poutini Ngāi Tahu history. Poutini Ngāi Tahu culture and identity highlight the West Coast/Tai Poutini's point of difference in the world and offer design opportunities for the future. Westport/Kawatiri is entirely within the takiwa of Te Rūnanga o Ngāti Waewae and they are the key Poutini Ngāi Tahu contacts for designers of buildings in Westport/Kawatiri.

The guidelines in Section 2.2 are based on the Te Aranga Māori Design Principles, which are a set of Māori urban design principles founded on core Māori cultural values and designed to provide practical guidance for enhancing outcomes for the design environment. These principles have arisen to enable greater iwi and hapū presence, visibility and participation in the design of the physical environment.

The use of Poutini Ngāi Tahu design guidelines is predicated on the development of high-quality durable relationships being developed between Te Rūnanga o Ngāti Waewae, their mandated design professionals, developers and the Council. Robust relationships between these groups provide opportunities for unlocking a rich store of design potential.

2.2 Guidelines

Context

GC1 Complement the existing built context with visual links through similarity of overall bulk and form. New development should attempt to complement, improve and enhance the setting of individual buildings or groups of buildings listed as heritage items in Te Tai o Poutini Plan. New buildings/structures shall complement and support, rather than dominate these listed buildings.

GC2 Take into account the wider surroundings, including natural features, such as views to other buildings, the mountains and the river.

Iwi Cultural Landscapes

IW1 Mana/authority – The development of a high-level relationship with Te Rūnanga o Ngāti Waewae is essential prior to commencing design approaches which will maximise the opportunities for design outcomes.

IW2 Te Reo, whakapapa/naming – Te Rūnanga o Ngāti Waewae consultation and research on the use of correct ancestral names, including macrons, and the recognition of traditional place names in keeping with the mita (pronunciation of language) of Poutini Ngāi Tahu through signage and wayfinding.

IW3 Tohu/landmarks – Significant wider cultural landmarks (including wāhi tapu, maunga, awa, puna, mahinga kai and ancestral kainga) and associated narratives are acknowledged in the spatial orientation and layout of any new development, allowing visual connection to significant sites to be created, preserved and enhanced.

IW4 Taiao/environment – Landscape design includes a selection of indigenous plant and tree species where possible.

IW5 Mauri Tū/environmental health Rainwater collection systems, grey-water recycling systems, passive solar design, and hard landscape and building materials which are locally sourced and of high cultural value to iwi are explored in the design process.

IW6 Mahi Toi/creative expression –Iwi/hapū narratives are creatively reinscribed through architectural design and building, integrated artwork and iwi/hapū mandated design professionals and artists are appropriately engaged in such processes.

IW7 Ahi kā/a living presence. Opportunities are explored through partnership engagement with iwi to ensure a physical presence (ahi kā) within environments is retained or re-established.

Built Form

BF1 Mass/Scale -New buildings shall relate to the scale of adjacent buildings. Where very wide buildings are proposed, their bulk and width shall be reduced by dividing the façade up by vertical divisions into several smaller “storefronts”. Windows and doors and other architectural details shall be used to reduce the mass of structures. Where a building over three stories is proposed, the section above three stories shall be stepped back from the line of view from the street.



This long low building shape should be avoided. This building also lacks windows and has limited design features and detail to add interest to the building. The buildings colours are also very out of character with other buildings in the vicinity and are part of a sign to brand the building.

BF2 Location to front – Buildings are to be positioned so their front walls about the (footpath) boundary

BF3 Continuity – on Palmerston Street buildings are to extend across the full width of the site frontage to ensure that the street’s “built” edge is continuous. Exceptions to the continuous frontage are for walking access connections and outdoor dining areas/courtyards. Beyond Palmerston Street, maintaining a continuous frontage is still encouraged to maintain a sense of enclosure, however it is not essential.

BF4 Height – New buildings should appear similar in height to the existing neighbouring buildings.

Any upper floor areas visible in the layout of the façade should be potentially usable space rather than a false façade.

BF5 Corner buildings. Buildings on corners and main junctions are highly visible which means that building design is especially important. Buildings on corners are encouraged to be visually emphasised with architectural elements such as taller forms, or parapets.



This building expresses well to the corner with the second story providing height, and the door facing into the corner.



This building was not built with any corner features to emphasise its position. The more recent sign and verandah modifications have tried to address its corner position.

BF6 Roofs– Westport/Kawatiri has a variable range of rooflines with some below the height of the parapet and others pitched and visible from the street. Either is acceptable.



Roofline hidden behind parapet



Mixed Rooflines

Facades

GF1 Openings – Buildings are to have windows on all street facades with minimum 50% glazing as specified in the relevant rules. Main doors at ground level are to be oriented to the street (i.e., not at the side or the back). Entrances shall be wide enough to accommodate wheelchairs and pushchairs. Buildings that have more than one frontage (i.e., corner) are to include windows and doors on both facades if there is sufficient length of frontage. The design of side and back elevations that are visible from the street or any other public space should be consistent with the design of the main building frontage.

GF2 Visual permeability – The ground floor window area of buildings (including glazed doors) in Palmerston Street must be no less than 50% of the frontage in the Town Centre Zone. On all facades, fully glazed facades will not be permitted unless there are vertical solid breaks at frequent intervals. The glazing is not to be blocked out with opaque or reflective film, or other treatment that obscures the visual connection from the outside into the building.

GF3 Office/Commercial Activity – where the ground floor is used for offices/commercial activity on Palmerston Street, the display area immediately behind the windows should be designed as reception and waiting areas.

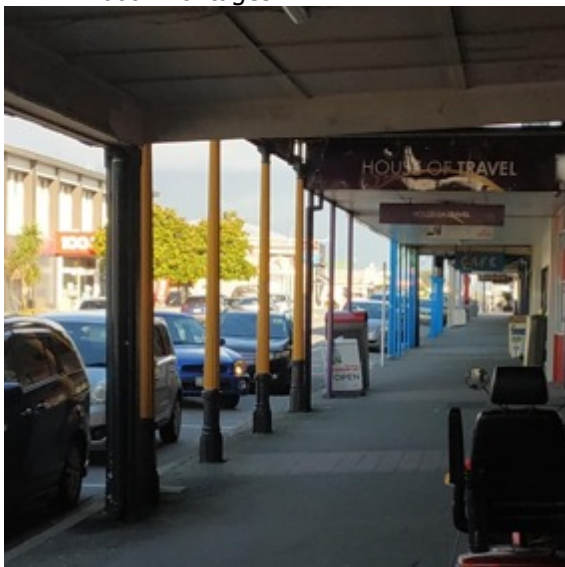
GF4 Shop fronts and entries – Building entries and shop fronts in Palmerston Street should be glazed and entries recessed. This allows pedestrians to stop and view the display area and gives depth to the entrance. Glazed areas should be partitioned with glazing bars rather than single sheet/plate glass display windows.



Window facades with glazing bars are a typical feature of the Westport shop frontages.

GF5 Verandah/canopy/balcony -Verandahs are a requirement on Palmerston Street and are subject to performance standards in the rules. Verandahs should:

- Complement the style of the building to which they are attached
- Extend over the footpath and full width of the building frontage
- Include decorative poles where possible
- Take cues from neighbouring verandahs in terms of height, proportion and style, whilst allowing for variation in design features
- Not obscure windows or architectural details
- Verandahs on corner buildings should wrap around the building and extend the full width of both frontages.



Decorative Street Poles from the verandahs give a sense of safety and enclosure and are a particular character of Westport town centre

GF6 Articulation and Detail – building facades should include articulation and detailing. Façade articulation may include setbacks, projected bays, balconies etc. Building facades should have detail and depth and not be on a flat plane.

GF8 Colour – building colours, whether a painted finish or natural materials should highlight features such as joinery, decoration or repetition of the building form

- Use colours that are consistent with the existing range of colours in the town centre.
- Side and rear walls should be painted in the same colours as the building’s main façade. Side and rear walls also provide an opportunity for murals to be painted. In these cases colours can deviate from the building’s main façade.
- Bright colours designed to call attention to the building are not acceptable

- Painting the whole building one block colour as a “sign” to brand the building is not acceptable.



Colour has been used successfully on this building to highlight window details, the entrance and detailed lines on the building. The colours are in keeping with a traditional heritage palette.



Colour has been used inappropriately on this building. It does not fit with the character of the town and also is used to brand the building for sale of a particular product.

GF9 Lighting – Buildings can have lighting to highlight building façade features and provide under verandah light to the footpath. Choose lighting fixtures in a style that is appropriate to the building and not susceptible to vandalism.

GF10 Outdoor dining areas. – These are encouraged on footpaths adjoining buildings within the town centre to give vitality and encourage occupation of the street. The location, size and layout needs to take into account public access, pedestrian circulation and the safety of patrons and motorists.

GF13 Mechanical equipment – Maintain the integrity of the general form of the building by avoiding detracting secondary features such as air conditioning plants or other mechanical equipment above or in front of the façade, and visible from the street.

Strengthening and Restoration

GS1 External strengthening – if external strengthening has to be used, either avoid the street façade or design strengthening structures as a visible and explicit design feature of the elevation. Do not obscure features such as windows or modulation.

GS2 -Façade retention – For heritage and landmark buildings, retaining a building’s street façade is preferable to its demolition. Where only the façade is retained, fit the new structure behind the façade features – reusing window and door openings where possible. Keep the new structure below the façade height and give the visual appearance of retained floors.



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: August 2021

Subject: **Stadium Zone Rules**

SUMMARY

This report brings proposed Rules for the Stadium Zone to the Committee for review.

The Stadium Zone is made up of the Pulse Energy Centre and the Westland Recreation Centre.

The definition of the Stadium Zone is- Areas used predominantly for the operation and development of large-scale sports and recreation facilities, buildings and structures. It may accommodate a range of large-scale sports, leisure, entertainment, art, recreation, and/or event and cultural activities.

RECOMMENDATIONS

1. That the information be received
2. That the Committee provide feedback on the draft Rules for the Stadium Zone.

Lois Easton

Principal Planner

INTRODUCTION

1. At the December meeting of the Committee the objectives and policies for the Stadium Zone were discussed. Updated Objectives and Policies are attached at Appendix One.
2. At that meeting it was proposed by staff that the two indoor/outdoor stadia - Pulse Energy Recreation Centre in Westport and Westland Recreation Centre (both currently Designated) be included within the zone. The Committee asked that further sites be considered – such as Rugby Park in Westport, Westport Trotting Club in Buller and Kumara Racecourse in Westland.
3. The National Planning Standards definition of the Stadium Zone is
"Areas used predominantly for the operation and development of large-scale sports and recreation facilities, buildings and structures. It may accommodate a range of large-scale sports, leisure, entertainment, art, recreation, and/or event and cultural activities."
4. The other main zone proposed for sports facilities is the Sport and Active Recreation Zone. The National Planning Standards definition of this zone is:
"Areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures."
5. As requested by the Committee, staff reviewed the potential sites and suggest that only the Pulse Energy Centre and Westland Recreation Centre be zoned Stadium Zone. A key reason is that the Stadium Zone is proposed to be very enabling of large events and has significantly higher noise limits than the surrounding areas. The more sites that are zoned Stadium zone, the more public concern there may be for these provisions.
6. The Planning Team also suggest that these outdoor facilities generally fit better in the Sport and Active Recreation Zone
7. The sites reviewed are discussed further in the table below.

Site	Proposed Zone	Rationale
Pulse Energy Recreation Centre – including adjacent playground and sports facilities	Stadium Zone	Major facility, multiple uses.
Westland Recreation Centre – including adjacent sports fields	Stadium Zone	Major facility, multiple uses
Westport Trotting Club	Sport and Active Recreation Zone	Largely a single use venue
Rugby Park, Greymouth	Sport and Active Recreation Zone	Largely a single use venue – sports – seems very suited to the intent of this zone
Kumara Racecourse	Sport and Active Recreation Zone	Largely a single use venue
Reefton Racecourse	Sport and Active Recreation Zone	Largely a single use venue
Omoto Raceway	Sport and Active Recreation Zone	Largely a single use venue
Sunset Speedway	Sport and Active Recreation Zone	Largely a single use venue
Greenstone Park Speedway	Sport and Active Recreation Zone	Largely a single use venue
Cass Square	Open Space Zone	Mainly used as a park with occasional events. Seems well suited to the intent of this zone. Temporary Activity rules provide for quite a lot of events here also.
Westland High School recreation centre	General Residential Zone Subject to Ministry of Education Designation	Designation means the zoning is largely irrelevant

Greymouth Aerodrome	Airport Zone	Specific Provisions within the Airport Zone where events are specifically provided for.
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MATTERS TO CONSIDER IN DEVELOPING RULES

8. The two stadia within the zone are large-scale complexes with a range of activities. Therefore, the flexibility to develop and adapt is important. However, the size and complexity of these facilities can make it difficult to accommodate them under normal district plan provisions and zones.
9. The intention of the Stadium Zone is that the stadia will continue to be used for this purpose, together with other complementary activities. It is not contemplated that land use at the sites will change fundamentally.
10. The stadia and their associated activities have the potential for visual, light spill, noise and traffic effects that may impact on surrounding land uses. The effects of activities within the area must be carefully managed to ensure that there are no adverse impacts on the rest of the city. Activities permitted within the Stadium Zone are limited to those clearly associated with the operation and function of the stadium, or that make use of the stadium facility itself.
11. A key issue for ensuring effective function of the stadia is the ability to have evening events and this is a key point of tension with the surrounding residential area. I suggest evening events are not limited in the first instance – but if this is likely to lead to significant community concern then a maximum number of events could be identified.
12. The Pulse Energy Centre is located within a residential area on a 1.9ha site – but is part of a wider cluster of community facilities (Buller Hospital, McDonald Park, Westport Early Learning Centre and Buller High School). Pakington and Henley Streets already have been adapted to provide for the high level of community use of the facility.
13. Westland Recreation Centre is also located in a Residential Zone. It incorporates the Westurf Hockey Stadium and is on a 4 ha site adjacent to the Greymouth High School and has roads fronting 3 sides. High Street and Shakespeare Street are both significant roads for traffic. The site is across the road from the Greymouth South Commercial Area. There are also a number of accommodation facilities found in the nearby residential areas.

Current Designations

12. Key provisions in the current Designations for the two facilities are as follow:

Pulse Energy Recreation Centre	<ul style="list-style-type: none"> • Hours of operation: Stadium and Indoor Facilities 6am – 1am the following day, amplified music cease by midnight ; • Hours of operation: Outdoor Hockey Field 8am -10pm • Light Spill not to exceed 10 lux measured 2m inside the boundary of the adjacent site • Noise levels as a result of outdoor activities – measured at any residential boundary Mon – Sun 8am – 10pm 55dBA L10, 70dBA Lmax, at all other times incl. public holidays 45dBA L10 70dBA Lmax • Site and buildings not to be used for commercial advertising • Earthy colours on exterior of all buildings and structures on the site • Landscaping including large trees to mitigate bulk of buildings
Westland Recreation Centre	<ul style="list-style-type: none"> • Hours of operation • Noise limits • Activities

DRAFT RULES

13. As with other Special Purpose Zones, a key aspect of this Zone is the definition of its special purpose activity – in this case Stadium Activity. The Stadium Activity is the principal permitted activity.

Stadium Activity means the use of land and/or buildings where the principal activities relate to the function of the Pulse Energy Events Centre and the Westland Recreation Centre. These include, but are not limited to:

- a. Sport and recreation activity and events
- b. Cultural, entertainment and exhibition activities including music festivals, concerts and performances
- c. Trade fairs, market days and displays
- d. Conference, meetings and functions including weddings
- e. Sports and cultural activity related education
- f. Museum facilities
- g. After school/holiday programmes
- h. Childcare facilities
- i. Physiotherapy and massage
- j. Retail activities including café, restaurant or retail sales that are ancillary to other activities on the site
- k. Any ancillary activities necessary for the functioning of the facility, including ancillary office activity and ticket sales.

14. The full set of draft rules are attached at Appendix Two.

Key things to note.

15. The draft Rules do not propose any hours of operation. This is a similar approach to the Commercial Zones.
16. Noise is managed within the Noise rules. These propose the following Permitted standards for the Stadium Zone – same as Commercial.

Noise generated by any activity shall not exceed the following noise limit at the site boundary with any Residential Zone or residential activity:

- *6am to 11pm Monday to Friday and 7am - 10pm weekends and public holidays: 55dB_{LAeq}*
- *11pm - 6am Monday to Friday and 10pm to 7am weekends and public holidays: 45 dB_{LAeq}*
- *11pm - 6am all days - 75 dB_{LAFmax}*

17. Light spill is managed within the Light rules. The following Permitted standards for the Stadium Zone are proposed– same as Commercial.

Outdoor artificial lighting must not exceed the following vertical or horizontal light levels:

- a. *7.00am – 10.00pm: 25 Lux; and*
- b. *10.00pm – 7.00am: 5 Lux;*

Measured 2m inside the boundary of any adjoining site or the closest window in the adjoining property, whichever is the closest.

18. Signs are managed within the Sign rules. The following Permitted standards for the Stadium Zone are proposed - same as the Open Space and Recreation Zones:

*The sign is ancillary to a conservation, recreation or community activity; or
The sign is for commercial sponsorship of a recreation activity and will not be visible beyond the site; and
Performance standards for Rule SIGN - R1 are met.*

19. An advice note is planned to identify that existing signs at the stadia (at the time of notification of the Plan) are lawfully established and therefore do not require consent under these rules.

NEXT STEPS

20. The draft Rules will be consulted on as part of the Draft Plan consultation at the beginning of 2022.

APPENDIX ONE: DRAFT STADIUM ZONE OBJECTIVES AND POLICIES

Stadium Zone Objectives	
STADZ- O1	To enable efficient and effective operation of the stadia in the Stadium Zone.
STADZ- O2	Land use development and activities are designed and operated to: <ol style="list-style-type: none"> 1. Provide a good standard of on-site amenity for visitors 2. Maintain and enhance the amenity of surrounding areas as far as is practicable.
Stadium Zone Policies	
STADZ - P1	Provide for activities ancillary to the stadium function: <ol style="list-style-type: none"> 1. Which support the efficient and effective operation of the stadium; and 2. Are not more appropriately located in another zone
STADZ - P2	Provide for flexibility of use of the stadia recognising a range of uses are likely to be needed to support financial viability.
STADZ - P3	Require land use activities and development to be designed and operated to ensure that adverse effects of noise on the amenity of adjacent residential areas is minimised.

APPENDIX TWO: DRAFT STADIUM ZONE RULES

TADZ - R1	Stadium Activity	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The maximum height above ground level is 12 metres. This does not include: <ol style="list-style-type: none"> i. Solar water heating components, antennas, aerials, flues, chimneys, satellite dishes (less than 1m in diameter) and architectural features (e.g., finials, spires) that do not exceed the height by more than 1m; 2. The maximum building length is 20m where this abuts a Residential Zone; 3. All outdoor rubbish and collection areas must be fully screened with a fence that is 1.8m in height measured from ground level so that it is not visible from any adjoining residential zone boundary; 4. Any building or structure including car parking areas, outdoor storage and rubbish collection areas must be set back <ol style="list-style-type: none"> i. 3m from any Residential Zone or Open Space Zone; and ii. 3m from the road boundary; 5. No building shall project beyond a building envelope defined by a recession plane as outlined in Appendix Two 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"> 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. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically v. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically 		<p>Activity status where compliance not achieved: Restricted Discretionary</p>
STADZ - R2	Minor Structures	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. All performance standards for rule STADZ - R1 are complied with; 2. Masts, poles, aerials and pou whenua must not exceed 7m in height; 3. Any antenna dish must be less than 1m in diameter; 4. Any ornamental or garden structure must not exceed 2.4 m in height; and 5. Any other structure must not exceed 10m² and 2m in height 		<p>Activity status where compliance not achieved: Restricted Discretionary</p>
STADZ - R3	Fences Walls and Retaining Walls	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Fences, walls and retaining walls are a maximum 2m height above ground level; and 2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall. 		<p>Activity status where compliance not achieved: Restricted Discretionary</p>
STADZ - R4	Relocated Buildings	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. All performance standards for rule STADZ - R1 are complied with; 2. The building was constructed within the 10 years prior to location on the site; and 3. Is constructed of new materials; and 		<p>Activity status where compliance not achieved: Restricted Discretionary</p>

4. Is established on foundations complying with the Building Code at the time of relocation		
Restricted Discretionary Activities		
STADZ - R5	Stadium Activities, Minor Structures, Fences, Walls, Retaining Walls and Relocated Buildings not meeting Permitted Activity standards	
Activity Status Restricted Discretionary		Activity status where compliance not achieved: Not applicable
Discretion is restricted to:		
<ul style="list-style-type: none"> a. Design, size and location of buildings, structures and facilities; b. Screening, planting and landscape measures; c. Shading and privacy impacts on neighbouring properties; d. Any adverse effects on the streetscape; e. Any adverse effects on the amenity of neighbouring properties; f. The extent to which the infringement is necessary due to the shape, natural or physical features of the site. 		
Non-complying Activities		
Rule Reference	Residential dwellings and activities	
Rule Reference	Industrial activities	
Rule Reference	Any other Activity not meeting Permitted Activity, a Restricted Discretionary Activity or Discretionary Activity Standards	
Activity Status Non-complying		Activity status where compliance not achieved: Not applicable



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: August 2021
Subject: **Te Tai o Poutini Plan Draft Chapter Review – Commercial and Mixed Use 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 3 months, ahead of the final draft Plan in December.

The third set of provisions for review are the Commercial and Mixed-Use Zones.

RECOMMENDATIONS

1. That the Committee receive the report
2. That the Committee provide feedback on the draft Commercial and Mixed-Use 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 third chapter for review is the Commercial and Mixed-Use Zones section.

DRAFT PROVISIONS AND NEXT STEPS

3. 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 four Commercial and Mixed-Use Zones.
4. Following any amendments sought by the Committee, these provisions will be incorporated into the Draft Te Tai o Poutini Plan.

DRAFT PROVISIONS

CMUZ

Commercial and Mixed Use Zones - Objectives and Policies

Overview

The commercial and mixed use zones are a key part of the West Coast/Tai Poutini. They include the traditional town or settlement centres, the places where communities shop, connect with transport such as buses and trains and where most public services are accessed.

Commercial and mixed use zones are also major locations for economic activity in the districts and are the main places for employment. The economic activity within the zones also supports town viability as workers shop, use public spaces and contribute to the area's vibrancy.

The Plan provides for four different types of commercial and mixed use zones - a general Commercial Zone, Town Centre Zone, Neighbourhood Centre Zone and Mixed Use Zone. Each of these zones supports a different mix of activities and has specific design requirements supported by the Objectives and Policies which apply across the zones.

The Town Centre Zone is found in the four main town centres of Reefton, Greymouth/Māwhera, Westport/Kawatiri and Hokitika. There are common policies and rules across the Town Centre Zone, however each town centre has a Precinct where specific additional policies and rules apply.

Commercial and Mixed Use Zones Objectives	
CMUZ - 01	To maintain the character and amenity values of commercial areas and town centres in a way that enables commercial and other activities to support the local community and visitors, while avoiding, remedying or mitigating adverse effects within and adjoining the commercial areas.
CMUZ - 02	To recognise the importance of the West Coast/Tai Poutini town centres and maintain their integrity as a place of high-quality built environment character, community and visitor focus and identity.
CMUZ - 03	To recognise that Greymouth/Māwhera is the principal commercial and urban centre on the West Coast/Tai Poutini and should provide for a range of commercial activities within a high-quality urban environment.

Commercial and Mixed Use Zones Policies	
Activities and Development in Commercial and Mixed Use Zones	
CMUZ - P1	Where cultural landscapes are identified in commercial areas or developments, ensure activities are managed in a way that provides for the cultural relationships of Poutini Ngāi Tahu including; <ol style="list-style-type: none">a. Protection of wāhi tapu and taonga sites scheduled in the Plan using Poutini Ngāi Tahu culturally appropriate methods;b. Identification and utilisation of opportunities to enhance sites, values and other taonga of cultural significance to Ngāi Tahu; and

	c. Protection of the relationship of Poutini Ngāi Tahu with freshwater, including cultural wellbeing and use opportunities.
CMUZ - P2	A range of activities are anticipated within Commercial and Mixed Use Zones which meet the needs of the local community with convenient access and opportunities for economic growth and social interaction.
CMUZ - P3	Residential activities and visitor accommodation may occur in the Town Centre and Mixed Use Zones particularly where this enables the redevelopment of important landmark and heritage buildings.
CMUZ - P4	New development in Commercial and Mixed Use Zones should have quality design outcomes and is expected to: <ul style="list-style-type: none"> a. Acknowledge, and respond to, the context of the site and the surrounding environment; b. Ensure the bulk, form and siting of new buildings maintains and enhances the quality of the environment; c. Provide a quality street frontage with visual interest and connection with the street; and d. Ensure visual effects from car parking areas are minimised.
<i>New Locations for Commercial Areas and Mixed Use Zones</i>	
CMUZ - P5	Recognise the substantial investment by communities in town centres and their infrastructure by ensuring that any new commercial areas are located where they support the function of town centres rather than pulling activity away from the centre. Where natural hazards are driving planned managed retreat of town centres ensure new commercial areas are located in identified Future Urban Zones in accordance with the development plans for those areas.
CMUZ - P6	New Commercial and Mixed Use Zones should not be located in areas subject to significant risks from natural hazards, in wāhi tapu or significant natural areas.
CMUZ - P7	Where new Commercial and Mixed Use Zones are developed these should fund and install infrastructure to the standards required by the Councils and the Plan. Where there is significant infrastructure serving multiple properties under different ownership this should be vested in the Council for ongoing maintenance and renewal.
CMUZ - P5	Activities in the Commercial, Mixed-Use and Neighbourhood Centre Zones should: <ul style="list-style-type: none"> a. Meet performance standards on development and land use that maintain or enhance the amenity of the commercial areas and do not create adverse effects beyond the boundaries of these areas, particularly in respect of residential areas; b. Provide safe urban design (including pedestrian and vehicle safety); and c. Avoid the fragmentation of town centres.
<i>Infrastructure in Commercial and Mixed Use Zones</i>	
CMUZ - P6	Encourage a range of transport modes to and from the town centres including public transport, cycling routes and parking and encouraging more walkable streets.
CMUZ - P7	The use of energy efficient systems and products, lowimpact stormwater design and other environmentally sustainable elements in new building and development is encouraged.
CMUZ - P8	Where new Commercial and Mixed Use Zones are developed these shall fund and install infrastructure to the standards required by the Councils and the Plan.
CMUZ - P9	Ensure that developments are serviced with all required infrastructure in an effective and efficient manner. Where new infrastructure such as roads and

	three waters (wastewater, water supply, stormwater) is provided to service new commercial areas across multiple properties then this should be vested with the Council rather than be retained as private infrastructure.
CMUZ - P10	Avoid reverse sensitivity effects on strategic infrastructure including: <ul style="list-style-type: none"> a. Hokitika and Westport Airports and Greymouth Aerodrome; b. The rail network; c. The arterial road network; d. The Ports of Westport and Greymouth; e. The National Grid.
<i>Policies for Specific Commercial and Mixed Use Zones</i>	
CMUZ - P11	Bulk retail outlets should locate in existing Commercial Zone or Mixed Use Zone but not within the Town Centre Zone or in the Neighbourhood Centre Zone.
CMUZ - P8	Activities within the Town Centre Zones should: <ul style="list-style-type: none"> a. Maintain or enhance natural and historic features and built form b. Adaptively reuse existing heritage buildings where practicable c. Recognise and implement good urban design d. Provide for low speed vehicle movement e. Allow for noise associated with commercial activities including bars and restaurants f. Provide for commercial signs associated with on-site activities g. Develop lively street activity h. Provide a high-quality pedestrian environment, with pedestrian oriented street layout i. Have consolidated on-street parking j. Allow for a range of transport options k. Have new buildings built to a high standard up to the street frontage and predominantly with verandahs over the footpath l. Be activities reliant on pedestrian movement.
CMUZ - P12	The Neighbourhood Centre Zone should provide for retail and community facilities which serve the immediate local community and should not undermine town centre function and identity.
CMUZ - P13	Commercial Zoned areas within small settlements should primarily provide access to local shopping and community facilities to serve that settlement.
CMUZ - P18	Encourage the comprehensive redevelopment of sites within the Mixed Use Zone.
<i>Additional Policies for Town Centre Precincts</i>	
Town Centre Zone Greymouth/Māwhera Town Centre Precinct Policies	
CMUZ - PREC - P1	Activities and development within the Greymouth/Māwhera Town Centre Precinct should reflect the Greymouth/Māwhera CBD Redevelopment Plan and any subsequent plans for the town centre redevelopment and invigoration.
CMUZ - PREC - P2	Seek to intensify activity within the Greymouth/Māwhera Town Centre Precinct by fully utilising the existing building stock – including allowing offices, cafes and restaurants, residential apartments and visitor accommodation in upper floors above street level.
CMUZ - PREC - P3	Celebrate Greymouth/Māwhera’s unique historic and Poutini Ngāi Tahu heritage and identity by repurposing existing landmark and heritage buildings and the use of the Greymouth/Māwhera Town Centre Design Guidelines.
CMUZ - PREC - P4	Promote the development of green corridors connecting the Grey/Māwhera River to Victoria Park, Sawyers Creek Wetlands and the lagoon.
CMUZ - PREC - P5	Require high quality design outcomes in the Greymouth/Māwhera Town Centre Precinct which adhere to the Greymouth/Māwhera Town Centre

	<p>Design Guidelines. In particular, new development and additions and alterations to existing buildings are expected to:</p> <ol style="list-style-type: none"> Acknowledge, and respond to, the context of the site and the surrounding environment; Create visual interest and be in keeping with streetscape values; Address Poutini Ngāi Tahu and historic heritage values and design elements; Create a vibrant, active pedestrian environment; Take into account sustainable building design and Crime Prevention through Environmental Design (CPTED) principles; Utilise the Greymouth Pounamu and Māori Heritage paint palette on building frontages; and Ensure continuous verandah coverage on the Main Street Frontage of the Greymouth/Māwhera Town Centre Precinct.
CMUZ - PREC - P6	Encourage access to and along the Grey/Māwhera River to the adjacent Mixed Use Zone, the West Coast Wilderness Trail and Māwheranui Walkway.
Town Centre Zone - Hokitika Town Centre Precinct Policies	
CMUZ - PREC - P7	Reinforce the pedestrian priority in the Hokitika Town Centre Precinct by requiring verandahs, active street frontage and a high quality pedestrian environment which reflects the Hokitika Town Centre Design Guidelines.
CMUZ - PREC - P8	Provide for and enable the inclusion of elements of Poutini Ngāi Tahu culture in the design of buildings and structures in the Hokitika Town Centre Precinct.
CMUZ - PREC - P9	Promote pedestrian links and pedestrian focussed activity to link the Hokitika town centre to the Gibson Quay/Hokitika River and to the Hokitika beachfront.
CMUZ - PREC - P10	Protect existing visual linkages between the Hokitika town centre and the mountains and between the town centre and the beachfront.
Town Centre Zone - Westport/Kawatiri Town Centre Precinct Policies	
CMUZ - PREC - P11	Ensure that the design, scale and layout of commercial development and buildings in the Westport/Kawatiri Town Centre Precinct is compatible with the character of the town.
CMUZ - PREC - P12	Reinforce Palmerston Road between Henley St and Rintoul St as the heart of Westport/Kawatiri by requiring verandahs, active street frontage and a high quality pedestrian environment.
CMUZ - PREC - P13	Promote pedestrian links and pedestrian focussed activity to link Victoria Square to the Buller/Kaiwatiri Riverfront.
Town Centre Zone - Reefton Town Centre Precinct Policies	
CMUZ - PREC - P14	Ensure that the design, scale, location and layout of development and buildings in the Reefton Town Centre Precinct are compatible with the historic character of this area.
CMUZ - PREC - P15	Require new development and additions to exterior facades of buildings on the Main Street Frontage of the Reefton Town Centre Precinct to adhere to the Reefton Historic Town Centre Design Guidelines.

NCZ

Neighbourhood Centre Zone - Rules Overview

The Neighbourhood Centre Zone provides for a range of small-scale commercial, retail and community activities that provide for day to day needs of the surrounding residential neighbourhood. Neighbourhood Centres provide a limited range of services, employment and living opportunities at a scale appropriate to the residential neighbourhood they are located in. In general, Neighbourhood Centres are of low to medium density.

Neighbourhood Centres are generally located near the street edge, sometimes with verandahs and retail display windows along the frontage. Typically buildings are 1-2 storeys high. Parking is usually available on the street.

Neighbourhood Centre 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

NCZ - R1

Commercial, Community and Visitor Accommodation Activities and Buildings

Activity Status Permitted

Where:

1. Community Facilities, Emergency Services, retail and office activities are a maximum of 250m² gross floor area per activity provided;
2. The activity does not include:
 - i. Drive through restaurants;
 - ii. Service stations;
 - iii. Motor vehicle sales;
 - iv. Yard based retail activities;
 - v. Trade suppliers; or
 - vi. Bars/taverns;
3. The maximum height above ground level is 10 metres;
4. Any visitor accommodation is designed and constructed to ensure noise from activities on adjacent sites during night time will not exceed 35 dBA LAeq (15 min) in bedrooms and 40 dBA LAeq (15 min) in other habitable rooms. The indoor design level must be achieved with windows and doors open unless adequate alternative ventilation that complies with the Building Code is provided;
5. External storage is screened by a 1.8m fence or landscaping so that it is not visible from any adjoining residential zone boundary or adjoining public place;
6. Maximum site coverage is 60%;

Activity status where compliance not achieved:

Restricted Discretionary where standards 9 to 12 are not complied with.

Discretionary where standards 1 to 8 are not complied with.

<p>7. No more than one heavy vehicle is stored on the site;</p> <p>8. The activity shall be limited to the following hours of operation:</p> <ul style="list-style-type: none"> i. 6am – 11pm weekdays; and ii. 7am – 10 pm weekends and public holidays; except where iii. The entire activity is located within a building; and iv. There are no visitors, customers or deliveries outside the above hours. <p>9. The maximum building length is 20m where this abuts a Residential Zone;</p> <p>10. Any building or structure is set back</p> <ul style="list-style-type: none"> i. 2m from a Residential Zone or Open Space Zone boundary; ii. 3m from the road boundary; or iii. For sites with frontage to two roads in the Neighbourhood Centre Zone 3m on one road boundary and 1.5m on the other road boundary; <p>11. A landscape buffer of 1m width must be provided along the frontage between the street and any car parking, loading or service areas which are visible from the street frontage. This rule excludes access points;</p> <p>12. No building shall project beyond a building envelope defined by a recession plane as outlined in Appendix Two to commence 2.5m above any residential site boundary except where neighbour's written consent is provided to the Council.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Road boundaries; ii. Buildings on adjoining sites that have a common wall along the boundary; ii. 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; v. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; or v. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically. 	
<p>NCZ - R2 Minor Structures</p>	
<p>Activity Status Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> 1. All performance standards for rule NCZ - R1 are complied with; 2. Masts, poles, aerials and pou whenua must not exceed 7m in height; 3. Any antenna dish must be less than 1m in diameter; 4. Any ornamental or garden structure must not exceed 2.4 m in height; and 5. Any other structure must not exceed 10m² and 2m in height. 	<p>Activity status where compliance not achieved: Discretionary</p>
<p>NCZ - R3 Fences, Walls and Retaining Walls</p>	

<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Fences, walls and retaining walls are a maximum 2m height above ground level; and 2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall. 	<p>Activity status where compliance not achieved: Discretionary</p>
<p>NCZ - R4 Relocated Buildings</p>	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. All performance standards for rule NCZ - R1 are complied with; 2. The building was constructed within the 10 years prior to location on the site; and 3. Is established on foundations complying with the Building Code at the time of relocation. 	<p>Activity status where compliance not achieved: Controlled</p>
<p>NCZ - R5 Residential activities and residential units</p>	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Performance standards 1, 3 and 6 of Rule NCZ - R1 are complied with; 2. Residential unit density is no more than: <ol style="list-style-type: none"> i) 1 unit per 350m² net site area; or ii) 1 unit per 300m² net site area where two or more adjoining sites are developed; 3. Maximum building height above ground level of 10m; 4. Maximum site coverage is 60%; 5. Buildings are setback a minimum 4.5m from road boundaries, except that a roof overhang may encroach 750mm; 6. Buildings are setback a minimum of 1m from all other site boundaries, except that: <ol style="list-style-type: none"> i. Duplexes do not require a setback from the side boundary of the other duplex unit; and ii. Setbacks are not required from adjacent residential boundaries where written neighbour's consent is provided to the Council; 7. There is no more than 1 minor residential unit with a maximum gross floor area of 65m² per 500m² net site area; and 8. A minimum of 30m² of outdoor living space is provided per residential unit and 12m² per minor residential unit which is separate to the outdoor space for the principal dwelling and excluding any parking and manoeuvring areas. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
<p>NCZ - R6 NCZ - R6 Demolition of Buildings</p>	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The site is completely cleared and re-grassed if there is no redevelopment within 12 months. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>

Controlled Activities	
NCZ - R7	Rule Name
<p>Activity Status Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> All performance standards for rule NCZ - R4 are complied with. <p>Matters of control are:</p> <ol style="list-style-type: none"> Design and location of structures; Landscape measures; and Appearance of buildings. 	<p>Activity status where compliance not achieved: Discretionary</p>
NCZ - R8	Demolition of Buildings not meeting Rule NCZ - R6
<p>Activity Status Controlled</p> <p>Matters of control are:</p> <ol style="list-style-type: none"> Timing and scope of landscape and site reinstatement measures. 	<p>Activity status where compliance not achieved: N/Z</p>
Restricted Discretionary Activities	
NCZ - R9	Commercial Activities, Community Activities and Visitor Accommodation Activities not Meeting Rule NCZ - R1
<p>Activity Status Restricted Discretionary</p> <p>Where</p> <ol style="list-style-type: none"> Performance Standards for 1- 8 for Rule NCZ - R1 are complied with. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Design and location of buildings; Design and location of parking, loading and access areas; and Landscape measures. 	<p>Activity status where compliance not achieved: Discretionary</p>
NCZ - R10	Residential activities and residential units not meeting Rule NCZ - R5
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The minimum net site area is 150m²; The maximum height is 10m; Maximum building coverage is 50%; and All Permitted Activity performance standards for Rules NOISE - R1, - R2 and - R3, LIGHT - R2 and SIGN - R10 are complied with. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The extent to which there is sufficient provision for infrastructure to service the development; Design and location of parking and access; Design and location of buildings and compliance with the Medium Density Design guidelines; and 	<p>Activity status where compliance not achieved: Discretionary</p>

d. Landscape measures.		
Discretionary Activities		
NCZ - R11	Commercial, Community and Visitor Accommodation Activities not meeting the Permitted or Restricted Activity Standards	
Activity Status Discretionary Where: 1. Retail and office activities are a maximum of 250m ² gross floor area per activity; 2. The activity does not include: i. Drive through restaurants; ii. Service stations; iii. Yard based retail activities; iv. Motor vehicle sales; or v. Trade suppliers.		Activity status where compliance not achieved: Non-complying
NCZ - R12	Residential activities, residential units, minor structures, walls, fences and relocated buildings not meeting the Permitted or Restricted Discretionary Rules	
Activity Status Discretionary		Activity status where compliance not achieved: N/A
Non Complying Activities		
NCZ - R13	Industrial Activities	
NCZ - R14	Any other Activity not meeting another Rule in the Zone	
Activity Status Non-complying		Activity status where compliance not achieved: N/A

TCZ

Town Centre Zone - Rules

Overview

The Town Centre Zone is found in the four main town centres of Reefton, Greymouth/Māwhera, Westport/Kawatiri and Hokitika. There are common policies and rules across the Town Centre Zone, however each town centre has a Precinct where specific additional policies and rules apply.

The four centres are characterised by 2-3 storey buildings located up to the street with verandahs and retail display windows. These town centres are pedestrian oriented and parking is available on the street. Residential living above ground floor and mixed use activities are provided for.

The architectural quality of buildings and the quality of the public realm (public spaces and the interaction between individual buildings and the public pedestrian environment) will strongly influence the attractiveness of the Town Centre and Mixed-use zones as places to visit, do business and live. The objectives, policies and rules for both zones enable a broad range of activities, to provide the flexibility necessary to accommodate future growth and change. More importantly, they also focus on the quality of buildings and the impact of new buildings on the public realm and on the walkability of the town centres. This focus is important to enhancing the attractiveness of the town centres and encouraging new businesses, visitors and inner city living.

As the largest centre on the West Coast, Greymouth/Māwhera is expected to provide for a diverse range of commercial, retail, community and recreation activities and offer a variety of employment and living opportunities. In Greymouth/Māwhera higher density residential developments such as apartments above ground floor are anticipated that will contribute to providing wider housing choices for the community. The Mixed Use Zone in Greymouth/Māwhera is adjacent to the Town Centre Zone.

The Town Centre and Mixed Use Design Guidelines seek to ensure that new building development in the town centres is of a high standard and that it enhances the characteristics and qualities that contribute to each town centre's unique sense of place.

The location of the Hokitika, Greymouth/Māwhera and Westport/Kawatiri town centres on the coast and adjacent to large rivers, means parts of the town centres are subject to risk from existing and future flood inundation. The Te Tai o Poutini Plan enables development within the Town Centre Zone and Mixed Use Zone that responds to and manages the risk. It is however acknowledged that over time a movement away from the most hazardous locations is desired, and this is reflected in other parts of the Te Tai o Poutini Plan through the identification of Future Urban Zones.

Town Centre 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		
TCZ - R1	All Precincts: Commercial and Community Buildings and Activities	
Activity Status Permitted		Activity status where compliance not achieved: Discretionary where standards 4 to 6 are not met Non Complying where standards 1-3 are not complied with.
<p>Where:</p> <ol style="list-style-type: none"> 1. Any building is located on the front boundary of the site with no setback from the street boundary except that a recess of up to 0.5m within the facade of the building is permitted; 2. Any building or structure is setback a minimum of 3m from any Residential Zone boundary; 3. All external storage is screened by a 1.8m fence or landscaping so it is not visible from any adjoining residential zone boundary or any adjoining public space; 4. The ground floor facade of all buildings with a Main Street Frontage must have: <ol style="list-style-type: none"> i. 50% of the facade devoted to display windows or 75% of its height for at least 50% of the ground floor building frontage; and ii. One public entrance with glazing comprising at least 40% of the doors; except that iii. Any Heritage Building in Schedule One is exempt from this requirement. 5. No building shall create a featureless facade or blank wall on a Main Street Frontage at ground floor level wider than 3m; 6. No building shall project beyond a building envelope defined by a recession plane as identified in accordance with Schedule 2 to commence 2.5m above any Residential Zone boundary except where written neighbour's consent is provided to the Council. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> 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. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; v. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically. 		
TCZ - R2	Commercial and Community Buildings and Activities in the Hokitika Town Centre Precinct	
Activity Status Permitted		Activity status where compliance not achieved: Discretionary where standards 1 and 2 are not complied with. Non Complying where standards 3 and 4 are not complied with.
<p>Where:</p> <ol style="list-style-type: none"> 1. All performance standards from Rule TCZ - R1 are complied with; 2. Any commercial activity on a Main Street Frontage does not include: <ol style="list-style-type: none"> i. Motor vehicle sales yards; ii. Service stations; iii. Yard based retail; iv. Trade and building suppliers; 		

<ul style="list-style-type: none"> v. Drive through restaurants. 3. The maximum height above ground level is 12 metres; 4. Every building with a Main Street Frontage must erect a cantilevered continuous verandah to cover the full width of the footpath except that this does not apply to Heritage Buildings identified in Schedule One; and 5. New buildings and additions and alterations to any Main Street Frontage facade must demonstrate that they meet the Hokitika Town Centre Design Guidelines. 	
TCZ - R3 Commercial and Community Buildings and Activities in the Greymouth/Māwhera Town Centre Precinct	
<p>Activity Status Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> 1. All performance standards from Rule TCZ - R1 are complied with; 2. The maximum height above ground level is 20 metres; 3. Every building with a Main Street Frontage must erect a cantilevered continuous verandah (with no decorative poles) to extend from the shop frontage to be 400mm inside the kerb line. This requirement for a verandah does not apply to Historic Heritage buildings identified in Schedule One; and 4. New buildings and additions and alterations to any Main Street Frontage facade must demonstrate that they meet the Greymouth Town Centre and Mixed Use Design Guidelines. <p>Advice Note: The verandah shall extend from the shop frontage to be 400mm inside the kerb line. The verandah, if on a corner, shall be splayed so as to be 400mm back from the kerb line.</p>	<p>Activity status where compliance not achieved: Discretionary where standards 1 and 2 are not complied with.</p> <p>Non-complying where standards 3 and 4 are not complied with.</p>
TCZ - R4 Commercial and Community Buildings and Activities in the Westport/Kawatiri Town Centre Precinct	
<p>Activity Status Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> 1. All performance standards from Rule TCZ - R1 are complied with; 2. Any commercial activity on a Main Street Frontage does not include: <ul style="list-style-type: none"> i. Motor vehicle sales yards; ii. Service stations; iii. Yard based retail; iv. Trade and building suppliers; v. Drive through restaurants. 3. The maximum height above ground level is 15 metres; and 4. Every building with a Main Street Frontage must erect a cantilevered continuous verandah to cover the full width of the footpath [poles are encouraged for decorative purposes] except that this does not apply to Heritage Buildings identified in Schedule One 	<p>Activity status where compliance not achieved: Discretionary where standards 1 and 2 are not complied with</p> <p>Non-complying where standard 3 is not complied with.</p>

TCZ - R5	Commercial and Community Buildings and Activities in the Reefton Town Centre Precinct
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. All performance standards from Rule TCZ - R1 are complied with; 2. The maximum height above ground level is 12 metres; 3. Every building with a frontage to SH7 (Broadway) must erect a continuous verandah to cover the full width of the footpath with a timber frame and a roof supported on timber poles except that this does not apply to Heritage Buildings identified in Schedule One; 4. Any commercial activity does not include: <ol style="list-style-type: none"> i. Car sales yards; ii. Service stations; iii. Yard based retail; iv. Trade and building suppliers; v. Drive through restaurants; and 5. New buildings and additions and alterations to the exterior facade with frontage to SH7 (Broadway) must demonstrate they meet the Reefton Heritage Town Design Guidelines. 	<p>Activity status where compliance not achieved: Discretionary where standards 1 and 2 are not complied with.</p> <p>Non-complying where standards 3 and 4 are not complied with.</p>
TCZ - R6	Carparking and vehicle service access
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Provision for carparking and vehicle service access is made at the side or rear of the building; 2. Where available all vehicle access should be from service lanes; 3. No parking areas are located between the frontage of buildings and the street; 4. No carpark is provided on a Main Street Frontage; 5. For all sites adjoining a Residential Zone all parking areas must be screened so they are not visible from the adjoining residential site; and 6. Where the entire site is developed as a carpark, this must incorporate pedestrian wet weather cover for the footpath, planting and landscape measures which have been assessed as meeting the requirements of the relevant Town Centre Design Guidelines. 	<p>Activity status where compliance not achieved: Non Complying</p>
TCZ - R7	Residential Activities in Existing Buildings
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The residential activity is located above street level except that where this is a Heritage Building listed in Schedule One then the activity may occur at street level; 2. Each residential unit shall be provided with a waste management area of 2m² per unit, each with a minimum dimension of 1.5 metres in either a private or communal area; 	<p>Activity status where compliance not achieved: Discretionary</p>

<ol style="list-style-type: none"> 3. Any space designed for waste management, whether private or communal, shall not be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres; 4. Residential accommodation entrances shall be clearly separated and distinguished from commercial entrances; 5. Residential accommodation entrances shall be provided directly from the public street; and 6. The residential activity shall be designed and constructed to ensure noise from activities on adjacent sites during night time will not exceed 35 dBA LAeq (15min) in bedrooms and 40 dBA LAeq (15min) in other habitable rooms. The indoor design level must be achieved with windows and doors open unless adequate ventilation that complies with the Building Code is provided. Noise from any ventilation system shall not cause the internal noise criteria to be exceeded. 	
TCZ - R8	Visitor Accommodation Activities and Buildings
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. All performance standards from Rule TCZ - R1 are complied with; 2. The visitor accommodation activity is located above street level except that where this is a Heritage Building listed in Schedule One then the activity may occur at street level; 3. Any space designed for waste management, whether private or communal, shall not be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres; 4. Visitor accommodation entrances shall be clearly separated and distinguished from commercial entrances; 5. Visitor accommodation entrances shall be provided directly from the public street; and 6. New visitor accommodation buildings shall be designed and constructed to ensure noise from activities on adjacent sites during night time will not exceed 35 dBA LAeq (15 min) in bedrooms and 40 dBA LAeq (15min) in other habitable rooms. The indoor design level must be achieved with windows and doors open unless adequate alternative ventilation that complies with the Building Code is provided. Noise from any ventilation system shall not cause the internal noise criteria to be exceeded. 	<p>Activity status where compliance not achieved: Discretionary</p>
TCZ - R9	Demolition of Existing Buildings
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. These are not Heritage Buildings identified in Schedule One; 2. A landscaping strip of 1.5m width is provided except that where a building will be replaced within 12 months then no landscaping strip is required; and 3. If the building to be demolished is on a Main Street Frontage that a pedestrian weather cover must be provided over the adjacent footpath for 80% of the frontage. Where the site is to be redeveloped then a temporary structure can be provided for a maximum of 6 months in the Greymouth and Hokitika Town Centre Precincts and a maximum of 12 months in the Westport and Reefton Town Centre Precincts. 	<p>Activity status where compliance not achieved: Controlled</p>
TCZ - R10	Minor Structures

Activity Status Permitted		Activity status where compliance not achieved: Discretionary
Where: <ol style="list-style-type: none"> 1. Masts, poles, aerials and pou whenua must not exceed 7m in height; 2. Any antenna dish must be less than 1m in diameter; 3. Any ornamental structure must not exceed 2.4m in height; and 4. Any other structure must not exceed 10m² and 2m in height. 		
TCZ - R11	Fences, Walls and Retaining Walls	
Activity Status Permitted		Activity status where compliance not achieved: Discretionary
Where: <ol style="list-style-type: none"> 1. Fences, walls and retaining walls are a maximum 2m height above ground level; and 2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall. 		
Controlled Activities		
TCZ - R12	Demolition of buildings not meeting Rule TCZ - R9	
Activity Status Controlled		Activity status where compliance not achieved: Discretionary under Rule HH - R7
Where: <ol style="list-style-type: none"> 1. These are not Heritage Buildings identified in Schedule One. Matters of control are: <ol style="list-style-type: none"> a. Landscape measures; and b. Weather protection for pedestrians. 		
Restricted Discretionary Activities		
TCZ - R13	Relocated Buildings	
Activity Status Restricted Discretionary		Activity status where compliance not achieved: Discretionary
Where: <ol style="list-style-type: none"> 1. Permitted Activity performance standards for TCZ - R1 are complied with; and 2. Relevant Permitted Activity performance standards for TCZ - R2, TCZ - R3, TCZ - R4 and TCZ - R5 are complied with. Discretion is restricted to: <ol style="list-style-type: none"> a. Design and location of buildings; b. Appearance of buildings; c. The extent to which the building meets any relevant Town Centre Design Guidelines; and d. Landscape Measures. 		

Discretionary Activities		
TCZ - R14	Visitor Accommodation not meeting Permitted Activity Standards	
Activity Status Discretionary Where: 1. Except where this is Heritage Building listed in Schedule One, the ground floor is used for Commercial or Community Activities.		Activity status where compliance not achieved: Non-complying
TCZ - R15	Commercial and Community Buildings not meeting the Permitted Activity Standards for Ground Floor Facade, Recession Plane or Height	
Activity Status Discretionary Where: 1. All other performance standards for Rule TCZ - R1 and where relevant TCZ - R2, TCZ - R3, TCZ - R4 and TCZ - R5 are met.		Activity status where compliance not achieved: Non-complying
TCZ - R16	Minor Structures and Fences, Walls and Retaining Walls not meeting the Permitted Activity Standards for Rules TCZ - R10 or TCZ - R11	
Activity Status Discretionary		Activity status where compliance not achieved: N/A
TCZ - R17	Residential Activities and Buildings in new buildings	
Activity Status Discretionary Where: 1. The ground floor is used for Commercial or Community Activities and complies with the Performance Standards for Rule TCZ - R1; 2. Each residential unit is provided with an outdoor service space of 3m ² and a waste management area of 2m ² per unit, each with a minimum dimension of 1.5 metres in either a private or communal area; 3. Each residential unit is provided with a single indoor storage space of 4m ² with a minimum dimension of 1 metre; 4. All performance standards for Rule TCZ - R8 are complied with; and 5. Each residential unit shall be provided with an outdoor living space of i. 6m ² minimum area and 1.5 metres minimum dimension for a studio or 1 bedroom unit; ii. 10m ² minimum area and 1.5 metres minimum dimension for a 2 or 3 bedroom unit; iii. 15m ² minimum area and 1.5 metres minimum dimension for 3 or more bedrooms.		Activity status where compliance not achieved: Non-complying
Non Complying Activities		
TCZ - R18	Commercial and Community Activities and Buildings not meeting the Permitted or Discretionary Activity Rules	
TCZ - R19	Residential and Visitor Accommodation Activities not meeting the Permitted, Restricted Discretionary or Discretionary Activity Rules	
TCZ - R20	Carparking and vehicle access not meeting the Permitted Activity standards	

TCZ - R21	Any Activity not complying with Permitted, Controlled, Restricted Discretionary or Discretionary Activity Standards.
Activity Status Non-complying	Activity status where compliance not achieved: N/A

COMZ

Commercial Zone - Rules

Overview

The Commercial Zone applies to areas near to but outside of the town and local centres, where a range of different types of commercial activities - from small stores to supermarkets, service stations, bulk retail and offices occur. Because there is little public transport within towns on the West Coast, these activities are often accessed by car, although people may also walk and cycle from nearby residential areas.

The main area of Commercial Zone is located in the Greymouth South area, with other small areas of Commercial Zone across the West Coast.

The Commercial Zone areas are locations for economic activity and places for employment. The economic activity within the Commercial Zone also supports town and settlement viability as workers shop, use public spaces and contribute to the area's vibrancy.

The Commercial and Mixed Use Zones objectives, policies and Commercial Zone rules provide the framework for managing the effects of development and ensuring that a reasonable standard level of amenity and environmental quality is retained within the zone, and that there are not significant adverse effects on the amenity and quality of the environment in surrounding areas.

Commercial 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

COMZ - R1

Commercial, Community and Visitor Accommodation Activities and Buildings

Activity Status Permitted

Where:

1. The maximum height above ground level is 12 metres;
2. The maximum building length is 20m where this abuts a Residential Zone;
3. Any building or structure is set back
 - i. 3m from any Residential Zone or Open Space Zone; and
 - ii. 3m from the road boundary, except for sites with frontage to two roads in the Commercial Zone can have a 3m setback on one road boundary and 1.5m setback on the other road boundary;
4. Any visitor accommodation is designed and constructed to ensure noise from activities on adjacent sites during night time will not exceed 35 dBA LAeq (15 min) in bedrooms and 40 dBA LAeq (15 min) in other habitable rooms. The indoor design level must be achieved with windows and doors open unless adequate alternative ventilation that complies with the Building Code is provided;
5. Landscaping shall be provided as follows:
 - i. The area adjoining the road frontage of all sites shall contain a minimum 1.5m landscaping strip that will, within two years of being planted, reach a minimum height of 1m;

Activity status where compliance not achieved: Restricted Discretionary where standards 6 and 7 are not complied with. Discretionary where standards 1-5 are not complied with.

<ul style="list-style-type: none"> ii. On sites adjoining a Residential Zone a 2m wide landscaping strip shall be provided adjacent to the Residential Zone boundary and shall be planted with species, which at maturity, will screen the buildings from the adjoining sites; and iii. The planting of 1 tree per 20 carparking spaces is encouraged within any carparking area. 6. External storage is screened by a 1.8m fence or landscaping so that it is not visible from any adjoining residential zone boundary or adjoining public place; and 7. No building shall project beyond a building envelope defined by a recession plane as outlined in Appendix Two 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: <ul style="list-style-type: none"> 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. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; v. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically. i. Advice Notes: <ul style="list-style-type: none"> 1. Any landscaping required by this rule may be located in common areas, where the development comprises land and/or buildings in separate unit titles. 2. Stormwater facilities that provide water quality treatment and landscape amenity, should be incorporated into landscaped areas, where practicable, to achieve effective stormwater management in an integrated manner. 	
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COMZ - R2	Minor Structures
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<p>Activity Status Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> 1. All performance standards for rule COMZ - R1 are complied with; 2. Masts, poles, aerials and pou whenua must not exceed 7m in height; 3. Any antenna dish must be less than 1m in diameter; 4. Any ornamental or garden structure must not exceed 2.4 m in height; and 5. Any other structure must not exceed 10m² and 2m in height. 	<p>Activity status where compliance not achieved: Discretionary</p>
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COMZ - R3	Fences Walls and Retaining Walls
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<p>Activity Status Permitted</p> <p>Where:</p>	<p>Activity status where compliance not achieved: Discretionary</p>
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<ol style="list-style-type: none"> 1. Fences, walls and retaining walls are a maximum 2m height above ground level; and 2. The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall. <p>Advice Note: Retaining walls greater than 1m in height should be subject to engineered design and meet the Building Code.</p>	
COMZ - R4	Relocated Buildings
<p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All performance standards for rule COMZ - R1 are complied with; 2. The building was constructed within the 10 years prior to location on the site; and 3. Is established on foundations complying with the Building Code at the time of relocation. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
COMZ - R5	Residential Dwellings and Activities
<p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All performance standards for rule COMZ - R1 are complied with; 2. Where this is ancillary to a Commercial Activity; 3. Where not ancillary to a Commercial Activity, the activity is located above the ground floor level of a Commercial Activity; and 4. Each residential unit shall be provided with: <ol style="list-style-type: none"> i. An outdoor service space of 3 m² and a waste management area of 2 m² per unit, each with a minimum dimension of 1.5 metres in either a private or communal area; ii. A single, indoor storage space of 4m³ with a minimum dimension of 1 metre; iii. Any space designated for waste management, whether private or communal, shall not be located between the road boundary and any building and shall be screened from adjoining sites, roads, and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres; iv. Each residential unit shall be provided with an outdoor living space of: <ol style="list-style-type: none"> 1. 6m² minimum area and 1.5 metres minimum dimension for a studio or 1 bedroom unit; 2. 10m² minimum area and 1.5 metres minimum dimension for a 2 or 3 bedroom unit; 3. 15m² minimum area and 1.5 metres minimum dimension for 3 or more bedrooms; and v. Any residential dwelling shall be designed and constructed to ensure noise from activities on adjacent sites during night time will not exceed 35 dBA LAeq (15 min) in bedrooms and 40 dBA LAeq (15 min) in other habitable rooms. The indoor design level must be achieved with windows and doors open unless adequate alternative ventilation that complies with the Building Code is provided. 	<p>Activity status where compliance not achieved: Non Complying</p>

Restricted Discretionary Activities	
COMZ - R6	Commercial, Community and Visitor Accommodation Activities not meeting the External Storage or Recession Plane performance standards of COMZ - R1
Activity Status Restricted Discretionary Where: 1. All performance standards for rule COMZ - R1 are complied with. Discretion is restricted to: a. Materials being stored; b. Period of time for storage; c. Distance from boundary; and d. Design of storage, buildings and structures.	Activity status where compliance not achieved: Discretionary
COMZ - R7	Relocated Buildings not meeting Rule COMZ - R4 or Recession Plane performance standards of COMZ - R1
Activity Status Restricted Discretionary Where: 1. All performance standards for rule COMZ - R1 are complied with. Discretion is restricted to: a. Design and location of structures; b. Landscape measures; and c. Appearance of buildings.	Activity status where compliance not achieved: Discretionary
Discretionary Activities	
COMZ - R8	Commercial, Community and Visitor Accommodation Activities, Relocated Buildings, Minor Structures, Fences, Walls and Retaining Walls not meeting Permitted or Restricted Discretionary Activity Standards
Activity Status Discretionary Where: 1. The maximum height is 15m; 2. Maximum building length abutting a residential zone is 35m; and 3. Any building or structure is set back 3m from any Residential Zone or Open Space Zone; and 4. All performance standards for rules NOISE R1, R2 and R4 and LIGHT R1 and R4 are complied with.	Activity status where compliance not achieved: Non-complying
Non Complying Activities	
COMZ - R9	Residential Activities not meeting the standards in Rule COMZ - R5
COMZ - R10	Industrial Activities
COMZ - R11	Any Activity not meeting Permitted Activity, a Restricted Discretionary Activity or Discretionary Activity Standards
Activity Status Non-complying	Activity status where compliance not achieved: N/A

MUZ

Mixed Use Zone - Rules

Overview

The Mixed Use Zone is located on the edge of the Greymouth/Māwhera Town Centre.

The architectural quality of buildings and the quality of the public realm (public spaces and the interaction between individual buildings and the public pedestrian environment) will strongly influence the attractiveness of the Town Centre and Mixed Use Zones as places to visit, do business and live. The objectives, policies and rules for both zones enable a broad range of activities, to provide the flexibility necessary to accommodate future growth and change. More importantly, they also focus on the quality of buildings and the impact of new buildings on the public realm and on the walkability of the town centres. This focus is important to enhancing the attractiveness of the town centres and encouraging new businesses, visitors and inner city living.

As the largest centre on the West Coast Greymouth/Māwhera is expected to provide for a diverse range of commercial, retail, community and recreation activities and offer a variety of employment and living opportunities. In Greymouth higher density residential developments such as apartments above ground floor are anticipated that will contribute to providing wider housing choices for the community.

The Greymouth/Māwhera Town Centre and Mixed Use Design Guidelines seek to ensure that new building development in the town centres is of a high standard and that it enhances the characteristics and qualities that contribute to each town centre's unique sense of place.

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	
MUZ - R1	Commercial and Community Activities excluding Emergency Services Facilities, Visitor Accommodation, Commercial Garages and Service Stations.
Activity Status Permitted Where: 1. The maximum gross floor area of the activity is 500m ²	Activity status where compliance not achieved: Restricted Discretionary
MUZ - R2	New buildings and alterations to existing buildings
Activity Status Permitted Where: 1. The maximum ground floor area of the building is 500m ² ; 2. The maximum height above ground level is 12m; 3. Any building on a Facade Control Street must have:	Activity status where compliance not achieved: Discretionary

<ul style="list-style-type: none"> i. A cantilevered continuous verandah to cover the full width of the footpath except that this does not apply to Heritage Buildings identified in Schedule One; ii. 20% of the facade devoted to display windows or transparent glazing; and iii. The principal public entrance to the building must be located on the front boundary; <p>4. Any building or structure is setback a minimum of 3m from any Residential Zone, Open Space and Recreation Zone, Industrial Zone or Port Zone boundary;</p> <p>5. All external storage is screened by a 1.8m fence or landscaping so it is not visible from any adjoining residential zone boundary or any adjoining public space;</p> <p>6. On sites adjoining a Residential Zone a 2m wide landscaping strip shall be provided adjacent to the Residential Zone boundary and shall be planted with species, which at maturity, will screen the buildings from the adjoining sites; and</p> <p>7. No building shall project beyond a building envelope defined by a recession plane as identified in accordance with Appendix Two to commence 2.5m above any Residential Zone boundary except where neighbour's consent is provided to the Council under Section 87AAB of the Act.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> 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. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; and v. Solar panels and solar water heaters provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically. 	
MUZ - R3 Carparking and vehicle service access	
<p>Activity Status Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> 1. Provision for carparking and vehicle service access is made at the side or rear of the building; 2. Where available all vehicle access should be from service lanes or streets other than those subject to Facade Controls; 3. No parking areas are located between the frontage of buildings and the street; 4. No carpark is provided on a Facade Control Street; and 5. For all sites adjoining a Residential Zone all parking areas must be screened so they are not visible from the adjoining residential site. 	<p>Activity status where compliance not achieved: Non Complying</p>

MUZ - R4	Residential Activities
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The residential activity is <ol style="list-style-type: none"> i. Located above street level; or ii. Located at street level but with no frontage to public open spaces or streets except for access; 2. Each residential unit shall be provided with a waste management area of 2m² per unit, each with a minimum dimension of 1.5 metres in either a private or communal area; 3. Any space designed for waste management, whether private or communal, shall not be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres; 4. Residential accommodation entrances shall be clearly separated and distinguished from commercial entrances; 5. Residential accommodation entrances shall be provided directly from the public street; and 6. The residential activity shall be designed and constructed to ensure noise from activities on adjacent sites during night time will not exceed 35 dBA LAeq (15min) in bedrooms and 40 dBA LAeq (15)min in other habitable rooms. The indoor design level must be achieved with windows and doors open unless adequate ventilation that complies with the Building Code is provided. Noise from any ventilation system shall not cause the internal noise criteria to be exceeded. 	<p>Activity status where compliance not achieved: Discretionary</p>
MUZ - R5	Visitor Accommodation
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The visitor accommodation is located <ol style="list-style-type: none"> i. In a Heritage Building listed in Schedule One; or ii. Above street level; or iii. At street level but with no frontage to public open spaces or streets except for access. 2. Any space designed for waste management, whether private or communal, shall not be located between the road boundary and any building, and shall be screened from adjoining sites, roads and adjoining outdoor living spaces by screening of the waste management area to a height of 1.5 metres; 3. Visitor accommodation entrances shall be clearly separated and distinguished from commercial entrances; 4. Visitor accommodation entrances shall be provided directly from the public street; and 5. New visitor accommodation buildings shall be designed and constructed to ensure noise from activities on adjacent sites during night time will not exceed 35 dBA LAeq(15min) in bedrooms and 40 dBA LAeq (15)min in other habitable rooms. The indoor design level must be achieved with windows and doors open unless adequate ventilation that complies with the Building Code is provided. Noise from any ventilation system shall not cause the internal noise criteria to be exceeded. 	<p>Activity status where compliance not achieved: Discretionary</p>

MUZ - R6	Minor Structures	
Activity Status Permitted Where: <ol style="list-style-type: none"> All performance standards for rule MUZ - R2 are complied with; Masts, poles, aerals and pou whenua must not exceed 7m in height; Any antenna dish must be less than 1m in diameter; Any ornamental or garden structure must not exceed 2.4 m in height; and Any other structure must not exceed 10m² and 2m in height. 		Activity status where compliance not achieved: Discretionary
MUZ - R7	Fences, Walls and Retaining Walls	
Activity Status Permitted Where: <ol style="list-style-type: none"> Fences, walls and retaining walls are a maximum 2m height above ground level; and The fence, wall or retaining wall is not used for advertising or any other purpose other than a fence, retaining wall or wall. 		Activity status where compliance not achieved: Discretionary
MUZ - R8	Relocated Buildings	
Activity Status Permitted Where: <ol style="list-style-type: none"> All performance standards for rule MUZ - R2 are complied with; The building was constructed within the 10 years prior to location on the site; Is established on foundations complying with the Building Code at the time of relocation. 		Activity status where compliance not achieved: Discretionary
Restricted Discretionary Activities		
MUZ - R9	Commercial and Community Facility Activities not meeting Rule MUZ - R1	
Activity Status Restricted Discretionary Where: <ol style="list-style-type: none"> The gross floor area is greater than 500m²; and Performance standards 1 to 5 of Rule MUZ - R2 are complied with. Discretion is restricted to: <ol style="list-style-type: none"> Design and location of structures; Landscape measures; Appearance of buildings; and Compliance with the relevant Town Centre and Mixed Use Zone Design Guidelines. 		Activity status where compliance not achieved: Discretionary
MUZ - R10	Commercial garages, service stations	
Activity Status Restricted Discretionary Where:		Activity status where compliance not achieved: Discretionary

<ol style="list-style-type: none"> 1. The activity is not located on a Facade Control Street; and 2. All performance standards for Rule MUZ-R2 are complied with. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Design and location of structures; b. Landscape measures; c. Appearance of buildings; and d. Compliance with the relevant Town Centre and Mixed Use Zone Design Guidelines. 	
<p>MUZ - R11 Emergency services facilities</p>	
<p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. All performance standards for Rule MUZ-R2 are complied with. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Design and location of structures; b. Landscape measures; c. Appearance of buildings; and d. Compliance with the relevant Town Centre and Mixed Use Zone Design Guidelines. 	<p>Activity status where compliance not achieved: Discretionary</p>
<p>Discretionary Activities</p>	
<p>MUZ - R12 Commercial, Community Facility, Visitor Accommodation, Emergency Services Facilities, Commercial Garages, Service Stations, Buildings, Relocated Buildings not meeting Permitted or Restricted Discretionary Standards in relation to Ground Floor Facade, Recession Plane or Height</p>	
<p>Activity Status Discretionary Where:</p> <ol style="list-style-type: none"> 1. The maximum height is 20m 2. All other performance standards for Rule MUZ - R2 are complied with. 	<p>Activity status where compliance not achieved: Non-complying</p>
<p>MUZ - R13 Minor Structures, Fences, Walls and Retaining Walls not meeting Permitted Activity Standards</p>	
<p>Activity Status Discretionary</p>	<p>Activity status where compliance not achieved: N/A</p>
<p>Non Complying Activities</p>	
<p>MUZ - R14</p>	<p>Residential Activities not meeting the standards in Rule MUZ - R4</p>
<p>MUZ - R15</p>	<p>Industrial Activities</p>
<p>MUZ - R16</p>	<p>Any Activity which is not a Permitted Activity, a Restricted Discretionary Activity or a Discretionary Activity</p>
<p>Activity Status Non-complying</p>	<p>Activity status where compliance not achieved: N/A</p>



Project Manager Update

1 July 2021 – 31 July 2021

Prepared By: Jo Armstrong
Date Prepared: 31 July 2021

Accomplishments this Period

- The planning team have been working on the following topics:
 - Ecosystems and Indigenous Biodiversity
 - Natural Character and the Coastal Environment
 - 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
 - Hazardous Substances
 - Residential Visitor Accommodation
 - Design Guidelines for Greymouth, Hokitika, Westport and Reefton
- 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.
- Contact with the mining sector is ongoing. Some information to aid possible identification of the Mineral Extraction Zone has been provided, and we had another meeting with some representatives in late July. They have offered to supply further information, and to liaise with others in the minerals industry.
- A TTPP update was presented at the West Coast Regional Council Resource Management Committee meeting on 13 July. The Committee selected Councillor Challenger as their alternate for TTPP should the need arise.
- The contract has been signed with Marshall Day to identify Noise Contours for Hokitika Airport, Franz Josef Heliport, Westport Airport, Greymouth Aerodrome and Karamea Aerodrome.

- Tenders were assessed for Coastal Hazard work, with the successful respondent, NIWA, due to sign a contract in late July.
- Tenders were sought for flooding research to identify the residual risk for Hokitika and Greymouth defended areas. No tenders were received by the due date, as the 2 month turnaround time for the work was considered very short. However, two providers are now working on a joint proposal, which we expect to receive in the first week of August.
- This month we also sought tenders for ongoing legal services. The TTPPC Chair and WDC CE were part of the assessment panel, and we have contacted our preferred supplier. We anticipate this contract will be signed in early August.
- The results of the desktop study to identify potential SNAs on DOC land have been shared with the local DOC office.
- We also met with some of the MfE and DOC staff who are responsible for delivering the NPS for Indigenous Biodiversity. We shared general results of the desktop study on DOC land with them.
- Please note the change of date for the August meeting. This meeting will now be on September 2nd at GDC.
- A further reminder 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.

Plans for Next Period

- Policy work on topics mentioned above will continue
- Ongoing work to contract for research projects
- TTPPC meeting at Grey District Council on Thursday 2 September from 10.00 – 3.00 preceded by a workshop commencing at 9.00am.
- TAT meeting at Westland District Council on 1 September

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

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

Status

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

Schedule

Stage	Target Completion	Revised Fast Track Completion	Comments
Complete project initiation documentation	30-Apr-19	19-July-2019	TTPPC approved
Identify and contact key stakeholders	03-May-19	Ongoing	Connection made with all key stakeholders and started a second round of contact with other interested parties
Contract senior planning consultant	01-Aug-19	29-July-2019	Contract in place 29/7/19 -30/6/20
Recruit permanent senior planner	30-Sep-19	7-Sep-2019	Started at WCRC on 14 October 2019
Set up Te Tai o Poutini Plan website and communications package	30-Sep-19	30 Nov- 2019	Development complete. Available at www.ttp.westcoast.govt.nz
Set planning milestones	31-Oct-19	30 Aug-2019	Presented at August TTPPC meeting
Hold key stakeholder workshop for Settlements section	28-Feb-20	23 Oct and 21 Nov 2019	Greymouth and Hokitika, then Westport

Stage	Target Completion	Revised Fast Track Completion	Comments
Hold Community information meetings	31-Mar-20	16-27 Mar 20 and 24-22 Sep 2020	Roadshow in March 2020 and opportunities to coincide with council-community meetings and local events Outcome of Roadshow to be presented to May TTPPC meeting
Hold key stakeholder workshops for Infrastructure section	30-Apr-20	31-Jul-20	Greymouth and Hokitika, then Westport. Delayed due to Covid-19 Lockdown
Draft Provisions (Issues, Objectives, Policy and Rules) for Urban Areas developed	31-May-20	31-May-20	For presentation to May TTPPC meeting
Workshop discussion with environmental interests re biodiversity provisions	30-Jul-20	31-Aug-20	Delayed due to Covid-19 Lockdown
Draft Provisions (Issues, Objectives, Policy and Rules) for Rural Zones and Settlement Zones developed	31 – Aug-20	31-Aug-20	For presentation to August TTPPC meeting
Hold key stakeholder workshops for mining and extractive industries	31-Aug-20	31-Jul-20	Due to work programme changes during Covid-19 lockdown
Historic Heritage Workshops	31-Aug-20	31-Aug-20	
Conclude TTPPC 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	30-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

Stage	Target Completion	Revised Fast Track Completion	Comments
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 2023	Indicative time only. Any parts of the Plan not appealed are completely operative from the end of the Appeal Period.
Ongoing Decision Making for TTPP	November 2025 onward	November 2023 onward	TTPPC is a permanent Committee. Once they have adopted the Plan their ongoing role includes monitoring implementation and the need for any amendments; and undertaking amendments and reviews, or ensuring these are undertaken, as required.
Appeals and Mediation Te Tai o Poutini Plan	Oct-25	April 2024	Indicative time only.
Environment or High Court [Fast Track Process]	2026	2024-2025	Indicative time only.



Te Tai o Poutini PLAN

A combined district plan for the West Coast