

WAIROA DISTRICT COUNCIL

**SPECIAL MEETING OF COUNCIL  
(To Hear Submissions and Further Submissions  
For Plan Change 1B)**

Minutes of a Special meeting of Council to Hear Submissions and Further Submissions for Plan Change 1B was held in the Council Chambers, Coronation Square, Wairoa on Tuesday, 19 June 2007 at 1.00pm.

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**PRESENT:** His Worship the Mayor Mr L Probert

**COUNCILLORS**

S Birrell, D A Eaglesome, D Caves, G McIntyre, B McKinnon, B Shortt

**IN ATTENDANCE:** M Lawson (Wairoa District Council's Solicitor)  
N Poutasi (Planning Consultant)  
G Thompson (Secretary)

**CIVIC PRAYER** The civic prayer was given by Councillor D A Eaglesome.

**APOLOGIES**

Nil

His Worship the Mayor welcomed those in attendance explaining the procedure for the hearing of submissions and subsequent deliberations by Council. N Poutasi, Planning Consultant and M Lawson, Solicitor for Wairoa District Council introduced themselves.

Ms Poutasi reported one submission was received after the closing date for submissions of 15 March 2007. Tui Development Trust Company Ltd was received by Council on 19 March 2007, 2 working days after the closing date of 24 November 2006. The submission seeks to add to TDTCL's earlier submission.

Ms Poutasi asked if the Council would accept the late submission from Tui Development Trust Company Ltd.

<b><u>Resolved:</u></b> <i>That Council accepts the late submission from Tui Development Trust Company Ltd.</i> <b><i>Caves/McIntyre</i></b>
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Ms Poutasi noted a point of clarification with regards to Map 58 the wording "Notation" be removed.

**General Items**

**SCHEDULE OF SUBMISSIONS**

**D01.25.07**

Verbal and written submissions were heard and discussed.

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**SUBMITTER:** Osyris Group (Eastland) Ltd

Mr T Lyall commented on the minimum lot size of 5000m<sup>2</sup> within the Coastal Mahia Zone. He also commented that this lot size will create even greater ribbon development and coastal visual pollution than already exists. A lot size of 5000m<sup>2</sup> is too small for any viable use as a lifestyle block particularly when a site coverage limitation of 10% is applied as well.

Mr Lyall commented on limited pockets of residential development discreetly integrated into the landscape is accepted then a 10% maximum site coverage would be inappropriate for those sites but appropriate for the larger coastal lifestyle lots.

Mr Lyall also reported on limited pockets of residential development discreetly integrated into the landscape is accepted then a 15m side yard requirement would be inappropriate for those sites but would be appropriate for the larger coastal lifestyle lots.

In respect of height Mr Lyall commented that the maximum building height of 10.0m is totally inappropriate for the coastal zone.

Mr Lyall commented on minimum lots size of 800m<sup>2</sup>, maximum site coverage of 40% and side yard and height limitations in the Residential Mahia Zone.

Councillors asked various questions.

His Worship the Mayor thanked Mr T Lyall for his submission.

**Te Mana Taiao O Rongomaiwahine** – Ms Poutasi reported on Te Mana Taiao O Rongomaiwahine's submission. Ms Poutasi also reported on consultation, assessment of impact on tangata whenua, subdivision should be a discretionary activity in the coastal zone and the significant cultural, social environmental impacts in the Mahanga Beach settlement.

His Worship the Mayor reported consultation is always difficult.

**Snow Wilkins Ltd & Action Planning** – Snow Wilkins Ltd & Action Planning submission referred to minimum lot sizes, 15% site coverage, privacy, shading & visual amenity, metre yard setback and earthworks in the coastal zone. The submission also refers to permitted activities and earthworks in relation to Mahanga settlement re-zoning.

**Pukenui Views Ltd & Action Planning** – Pukenui Views Ltd & Action Planning submission refers to odour, residential Mahia zone, earthworks and Mahanga Planning Map 59.

**Ross Barnett** – Mr R Barnett's submission refers to objectives, policies and rules proposed in the Coastal Mahia Zone and the objectives, policies and rules proposed in the Coastal Hazard section. Mr Barnett's submission also relates to density and related rules in Coastal Mahia Zone.

**Shirley Wood** – Ms Wood's submission referred to septic tanks.

**B Lancaster** – Mr B Lancaster's submission referred to proposed rezoning in Mahanga, density and related rules, Wairoa Coastal Strategy and Coastal hazards.

**Diana & Arthur Symes** – D & A Symes's submission relates to amending the Mahia Coastal Protection Plan in the Waikokopu Zone.

**Mr H Brown** – Mr Brown's submission relates to amending the Mahia Coastal Protection Plan in the Waikokopu Zone.

**Alex Clark** – Mr Clark's submission refers to opposing the objectives, policies and rules as proposed in Coastal Mahia Zone 15A and oppose to the objectives, policies and rules proposed in Coastal Hazard Section 27A in particular Rule 27A 1.9(c)(i).

**Wine Country Properties, P Fenwicke, R Robbie, Boogie S Cape Ltd and S Wells** – Mr L W Williams spoke on behalf of Wine Country Properties, P Fenwicke, R Robbie, S Cape and S Wells. Mr Williams also spoke on his Executive Summary and referred to land (east) seaward of Pukenui Drive, Mahanga, submitters seeking subdivision of 1800m<sup>2</sup> along the coastal boundary of their properties with an average density of 1400m<sup>2</sup>, a resource consent and conditions granted by Wairoa District Council on November 2003 and some of the submitters have submitted against the scope of the plan change has been arbitrarily extended to include the ridgeline on the "mainland" end of the isthmus.

**Mr John Mathews – Penny Ann Fishing** – Mr J Mathews Counsel for Penny Ann Fishing produced two documents being his Outline of Submission and Mr Archie Packer's Evidence, which Mr Packer will speak to. Mr Mathew also produced two Environmental Cases. Mr Mathew's spoke on Plan Changes and Rules Generally, Section 32 Assessment, Sections 5, 6, 7 and 8 Issues, Efficient Use and Development – Section 7 (B) and the Coastal Hazard Erosion Policy Area.

**Mr Archie Packer** – Mr A Packer spoke on his Brief of Evidence. Mr Packer spoke on Minimum Section Sizes, Coastal Hazard Erosion Policy Area("CHEPA") and General being drainage issues.

**Janet Campbell on behalf of Mr Graeme A Campbell** – Mrs J Campbell spoke on her son's verbal submission, Mr G Campbell. The verbal submission relates to the Coastal Hazard Erosion Protection Area, Inaccurate Hazard Maps, Objectives, Policies, Methods and Rules and What We Want Change being Redraw the Hazard Lines, Allow boulder protection along our boundary as a permitted activity, Clearly allow the continuation of our existing uses without undue hindrance and Not include us in a charge for the collection of the hazard data.

Mr M Lawson reported the various hazard lines are provisions in the District Plan and is not to be inconsistent with Regional Coastal Plan and the NZ Coastal Policy Statement.

**Mrs Rogers on behalf of Mark Rogers** – Mr Rogers's Oral Submission relates to opposing modifications to Map 63 Oraka being that the lines on the map are demonstrably wrong and disappointment in the way Tangata Whenua have been treated in the development of the Coastal Strategy and Plan Change.

Councillor Birrell spoke on portion of property being in the hazard zone.

**ADJOURN – 3.52PM  
RECONVENE – 4.07PM**

**Mr H Brown** – Mr Brown's submission relates to amending the proposed Mahia Coastal Protection Plan in the Waikokopu Zone.

**ADJOURNED – 4.20PM TUESDAY 19 JUNE 2007  
RECONVENED – WEDNESDAY, 20 JUNE 2007 AT 9.00AM**

**PRESENT:** His Worship the Mayor Mr L Probert

**COUNCILLORS**

S Birrell, D A Eaglesome, D Caves, G McIntyre, B McKinnon, B Shortt

**IN ATTENDANCE:** M Lawson (Wairoa District Council's Solicitor)  
N Poutasi (Planning Consultant)  
G Thompson (Secretary)

His Worship the Mayor welcomed everybody to the Reconvened meeting.

**Mr Alex Clark** – Mr Clark's submission refers to proposed rezoning in Mahanga and the Density and Related Rules in the Coastal Mahia Zone.

Mr M Lawson spoke on reoccurring theme of introducing a 5,000m<sup>2</sup> minimum lot size to the land on the seaward side of Pukenui Road in Mahanga.

**Department of Conservation** – The Department of Conservation's submission refers to General Statement of Support for Provisions Relating to Natural Hazards, Objective 8.4.1, Policies 8.5.6, 8.5.7, 8.5.8, 8.5.9, 8.5.10, 8.5.11, 8.5.12, 8.5.15 and 8.5.16, Policy 8.5.17, methods 8.6.4, 8.6.11, 8.6.12, 8.6.13, 8.6.14, 8.6.15, 8.6.16, 8.6.17 and 8.6.18, Explanation and Reasons 8.7.6, 8.7.7, 8.7.9 and 8.7.10, Coastal (Mahia) Zone Provisions Chapters 15A and 18A being Issue/Zone Description 15A 1.1, Issue/Zone Description (15A.1), Objectives 15A.2 and 18A.2, Policies 15A.3 and 18A.3, Policy 6.5.1 (to be incorporated in 15A.3 and 18A.3), Policies 8.5, Methods 15A.4, Anticipated Environmental

Results 15A.6 and 18A.6, Controlled Activities 18A.9.3, Controlled Activities 18A.9.3, Controlled Activities 18A.9.5 and Discretionary and Non-Complying Activities 27.9.4, 27.9.5 and 27.9.6.

Mr M Lawson reported on Disturbance, Indigenous Vegetation and Wetlands and Set of Rules Based on Activities and Effects within the District Plan.

**Ministry of Education** – Ms C Cradock, Resource Management Planner for Opus International Consultants on behalf of Ministry of Education submission refers to Activity Status within the Proposed Residential “Mahia” Zone, Designations, Potential Effects, Summary and the Ministry of Education seeks that educational facilities be provided for as permitted, controlled, or discretionary activities in the proposed residential “Mahia” zone, depending on compliance with performance standards, and thus that they would fall into a non-complying status.

Mr Lawson reported education facilities are provided for under permitted or controlled activities and what sort of activities schools can do.

**Wairoa Forest & Bird Society** – The Wairoa Forest & Bird Society’s submission relates to the protection of the foreshore dune systems and the indigenous flora & fauna associated with these areas.

**Pukenui Limited – Mr Doran** - Pukenui Limited’s submission refers to amending the Mahia Coastal Protection Plan in Mahanga.

Mr Lawson reported Pukenui View land is wholly within the current erosion zone.

**Surveying the Bay Ltd**- Surveying the Bay Ltd’s submission refers to Section 8 Managing the Effects of Natural Hazards being Policy 8.5.8, 8.5.12 Policy: Subdivision (a) (ii), 8.5.12 Policy: Subdivision (b), 8.7.10 Explanation and Reasons, 8.7.10, 15A.8 Performance Standards for Coastal Mahia Zone, Section 27.10 Specific Performance Standards being Section 27.10.1(a), Section 27.10.2 and 27.10.5, District Plan Maps, Erosion Risk Zones and Building Site Coverage.

**Queenie Whaanga** – Ms Whaanga’s submission referred to the environment being protected and that there are no impacts on cultural sensitive sites in particular contamination and pollution.

**Hawke’s Bay Regional Council** – Hawke’s Bay Regional Council’s submission refers to Coastal (Mahia) Zone being 15A.1.4, 15A.1.5, Rules being 15A.7.1, 15A.7.3, Noise being 15A.8.3, Odour being 15A.8.5, Glare being 15A.8.6, Earthworks being 15A.8.16, Residential Zone - Policies being 18A.3.4, 18A.3.5, 18A.3.7, Methods being 18A.4, 18A.4.1, 18A.4.3, Rules – Permitted, 18A.7.1, Performance Standards/Development Criteria for Permitted And Controlled Activities in Residential (Mahia) Zone – Maximum Site Coverage being 18A.8.1, Noise being 18A.8.3, Odour being 18A.8.5, Glare 18A.8.6, Earthworks being 18A.8.17, 18A.9.1 and 18A.9.7.

Hawke’s Bay Regional Council’s submission also refers to Subdivision – Controlled Activities 27.9.2, Specific Performance Standards for Residential (Mahia) & Coastal (Mahia) Zones – Minimum Lot Size being 27.10.1, Site Suitability being 27.10.2, Site Services being 27.10.4, 27.10.5, Additional Information Requirements in Relation to Subdivision/Development Applications in the Residential (Mahia) & Coastal (Mahia) Zones being 28.8.

Hawke’s Bay Regional Council’s submission also refers to General, Objective 8.4.1, Policy 8.5.6, Policy 8.5.7, Policy 8.5.8, Policy 8.5.9, Policy 8.5.10, Policy 8.5.11, Policy 8.5.12, Policy 8.5.13 & Policy 8.5.14. Policy 8.5.15, Policy 8.5.17, Method 8.6.4, Method 8.6.16, Methods (11-12), Explanation and Reasons 8.8 (12), Ch 8.7.7 (12), Ch 27A.1, Rule 27A.1.2(a) (31), Rule 27A.1.2(e) (32), Rule 27A.1.2(f), Rule 27A.1.2(g), Rule 27A.1.2(i), Rule 27A.1.2(k), Rule 27A.1.2 Note, Rule 27A.1.3, Rule 27A.1.6, Rule 27A.1.8, Rule 27A.1.9, Rule 27A.1.9(b)(i), Rule 27A.1.9(c), Rule 27A.1.9, Ch 27A.1.10(a), Ch 27A.1.10(c), Rule 27A.1.11(b), Ch 28.8, Ch 28.8, 31 – CHEPA, 31 – Area subject to flood hazard, 31 – Minor structures and works on private property, 31 – Practicably moved, Soft Engineered Protection, 31 – Hard engineered protection, 31 – Rural activities and Appendix 1 – Justification of Proposed Minimum Lot Size for Residential (Mahia) Zone.

**Jacqui Taylor & Mark Gregory** – Jacqui Taylor and Mark Gregory's submission refers to Coastal (Mahia) Zone, Wairoa, 5,000m<sup>2</sup> minimum lot size, The Objective and Policies of the Wairoa District Plan, Wairoa Coastal Strategy, Coastal Hazards and General.

**Eastern Earth Landscape Architects** – Eastern Earth Landscape Architect's submission refers to Process Concerns being Consultation process regarding the Oraka and Mahanga Structure Plans, Planning maps – poor quality and do not cover all coastline within the plan change area, No Input from Landscape Architecture Profession, Coastal Protection Plan Change 1 Part 1 being Natural Hazards – flawed base report T & T maps, Page 38 inundation distances from coastline make no sense (unless this is Tsunami risk), Subdivision (Page 1) "The subdivision portion of the Plan Change has been initiated partly in response to Wairoa Coastal Strategy...", Coastal (Mahia) Zone and subdivision rules Chapter 15A & Chapter 27, Chapter 28.8 Additional Information requirements, Section 32 Analyses Plan Change Parts 2 and 3 being Missing portions of documents Part 2 Page 2 and part page 1.

**Louise Schick** – Louise Schick's submission refers to 15A Coastal Mahia Zone, 5000m<sup>2</sup> limit to land area, Oppose the 500m distance from waste water system and buffer of 30 metres.

**William Coop** – William Coop's submission refers to Section 18.A.8 Performance Standards/Development Criteria for Permitted and Controlled Activities in the Residential (Mahia) Zone, Section 15.A.8 Performance Standards/Development Criteria for Permitted and Controlled Activities in the Coastal (Mahia) Zone and Opposition to the proposed minimum site sizes.

**Action Planning** – Action Planning's submission refers to 15A.8.1 Minimum Lot Sizes, 15A.8.215% Site Coverage, 15A.8.50 Odour, 15A.8.9 Privacy, Shading & Visual Amenity, 5 Metre yard Setback, 15.8.16 Earthworks and 18A Residential (Mahia) Zone being 18A.7.1 Change rules to allow dwellings to establish under a density provision of 1 per 800m<sup>2</sup> rather than 1 per site, 15A.8.5 Odour, 18A.8.17 Earthworks and Summary.

**A J & L A Steel** - A J & L A Steel's submission refers to 15A Coastal Mahia Zone, 18A Residential Mahia Zone, 18A.8 Performance Standards/Development Criteria and 27A Coastal Hazards.

**John De Lautour** – John De Lautour's submission supports the Hideaway Group subdivision.

**New Zealand Historic Places Trust** – New Zealand Historic Places Trust's submission refers to Archaeological Sites, Threats to historic heritage, New Zealand Coastal Policy Statement, Resource Management Act, Rules, Information Requirements and Conclusion.

Ms Poutasi reported that Information Requirements is part of the hearings report.

**William Greening** – William Greening's submission refers to Not being sensitive to Maori or Whanau lands, Issues will limit us to a law that does not take into account our connection and value and how we live on the land and Within Maoridom Maori titled lands are not saleable, therefore should not be rateable.

**Hawkesbay Collective** – Hawkesbay Collective's submission refers to the objection of 500mm high tide inland, lack of consultation, closing dates for submissions inconsistent.

**Queenie Whaanga** – Queenie Whaanga's submission refers to objecting Plan 1B – Subdivision 32 Assessment, The high water mark 500 and Mahia Spiritual Well being.

**New Zealand Historic Places Trust** – New Zealand Historic Places Trust submission supports the variation to include the whole of the Mahia Peninsula.

**Surveying the Bay** – Surveying the Bay submission refers to 8.5.8 Policy Subdivision, Natural Hazards, reference to use of the word partial in relation to building within the CERZ, 15A Coastal Mahia Zone, the reference to 5000m<sup>2</sup> sites in this zone, Section 27.10.2, relating to the certification of buildings in the Mahia Coastal and Residential Zones, 27.10.3 relating to site service, District Plan Maps, Erosion Risk Zones, Building Site Coverage and the Introduction of the 1000m<sup>2</sup> site size for unserviced lots in the residential zone.

**Environmental Management Services Ltd on behalf of Murray Mexted and Paul Williams** - Environmental Management Services Ltd submission refers to Location of the Residential (Mahia) and Coastal (Mahia) zones at Judges Road, Mahanga, Location of the Current Erosion Risk Line, 2060 Erosion Zone Risk Line and 2100 Erosion Zone Risk Line boundaries at Judges Road, Mahanga, Policy 8.5.7, Method 8.6.12, Rule 15A.7.1, Objective 18A.2.2, Policy 18A.3.4, Rule 18A.7.1, Rule 18A.8.2, Rules 18A.8.3 to 18A.8.17, Performance standard 27.10.2(f), Rules 127A.1.1 and 27A.1.2, Rule 27A.1.5, Rule 27A.1.6 and the Draft Risk Zone Assessment for Mahanga Beach North.

**Opus International Consultants Limited for Ministry of Education** – Opus International Consultants Limited submission on behalf of Ministry of Education refers to Educational Facilities in the amended zones and Definition of Educational Facilities.

**ADJOURNED – 10.30AM  
RECONVENED – 10.53AM**

**Sue Kingsford for Boogie S Cape Ltd** – The submission received from Boogie S Cape Ltd refers to 15A Coastal Mahia Zone, 15A.8.5 and 15A.8.6 Waste Management and opposes the objectives policies and rules proposed in the Coastal Mahia zone.

Mr Stuart reported on sufficient land being used efficiently and dense development.

**Wairoa District Council** – Wairoa District Council's submission refers to Permitted activities for Coastal (Mahia) and Residential (Mahia) zones being Rule 15A.7.1 and 18A.7.1, Performance Standards/Development Criteria for Permitted and Discretionary activities in Coastal (Mahia) and Residential (Mahia) zones being rule 15A.8.1 and 18A.8.1, Rule 15A.8.3 and 18A.8.3, Rule 15A.8.4 and 18A.8.4, Rule 15A.8.7 and 18A.8.7, Rule 15A.8.8 and 18A.8.8, Rule 15A.8.8(1) & (2) and 18A.8.8(1) & (2), Subdivision being Rule 27.9.2 and Specific Performance Standards for Residential (Mahia) and Coastal (Mahia) and Coastal (Mahia) zones being Rule 27.10.3.

**ONTRACK NZ Railways Corporation** – The submission received from ONTRACK NZ Railways Corporation refers to Performance Standard 27.10.7 Works and Network Utilities.

**Bill Livingston** – Bill Livingston submission refers to opposing the Plan Change in its entirety as the hazard lines are based on the Regional Council Tonkin and Taylor Report and Rule 15A.8.1, Minimum Lot Size Coastal (Mahia) Zone and Rule 18A.8.1 Lot Size Residential (Mahia) Zone.

**David Fraser** – The submission received from David Fraser refers to preserving the natural character of the Coastal environment and Mahia Coastal zone for a minimum lot size of 5000m<sup>2</sup> and a maximum volume of earthworks of 50m<sup>3</sup> per year over a maximum of 300m<sup>2</sup>.

**Hawke's Bay Regional Council Further Submission** – Hawke's Bay Regional Council's Further Submission refers to Proposed re-zoning, density and related rules, Section 15A.8.5 & 18A.8.4 Odour Residential and Coastal (Mahia) Zones, Section 18A.8.1 Wastewater Disposal Rules in Residential (Mahia) Zone, Standards/Development Criteria for Permitted Activities in Residential (Mahia) Zone, Section 18A.8.17 Earthworks and the Coastal Hazard Erosion Policy Area.

**ADJOURNED – 11.10AM  
RECONVENED - 11.20AM**

**Ross Muir on behalf of Tui Development Trust Company Limited and David Barton** – Mr Muir read out his Statement of Evidence and referred to his Background, Key Resource Management Issues, The Purpose of the Plan Change, Natural Hazards, Section 32 Resource Management Requirements, Appropriateness of Objectives & Policies, Effectiveness of Plan Change, Costs & Benefits of Plan Change & The Risks of Acting or Not Acting, Process Matters, The Case for the Pukenui Road Overlay, Coastal Natural Character RMA S 6(B), Recommended Planning Approach, Other Matters, Odour Rules 15A.8.4 & 18A.8.5, Earthworks Rules 15A.8.16 & 18A.8.17, Height in Relation to Boundary Rule 15A.8.8B, Specific Rules Within the Proposed Pukenui Road Overlay/CMPA, Definition of Conservation Land & Reserves and Statutory Summary.

**Mr Mark Shelly** – Mr Shelly read out his Statement of Evidence. Mr Shelly's Evidence referred to Rule for Structures relating to height in relation to boundary, Characteristics which contribute to the

Uniqueness, Built form of the existing Mahanga settlement and Aerial photos of parts of Wairoa and Mahanga.

**ADJOURNED – 12.30PM**  
**RECONVENED – 1.12PM**

**Mark Mahoney** - Mark Mahoney submitted his Statement as a Director and Shareholder of Ocean View Estate Limited. Mr Mahoney's statement refers to Executive Summary, Background, Plan Change 1B and Conclusion.

Various questions from the Committee were asked of Mr Mahoney.

**Ocean View Estate Limited** – Peter Holder on behalf of Ocean View Estate Limited submission refers to Coastal Mahanga Policy Area, Current Erosion Risk Zone and Yard Reductions.

**ADJOURNED – 2.00PM**  
**RECONVENED – 2.07PM**

Mr Lawson and Ms Poutasi advised the Committee the major issues they needed to discuss are Mahia Residential Zones, Yard Requirements, Site Coverage, Land East of Pukenui Drive, Earthworks and Provisions of Hazards – Coastal Zone.

**RECONVENED – FRIDAY 20 JULY 2007 @ 8.45am**

**PRESENT:** His Worship the Mayor Mr L Probert

**COUNCILLORS**

S Birrell, D A Eaglesome, D Caves, G McIntyre, B McKinnon, B Shortt

**IN ATTENDANCE:** N Poutasi (Planning Consultant)  
G Thompson (Secretary)

A Reconvened Meeting to hear the Deliberation of the Plan Change 1B was held in the Council Chambers, Coronation Square, Wairoa on Friday, 20 July 2007 at 8.45am.

**Exclusion of the Public**

<b><u>Resolved:</u></b>	<i>That pursuant to Section 48 2(a)(i) &amp; Section 7(2)(g) of the Local Government Information and Meetings Act 1987, the public be excluded on the following grounds:</i>
1.	<i>Section 48 (2) (a) (i)</i>
	<i>(a) Any proceedings before a local authority where-</i>
	<i>(i) A right of appeal lies to any Court or tribunal against the final decision of the local authority in those proceedings or</i>
2.	<i>Section 7(2)(g) – Maintain legal professional privilege.</i>
	<b>Caves/Birrell</b>

His Worship the Mayor explained to the Committee that an error was made in the mail out of the notification of hearing to Environmental Management Services Ltd. Mr Paul Thomas will give his Statement of Evidence who has been retained by Murray Mexted and Paul Williams.

Mr Thomas's submission refers to Introduction, Scope of Evidence, The Residential Mahia Zone, The Risk Lines, Prohibited Activities and Other Matters and Summary.

His Worship the Mayor thanked Mr Thomas for his Statement of Evidence.

**ADJOURNED – 9.45AM**  
**RECONVENED – 9.55AM**

## Exclusion of the Public

<b><u>Resolved:</u></b>	<i>That pursuant to Section 48 2(a)(i) &amp; Section 7(2)(g) of the Local Government Information and Meetings Act 1987, the public be excluded on the following grounds:</i>
	1. Section 48 (2) (a) (i)
	(a) Any proceedings before a local authority where-
	(i) A right of appeal lies to any Court or tribunal against the final decision of the local authority in those proceedings or
	2. Section 7(2)(g) – Maintain legal professional privilege.
	<b>Birrell/Caves</b>

**EXCLUDED FROM:** 9.55 AM

**READMITTED FROM:** 2.57 PM

All decisions of Plan Change 1B will be drafted by Ms N Poutasi and the Committee will be notified.

<b><u>Resolved:</u></b>	<i>That Council accept Schedule of Recommendation &amp; Appendices for Plan Change 1B.</i>	<b><i>His Worship the Mayor/McIntyre</i></b>
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## Guide to Reading Plan Change as Annotated by Decisions

1. The text amendments to the proposed plan change that have occurred by way of Council decisions are identified within the text of the notified plan change.
2. Text to be inserted is shown as underlined (e.g. example). Text to be deleted is shown as struck out (e.g. ~~example~~).
3. Where text was proposed to be inserted (added) as part of the notified plan change but has been deleted by Council's decision then text will be both underlined (shown as proposed in the Notified Plan Change) and struck out to show it has been removed by Council in their final decision. Where this occurs (e.g. ~~example~~) the strike out prevails – i.e.: example would be removed from the text of the notified plan change.
4. Clause 16 of the First Schedule of the RMA has been applied and amendments made – where the alteration is of minor effect, or may correct minor errors: eg: to correct numbering, spelling, consistent use of terms, plan formatting.
5. At present some plan changes may “conflict” with each other i.e.: a new Rule 1.1.1. in two proposed plan changes. This overlap will be amended by using final plan change text after appeals are released and made operative.

### **6. SUBDIVISION, USE AND DEVELOPMENT IMPACTS ON THE COASTAL ENVIRONMENT**

#### **6.5 POLICIES**

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- 6.5.8 Provide a transition from the Residential (Mahia) Zone to the west of Pukenui Road at Mahanga to the beach front of lower density beachside development that recognises the special coastal character of this area and provides for the avoidance, mitigation and remediation of adverse effects on the visual landscape, ecological and coastal hazard environment in this area.

#### **6.6 DISTRICT PLAN METHODS**

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- 6.6.10 Identify a Coastal Mahanga Policy Area to the east of Pukenui Road, Mahanga (as developed at 19 June 2007) to the adjoining Coastal Mahia Zone to provide a transition between the Residential (Mahia) zone and the coast.

## **Resolution Cont'd**

### **8. MANAGING THE EFFECTS OF NATURAL HAZARDS**

#### **8.3 RESOURCE MANAGEMENT ISSUES**

8.3.1 An increase in the potential severity or damage to the environment, people and physical resources resulting from natural hazard events as a result of inappropriate land use, development and subdivision.

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#### **8.4 OBJECTIVES**

8.4.1 ~~To minimise the vulnerability of the community to the effects of natural hazards on people, property, and community services and infrastructure. To provide for, and protect, the life and well-being of people, physical resources and significant environmental values by avoiding the effects of coastal hazards on the use, subdivision and development of land in the ~~Current~~ Coastal Hazard Erosion Policy Area (CHEPA) and by remedying or mitigating the effects of such use, subdivision and development on the coastal environment.~~

#### **8.5 POLICIES**

8.5.6 Policy: Foreshore & River Mouth Protection.  
Maintain or enhance, where possible, the capacity of the active foredune areas and river mouths, to provide unimpeded natural protection against coastal erosion and inundation.

8.5.7 Policy: Managing erosion and inundation hazards.

~~a) New Subdivision or Use:~~

~~Avoidance or mitigation of coastal erosion and inundation hazards is, ~~are~~ the appropriate means of implementing coastal erosion and inundation hazard management for new subdivision; ~~only where avoidance is not practicable is mitigation an appropriate response.~~~~

8.5.8 Policy: Subdivision

~~a) CERZ:~~

~~(i) New lots shall not be created on land wholly located within the CERZ.~~

~~(ii) New lots may be created on land partially located within the CERZ provided a new building platform can be provided outside of the CERZ.~~

**Advisory Note: Any use or development within the CHEPA, as defined within this Plan or the Hawke's Bay Regional Coastal Environment Plan (HBRCEP), may also be subject to the objectives, policies and rules of the HBRCEP and may require resource consent from the Hawke's Bay Regional Council.**

8.5.9 Erosion Risk Zones

~~(a) CERZ~~

~~Subdivision of land wholly or partially within the CERZ shall ensure the maintenance and enhancement of the natural buffering effect of the foredune area.~~

~~(b) 2060 year and 2100 year Erosion Risk Zones~~

~~Due to the lower risk of coastal erosion and inundation in the 2060 year and 2100 year Erosion Risk Zones subdivision may be undertaken in managed circumstances that maintain or enhance the natural buffering effect of the foredune area.~~

#### **8.6 METHODS AVAILABLE USING THE PROVISIONS OF THE DISTRICT PLAN**

8.6.4 Identify a CHEPA along Mahia's open coast within which subdivision is restricted due to risks of erosion and inundation over short -term (the period of current risk), 2060 year and 2100 year planning periods. Record these areas susceptible to natural hazards on planning maps in the District Plan. Provide known hazard related information on LIM's and PIM's (Land Information Memorandums, Project Information Memorandums).

...

### **Resolution Cont'd:**

#### Coastal Hazard Erosion Policy Area CHEPA

8.6.11 Establish a Coastal (Mahia) Zone and Residential (Mahia) Zone.

8.6.12 Prohibit subdivision in the CERZ where land is wholly within the CERZ unless the subdivision is for the purpose of vesting reserves in the local or regional authority or as otherwise identified as a discretionary activity.

8.6.13 Policies 8.5.1 to 8.5.89 shall be implemented by the relevant Rules in the District Plan. These Rules are primarily located in Chapter 27A Coastal Hazards.

8.6.14 Require the provision of Esplanade Reserves upon subdivision and development of land abutting the foreshore, where such land would mitigate natural hazard and/or protect other ecological or resource values.

8.6.15 Support HBRC review, using all available information, the physical extent of the CHEPA.

8.6.16 Where necessary programme additional research and investigation of coastal erosion and inundation hazard risk along residential areas of the open coast through the Annual Plan.

8.6.17 Develop a funding policy which defines recovery and apportionment of costs for ongoing implementation and review of hazard provisions, and for beach replenishment/restoration works.

8.6.18 Support and work with HBRC to ensure the management of Natural Hazard risk is coordinated, consistent and that the development and review of hazard management tools occurs on a regional and cost-effective basis.

### **8.7 EXPLANATION AND REASONS**

#### Coastal Hazard Erosion Policy Area

8.7.6 The coastal erosion and inundation hazard risk within the CERZ is too great to allow subdivision to occur.

8.7.7 The HBRCEP controls the modification, construction or removal of structures and earthworks/vegetation removal within hazard zones. Only subdivision within the CHEPA is managed by Wairoa District Council. Policies are established to avoid, remedy or mitigate the potential adverse effects of subdivision in the CHEPA by prohibiting the addition of new lots solely within the current erosion risk zone and requiring the provision of a building platform outside of the CERZ for any new lots that contain land within the CERZ. Use and development in the CHEPA is likely to be subject to the objectives, policies and rules of the HBRCEP and may require resource consent before proceeding.

8.7.8 Within the 2060 and 2100 Erosion Risk Zones, it is recognised that the potential for risk or damage to property and life is less immediate than that posed by the CERZ and therefore subdivision that conforms to set performance criteria, may occur. Subdivision should allow for reasonable property rights and use but development on parcels created may be required to obtain resource consent from HBRC.

### **8.8 ANTICIPATED ENVIRONMENTAL RESULTS**

8.8.8 Reduction in the net physical risk from coastal erosion and inundation hazards over time.

**Resolution Contd:**

8.8.9.1 Coastal Hazard Erosion Policy Area:

Maintenance of a natural protective buffer area between the open coastline and development so avoiding the need for hazard protection works.

**15A Coastal (Mahia) Zone**

**15A.1 ZONE DESCRIPTION AND ISSUES**

15A.1.1 The coastal environment is sensitive to change from activities, which involve earthworks, disturbance and removal of vegetation, discharges into wetland and the coastal environment, and creation of structures that change the "natural" processes of the ocean.

15A.1.2 Parts of the coastal area have high cultural/spiritual values as well as providing important seafood resources for Maori.

15A.1.3 The coast also supports, and provides access to the sea, for a range of recreational activities such as swimming, surfing, fishing, game bird hunting and diving.

15A.1.4 Inappropriate land uses and development can adversely affect the natural character of the coastal environment. Along much of Wairoa's coastline there has been little demand or pressure for coastal settlement. In recent years there has been increased demand for subdivision in the coastal environment on Mahia Peninsula and this demand is likely to continue. Consistent with the RMA and NZCPS (New Zealand Coastal Policy Statement) Council, in consultation with the community, must identify areas where further subdivision may be appropriate and where it should be avoided, so that the natural character of the area is preserved. Land use practices adjacent to the coastline or within erosion prone catchments can cause changes in water quality, which in turn can affect coastal lagoons, estuaries and wetlands or accelerate the rate of erosion that occurs along unstable cliff faces and within dune areas. There are also many areas in the zone that have high ecological and landscape values that may be adversely affected. For the Mahia Peninsula ~~this area is~~ a specific Coastal (Mahia) Zone is provided.

15A.1.5 Not all land use practices have an adverse effect on the coastal environment. Sometimes land use activities can have positive benefits. For example, re-vegetation of erosion prone areas can reduce coastal erosion. In some cases this must be balanced against the potential loss of scenic values and views of neighbours.

**15A.2 OBJECTIVES**

15A.2.1 Refer to Objectives in Section 6.4 and 8.4.

**15A.3 POLICIES**

15A.3.1 Refer to Policies in Section 6.5 and 8.5.

**15A.4 METHODS TO SUSTAINABLY MANAGE THE COASTAL INFLUENCED ENVIRONMENT**

15A.4.1 Refer to Methods in Section 6.6 and 8.6)

**15A.5 EXPLANATION & REASONS**

15A.5.1 Refer to Explanation & Reasons in Section 6.7 and 8.7)

**Resolution Contd:**

**15A.6 ANTICIPATED ENVIRONMENTAL RESULTS**

15A.6.1 Refer to Anticipated Environmental Results in Section 6.8 and 8.8.

**15A.7 RULES**

**Advisory Note: The undertaking of some of the activities noted above may require resource consent, or written approval as an affected party, from Hawke's Bay Regional Council.**

**Permitted Activities**

15A.7.1 The following are permitted activities within the Coastal (Mahia) Zone provided that compliance with the performance standards of the Coastal (Mahia) Zone is achieved:

- Accessory buildings/activities
- Accommodation facilities (for a maximum of 4 persons)
- Activities on reserves as provided for in the Reserves Act 1977.
- Construction, addition to, or alteration of residential buildings
- Education facilities for a maximum of 10 persons (excluding staff)
- Home Business
- Installation or alteration of antennas
- Maintenance of existing public works and network utilities
- Meteorological activities
- Residential activity/dwelling
- Rural activity
- Soil conservation and water management works
- Temporary activities (other than network utility activities)
- Wetland and wildlife habitats conservation

**Discretionary Activities**

15A.7.2 Any activity unable to comply with one or more of the standards and conditions for permitted activities.

15A.7.3 Activities as specified in Rule 27A.1.4.

**15A.8 PERFORMANCE STANDARDS/DEVELOPMENT CRITERIA FOR PERMITTED AND DISCRETIONARY ACTIVITIES IN COASTAL (MAHIA) ZONE**

**MAXIMUM BUILDING SITE COVERAGE**

15A.8.1. A..... Total building coverage of the site with impermeable surfaces shall not exceed 1.2549% of the net site area (except within the Coastal Mahanga Policy Area).  
B..... Within the Coastal Mahanga Policy Area the total building coverage of the site with impermeable surfaces shall not exceed 10% of the net site area.

**Resolution Cont'd:**

**DENSITY**

15A.8.2 Household density shall not exceed one dwelling per 4.0ha ~~5,000m<sup>2</sup>~~ of the net site area, except in the Coastal Mahanga Policy Area where household density shall not exceed one dwelling per 5.000m<sup>2</sup> of the net site area.

**OR**

For areas of land of less than 5,000m<sup>2</sup> held in one certificate of title first registered before 19 December 2006, one dwelling unit is permitted.

**NOISE**

15A.8.3 All activities shall be designed and conducted to ensure that the following noise limits are not exceeded:

A. At or within the notional boundary of any dwelling or place of assembly:

<u>7am to 10pm</u>	<u>50 dBA L10</u>
<u>10pm to 7am</u>	<u>40 dBA L10</u>
<u>On any day between 10pm – 7am</u>	<u>65 dBA Lmax</u>

B. At or within the boundary of any site in the Coastal (Mahia) Zone other than the site from which the noise is being emitted:

C. Construction Noise Standards

Construction noise from sites shall meet the limits recommended in and shall be measured in accordance with NZS6803:1999 Acoustics Consultation Noise or any superseding codes of practice or standards.

At all times 50 dBA L10

At all times 65 dBA Lmax

**ODOUR**

15A.8.4 Any new dwelling shall be set back 200 metres from any buildings or areas associated with, or developed for, any existing intensive farming activity and its associated oxidation pond, effluent holding pond or waste disposal area or other effluent storage or treatment facility.

15A.8.5 Any building or area associated with or developed for, a new intensive farming activity, oxidation pond, effluent holding pond or waste disposal area, or other effluent storage or treatment facility, shall be set back in accordance with the following separation distances:

**Feature**

**Separation Distance (m)**

From a Town Centre or Coastal (Mahia) Zone Boundary 500

**GLARE**

15A.8.6 Light emissions measured from any site shall not exceed a measurement of 10 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.

15A.8.7 No building or structure shall be finished with materials that create a glare nuisance to neighbouring properties or road users.

### **Resolution Cont'd:**

For the purposes of this rule:

- (a) No part of any surface of any exterior structure or building shall have a reflectance value exceeding 35%
- (b) The term reflectance value shall have the same meaning as used in "BS5252:1976 Framework for colour co-ordination for building purposes".
- (c) This rule shall not apply to any window frames, guttering or downpipes.

### **PRIVACY, SHADING AND VISUAL AMENITY**

15A.8.8 A All buildings shall meet the following bulk and location requirements:

<u>Minimum Front yard</u>	<u>15.0m (refer to Note 1)</u>
<u>Minimum Side yards</u>	<u>15.0m (refer to Note 1)</u>
<u>Minimum Rear yard</u>	<u>15.0m (refer to Note 2)</u>
<u>Maximum Building height</u>	<u>8.0m (refer to Note 2)</u>

NOTE: Front, side and rear yards in the Cosatal (Mahia) Zone may be reduced to not less than 5m with the written approval of the affected neighbour (land owner and occupier including Council where it is the affected neighbour) endorsed on the Plans submitted for building consent.

15A.8.8.B No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary ~~where this is to a residential property.~~

### **SIGNS**

15A.8.9 One on-site advertising sign per property frontage (excluding temporary signs) not exceeding 1.5m<sup>2</sup> in area, or 3.0m<sup>2</sup> in area where the property fronts a State Highway with a designated speed limit in excess of 70kph, (refer to definition of advertising sign in Chapter 31).

15A.8.10 All signs required to be read from the road shall meet the following minimum lettering height size when related to road speed limits:  
(a) less than 70kph 120mm  
(b) greater than 70kph 160mm

15A.8.11 All signs visible from roads (excluding signs required to be erected by statute and warning signs related to aspects of public safety) shall be located at least 15m from any traffic control signs or signals; shall not obstruct driver visibility along the road and at intersections and accessways; and shall not contain any flashing, animated or illuminated components.

15A.8.12 Temporary signs relating to the disposal of property or local or central government election shall not exceed 1.0m<sup>2</sup> in area, for community activities 3.0m<sup>2</sup> and shall not remain on the property for more than 6 months and shall be removed within 7 days following the event.

15A.8.13 When attached to a building no part of the sign shall protrude above the eaves, or when free standing shall not exceed 4.0m in height.

### **HAZARDOUS SUBSTANCES**

15A.8.14 The use, storage, disposal or transportation of hazardous substances shall not exceed the Low Threshold Hazard Factor (refer definitions and Appendix III for examples).

**Resolution Contd:**

15A.8.15 Any activity involving the use, storage, disposal or transportation of hazardous substances on-site, shall ensure that any area or container used, is designed, constructed and managed to prevent any leakages or spills.

**EARTHWORKS**

15A.8.16 A Earthworks activities shall meet the following standards:

<u>Max Vol (m<sup>3</sup>) over any 12 months period per site</u>	<u>50150</u>
<u>Max face height (m)</u>	<u>1.5</u>
<u>Max area of work per site (m<sup>2</sup>)</u>	<u>300500</u>
<u>Proximity to the Coastal Marine Area or any water body as measured from the bank edge at bank full height</u>	<u>No closer than 20m.</u>

**Note: The volume of earthworks is to be measured prior to excavation.**

18A.8.16 B Earthworks undertaken on any site shall ensure that any adverse effects of the activity are mitigated within the site through the use of sediment and erosion controls and dust suppression.

**OTHER DISTRICT WIDE RULES**

15A.8.17 All activities must also comply with the rules contained in the following chapters of this Plan (where relevant):

- Cultural Heritage (Chapter 22)
- Indigenous Vegetation and Habitats of Indigenous Fauna (Chapter 23)
- Access and Parking (Chapter 24)
- Surface of Water (Chapter 25)
- Subdivision (Chapter 27)
- Natural Hazards (Chapter 27A)
- Information Requirements (Chapter 28).

Note: activities associated with the construction and maintenance of utilities are provided

**18 RESIDENTIAL ZONE**

**18.1 ZONE DESCRIPTION AND ISSUES**

18.1.1 The Residential Zone covers the residential areas within Wairoa Township and Mahia Beach. These residential areas are primarily low-to-medium density housing of a variety of styles and types, with lower density housing on the rural/urban fringe. Demand for residential development in Wairoa is low, however, it is relatively high at Mahia Beach. Council considers that these residential areas should be zoned mainly to provide for residential purposes...

18.1.3 Therefore the performance standards encourage a variety of housing styles and types while controlling the extent of non-residential activities and their impacts on residential amenity. Standards have also been set in terms of bulk and location to safeguard privacy, parking and access, traffic generation and hazardous substances. These standards have been set at levels that reflect and or enhance the existing amenity values of the residential areas of Wairoa and Mahia Beach.

**Resolution Cont'd:**

**18.3 POLICIES**

18.3.1 Enable a mixture of housing and lifestyles in urban Wairoa and ~~Mahia Beach~~.

**18.4 METHODS**

18.4.4 Rules and standards to protect and enhance the amenity values of the residential areas of Wairoa and ~~Mahia Beach~~.

**18.5 EXPLANATION & REASONS**

18.5.1 The Residential Zone generally relates to urban Wairoa and ~~Mahia Beach~~. The objectives and policies for the Residential (Mahia) Zone seek to provide flexibility in the types of activities whilst maintaining and enhancing the predominant residential amenity in these areas.

**18A Residential (Mahia) Zone**

**18A.1 ZONE DESCRIPTION AND ISSUES**

18A.1.1 The Residential (Mahia) Zone covers the residential areas within Mahia including Mahia Beach, Waikokopu, Opoutama, Mahanga, Te Mahia and Oraka. The residential areas are primarily low-to-medium density housing of a variety of styles and types, with lower density housing on the rural/urban fringe. Demand for residential development in Mahia is relatively high. Council considers that these residential areas should be zoned mainly to provide for residential purposes.

18A.1.2 Residential areas contain a range of complementary non-residential activities relating to the health, educational, spiritual, cultural, recreational, social and day-to-day economic needs of residents. Many of these require a residential location because of the local service they provide to residents. At the same time, residential areas exhibit the greatest sensitivity to adverse effects such as noise, traffic, parking and loss of privacy.

18A.1.3 Therefore the performance standards encourage a variety of housing styles and types while controlling the extent of non-residential activities and their impacts on residential amenity. Standards have also been set in terms of bulk and location to safeguard privacy, parking and access, traffic generation and hazardous substances. These standards have been set at levels that reflect and or enhance the existing amenity values of the residential areas of Mahia.

18A.1.4 Also of particular importance is the susceptibility of parts of the residential zone in Wairoa to large-scale flooding events. Methods to inform residents and to avoid or limit the effect of natural hazards have been developed within the plan.

**18A.2 OBJECTIVES**

18A.2.1 To maintain and enhance residential amenity values.

18A.2.2 To avoid, remedy or mitigate the adverse effects of non-residential activities in residential areas so as to maintain the amenity values of the area.

18A.2.3 To develop residential areas that avoid or limit the effects of natural hazards.

18A.2.4 To manage utility services and other natural and physical resources in a sustainable manner.

18A.2.5 Refer to objectives in Section 6.4 and 8.4.

**Resolution Cont'd:**

**18A.3 POLICIES**

- 18A.3.1 Enable a mixture of housing and lifestyles in Mahia including Mahia Beach, Waikokopu, Opoutama, Mahanga, Te Mahia and Oraka.
- 18A.3.2 Ensure the design and siting of development maintains residential amenity values and will not reduce sunlight, daylight and privacy to neighbouring properties, and will not generate unacceptable levels of noise, glare, odour or dust.
- 18A.3.3 Enable the establishment of non-residential activities where the activity is compatible in terms of potential effects with the amenity values of the residential area and the environment.
- 18A.3.4 Ensure that the design and construction of new activities that establish on land subject to known natural hazard events take into account the potential threat of the hazard event(s).
- 18A.3.5 Require the treatment and disposal of sewage, wastewater, solid waste and stormwater in a manner that avoids, remedies or mitigates any adverse effects on the environment.
- 18A.3.6 Refer to Policies in Section 6.5 and 8.5
- 18A.3.7 Ensure that site services (wastewater, stormwater, water, electricity, ~~telephone~~) are provided either through connection to existing services or through the provision of new services.
- 18A.3.8 Ensure access to each site it provided in accordance with Council standards.
- 18A.3.9 Ensure traffic generated by any new activity is consistent with the existing environment and does not adversely affect the roading network.

**18A.4 METHODS AND OTHER METHODS**

- 18A.4.1 ~~Identify land known to be susceptible to flood hazards and record on plan maps. Require new lots in the Residential (Mahia) Zone to be provided with services for the disposal and/or treatment of stormwater in a manner that does not result in adverse effects on the environment.~~
- 18A.4.2 Use of LIMs (Land Information Memorandums) and PIMs (Project Information Memorandums) to identify known hazards on a site-specific basis.
- 18A.4.3 Require building floor levels to be set in accord with the provisions of the Building Act 2004 ~~1994~~, to safeguard buildings locating in those areas that are known to be subject to flooding.
- 18A.4.4 Rules and standards to protect and enhance the amenity values of the residential areas of Mahia including Mahia Beach, Waikokopu, Opoutama, Mahanga, Te Mahia and Oraka.
- 18A.4.5 Refer to Methods in Section 6.6 and 8.6.

**18A.5 EXPLANATION AND REASONS**

- 18A.5.1 The Residential (Mahia) Zone generally relates to Mahia including Mahia Beach, Waikokopu, Opoutama, Mahanga, Te Mahia and Oraka. The objectives and policies for the Residential (Mahia) Zone seek to provide flexibility in the types of activities whilst maintaining and enhancing the predominant residential amenity in these areas.

**Resolution Cont'd:**

18A.5.2 Refer to Explanation & Reasons in Section 6.7 and 8.7.

**18A.6 ANTICIPATED ENVIRONMENTAL RESULTS**

18A.6.1 A variety of residential accommodation is available in residential areas together with non-residential activities where adverse effects of the activity can be avoided, remedied or mitigated.

18A.6.2 Refer to Anticipated Environmental Results in Section 6.8 and 8.8

**18A.7 RULES**

**Note: The undertaking of some of the activities noted below may require resource consent, or written approval as an affected party, from Hawke's Bay Regional Council.**

**Permitted**

18A.7.1 The following are permitted activities within the Residential (Mahia) Zone provided that compliance with the performance standards of the Residential (Mahia) Zone is achieved:

- Accessory buildings/activities
- Accommodation facilities (for a maximum of 4 persons)
- Activities on reserves as provided for in the Reserves Act 1977
- Construction, addition to, or alteration of residential buildings
- Education facilities for a maximum of 10 persons (excluding staff)
- Home Business
- Installation or alteration of antennas (other than network utility activities)
- Maintenance of existing public works and network utilities
- Meteorological activities
- Residential activity/dwelling
- Temporary activities
- Wetland and wildlife habitats conservation

**Discretionary Activities**

18A.7.2 Any activity unable to comply with all the standards and conditions for permitted activities.

18A.7.3 Activities as specified in Rule 27A.1.4.

**18A.8 PERFORMANCE STANDARDS/DEVELOPMENT CRITERIA FOR PERMITTED AND CONTROLLED ACTIVITIES IN RESIDENTIAL (MAHIA) ZONE**

**MAXIMUM SITE COVERAGE**

18A.8.1 Total building coverage of the site within impermeable surfaces shall not exceed 40% of the net site area.

**Resolution Cont'd:**

**DENSITY**

18A.8.2 Household density shall not exceed one dwelling per 800m<sup>2</sup> of the net site area for serviced lots or one dwelling per 1000m<sup>2</sup> for unserviced lots

OR

For areas of land of less than 800m<sup>2</sup> held in one certificate of title first registered before 19 December 2006, one dwelling unit is permitted.

**NOISE**

18A.8.3 A All activities shall be designed and conducted to ensure that the following noise limits are not exceeded at or within the boundary of any site in the Residential Zone other than the site from which the noise is being emitted:

<u>7am to 10 pm</u>	<u>50 dBA L10</u>
<u>10pm to 7am</u>	<u>40 dBA L10</u>
<u>On any day between 10pm – 7am</u>	<u>65 dBA Lmax</u>

18A.8.3B Construction Noise Standards

Construction noise from sites shall meet the limits recommended in, and shall be measured in accordance with, NZS6803:1999 Acoustics Construction Noise or any superseding codes of practice or standards.

**ODOUR**

18A.8.4 Any new dwelling shall be set back 200 metres from any buildings or areas associated with, or developed for, any existing intensive farming activity, and its associated oxidation pond, effluent holding pond or waste disposal area or other effluent storage or treatment facility.

18A.8.5 Any building or area associated with, or developed for, a new intensive farming activity, and its associated oxidation pond, effluent holding pond or waste disposal area, or other effluent storage or treatment facility, shall be set back in accordance with the following separation distances:

<u>Feature</u>	<u>Separation Distance (m)</u>
<u>From a Town Centre or Residential (Mahia) Zone Boundary</u>	<u>500</u>

**GLARE**

18A.8.6 Light emissions measured from any site shall not exceed a measurement of 10 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.

18A.8.7 No building or structure shall be finished with materials that create a glare nuisance to neighbouring properties or road users.

For the purposes of this rule:

- (A) No part of any surface of any exterior structure or building shall have a reflectance value exceeding 35%.
- (B) The term reflectance value shall have the same meaning as used in "BS5252:1976, Framework for colour co-ordination for building purposes".
- (C) This rule shall not apply to any window frames, guttering or downpipes.

**Resolution Cont'd:**

**PRIVACY, SHADING AND VISUAL AMENITY**

18A.8.8 A. All buildings shall meet the following bulk and location requirements:

<u>Minimum Front yard</u>	<u>3.0m</u>
<u>Minimum Side yards</u>	<u><del>2.0m</del>1.5m</u>
<u>Minimum Rear yard</u>	<u><del>5.0m</del>3m</u>
<u>Maximum Building height</u>	<u>8.0m <del>(4)</del></u>

~~(4)~~

18A.8.8.B. No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary ~~where this is to a residential property.~~

18A.8.9 Where a non-residential activity is to locate within or adjacent to land zoned "Residential (Mahia)", or adjacent to a residential activity, screening shall be provided along the boundary to a height of 1.8 metres.

**SIGNS**

18A.8.10 One on-site advertising sign per property frontage (excluding temporary signs) not exceeding 1.5m<sup>2</sup> in area, or 3.0m<sup>2</sup> in area where the property fronts a State Highway with a designated speed limit in excess of 70kph, (refer to definition of advertising sign in Chapter 31).

18A.8.11 All signs required to be read from the road shall meet the following minimum lettering height size when related to road speed limits:

- (a) less than 70kph 120mm
- (b) greater than 70kph 160mm

18A.8.12 All signs visible from roads (excluding signs required to be erected by statute and warning signs related to aspects of public safety) shall be located at least 15m from any traffic control signs or signals; shall not obstruct driver visibility along the road and at intersections and accessways; and shall not contain any flashing, animated or illuminated components.

18A.8.13 Temporary signs relating to the disposal of property or local or central government election shall not exceed 1.0m<sup>2</sup> in area, for community activities 3.0m<sup>2</sup> and shall not remain on the property for more than 6 months and shall be removed within 7 days following the event.

18A.8.14 When attached to a building no part of the sign shall protrude above the eaves, or, when free standing, shall not exceed 4.0m in height.

**HAZARDOUS SUBSTANCES**

18A.8.15 The use, storage, disposal or transportation of hazardous substances shall not exceed the Low Threshold Hazard Factor (refer definitions and Appendix III for examples).

18A.8.16 Any activity involving the use, storage, disposal or transportation of hazardous substances on-site, shall ensure that any area or container used, is designed, constructed and managed to prevent any leakages or spills.

**Resolution Cont'd:**

**EARTHWORKS**

18A.8.17 A. Earthworks activities shall meet the following standards:

<u>Max Vol (m3) over any 12 months per site</u>	<u>150</u>
<u>Max face height (m)</u>	<u>3.0</u>
<u>Max area of work per site (m2)</u>	<u>150 for serviced lots</u> <u>400 for un-serviced lots</u>
<u>Proximity to the Coastal Marine Area or any water body as measured from the bank edge at bank full height.</u>	<u>No closer than 20m.</u>

Note: The volume of earthworks is to be measured prior to excavation.

18A.8.17B Earthworks undertaken on any site shall ensure that any adverse effects of the activity are mitigated within the site through the use of sediment and erosion controls and dust suppression.

**OTHER DISTRICT WIDE RULES**

18A.8.18 All activities must also comply with the rules contained in the following chapters of this Plan (where relevant):

- Cultural Heritage (Chapter 22)
- Indigenous Vegetation and Habitats of Indigenous Fauna (Chapter 23)
- Access and Parking (Chapter 24)
- Surface of Water (Chapter 25)
- Subdivision (Chapter 27)
- Natural Hazards (Chapter 27A)
- Information Requirements (Chapter 28).

Note: Activities associated with the construction and maintenance of utilities are provided for in Chapter 26.

**27 Subdivision**

...

**27.6 RULES OTHER THAN RESIDENTIAL (MAHIA) AND COASTAL (MAHIA) ZONES**

...

**27.7 PERFORMANCE STANDARDS/CONDITIONS FOR CONTROLLED ACTIVITIES OTHER THAN RESIDENTIAL (MAHIA) AND COASTAL (MAHIA) ZONES**

...

**27.9 RULES – RESIDENTIAL (MAHIA) AND COASTAL (MAHIA)**

**Controlled Activities**

27.9.1 All subdivision within the Residential (Mahia) Zone provided it complies with 18A.8 and 27.10 General Performance Standards for Residential (Mahia) & Coastal (Mahia) Zones

27.9.2 Subdivision around land use activities subject to resource consent from the Wairoa District Council.

**Resolution Cont'd:**

27.9.3 Subdivision for boundary adjustment purposes.

**Advisory Note: The undertaking of some of the activities noted above may require resource consent or written approval from Hawke's Bay Regional Council.**

**Discretionary Activities**

27.9.4 All subdivision within the Coastal (Mahia) Zone provided it complies with 15A.8 and 27.10 General Performance Standards for Residential (Mahia) & Coastal (Mahia) Zones.

27.9.5 Subdivisions listed in 27A.1.4.

**Non-Complying**

27.9.6 Subdivisions not listed as Controlled, Discretionary or Prohibited or that do not meet 27.10 General Performance Standards for Residential (Mahia) & Coastal (Mahia) Zones.

**Prohibited**

27.9.7 Subdivisions listed in Section 27A.1.6.

**27.10 SPECIFIC PERFORMANCE STANDARDS FOR RESIDENTIAL (MAHIA) & COASTAL (MAHIA) ZONES**

The following performance standards are applied to the Residential (Mahia) and Coastal (Mahia) Zones in addition to Performance Standards 27.7.

**Minimum Lot Size**

27.10.1 Coastal (Mahia) Zone (other than the Coastal Mahanga Policy Area) Minimum lot size of 4.0ha ~~5,000m<sup>2</sup>~~.

Coastal Mahanga Policy Area Minimum lot size of 5,000m<sup>2</sup>.

Residential (Mahia) Zone Minimum lot size of 800m<sup>2</sup> (where reticulated wastewater services are available), 1,000m<sup>2</sup> (where reticulated wastewater services are not available)<sup>1</sup>.

**Site Suitability**

27.10.2 Council may require a report, including certification from an appropriately qualified person(s), stating that the land is suitable for the development proposed or the activities anticipated in the zone, and may include the conditions under which development will be appropriate.

Conditions or information required may include (but is not necessarily limited to):

- (a) Certification that each building area is free from flooding or inundation, erosion, subsidence and thermal ground.
- (b) Matters related to slope stability, foundations of structures, major earthworks including access tracks and roads.
- (c) Ground water table levels.

<sup>1</sup> Note: The maximum dwelling density is one dwelling per 800m<sup>2</sup> of the net site area for serviced lots or one dwelling per 1000m<sup>2</sup> for unserviced lots

**Resolution Cont'd:**

- (d) Earthquake fault lines or other seismic hazard.
- (e) For contaminated sites, a report on the extent and likely effect of the contamination on the proposed activity, including any off-site effects that may occur as a result of disturbance or development of the site.
- The report shall set out the facts relating to the investigation together with test results and other data on which recommendations are based.
- (f) Council may refuse to approve a subdivision or resource consent or in approving the proposal, impose appropriate conditions to avoid high probabilities of accelerated erosion, land slip, flooding or subsidence, or increased adverse effects resulting from contaminants on the site.
- (g).....An assessment of the suitability of the site for on-site domestic wastewater disposal.

See also Section 27A Natural Hazards.

Explanation:

Each new lot created shall be capable of containing a building and shall be suitable and appropriate for the activities provided for in the District Plan.

Note:

In the case of developments within the CHEPA the report produced will be made available to Hawkes Bay Regional Council.

**Site Services**

27.10.3 General

All lots shall be provided with adequate supply of potable water and water for fire fighting purposes, and power and telephone, provision for the disposal of sewage effluent and solid waste, and provision for the disposal and control of stormwater in accordance with NZS 4404:2004 (and any subsequent version) to ensure that:

- Potential future uses in the catchment are able to be served.
- The level of service provided by existing utility services is not compromised.
- Adverse effects on existing infrastructure are minor.

Council requires that all lots that cannot connect to Council's reticulated services be independently served until a supply becomes available. Once services are made available properties are required to connect.

Explanation:

Site services should be able to be provided to a lot to enable a range of land uses to be carried out.

Where reticulated services are provided by agencies other than the Wairoa District Council the Council would require ~~expect to receive~~ written confirmation that ~~power and telephone~~ those services can be supplied from the relevant agencies.

**Resolution Cont'd:**

**27.10.4 Water Supply**

- (a) An adequate reliable safe and efficient supply of potable water including adequate fire protection shall be provided to all new lots or proposed developments.
- (b) In land being subdivided or developed that lies within an area served by a Council water supply, the water reticulation and water supply for fire fighting purposes shall be provided by the developer to the subdivision in such a manner as to enable each lot to be connected to the Council supply system.
- (c) Land being subdivided or developed that lies outside of an area serviced by Council water supply an alternative source shall be utilised until Council supply system is developed. When a council system is developed the subdivision or development are required to connect.
- (d) ~~Alternative sources of water supply for fire fighting are in accordance with the NZFS Fire Fighting Water Supplies Code of Practice.~~ In areas not served by a reticulated Council water supply, the water supply installed (including, but not necessarily limited to, roof water and/or bore water shall be to a standard that enables the pressure and quantity required for fire fighting to be maintained.

NOTE: Guidance should be obtained from the New Zealand Fire Service in determining the suitability of the supply.

Explanation:

Site services should be able to be provided to a lot to enable a range of land uses. An adequate supply of water is necessary for domestic use and fire fighting purposes. This may be provided through a reticulated system or evidence shall be provided that each lot is capable of being provided with such a supply.

**27.10.5 Sewage Disposal**

- (a) Land being subdivided or developed that lies within an area served by a Council Sewerage Scheme the property shall be reticulated and connected to that scheme by the developer.
- (b) Land being subdivided or developed that is not able to be serviced by a Council Sewerage Scheme shall either be serviced by:
- (i) a decentralised wastewater treatment and disposal system constructed by the developer, or
  - (ii) an individual onsite wastewater system, or
  - (iii) on-site holding tanks in accordance with the requirements of the Hawke's Bay Regional Council (HBRC).

Should a resource consent from HBRC be required for the discharge it shall be applied for by the developer when lodging subdivision consent and then transferred to the owner of the new lot.

Where relevant, a copy of the resource consent allowing the discharge of contaminants from the proposed non-reticulated wastewater system, shall be provided to the Wairoa District Council prior to approval of subdivision pursuant to Section 224 of the Resource Management Act, 1991, ~~comply with the requirements of the Hawke's Bay Regional Council (HBRC), or requirements of the Council that meet the HBRC standard concerning septic effluent and water disposal, or be connected to a Council approved reticulation, treatment and disposal system.~~

- (c) Any disposal or treatment areas located off-site, other than to Councils owned systems, shall be protected by easements.

**Resolution Cont'd:**

**27.10.6 Stormwater**

- (a) Domestic stormwater soakage systems must be able to be located landward of the CERZ.
- (b) Over land flow paths shown on the stormwater plan shall be protected by easement from building encroachment.

Note: Earthworks and the placement of domestic stormwater soakage systems within the CHEPA are matters for which HBRC is the consent authority and may require resource consent from that authority.

**27.10.7 Works & Network Utilities**

Utility services shall be provided in accordance with Council's standards.

Services located within a State highway require the written permission of Transit New Zealand.

Services located within railway premises require the written permission of the New Zealand Railways Corporation.

**Explanation:**

~~Site services should be able to be provided to a lot to enable a range of land uses. An adequate supply of water is necessary for domestic use and fire fighting purposes. This may be provided through a reticulated system or evidence shall be provided that each lot is capable of being provided with such a supply.~~

**Roads**

27.10.8 The design and formation of new roads created by subdivision or development shall be to a standard not less than that specified by Council's Engineering Code of Practice. Roads to vest in Council shall be certified as being to this standard or of a higher standard before Council accepts ownership.

**OTHER DISTRICT WIDE RULES**

27.10.9 All activities must also comply with the rules contained in the following chapters of this Plan (where relevant):

- Cultural Heritage (Chapter 22)
- Indigenous Vegetation and Habitats of Indigenous Fauna (Chapter 23)
- Access and Parking (Chapter 24)
- Surface of Water (Chapter 25)
- Subdivision (Chapter 27)
- Natural Hazards (Chapter 27A)
- Information Requirements (Chapter 28)

Note: Activities associated with the construction and maintenance of utilities are provided for in Chapter 26.

**Resolution Cont'd:**

**27A Coastal Hazards**

**27A.1 RULES**

These rules apply to the Coastal Hazard Erosion Policy Area (CHEPA) which is defined as land that comprises the Current Erosion Risk Zone (CERZ), the 2060 year Erosion Risk Zone (2060 year ERZ) and the 2100 year Erosion Risk Zone (2100 year ERZ), being that area of land located between mean high water springs (MHWS) and the landward extent of the 2100 year Erosion Risk Zone boundary.

This is applied as an overlay to the underlying zones within the Mahia Peninsula area being that area subject to Plan Change 1B Coastal (Mahia) and Residential (Mahia) Zones.

27A.1.1 Section 31 also contains definitions for the following terms:

- Building Site Coverage
- Chartered Professional Engineer
- Coastal Hazard Erosion Policy Area (CHEPA)
- Areas subject to flood hazard
- Site
- Serviced lots

**Permitted Activities**

27A.1.2 Activities are permitted by the Wairoa District Plan in accordance with the rules for the underlying land-use zone.

**Permitted Activity Conditions**

27A.1.3 Permitted activities in the CHEPA shall comply with the standards and conditions for permitted activities in the underlying land-use zone.

**Construction, modification and demolition of building, earthworks and vegetation removal within the CHEPA are managed by Hawke's Bay Regional Council (HBRC) in accordance with provisions of the Hawke's Bay Regional Coastal Environment Plan (HBCEP). Activities within the CHEPA are subject to the objectives policies and rules of the HBCEP and may require resource consent from the HBRC.**

**Discretionary Activities**

27A.1.4 The following are discretionary activities:

- (a) Activities that are determined discretionary in accordance with the rules for the underlying land-use zone.
- (b) Subdivision of land or the erection of any building on land (either natural ground level or any artificially created ground level) in areas potentially subject to flood hazard.

**Resolution Cont'd:**

(c) In the CERZ:

(i) Subdivision where:

- land is partly located in the CERZ; and
- the land located within the CERZ is to be held in the certificate of title of the proposed seaward lot; and
- no buildings or structures are proposed on that part of the land located in the

CERZ and a consent notice is registered on the resulting certificate of title to this effect.

(ii) Subdivision of land wholly within the CERZ that is to vest in the ownership of the local or regional authority.

(iii) Boundary adjustments that comply with the boundary adjustment criteria provided for in Rule 27A.1.10(b)(ii).

(c) In the 2060 year and 2100 year Erosion Risk Zones:

(i) Subdivision of land provided that:

- no averaging of lot sizes shall be permitted.
- (ii) Minor boundary adjustments of 2 or more adjacent allotments provided that no additional allotments will be created and the net site area of any proposed allotment created by the boundary adjustment is the same as, or does not differ by more than 5% of, the net site area of that allotment as it existed prior to the boundary adjustment.

**Advisory Note: Other District Plan provisions may require consent from affected parties or require notification. The undertaking of some activities may require resource consent, or written approval as an affected party, from Hawke's Bay Regional Council. The undertaking of some of the activities noted above may also be subject to rules in regional plans. Those activities may not be allowed unless they fully comply with rules in those regional plans or resource consents are obtained from HBRC.**

**Discretionary Activities - Standards and Terms**

27A.1.5 Within the CHEPA

(a) Information Requirements

- (i) The activity shall, where practicable, comply with the permitted activity criteria of the ~~Activity~~ Zone in which it is located. Where there is a conflict with the rules contained in this Chapter, the rules contained in this Chapter shall prevail.

(b) Special Standards and Terms for Discretionary Activities in the 2060 year and 2100 year Erosion Risk Zones:

- (i) On a subdivision, any new lot created which contains land within the CERZ shall be provided with a building platform outside of the CERZ.

**Resolution Cont'd:**

(c) Matters of Discretion

The Council limits the exercise of its discretion to:

- (i) Whether the proposal is consistent with the objectives and policies for Natural Hazards (Chapter 8).
- (ii) The extent to which proposed activities, buildings and structures will be able to be built with minimal disturbance to the foredune.
- (iii) The degree to which the proposed subdivision is likely to:
  - Accelerate, worsen or result in further damage to that land, other land, or structures or buildings caused either directly or indirectly by coastal erosion or inundation.
  - Be subject to damage from erosion and inundation.
  - Compromise the natural buffering ability of the foredune system.
  - Reduce the net risk of coastal erosion and inundation hazards.
- (iv) The general requirements for development or subdivision of land (see Chapter 27).
- (v) The on-going provision of access to the site
- (vi) Any other matter to which Council has limited its discretion in the zone in which the activity occurs.
- (vii) The location of the 2060 year and 2100 year Erosion Risk Zone boundary.

(d) Conditions:

Conditions may be imposed in respect of any of the matters over which discretion is reserved, and may include the following matters:

- (i) Land use consent may require a review of conditions under s128 of the Resource Management Act 1991. This review would be initiated where defined hazard risk circumstances occur on the site particularly:
  - When the crest of the foredune or the top of any dune scarp recedes to a point within 10 metres or less from the nearest part of the building.  
The review will enable the actual risk to be considered at that time, and appropriate mitigation measures implemented through changed consent conditions, should this be deemed necessary, including but not limited to conditions requiring the relocation of any building, structure or other works to the Alternative Building Site and/or further monitoring.
- (ii) Subdivision consent shall include conditions that existing and new lots be provided with practical building platforms. Such requirements and other on-going conditions such as those requiring periodic review shall be registered on the certificate of title for the lot/lots created by way of a consent notice.
- (iii) The general requirements for development or subdivision of land (see Chapter 27).
- (iv) Any other matter to which Council has limited its discretion in the Zone in which the activity occurs.

**Resolution Cont'd:**

**Prohibited Activities**

27A.1.6 (a) In the CERZ:

Subdivision of land that is not provided for as a discretionary activity listed in Rule 27A.1.4(c)(i).

**28.8 ADDITIONAL INFORMATION REQUIREMENTS IN RELATION TO SUBDIVISION/DEVELOPMENT APPLICATIONS IN THE RESIDENTIAL (MAHIA) & COASTAL (MAHIA) ZONES**

An application for subdivision consent shall be accompanied by information contained in Section 28.32 to 28.7.(inclusive) and the following information (where relevant).

- A landscape and visual assessment including the impacts of the subdivision/development on the surrounding environment.
- Details of potential and existing coastal hazards on site and a description of how the proposed subdivision /development may effect these.
- All subdivisions shall consider the necessity of providing stormwater storage facilities to reduce the demand on Council infrastructure and public waterways during short duration, high intensity rainfalls. Provisions to mitigate, avoid or remedy any results adverse environmental effects shall be included in the assessment of environmental effects submitted with the application for subdivision consent.
- Council may require a detailed stormwater plan to ensure that there are no adverse stormwater effects off-site. The plan shall include the location of overland flow paths, where applicable. The applicant shall liaise with the HBRC with regard to discharge consents and shall advise Council of any additional consents required.
- Consideration will be given to the layout of existing reticulation, distribution and transmission lines or pipes.
- An ecological and landscape assessment to be undertaken by a suitably qualified trained professional in the relevant field e.g. ecologist.
- Council may require a detailed wastewater disposal plan to ensure that there are no adverse wastewater effects off-site.
- Council may require the submission of an archaeological assessment of the site to enable the actual and potential effects of the proposed activity on any archaeological assessment should be prepared by a qualified professional archaeologist who is a member of the New Zealand Archaeological Association.
- Council may require the submission of a cultural assessment of the site to enable the actual and potential effects of the proposed activity on sites of cultural heritage value to be assessed. The cultural assessment shall be undertaken by a suitably experienced person acknowledged in the field of cultural assessment.

**Resolution Cont'd:**

**31 DEFINITIONS**

**Accessory building/activity**

means:

- (a) A building, structure or activity that is detached from, and the use/operation of which is incidental to that of, any other principal building(s)/ activity (ies) on the same site, and in relation to a site on which no principal building has been erected, is incidental to the use which may be permitted on the site
- (b) A fence or free-standing wall of a height greater than 2m
- (c) Accessory activities shall not include home business activities.

**Accommodation facility**

means any form of residential accommodation that does not comply with the definition of Residential Activities/dwellings and includes; bed and breakfast facilities, farmstays, boardinghouses, hotels, hostels, motels, camping grounds, retirement villages and resthomes for the rehabilitation and care of any group. Occupancy of any accommodation facility shall be assessed on a person per bed basis (i.e. one single bed equals one person, one double/queen/king size bed equals two persons).

**Antenna**

means that part of a radio communication facility or telecommunication facility used for transmission or reception including dish antennas and antenna mountings but not any supporting mast or similar structure.

**Area subject to flood hazards**

means areas of land identified as part of a subdivision or land use consent application that may be subject to inundation or flood hazard.

**Building Site Coverage**

means that portion of the site area which may be covered by buildings and structures but does not include:

- 1. Eaves 1m or less in width
- 2. Uncovered terraces or uncovered decks less than 1m above ground level
- 3. Driveways
- 4. Footpaths

**Chartered Professional Engineer**

means a person who meets the requirements listed in the Chartered Professional Engineers of New Zealand Act, 2002, or any superseding legislation. The Chartered Professional Engineer (CPE) shall be experienced in the analysis and design of structure and shall have experience in designing modular type structures. The role of CPE for Chapter 27A of the plan is to confirm the suitability of the proposed structures design, consistent with the requirements of the District Plan relating to easily relocatable structures from within the CHEPA if erosion occurs.

**Resolution Cont'd:**

**Coastal Hazard Erosion Policy Area (CHEPA)**

means land that comprises the Current Erosion Risk Zone (CERZ), the 2060 year Erosion Risk Zone (2060 year ERZ) and the 2100 year Erosion Risk Zone (2100 year ERZ), being that area of land located between mean high water springs (MHWS) and the landward extent of the 2100 year Erosion Risk Zone boundary.

**Education Facility**

means land and/or buildings used to provide regular instruction or training and includes pre-schools, schools, tertiary education institutions, work skills training centres, outdoor education centres and sports training establishments.

**Home Business**

means a, craft, business, trade or profession which is carried out in conjunction with and ancillary to a residential activity, that has a gross occupied area (inside and/or outside, excluding carparking and access) of 50m<sup>2</sup> or less and employ no more than one Full Time Equivalent (FTE) staff member not resident in the associated dwelling. Provided that the traffic generated by the Home Business Activity does not increase the total traffic movements to/from the site beyond that anticipated for a permitted residential activity.

**Meteorological activities**

means the establishment and operation of facilities and installations or equipment to measure, collect and distribute meteorological information. This includes telecommunication, radio and satellite links.

**Net Site Area**

**Means.**

- (a) The total area of the site less an entrance strip whether that strip is unencumbered and held in the same ownership as the balance of the site, or owned in common with the owners of other sites, or subject to an easement of right-of-way.
- (b) Where the entrance strip is unencumbered and held in the same ownership as the balance of the lot, the strip shall be deemed to be limited to all that part of the site frontage and has a width of up to 10m in the Coastal (Mahia) Zone and 5m in the Residential (Mahia) Zone.
- (c) Where the entrance strip is held in common ownership or is subject to an easement of right-of-way the strip shall be deemed to include all that area held in common ownership or subject to the easement
- (d) A combination of (b) and (c) may apply.

**Residential activities/dwellings**

means the use of premises for any domestic or related purpose by persons living alone or in family or non-family groups (whether any person is subject to care or supervision), and shall include emergency and refuge accommodation. Residential activity shall not include home business, accommodation facilities or caravans or mobile forms of accommodation unless they are used for residential activities for periods totalling more than six months in any one calendar year. Dwelling means a building or part of a building designed to accommodate one residential activity.

**Resolution Cont'd:**

**Rural activities**

means agriculture, vegetable growing, organic farming, production forestry, conservation forestry, horticulture, floriculture, beekeeping, viticulture, and the keeping and/or breeding of horses, poultry, pigs and other animals, and ancillary activities.

For the purposes of this definition:

(a) Production forestry is the management of land for commercial wood production including the preparation of land for planting, but does not include the harvesting, milling or processing of timber.

(b) Rural activities do not include intensive farming meaning mushroom farming, intensive livestock farming including poultry farms, pig farming of more than 10 pigs, animal feed lots and other activities (whether free range or indoors) which have or require:

(i) no dependency on the qualities of the soils naturally occurring on the site; or

(ii) buildings for the housing and growth of livestock or fungi.

Note: This excludes greenhouses and other buildings used for the growth of vegetative matter.

(c) Ancillary activities includes the fencing of land, constructing accessory buildings or structures, planting shelterbelts, and may include (but is not limited to) the operation of a topdressing strip and helpads, and the application of additives to enhance the life supporting capacity of the soil. This may include (but is not limited to) dairy factory wastewater, whey and dairy factory by-products.

**Site**

means any area of land comprised wholly in one certificate of title or any allotments as defined by the Act, or any allotments linked pursuant to the provisions of section 37 of the Building Act 1991.

**Serviced lots**

means allotment(s) that have available at their boundary reticulated services for wastewater disposal and/or water supply or for which a commitment exists for the provision of these things prior to the construction of dwellings on the allotment(s).

**Soil conservation and water management works**

means the management of land to maintain the quantity, quality, and availability of the soil resources, including works for the purpose of mitigating the impacts of land related hazards including flooding, subsidence and erosion.

**Temporary activities**

means any activity that is of a non-repetitive transient nature and includes entertainment, cultural and sporting events that are a maximum of four days' duration and that do not involve permanent structures. Also military training activity, carried out under the Defence Act, that is of a non-repetitive transient nature and maximum duration of 21 days and which does not involve the building of permanent structures.

## Decisions on Submissions to Plan Change 1B

### General Submissions to the Plan Change

Submission No.	Name	Decision	Reason
17.1	Wairoa Forest & Bird Society	Accept	The submission supports the Plan Change as it provides for the sustainable management of subdivision use and development in the Mahia area.
35	John de Lautour	Reject	The submission does not relate to the Plan
42.1	New Zealand Historic Places Trust	Accept	The submission supports the Plan Change as it provides for the sustainable management of subdivision use and development in the Mahia area.
50.1	David Fraser	Accept	The submission supports the Plan Change as it provides for the sustainable management of subdivision use and development in the Mahia area.
22.1	Queenie Mary Whaanga	Accept in Part	Reticulated wastewater services are to be provided for Mahia where it is practical and cost-effective to do so. Alternative methods of effluent disposal are managed by the HBRC and are required to meet specified standards for health and safety. The Plan Change provides for consideration of wastewater disposal on subdivision consent.
23.30	Hawke's Bay Regional Council	Accept in Part	Plan Change 1B has been prepared in response to these comments and provides a complementary planning structure to the HBRC's PRCEP.
28.9	Eastern Earth Landscape Architects	Accept	The Section 32 assessment was rewritten to take into account the changes as notified in Plan Change 1B.
36.1	New Zealand Historic Places Trust	Reject	There are no specific changes to the District Plan specified in Plan Change 1B that would address the wider issue of heritage protection. The request is therefore beyond the jurisdiction of the Plan Change.
39.2	William Greening	Reject	The Plan Change provides for the sustainable management of land and resources in the coastal Mahia area.
39.3	William Greening	Reject	The Plan Change provides for the sustainable management of land and resources in the coastal Mahia area.
1.1	Te Mana Taiao O Rongomaiwahine	Reject	It was made quite clear at the consultation meetings that were held (as listed in the Section 32 Assessment) that both the Structure Plan and the Plan Change were being consulted on. Residents of Mahia Beach were advised of consultation meetings so that they could also be involved in the Plan Change process even though the Mahia Beach Structure Plan had been completed.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
1.2	Te Mana Taiao O Rongomaiwahine	Reject	Consultation meetings were held at locations central to the local communities enabling a high attendance rate. In many cases the meetings were held at the local marae. Consideration was given in consultation and preparation of the Plan Change to matters raised by tangata whenua
28.1	Eastern Earth Landscape Architects	Reject	Consultation was completed on both the Structure plan and the plan Change prior to notifying and hearing the Plan Change.
39.1	William Greening	Reject	Consultation meetings were held at locations central to the local communities enabling a high attendance rate. In many cases the meetings were held at the local marae. Consideration was given in consultation and preparation of the Plan Change to matters raised by tangata whenua
40.1	Hawke's Bay Collective	Reject	It was made quite clear at the consultation meetings that were held (as listed in the Section 32 Assessment) that both the Structure Plan and the Plan Change were being consulted on. Residents of Mahia Beach were advised of consultation meetings so that they could also be involved in the Plan Change process even though the Mahia Beach Structure Plan had been completed.
20.11	Surveying the Bay	Reject	The Coastal hazard lines have been verified by the Regional Council and it is the District Council's obligation to be consistent with the Regional Plans. It is proposed to undertake a plan change to amend proposed Coastal hazard lines once the Regional Coastal Plan is fully operative.
28.4	Eastern Earth Landscape Architects	Reject	
28.5	Eastern Earth Landscape Architects	Reject	
43.6	Surveying the Bay	Reject	
Advisory Notes throughout Plan Change 1B			Amended for standard formatting. Clause 16, First Schedule RMA

**Submissions on Section 8, Managing the Effects of Natural Hazards**

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
Section 8.4.1			<i>Change Current to Coastal. Clause 16, First Schedule RMA</i>
15.1	<i>Department of Conservation</i>	<i>Accept</i>	<i>The submission supports the sustainable management of resources in the area subject to Plan Change 1B.</i>
34.3	<i>Penny Ann Fishing Company Ltd</i>	<i>Accept in Part</i>	<i>Plan Change 1B has taken into account those elements of duplication of administration between the Regional Council and the District Council and now provides for the complementary administration of the coastal area.</i>
51.3	<i>Archie Packer</i>	<i>Accept in Part</i>	
5.1	<i>Graeme Alexander Campbell</i>	<i>Reject</i>	<i>The objectives and policies provide for the sustainable management of the Oraka Community taking into account the potential for adverse effects from natural hazards over time.</i>
6.1	<i>Mark Rodgers</i>	<i>Accept</i>	<i>The submission supports the objectives as promoting the sustainable management of resources in the area subject to Plan Change 1B.</i>
6.2	<i>Mark Rodgers</i>	<i>Reject</i>	<i>The policies that support the objectives provide for the sustainable management of the land.</i>
15.2	<i>Department of Conservation</i>	<i>Accept</i>	<i>The submission supports the objective as promoting the sustainable management of resources in the area subject to Plan Change 1B.</i>
15.3	<i>Department of Conservation</i>	<i>Accept in Part</i>	<i>The policies that support the objectives provide for the sustainable management of the land. However some changes have occurred in Plan Change 1B to provide for a complementary approach to planning in the coastal area.</i>
15.4	<i>Department of Conservation</i>	<i>Reject</i>	<i>The Policy referred to has been withdrawn from Plan Change 1B.</i>
15.13	<i>Department of Conservation</i>	<i>Reject</i>	<i>The requested new policy is not necessary as it is provided for through Policy 8.5.6.</i>
20.1	<i>Surveying the Bay</i>	<i>Accept</i>	<i>The Policy referred to has been withdrawn from Plan Change 1B.</i>
20.2	<i>Surveying the Bay</i>	<i>Reject</i>	<i>The plain English meaning of the term "partially" is sufficient for an understanding of the Policy.</i>
20.3	<i>Surveying the Bay</i>	<i>Accept</i>	<i>The part of the Policy referred to has been withdrawn from Plan Change 1B.</i>
23.31	<i>Hawke's Bay Regional Council</i>	<i>Reject</i>	<i>Objective 8.4.1 is a clear statement of sustainable management without further qualification.</i>

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
23.32	Hawke's Bay Regional Council	Reject	The proposed policy provides for the sustainable management of foreshore and river mouth areas through "unimpeded natural protection against coastal erosion and inundation". This gives effect to the NZCPS and RPS and is consistent with other Regional Plans and is appropriate insofar as the District is able to complement the broader natural hazard policies and rules of those regional plans.
23.33	Hawke's Bay Regional Council	Accept	The amended policy establishes a priority of avoidance of hazards over mitigation providing for the sustainable management of the land.
23.34	Hawke's Bay Regional Council	Accept	The amended policy provides for the sustainable management of subdivision in the CHEPA.
23.35	Hawke's Bay Regional Council	Accept	The amended policy is not inconsistent with the NZCPS or the Regional Plans
23.36	Hawke's Bay Regional Council	Accept	The amended policy provides for the differing degrees of risk in the coastal environment.
23.37	Hawke's Bay Regional Council	Accept	The amended policy provides for the sustainable management of subdivision in the CHEPA.
23.38	Hawke's Bay Regional Council	Accept	The amended policy is not inconsistent with the NZCPS or the Regional Plans
23.39	Hawke's Bay Regional Council	Accept in Part	Plan Change 1B provides for complementary management of the Coastal Area with the Regional Council and policies related to the development of new infrastructure lie with HBRC. The definitions requested relate to coastal mitigation which also falls to the Regional Council to administer.
23.40	Hawke's Bay Regional Council	Accept	The Policy referred to has been withdrawn from Plan Change 1B
23.41	Hawke's Bay Regional Council	Accept	The Policy referred to has been withdrawn from Plan Change 1B
24.3	Mark Mahoney	Reject	The Policy referred to is consistent with the objective in Plan Change 1B, regional plans and provides for the sustainable management of the coastal environment.
43.1	Surveying the Bay	Reject	The Policy referred to has been withdrawn from Plan Change 1B.
44.3	M Mexted and P Williams	Accept in Part	The submission supports the Policy 8.5.7 which has been amended following the submission to refer to subdivision in a way that is complementary to the HBRC's PRCEP.
6.3	Mark Rodgers	Accept	The submissions support the methods proposed to implement the objective and policies. The methods, subject to the clarification requested, provide for the sustainable management of the environment.
6.4	Mark Rodgers	Accept	
6.5	Mark Rodgers	Accept	

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
15.5	Department of Conservation	Accept in Part	The methods provide for the sustainable management of the resource although some of the Plan Change 1 Methods have been withdrawn to provide for a complementary approach to management with the regional council.
23.42	Hawke's Bay Regional Council	Accept in Part	Method 8.6.4 has been amended in Plan Change 1B to refer to subdivision to provide for a complementary approach to management with the regional council.
23.43	Hawke's Bay Regional Council	Accept	The responsibility for coastal hazards is recognised as being the Regional Council's and the Method has been amended to reflect this.
23.44	Hawke's Bay Regional Council	Accept	The methods promote the cooperation of management responsibilities between the District and Regional Councils.
24.4	Mark Mahoney	Reject	The District Council cannot be inconsistent with the Regional Council's Planning regime.
24.5	Mark Mahoney	Accept in Part	Method 8.6.12 has been clarified to identify when subdivision would be prohibited.
24.6	Mark Mahoney	Reject	The District Plan can not be inconsistent with the requirements of the RMA with regard to Esplanade Reserves.
24.7	Mark Mahoney	Accept in Part	The method has been modified to identify that the responsibility for review is the Regional Council's without nominating a time period.
24.8	Mark Mahoney	Reject	The District Plan methods apply to the whole of the coastline and research over time, rather than the fixed state represented by historic reports.
24.9	Mark Mahoney	Reject	Method 8.6.18 provides for a funding policy to be developed it does not pre-determine that policy which must go through other statutory processes before it can be adopted (if it is determined necessary at all).
44.4	M Mexted and P Williams	Accept in Part	Method 8.6.12 has been clarified to identify when subdivision would be prohibited.
52.42	Hawke's Bay Regional Council (Further Submission)	Accept	The responsibility for coastal hazards is recognised as being the Regional Council's and the Method has been amended to reflect this.
6.6	Mark Rodgers	Accept	Plan Change 1B does not include the paragraphs opposed in the submissions.
6.7	Mark Rodgers	Accept	
15.6	Department of Conservation	Reject	Plan Change 1B modified this section of the Plan Change and does not retain the sections as requested.
20.4	Surveying the Bay	Accept	Plan Change 1B does not include the paragraphs opposed in the submissions.
20.5	Surveying the Bay	Accept	
23.45	Hawke's Bay Regional Council	Accept in Part	Plan Change 1B provides for an amended version of Section 8.8 in general accordance with the HBRC submissions.
23.46	Hawke's Bay Regional Council	Accept	

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
24.10	Mark Mahoney	Accept	Plan Change 1B does not include the paragraphs opposed in the submissions.
24.11	Mark Mahoney	Accept	
24.12	Mark Mahoney	Reject	Section 8.8.9 provides for the maintenance of a natural protective buffer area between the open coastline and development so avoiding the need for hazard protection works.
Methods 8.6.14-19 renumbered as Methods 8.6.13-18			Clause 16, First Schedule, RMA. Minor amendment.

**Submissions on Section 15A, Coastal (Mahia) Zone**

<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
23.1	Hawke's Bay Regional Council	Accept	Plan Change 1B provides the clarification sought in submission 23.1
28.9	Eastern Earth Landscape Architects	Reject	Particular performance standards for landscape impacts are not necessary as activities that are not permitted become full discretionary requiring a full assessment of effects including landscape.
15.8	Department of Conservation	Accept	The description is expanded on to more fully describe the issues referred to in the submissions.
15.9	Department of Conservation	Accept	
23.2	Hawke's Bay Regional Council	Accept in Part	Sections 15A.1.4 and 15A.1.5 have been modified to provide for an integrated approach to planning in the coastal environment.
23.3	Hawke's Bay Regional Council	Accept in Part	
24.13	Mark Mahoney	Reject	Section 15A.1.4 provides an appropriate description of the issues and environment in the Coastal (Mahia) Zone.
40.2	Hawke's Bay Collective	Reject	The inland boundary of the Coastal (Mahia) Zone (and the existing Coastal Zone) is 500m from the MHWS. It is an administrative boundary only Plan Change 1B does not relocate the high tide line.
41.1	Queenie Whaanga	Reject	
15.10	Department of Conservation	Reject	The requested amendments to the Plan Change go beyond the jurisdiction of the Plan Change as they have not been part of the notified process.
28.7	Eastern Earth Landscape Architects	Reject	
15.11	Department of Conservation	Reject	
15.12	Department of Conservation	Reject	
28.8	Eastern Earth Landscape Architects	Reject	
15.14	Department of Conservation	Reject	The requested amendments to the Plan Change go beyond the jurisdiction of the Plan Change as they have not been part of the notified process.
15.15	Department of Conservation	Reject	
23.4	Hawke's Bay Regional Council	Reject	The term referred to is no longer part of Plan Change 1B.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
23.5	Hawke's Bay Regional Council	Accept	The default status of activities in the Coastal (Mahia) Zone as full discretionary provides for the sustainable management of subdivision, use and development in the zone.
24.14	Mark Mahoney	Accept	The list of activities notified in Plan Change 1B provides a greater range of activities in the zone as requested.
24.15	Mark Mahoney	Accept	Prohibited activities has been deleted from Plan Change 1B.
44.5	M Mexted and P Williams	Accept	The submission supports the list of activities in Plan Change 1B.
46.1	Wairoa District Council	Accept	The amendment to 15A.7.1 clarifies that permitted activities are subject to compliance with the permitted activity standards.
2.2	Snow Wilkins Ltd and Action Planning	Reject	The provision of a 1.25% (or 500m <sup>2</sup> ) site coverage in the Coastal (Mahia) Zone (excluding the CMPA) limitation provides for the maintenance of an open landscape along the open coastline as well as providing for appropriate areas around the buildings for domestic wastewater and stormwater disposal.
4.2	P Fenwicke	Reject	
12.2	Wine Country Property Ltd	Reject	
20.6	Surveying the Bay	Reject	
24.17	Mark Mahoney	Reject	
25.2	Osyris Group (Eastland) Ltd	Reject	
31.3	P Robbie	Reject	
37.2	Action Planning	Reject	
43.7	Surveying the Bay	Reject	
46.2	Wairoa District Council	Accept	
23.6	Hawke's Bay Regional Council	Accept	The provision of a definition of net site area ensures that the site remain large enough for the proposed activities exclusive of access areas.
24.18	Mark Mahoney	Reject	The density standard provides for the sustainable management of the coastal environment by maintaining an openness to the area.
43.2	Surveying the Bay	Reject	
46.3	Wairoa District Council	Accept	The inclusion of a construction noise rule provides for development within the zone without having to comply with the more strict noise standards for the zone.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
2.3	Snow Wilkins Ltd and Action Planning	Accept	<i>Rules 15A.8.4 and 15A.8.5 have been amended to make it clear that the rule applies only to the distance between dwellings and intensive farming activities. The concerns raised in the submissions are therefore no longer valid.</i>
4.3	P Fenwicke	Accept	
12.3	Wine Country Property Ltd	Accept	
13.7	Tui Development Trust Company Ltd	Accept	
18.2	Boogie S Cape Ltd	Accept	
23.7	Hawke's Bay Regional Council	Accept in Part	
23.8	Hawke's Bay Regional Council	Accept	
24.19	Mark Mahoney	Accept	
29.2	L Schick	Accept	
31.4	P Robbie	Accept	
37.3	Action Planning	Accept	
46.4	Wairoa District Council	Accept	
Further submission 52.21,	Hawke's Bay Regional Council, supports in part submission 46.4	Accept	
Further submission 52.22,	Hawke's Bay Regional Council, supports in part submission 2.3	Accept	
Further submission 52.23,	Hawke's Bay Regional Council, supports in part submission 4.3	Accept	
Further submission 52.24,	Hawke's Bay Regional Council, supports in part submission 12.3	Accept	
Further submission 52.25,	Hawke's Bay Regional Council, supports in part submission 37.3	Accept	
Further submission 52.27	Hawke's Bay Regional Council, supports in part submission 24.19	Accept	<i>Rules 15A.8.4 and 15A.8.5 have been amended to make it clear that the rule applies only to the distance between dwellings and intensive farming activities. The concerns raised in the submissions are therefore no longer valid.</i>
Further submission 52.28,	Hawke's Bay Regional Council, supports in part submission 13.7 Tui Development Trust Company Ltd	Accept	
46.5	Wairoa District Council	Accept	<i>Rule 15A.8.7 has been amended to clarify how a 'glare nuisance' is to be measured.</i>

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
2.4	Snow Wilkins Ltd and Action Planning	Reject	Rule 15A.8.8 has been modified to clarify when the yards may be reduced and where the height in relation to boundary provisions apply. The rule is retained to provide consistency with other Coastal Zone areas in the District Plan while allowing site by site flexibility. The yards provide for openness in the coastal environment and maintains the coastal landscape.
2.5	Snow Wilkins Ltd and Action Planning	Accept in Part	
4.4	P Fenwicke	Reject	
4.5	P Fenwicke	Accept in Part	
12.4	Wine Country Property Ltd	Reject	
12.5	Wine Country Property Ltd	Accept in Part	
13.8	Tui Development Trust Company Ltd	Reject	
13.9	Tui Development Trust Company Ltd	Accept in Part	
25.3	Osyris Group (Eastland) Ltd	Accept in Part	
31.5	P Robbie	Reject	
31.6	P Robbie	Accept in Part	
37.4	Action Planning	Reject	
37.5	Action Planning	Accept in Part	
46.6	Wairoa District Council	Reject	
46.7	Wairoa District Council	Accept	
2.6	Snow Wilkins Ltd and Action Planning	Accept in Part	Rule 15A.8.16 has been amended to take into account the submissions so that the area and volume of earthworks is more closely aligned to the permitted activities provided for in the zone.
4.6	P Fenwicke	Accept in Part	
12.6	Wine Country Property Ltd	Accept in Part	
13.11	Tui Development Trust Company Ltd	Accept in Part	
23.9	Hawke's Bay Regional Council	Accept	
31.7	P Robbie	Accept in Part	
37.6	Action Planning	Accept in Part	

**Submissions on Section 18A, Residential (Mahia) Zone**

<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
33.3	AJ and LA Steel	Accept	The rules in Section 18A have been retained, in general, to provide for the sustainable management of the Residential (Mahia) Zone.
44.10	M Mexted and P Williams	Accept	
15.10	Department of Conservation	Reject	The objectives in Plan Change 1B provide for the sustainable management of resources in the Residential (Mahia) Zone.
44.6	M Mexted and P Williams	Reject	
15.11	Department of Conservation	Reject	The changes requested have not been consulted on or notified and therefore go beyond the jurisdiction of the Plan Change.
15.12	Department of Conservation	Reject	
23.10	Hawke's Bay Regional Council	Reject	The changes requested are unnecessarily onerous and do not provide for the sustainable management of the Residential (Mahia) Zone.
23.11	Hawke's Bay Regional Council	Reject	Policy 18A.3.5 is amended to include the treatment of wastewater and stormwater to provide for the sustainable management of resources in the Residential (Mahia) Zone.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
23.12	Hawke's Bay Regional Council	Reject	The plain English meaning of the term "new services", being those services that have not previously existed, is sufficient to describe the intent of the policy.
44.7	M Mexted and P Williams	Accept	The submission supports Policy 18A.3.4 as it requires new activities to take natural hazards into account.
23.13	Hawke's Bay Regional Council	Accept	The Methods are amended to provide more clearly for the sustainable management of the residential environment.
23.14	Hawke's Bay Regional Council	Accept	
23.15	Hawke's Bay Regional Council	Accept	
15.15	Department of Conservation	Reject	The inclusion of a new anticipated environmental result in Section 6 of the Operative Plan has not been canvassed as part of Plan Change 1B, and would therefore go beyond the jurisdiction of this Plan Change
Section 18A.3.7			Changing 'the' to 'that'. Clause 16, First Schedule, RMA. Minor amendment
Section 18A.8.1			Amend word 'within' to 'with' Clause 16, First Schedule, RMA. Minor amendment
2.7	Snow Wilkins Ltd and Action Planning	Accept	Section 18A.7 provides for permitted activities as listed rather than a restriction on the number of dwellings. The wider list approach meets the request in the submissions and provides greater flexibility and clarity in the Rules. The default status of discretionary provides for certainty in the administration of the District Plan in areas that are sensitive to change such as the coastal environment.
3.2	Pukenui Views Ltd	Accept	
4.7	P Fenwicke	Accept	
12.7	Wine Country Property Ltd	Accept	
16.1	Ministry of Education	Accept	
23.16	Hawke's Bay Regional Council	Reject	
31.8	P Robbie	Accept	
36.2	New Zealand Historic Places Trust	Accept	
37.7	Action Planning	Accept	
44.8	M Mexted and P Williams	Accept	
45.1	Ministry of Education	Accept in Part	
46.1	Wairoa District Council	Accept	
23.18	Hawke's Bay Regional Council	Accept	
24.20	Mark Mahoney	Reject	
25.5	Osyris Group (Eastland) Ltd	Reject	
46.2	Wairoa District Council	Accept	The submission is accepted as a definition of net site area is provided to clarify the rules.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
2.7	Snow Wilkins Ltd and Action Planning	Accept in Part	The density standard provides for the sustainable management of the residential environment by maintaining the existing residential character and amenity.
3.2	Pukenui Views Ltd	Accept in Part	
4.7	P Fenwicke	Accept in Part	
12.7	Wine Country Property Ltd	Accept in Part	
24.21	Mark Mahoney	Accept	
31.8	P Robbie	Accept in Part	
37.7	Action Planning	Accept in Part	
44.9	M Mexted and P Williams	Accept	
Further submission 52.29,	Hawke's Bay Regional Council, opposes submission 2.7	Accept	The density standard provides for the sustainable management of the residential environment by maintaining the existing residential character and amenity.
Further submission 52.30,	Hawke's Bay Regional Council, opposes submission 4.7	Accept	
Further submission 52.31,	Hawke's Bay Regional Council, opposes submission 12.7	Accept	
Further submission 52.32,	Hawke's Bay Regional Council, opposes submission 37.7	Accept	
46.3	Wairoa District Council	Accept	The inclusion of a construction noise rule provides for development within the zone without having to comply with the more strict noise standards for the zone.
2.8	Snow Wilkins Ltd and Action Planning	Accept	Rules 15A.8.4 and 15A.8.5 have been amended to make it clear that the rule applies only to the distance between dwellings and intensive farming activities. The concerns raised in the submissions are therefore no longer valid.
3.1	Pukenui Views Ltd	Accept	
4.8	P Fenwicke	Accept	
12.8	Wine Country Property Ltd	Accept	
23.19	Hawke's Bay Regional Council	Accept in Part	
23.20	Hawke's Bay Regional Council	Accept	
24.22	Mark Mahoney	Reject	
31.9	P Robbie	Accept	
37.8	Action Planning	Accept	
46.4	Wairoa District Council	Accept	
Further submission 52.26,	Hawke's Bay Regional Council, supports in part submission 3.1	Accept	
46.5	Wairoa District Council	Accept	Rule 15A.8.7 has been amended to clarify how a 'glare nuisance' is to be measured.
13.10	Tui Development Trust Company Ltd	Reject	Rule 18A.8.8 has been modified to clarify when the yards may be reduced and where the height in relation to boundary provisions apply. The rule is retained to provide consistency with other Residential Zone areas in the District Plan while allowing site by site flexibility. The yards provide for the existing residential character and amenity in the zone.
25.6	Osyris Group (Eastland) Ltd	Accept in Part	
46.6	Wairoa District Council	Reject	
46.7	Wairoa District Council	Accept	

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
2.9	Snow Wilkins Ltd and Action Planning	Accept in Part	Rule 18A.8.17 has been amended to take into account the submissions so that the area and volume of earthworks is more closely aligned to the permitted activities provided for in the zone.
3.3	Pukenui Views Ltd	Accept in Part	
4.9	P Fenwicke	Accept in Part	
12.9	Wine Country Property Ltd	Accept in Part	
23.21	Hawke's Bay Regional Council	Accept	
31.10	P Robbie	Accept in Part	
37.9	Action Planning	Accept in Part	
	Further submission 52.37, Hawke's Bay Regional Council, opposes submission 3.3	Accept in Part	
	Further submission 52.38, Hawke's Bay Regional Council, opposes submission 2.9	Accept in Part	
	Further submission 52.39, Hawke's Bay Regional Council, opposes submission 4.9	Accept in Part	
	Further submission 52.40, Hawke's Bay Regional Council, opposes submission 12.9	Accept in Part	
	Further submission 52.41, Hawke's Bay Regional Council, opposes submission 37.9	Accept in Part	
15.16	Department of Conservation	Reject	As the Controlled activity status for land use activities has been withdrawn from Plan Change 1B Rules 18A.9.3 and 18A.9.4 have also been withdrawn.
15.17	Department of Conservation	Reject	

**Submissions on Section 27, Subdivision**

<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
23.24	Hawke's Bay Regional Council	Accept	It is appropriate that subdivision of the types listed, subject to the matters of control listed, are controlled activities to provide for the sustainable management of the land resource.
24.23	Mark Mahoney	Reject	
36.3	New Zealand Historic Places Trust	Reject	
46.8	Wairoa District Council	Accept	

<b>Resolution Cont'd:</b>				
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>	
2.1	Snow Wilkins Ltd and Action Planning	Reject	<p>The minimum lot size in Coastal areas other than the area to the east of Pukenui Road is increased to 4ha to provide for the sustainable management of the coastal environment, maintaining the landscape and taking into account the submissions requesting that larger lot sizes in this area is a more sustainable use of the land.</p> <p>The area to the east of Pukenui Road is recognised as a special character coastal area as a transition between the Residential (Mahia) Zone to the west and the coast. The minimum lot size in this area is retained at 5,000m<sup>2</sup> to maintain this special character.</p> <p>The minimum lot size in the Residential (Mahia) Zone is maintained at 800m<sup>2</sup> (1,000m<sup>2</sup> for unreticulated sites) to maintain the existing residential character and amenity and allow for situations where wastewater is to be disposed on on-site.</p>	
2.10	Snow Wilkins Ltd and Action Planning	Accept		
4.1	P Fenwicke	Reject		
4.10	P Fenwicke	Accept		
6.8	Mark Rodgers	Accept		
7.1	R Barnett	Reject		
9.1	B Lancaster	Reject		
12.1	Wine Country Property Ltd	Reject		
12.10	Wine Country Property Ltd	Accept		
13.5	Tui Development Trust Company Ltd	Reject		
14.1	A Clark	Reject		
18.1	Boogie S Cape Ltd	Reject		
20.6	Surveying the Bay	Accept		
21.1	D Barton	Reject		
24.16	Mark Mahoney	Accept		
25.1	Osyris Group (Eastland) Ltd	Accept		
25.4	Osyris Group (Eastland) Ltd	Reject		
26.1	R Robbie	Reject		
27.1	J Taylor and M Gregory	Reject		
29.1	L Schick	Reject		
30.1	WH Coop	Reject		
30.2	WH Coop	Reject		
31.1	P Robbie	Reject		
33.1	AJ & LA Steel	Reject		
37.1	Action Planning	Reject		
38.1	S Wells	Reject		
43.2	Surveying the Bay	Accept		
43.8	Surveying the Bay	Reject		
49.2	W I Livingstone	Reject		
Further submission 52.1,	Hawke's Bay Regional Council, opposes submission 7.1	Accept		

<b>Resolution Cont'd:</b>				
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>	
Further submission 52.2,	Hawke's Bay Regional Council, submission 9.1	opposes	Accept	<p>The minimum lot size in Coastal areas other than the area to the east of Pukenui Road is increased to 4ha to provide for the sustainable management of the coastal environment, maintaining the landscape and taking into account the submissions requesting that larger lot sizes in this area is a more sustainable use of the land.</p> <p>The area to the east of Pukenui Road is recognised as a special character coastal area as a transition between the Residential (Mahia) Zone to the west and the coast. The minimum lot size in this area is retained at 5,000m<sup>2</sup> to maintain this special character.</p> <p>The minimum lot size in the Residential (Mahia) Zone is maintained at 800m<sup>2</sup> (1,000m<sup>2</sup> for unreticulated sites) to maintain the existing residential character and amenity and allow for situations where wastewater is to be disposed on on-site.</p>
Further submission 52.3,	Hawke's Bay Regional Council, submission 38.1	opposes	Accept	
Further submission 52.4,	Hawke's Bay Regional Council, submission 33.1	opposes	Accept	
Further submission 52.5,	Hawke's Bay Regional Council, submission 37.1	opposes	Accept	
Further submission 52.6,	Hawke's Bay Regional Council, submission 26.1	opposes	Accept	
Further submission 52.7,	Hawke's Bay Regional Council, submission 31.1	opposes	Accept	
Further submission 52.8,	Hawke's Bay Regional Council, submission 27.1	opposes	Accept	
Further submission 52.9,	Hawke's Bay Regional Council, submission 29.1	opposes	Accept	
Further submission 52.10,	Hawke's Bay Regional Council, submission 18.1	opposes	Accept	
Further submission 52.11,	Hawke's Bay Regional Council, submission 21.1	opposes	Accept	
Further submission 52.12,	Hawke's Bay Regional Council, submission 43.2	opposes	Accept	
Further submission 52.13,	Hawke's Bay Regional Council, submission 14.1	opposes	Accept	
Further submission 52.14,	Hawke's Bay Regional Council, submission 2.1	opposes	Accept	
Further submission 52.15,	Hawke's Bay Regional Council, submission 4.1	opposes	Accept	
Further submission 52.16,	Hawke's Bay Regional Council, submission 12.1	opposes	Accept	
Further submission 52.17,	Hawke's Bay Regional Council, submission 30.2	opposes	Accept	
Further submission 52.18,	Hawke's Bay Regional Council, submission 20.6	opposes	Accept	
Further submission 52.19,	Hawke's Bay Regional Council, submission 25.1	opposes	Accept	

Further submission 52.20,	Hawke's Bay Regional Council, opposes submission 13.5	Accept	
20.7	Surveying the Bay	Reject	<i>The determination of site suitability is a function of the assessment prepared as part of a resource consent application. It does not just rely on the list in Rule 27.10.3 but includes the Fourth Schedule of the RMA and also Section 106 and Part II of the Act. The only element that needs to be clearly stated that is not part of these other requirements is the ability of the site to dispose of wastewater. This is to be added to the list while the submissions for other additional clauses are rejected.</i>
23.25	Hawke's Bay Regional Council	Accept in Part	
28.10	Eastern Earth Landscape Architects	Accept in Part	
43.3	Surveying the Bay	Reject	
44.11	M Mexted and P Williams	Reject	
20.8	Surveying the Bay	Accept	<i>Rule 27.10.3 is amended for clarification and to provide flexibility in the provision of power and telephone services.</i>
23.26	Hawke's Bay Regional Council	Reject	
43.4	Surveying the Bay	Accept	
46.9	Wairoa District Council	Accept	
13.23	Tui Development Trust Company Ltd	Accept	<i>The submission is accepted by amending Rule 27.10.4 so that the term 'alternative source' is not used. The amendment provides more clarity and certainty in the administration of the Plan.</i>
8.1	S Wood	Reject	<i>The onsite disposal of wastewater is subject to compliance with the requirements of the Hawke's Bay Regional Council's Plan. Monitoring and enforcement of the regional rules is the responsibility of the Regional Council and cannot be provided for in the District Plan.</i>
23.27	Hawke's Bay Regional Council	Accept in Part	
20.9	Surveying the Bay	Reject	<i>The requirement to provide for overland flow paths provides for the sustainable management of the land and avoids development being flooded.</i>
23.28	Hawke's Bay Regional Council	Reject	<i>Appropriate disposal of stormwater is considered as part of a discretionary resource consent application without making it a non-complying activity.</i>
47.1	ONTRACK NZ Railways Corporation	Accept	<i>The Rail network is an important infrastructure asset and should be taken into account when planning and developing land and services.</i>
Section 27.10.7			<i>Changing 'Current' to 'Coastal'. Clause 16, First Schedule RMA</i>

**Submissions on Section 27A, Coastal Hazards**

<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
15.7	Department of Conservation	Reject	The Department of Conservation requests that Section 27A as notified in Plan Change 1 is retained. This did not occur in Plan Change 1B and the section was amended to provide a complementary regime for the coastal area with the Regional Council.
27.3	J Taylor and M Gregory	Reject	The location of the hazard lines is based on the best advice available at the time Plan Change 1B was notified. It is the responsibility of the Regional Council to verify and determine whether the Tonkin and Taylor report accurately presents the hazard areas. The District Council must not be inconsistent with the Regional Plans and an alternative, or no, hazard lines cannot be provided for in the District Plan. The District Council will continue to take advice on the location of the hazard lines from the Regional Council and amend the District Plan as required.
33.4	AJ & LA Steel	Reject	
23.47	Hawke's Bay Regional Council	Accept	It is appropriate to ensure the good sustainable management of the coastal environment that the CHEPA is applied to all underlying zones.
44.12	M Mexted and P Williams	Accept	It is appropriate to ensure the good sustainable management of the coastal environment that the rules for land use activities within the CHEPA defer to the underlying zone provisions.
13.19	Tui Development Trust Co Ltd	Reject	The word "seaward" is retained in Rule 27A.1.4 as it correctly describes the requirement to hold land that is located within the CERZ in the same certificate of title as that area outside of the CERZ that is to be closest to the sea.
15.7	Department of Conservation	Accept in Part	Parts of Rule 27A.1.4 have been retained from Plan Change 1 as requested by the Department of Conservation.
23.60	Hawke's Bay Regional Council	Accept	Rule 27A.1.4(c)(i) is amended to provide clarity as to what is required as a condition of subdivision to restrict further development.
23.62	Hawke's Bay Regional Council	Accept in Part	The note to Rule 27A.1.4 is amended to provide clarity as to what may be required from the Regional Council providing for the coordination of management between the two authorities.
24.27	Mark Mahoney	Accept in Part	Proposed Rule 27A.1.4 provides for the sustainable management of land that is subject to subdivision in the CHEPA. Part of the Rule has been deleted as the submission requests.
13.21	Tui Development Trust Co Ltd	Accept	The term "activity zone" refers to the underlying land use zone. It is not used anywhere else in the Plan and is amended for clarity.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
23.63	Hawke's Bay Regional Council	Accept	The requirement for building relocation is no longer part of the Plan Change.
24.28	Mark Mahoney	Reject	Section 27A is necessary in the Plan Change so that the Wairoa District Council can continue to be consistent with the Regional Plans, in particular the PRCEP sand to continue to provide for the sustainable management of the coastal environment.
44.13	M Mexted and P Williams	Accept	Rule 27A.1.5(b) provides for the sustainable management of the coastal environment as it allows flexibility and the consideration of activities on a case by case basis.
13.19	Tui Development Trust Co Ltd	Accept	The submission seeks the deletion of the term 'seaward' from Rule 27A.1.6. The term 'seaward' is not used in this clause.
15.7	Department of Conservation	Accept in Part	Parts of Rule 27A.1.6 have been retained from Plan Change 1 as requested by the Department of Conservation.
24.29	Mark Mahoney	Reject	The prohibition of subdivision in the CERZ that does not meet the requirements of the Proposed Plan Change for a discretionary activity provides for the sustainable management of the land resource in that sensitive area.
44.14	M Mexted and P Williams	Reject	
Rule 27A.1.2 Add the word Plan after Wairoa District.			Clause 16, First Schedule, RMA. Minor amendment
Rule 27A.1.3 Expand HBRC and HBRCEP fully.			Clause 16, First Schedule, RMA. Minor amendment

### **Submissions on Section 28.8, Additional Information**

<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
1.4	Te Mana Taiao O Rongomaiwahine	Accept	The requirement to consult cannot be included in the District plan as this is a discretionary aspect of the Resource Management Act. The outcome of any consultation with tangata whenua is already an information requirement in Chapter 28. The requirement for a cultural assessment provides for the integrated assessment of activities where they affect cultural values.
13.24	Tui Development Trust Company Ltd	Accept in Part	The plain English meaning of the word "ecologist" would lead to a reasonable understanding of what that person would be called upon to assess. The example used in the last bullet point in Rule 28.8 may be construed as limiting the assessment and for clarity the example is deleted and the rule amended to refer only to a "suitably qualified professional experienced in the relevant field". The term "landscape" is also deleted from the last bullet point as it is proposed to be included in the first bullet point.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
23.29	Hawke's Bay Regional Council	Accept in Part	The first sentence of the suggested bullet point on wastewater disposal is included in Rule 28.8 as the potential for off-site effects of onsite domestic wastewater disposal is a matter of interest to the District Council. The remainder of the suggested bullet point relates to Regional Council information and is covered in the preceding sections of Chapter 28 included by amendment to the introductory sentence to Rule 28.8.
23.66	Hawke's Bay Regional Council	Accept	For clarity the word 'stormwater' is included in the third bullet point.
23.67	Hawke's Bay Regional Council	Reject	The adverse effects of natural hazards are covered in the preceding sections of Chapter 28 included by amendment to the introductory sentence to Rule 28.8.
28.11	Eastern Earth Landscape Architects	Accept	For clarity the word 'landscape' is included in the first bullet point as it is complementary to but distinct from the 'visual' assessment required.
36.5	New Zealand Historic Places Trust	Accept	The requirement for an archaeological assessment provides for the integrated assessment of activities where they affect archaeological values.

#### **Submissions on Section 31, Definitions**

<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
13.3	Tui Development Trust Company Ltd	Reject	The terms 'Conservation land' and 'reserves' take their meaning from other statutes and are not required to be defined in the District Plan.
13.25	Tui Development Trust Company Ltd	Reject	The term 'Alternative source' is no longer used in the Plan Change.
20.12	Surveying the Bay	Accept	The term 'Building site coverage' includes swimming pools and this is clear from the definition. The sub-paragraphs have been renumbered correctly.
23.68	Hawke's Bay Regional Council	Reject	The responsibility to determine 'inundation risk areas' lies with the Regional Council and is not defined in the District Plan.
23.69	Hawke's Bay Regional Council	Accept	The definition of 'Areas subject to flood hazards' has been amended to identify that applicants are responsible for identifying such areas as part of an application.
23.70	Hawke's Bay Regional Council	Accept	The term 'Minor structures and works on private property' is no longer used in the Plan Change.
23.71	Hawke's Bay Regional Council	Accept	The term 'Practicably moved' is no longer used in the Plan Change.
23.72	Hawke's Bay Regional Council	Accept	The term 'Soft engineered protection' is no longer used in the Plan Change.
23.73	Hawke's Bay Regional Council	Accept	The term 'Hard engineered protection' is no longer used in the Plan Change.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
23.74	Hawke's Bay Regional Council	Accept	The definition of "Rural activities" is amended in Plan Change 1B and no longer refers to "Rural production" and includes the term "Conservation forestry" i.e. the growing of trees for conservation. The plain English meaning of the words used in the definition sufficiently cover the possible land-use activities to not require further definition or amendment.
43.7	Surveying the Bay	Accept	The term 'Building site coverage' includes swimming pools and this is clear from the definition. The sub-paragraphs have been renumbered correctly.
45.2	Ministry of Education	Accept	The term 'education facility' is clearly defined.
46.2	Wairoa District Council	Accept	The term 'net site area' is added to the definitions to provide clarity in the interpretation of rules provided in the Plan Change.
48.1	Tui Development Trust Company Ltd (received late)	Accept	The definition of the term 'serviced lots' is amended to clearly provide for the situation where either reticulated water or sewage disposal is not provided as well as where both are provided.

### **Submissions on Planning Maps**

<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
13.1	Tui Development Trust Company Ltd	Reject	The maps are provided in a form and at a scale that is consistent with the presentation of other District Plan Maps. It is not within the scope of this Plan Change to introduce a new form of Plan presentation.
20.10	Surveying the Bay	Accept	The maps are to be amended to include a graphical scale so that distance can be measured no matter how the maps are printed.
28.2	Eastern Earth landscape Architects	Reject	The maps are provided in a form and at a scale that is consistent with the presentation of other District Plan Maps. It is not within the scope of this Plan Change to introduce a new form of Plan presentation.
43.5	Surveying the Bay	Accept	The maps are to be amended to include a graphical scale so that distance can be measured no matter how the maps are printed.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
5.2	Graeme Alexander Campbell	Reject	The coastal hazard lines shown on the Planning Maps were provided by the Hawke's Bay Regional Council. The hazard lines adopted provide the best available information at the time of notification for users of the District Plan and the information provided is applied consistently to all properties along the coast. It is not appropriate for selected properties to either adopt an alternative hazard line definition or to withdraw from the process of defining the Coastal Hazard Erosion Policy Area at a District Plan level.
13.13	Tui Development Trust Company Ltd	Reject	
44.2	M Mexted and P Williams	Reject	
10.1	Diana and Arthur Symes	Reject	It is not appropriate for selected properties to either adopt an alternative hazard line definition or to withdraw from the process of defining the Coastal Hazard Erosion Policy Area at a District Plan level.
11.1	H Brown	Reject	
1.3	Te Mana Taiao O Rongomaiwahine	Reject	The extension to the residential zoning at Mahanga provides for the likely increase in population at the settlement over a 20 year planning horizon.
3.4	Pukenui Views Ltd	Reject	It is not unusual for zone boundaries to cut across lots rather than follow lot boundaries. Reducing the area available for residential would not provide for the sustainable management of residential land at Mahanga and increasing the area to include the wetland would not provide for the sustainable management of the wetland area.
13.2	Tui Development Trust Company Ltd	Accept	The land to be included in the Conservation and Reserves Zone is that area already provided for reserves as part of the subdivision process.
13.6	Tui Development Trust Company Ltd	Reject	The land to be provided for residential use at Mahanga is in a location and of an extent that will provide for the integrated and orderly growth of the settlement.
24.1	Mark Mahoney	Accept in Part	The land to the east of Pukenui Road is currently zoned Coastal in the Operative Wairoa District Plan and no change (other than the name and those rules described in Plan Change 1B) is proposed.  The Conservation and Reserves Zone notation has been removed to reduce confusion. The reserve area is made up of sand dunes and is provided for as part of the subdivision process, consent notices and consent conditions.
29.3	L Schick	Accept	The Panel acknowledges the value of the Department of Conservation covenant on the submitters property. Rule 18A.8.17 provides for a buffer for earthworks in the proximity of a water body of 20m. No further change is needed.
33.2	AJ and LA Steel	Reject	No basis provided for relief sought.

<b>Resolution Cont'd:</b>			
<b>Submission No.</b>	<b>Name</b>	<b>Decision</b>	<b>Reason</b>
44.1	M Mexted and P Williams	Accept	Plan Change 1B did not intend to change the settlement zone boundary in this location from the Operative District Planning Maps. The Residential (Mahia) zone should be amended to include the previous settlement zoned land in this location.
34.1	Penny Ann Fishing Company Ltd	Accept	The area is surrounded by Residential (Mahia) zoned land and is suitable for residential development. The Residential (Mahia) Zone provides for the sustainable management of this area of land.
51.1	Archie Packer	Accept	
6.10	Mark Rodgers	Reject	The coastal hazard lines shown on the Planning Maps are provided by the Hawke's Bay Regional Council. The hazard lines adopted at Oraka provide the best available information for users of the District Plan including the residents at Oraka. The most up-to-date information available from the Hawke's Bay Regional Council is to be included in the Planning Maps prior to the decision on Plan Change 1B.
Planning Map 58			Remove industrial area from Planning Map 58. It does not form part of Plan Change 1B. Clause 16, First Schedule, RMA. Minor amendment.
Plan Change 1B Planning Maps			All Plan Change 1B Planning Maps to have scales added. Clause 16, First Schedule, RMA. Minor amendment

**CLOSED:** The meeting closed at 3.00pm

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Chair