

## Recommended 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.
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. A further recommendation is that the District Planning Maps be updated with the latest data available from the Regional Council before the decision on Plan Change 1B is notified.
28.4	Eastern Earth Landscape Architects	Reject	
28.5	Eastern Earth Landscape Architects	Reject	
43.6	Surveying the Bay	Reject	

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

Submission No.	Name	Decision	Reason
15.1	Department of Conservation	Accept	The submission supports the sustainable management of resources in the area subject to Plan Change 1B.

34.3	Penny Ann Fishing Company Ltd	Accept in Part	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.
51.3	Archie Packer	Accept in Part	
5.1	Graeme Alexander Campbell	Reject	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.
6.1	Mark Rodgers	Accept	The submission supports the objectives as promoting the sustainable management of resources in the area subject to Plan Change 1B.
6.2	Mark Rodgers	Reject	The policies that support the objectives provide for the sustainable management of the land.
15.2	Department of Conservation	Accept	The submission supports the objective as promoting the sustainable management of resources in the area subject to Plan Change 1B.
15.3	Department of Conservation	Accept in Part	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.
15.4	Department of Conservation	Reject	The Policy referred to has been withdrawn from Plan Change 1B.
15.13	Department of Conservation	Reject	The requested new policy is not necessary as it is provided for through Policy 8.5.6.
20.1	Surveying the Bay	Accept	The Policy referred to has been withdrawn from Plan Change 1B.
20.2	Surveying the Bay	Reject	The plain English meaning of the term “partially” is sufficient for an understanding of the Policy.
20.3	Surveying the Bay	Accept	The part of the Policy referred to has been withdrawn from Plan Change 1B.
23.31	Hawke’s Bay Regional Council	Reject	Objective 8.4.1 is a clear statement of sustainable management without further qualification.
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	
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 integration 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	

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.

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

Submission No.	Name	Decision	Reason
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	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.
15.14	Department of Conservation	Reject	
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.
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 10% site coverage 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.  The provision of a definition of net site area ensures that the site remain large enough for the proposed activities exclusive of access areas.
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.
2.3	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.
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	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.
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	Rule 15A.8.7 has been amended to clarify how a 'glare nuisance' is to be measured.
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

Submission No.	Name	Decision	Reason
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.
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

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	The site coverage of 40% provides consistency with the existing residential environment, which was determined in consultation as being an acceptable environment.
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.
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	
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	
2.1	Snow Wilkins Ltd and Action Planning	Reject	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.
2.10	Snow Wilkins Ltd and Action Planning	Accept	
4.1	P Fenwicke	Reject	
4.10	P Fenwicke	Accept	
6.8	Mark Rodgers	Accept	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.
7.1	R Barnett	Reject	
9.1	B Lancaster	Reject	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.
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	<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>
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	
Further submission 52.2,	Hawke's Bay Regional Council, opposes submission 9.1	Accept	
Further submission 52.3,	Hawke's Bay Regional Council, opposes submission 38.1	Accept	
Further submission 52.4,	Hawke's Bay Regional Council, opposes submission 33.1	Accept	
Further submission 52.5,	Hawke's Bay Regional Council, opposes submission 37.1	Accept	
Further submission 52.6,	Hawke's Bay Regional Council, opposes submission 26.1	Accept	
Further submission 52.7,	Hawke's Bay Regional Council, opposes submission 31.1	Accept	
Further submission 52.8,	Hawke's Bay Regional Council, opposes submission 27.1	Accept	
Further submission 52.9,	Hawke's Bay Regional Council, opposes submission 29.1	Accept	

Further submission 52.10,	Hawke's Bay Regional Council, opposes submission 18.1	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 52.11,	Hawke's Bay Regional Council, opposes submission 21.1	Accept	
Further submission 52.12,	Hawke's Bay Regional Council, opposes submission 43.2	Accept	
Further submission 52.13,	Hawke's Bay Regional Council, opposes submission 14.1	Accept	
Further submission 52.14,	Hawke's Bay Regional Council, opposes submission 2.1	Accept	
Further submission 52.15,	Hawke's Bay Regional Council, opposes submission 4.1	Accept	
Further submission 52.16,	Hawke's Bay Regional Council, opposes submission 12.1	Accept	
Further submission 52.17,	Hawke's Bay Regional Council, opposes submission 30.2	Accept	
Further submission 52.18,	Hawke's Bay Regional Council, opposes submission 20.6	Accept	
Further submission 52.19,	Hawke's Bay Regional Council, opposes submission 25.1	Accept	
Further submission 52.20,	Hawke's Bay Regional Council, opposes submission 13.5	Accept	
20.7	Surveying the Bay	Reject	
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	Rule 27.10.3 is amended for clarification and to provide flexibility in the provision of power and telephone services.
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	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.
8.1	S Wood	Reject	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.
23.27	Hawke's Bay Regional Council	Accept in Part	
20.9	Surveying the Bay	Reject	The requirement to provide for overland flow paths provides for the sustainable management of the land and avoids development being flooded.
23.28	Hawke's Bay Regional Council	Accept	The disposal of stormwater within the CHEPA may cause adverse effects on the stability of the foredune and should only be undertaken outside of this area.
47.1	ONTRACK NZ Railways Corporation	Accept	The Rail network is an important infrastructure asset and should be taken into account when planning and developing land and services.

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

Submission No.	Name	Decision	Reason
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 integration 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.

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	

**Submissions on Section 28.8, Additional Information**

Submission No.	Name	Decision	Reason
1.4	Te Mana Taiao O Rongomaiwahine	Accept	<p>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.</p> <p>The requirement for a cultural assessment provides for the integrated assessment of activities where they affect cultural values.</p>

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 “ <i>suitably qualified professional experienced in the relevant field</i> ”. The term “ <i>landscape</i> ” is also deleted from the last bullet point as it is proposed to be included in the first bullet point.
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.
23.74	Hawke's Bay Regional Council	Accept	The definition of " <i>Rural activities</i> " is amended in Plan Change 1B and no longer refers to " <i>Rural production</i> " and includes the term " <i>Conservation forestry</i> " 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

Submission No.	Name	Decision	Reason
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.

5.2	Graeme Alexander Campbell	Reject	The coastal hazard lines shown on the Planning Maps are provided by the Hawke's Bay Regional Council. The hazard lines adopted provide the best available information 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. However, the most up to date information will be provided in Plan Change 1B prior to notification of the decisions.
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	<p>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.</p> <p>The land to be included in the Conservation and Reserves Zone is that area already provided for reserves as part of the subdivision process.</p>
29.3	L Schick	Accept	<p>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.</p>
33.2	AJ and LA Steel		To be determined at the Hearing
44.1	M Mexted and P Williams	Reject	<p>Proposed Plan Change 1B does not change the zone boundary in this area from the Operative District Planning Maps. Zone boundaries crossing lots is not uncommon and in this case it clearly defines that area that provides for the sustainable management of the residential area of Mahanga. Further extension of the Residential (Mahia) zone to the north would stretch the future settlement over a wider area taking it beyond the nominal 400m walk to the 'centre' of the settlement. Extending the zone boundary to the Lot boundary would create a much larger extent of residential land that would potentially be developed over a longer time frame. The uptake of residential land should be monitored and if there is an identifiable pressure in this area additional land be zoned as part of a general Plan Review in the future. Alternatively the landowners may pursue a private plan change.</p>
34.1	Penny Ann Fishing Company Ltd	Accept	<p>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.</p>
51.1	Archie Packer	Accept	

6.10	Mark Rodgers	Reject	<p>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.</p>
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