

Before the Hearings Panel

At Central Hawke's Bay District Council

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Central Hawke's Bay District Plan

Between **Various**

Submitters

And **Central Hawke's Bay District Council**

Respondent

**Council Reply on 'Natural Features and Landscapes' and 'Coastal Environment' Topics –
Hearing Stream 1 – Rowena Clare Macdonald**

On behalf of Central Hawke's Bay District Council

Date: 8 April 2022

Introduction

1. My full name is Rowena Clare Macdonald. I am a Principal Planner and Director of Sage Planning (HB) Limited.
2. I have read the evidence and statement provided by submitters relevant to the Section 42 Reports on Natural Features and Landscapes and on the Coastal Environment (including Coastal Settlements)', and the legal submissions relevant to both of these Section 42A Reports. I also attended the hearing on Monday 14 March and Tuesday 15 March 2022 when relevant matters were discussed.
3. I have prepared this reply statement on behalf of the Central Hawke's Bay District Council (**Council**) in respect of matters raised through Hearing Stream 1.
4. Specifically, this reply statement addresses matters raised in the Section 42A Report - Natural Environment – Natural Features and Landscapes, and the Section 42A Report – Coastal Environment (including Coastal Settlements) and in the evidence and statements by submitters for the hearing.
5. I am authorised to provide this evidence on behalf of the Council.

Qualifications, Experience and Code of Conduct

6. My qualifications and experience are as set out in Section 1.1 of the two relevant Section 42A Reports.
7. I can confirm that I am continuing to abide by the Code of Conduct of Expert Witnesses set out in the Environment Court's Practice Note 2014.

Scope of Reply

8. Section 42A report authors have been asked to submit a written reply by close-of-business on Friday, 8 April 2022.
9. The main topics addressed in this reply include:
 - Natural Features and Landscapes
 - a. Policy NFL-P2
 - b. Policy NFL-P5
 - c. Significant Amenity Features
 - d. Schedule NFL-SCHED6
 - e. ONF-5 Nga Kaihinaki A Whata & Te Whata Kokako
 - Coastal Environment (including Coastal Settlements)
 - f. Objective CE-O2
 - g. Provision for Firefighting Water Supply
10. I have followed the structure of the s42A report in this reply as I address the above matters.
11. If I have not addressed a matter in this Reply that was raised by a submitter throughout the hearings process, I have nothing further to add to what I have set out in the Section 42A Report or evidence given at the Hearing.
12. Appendix 1 of this reply contains a list of materials provided by submitters including expert evidence, legal submissions, submitter statements etc. This information is all available on the Proposed District Plan Hearings Portal on the Council website.
13. Appendix 2 contains recommended amendments to PDP provisions, with updated recommendations differentiated from those made in Appendix A of the respective Section 42A Report.

14. Appendix 3 has an updated table of recommended responses to submissions and further submissions, with updated recommendations differentiated from those made in the table in Appendix B of the respective Section 42A Report.
15. Appendix 4 addresses specific questions and directions from the Panel (including that set out in Minute 6), with cross-referencing to the body of this reply where appropriate.

Natural Features and Landscapes

Policy NFL-P5 (Mākāroro Gorge)

16. The Panel requested (paragraphs 5 & 7 of Minute 6) that Council's legal counsel provide legal submissions on, and that the Reporting Officer specifically address, proposed Policy NFL-P5 '*To recognise the regional social and economic significance of water storage within ONF-4 (Mākāroro Gorge)*' in response to matters arising during the hearing.
17. In addressing this policy, the Panel has further requested that the Reporting Officer address whether this policy or a broader district-wide policy on water resources would be better placed in the Strategic Vision of the PDP (in particular, the section on the Rural Land Resource), including whether there is scope for making such a change.
18. In responding to this request, I note the following material provided by the submitters in relation to Policy NFL-P5:
 - i. the legal submissions of May Downing (legal counsel), the speaking notes and table presented to the Panel by Tom Kay, and the subsequent Responses to Panel Questions outlined in a Memorandum to the Panel submitted on behalf of the Royal Forest and Bird Protection Society of New Zealand Incorporated;
 - ii. the speaking notes presented to the Panel by Clint Deckard;
 - iii. the verbal presentation of Trevor Le Lievre;
 - iv. the statements (and various attachments) tabled by Kathryn Bayliss, relating to Policy NFL-P5 and the Principal Reasons in the NFL – Natural Features and Landscapes chapter;
 - v. the verbal presentation of Hugh Ritchie on behalf of Water Holdings Hawke's Bay;
 - vi. the verbal presentation of Mike Petersen on behalf of the Tukituki Water Security Project; and
 - vii. the verbal presentation to the Panel by Liz Munroe (along with speaking notes); and
 - viii. the letter tabled from Ngā hapū me ngā marae o Tamatea formally withdrawing their further submission (FS5.082) relating to this policy.
19. Firstly, I address the policy itself, in response to matters arising during the hearing. The evidence presented during the hearing was both opposing and supporting Policy NFL-P5.
20. Opposition to the policy can be summarised as follows:
 - the social and economic significance of the Ruataniwha Water Storage Scheme (RWSS) was identified as 'contentious and contested'... the Board of Inquiry noted *[1121] In the Board's view there must be an element of conjecture about whether the predicted social effects arising from the development of the RWSS will occur...* and *[1123]...the Board concludes that there will be both positive and negative social effects if the RWSS is implemented...*¹;
 - the policy does not follow the National Policy Statement for Freshwater Management 2020 in terms of the hierarchy of obligations in Te Mana o te Wai² (clause 1.3(5)) that prioritises:
 - (a) *first, the health and well-being of water bodies and freshwater ecosystems*

¹ speaking notes from Clint Deckard, and the statements tabled by Kathryn Bayliss.

² speaking notes from Clint Deckard, and the statements tabled by Kathryn Bayliss

- (b) *second, the health needs of people (such as drinking water)*
- (c) *third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

- the Mākāroro Gorge has significant biodiversity and landscape values, recognised in part of its status as part of the Ruahine Forest Park³;
- the Supreme Court confirmed that land required for the RWSS dam could not be legally obtained, and that there is ‘no feasible path around this fatal obstacle’⁴
- the policy ‘attempts to pre-empt and ‘lock in’ an activity which, while consented, is not possible or appropriate for a variety of reasons, including because of the recognised values in the [Ruahine] Forest Park’⁵;
- the PDP ‘should not attempt to ‘pave a way’ for consenting of a similar proposal in future’⁶;

21. Support for the policy can be summarised as follows:

- climate change and lack of water are significant issues for Central Hawke’s Bay – technical assessments conclude there is a shortfall of water in the Tukituki River at Red Bridge of about 20 million cubic metres, and water storage is the key to meeting this shortfall⁷;
- the policy acknowledges the future development of water storage in this catchment – the Mākāroro Gorge remains identified as the best site for catchment level storage (not many options of sites that could store catchment-level water)⁸;
- Tamatea are in a post-settlement position and able to enter economic development – they supported water storage when being mooted in 2014 (RWSS) – the Treaty Settlement Agreement in principle made available \$20 million to be advanced to enable Tamatea to invest in the RWSS⁹;
- planning documents need to recognise and provide for the post-settlement environment and facilitate the entry of Māori into the economic development of the region¹⁰;
- no denying the environmental effects, and considerable money set aside to mitigate these effects, but the RWSS did not fail for environmental concerns¹¹;
- question why water storage in this location is inconsistent with Te Mana o te Wai – Te Mana o te Wai is a matter for local definition by the local hapū¹²;
- RWSS consents are still valid, and the Project Steering Group are working with Tangata Whenua to resolve issues around DOC land – giving effect to RWSS consents is still considered a possibility¹³.

22. Having considered the presentations from submitters during the hearing, both for and against, I remain of the view that Policy NFL-P5 is appropriate in the PDP. I consider that as a policy, not a rule, it does not make water storage activities a Permitted Activity, nor does it lessen the application of other objectives and policies in the NFL – Natural Features and Landscapes chapter which require protection.

³ speaking notes from Tom Kay, Forest & Bird

⁴ speaking notes from Clint Deckard

⁵ speaking notes from Tom Kay, Forest & Bird

⁶ speaking notes from Tom Kay, Forest & Bird

⁷ verbal evidence of Mike Petersen, Tukituki Water Security Project, Hugh Ritchie, Water Holdings Hawke’s Bay, and speaking notes from Liz Munroe

⁸ verbal evidence of Hugh Ritchie, Water Holdings Hawke’s Bay

⁹ speaking notes from Liz Munroe

¹⁰ speaking notes Liz Munroe

¹¹ speaking notes from Liz Munroe

¹² speaking notes from Liz Munroe

¹³ verbal evidence of Mike Petersen, Tukituki Water Security Project, and speaking notes from Liz Munroe

23. I disagree that the policy invokes a presumption that water storage should occur and that it is necessarily appropriate within ONF-4. In my view, it does not 'pave the way' for land use consents in support of any water storage proposal to be automatically granted. The policy uses the words 'to recognise', which suggests acknowledging the existence or validity, or to 'be fully aware or cognisant of' something. Had that been the intention been to 'pave the way' for water storage, the policy could have used terminology demanding a positive action in the same way that a policy 'to enable', 'to provide for' or 'to ensure' would. Rather, the policy was an attempt to recognise that the landscape values present in this specific area occur within the context of other values – in this case, the regional social and economic significance of water storage. In my view, the submitters' focus on this one policy overplays its significance, when it is only one of a number of applicable policies in the PDP all of which need to be considered in the context of a specific proposal.
24. The fact that this policy is not intended to 'pave the way' for the RWSS or a variant of it is supported by the fact that there has been no rule suggested to implement NFL-P5. As a policy, it comes into play only when a resource consent for a Restricted Discretionary, Discretionary or Non-Complying Activity is required, and will only apply in the limited circumstances described by Ms Davidson in her legal submissions (essentially, new, altered or extended resource consent applications or designation related to water storage within the physical extent of ONF-4).
25. In my view, the policy merely 'recognises' matters a decision maker is likely to be taking into account anyway, as part of a comprehensive section 104 or s168A RMA assessment of any new or amended consents or designations – in that sense, it does signal that the regional social and economic significance of water storage in this location is a reasonable and appropriate matter to consider in the process of recognising and providing for the protection of this outstanding natural feature from inappropriate subdivision, use and development (being a matter of national importance under section 6(b) of the RMA). In that sense, I am of the opinion that Policy NFL-P5 is consistent with achievement of Objective NFL-O1, which requires retention and protection of outstanding natural features and landscapes from inappropriate subdivision, use and development, alongside Policies NFL-P3 and NFL-P4. Therefore, I consider the policy is not inappropriate within the context of the NFL – Natural Features and Landscapes chapter, where it lies.
26. I note the submissions from Council's legal counsel in response to the Panel's request to consider the effect of Policy NFL-P5 on the RWSS Consents and their implementation, arrives at a similar conclusion (in paragraph 7), as follows:
- 'Importantly, none of the processes where NFL-P5 will or might be relevant direct a particular outcome. They direct the decision-maker to have regard to or take into account recognition of the regional social and economic significance of water storage, as one factor among all other relevant objectives and policies of the District Plan, and other matters referenced in s 104 and s 168A. In the case of ONF-4, which is proposed to apply to the Mākāroro Gorge, such other provisions include NFL-O1 which requires retention and protection of outstanding natural features from inappropriate use and development, and NFL-P3 which requires protection of the District's outstanding natural features in various ways.'*
27. In the specific case of the RWSS consents, I refer the Panel to the map below showing the extent of ONF-4 with the RWSS dam area, spillways, and water storage area shown, taken from the Council's 'Landscape Assessment Report' (and reproduced in my section 42A report):

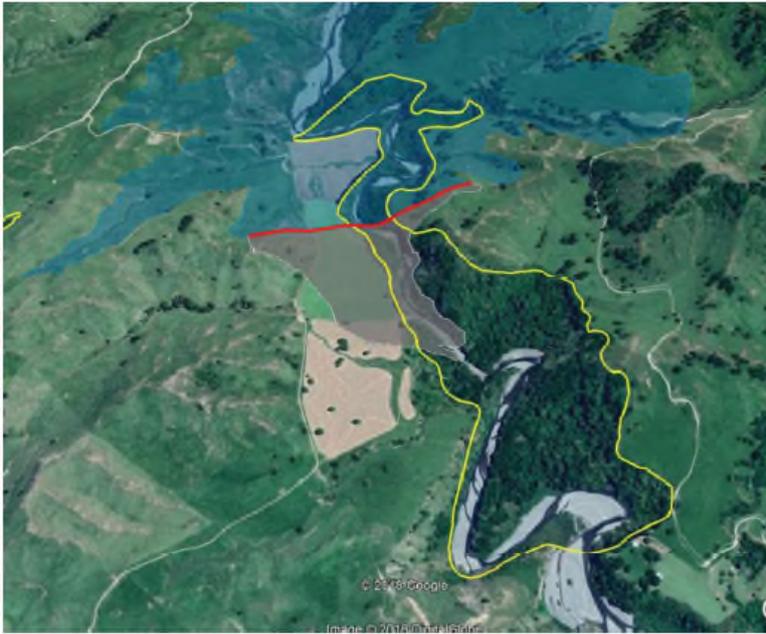


Figure 34: RWSS Dam location within Mākāroro Gorge.
 Yellow = outline of ONF boundary
 Blue = water storage area behind the dam
 Red = dam location across the gorge,
 Grey = dam area and spillways

28. In this regard, the area of the RWSS affected by Policy NFL-P5, is limited to that part of the works that lies within the ONF boundary. I note that ONF-4 extends over only part of the water storage area behind the RWSS dam and does not extend over any of the land marked for land revocation and exchange (refer map below¹⁴).

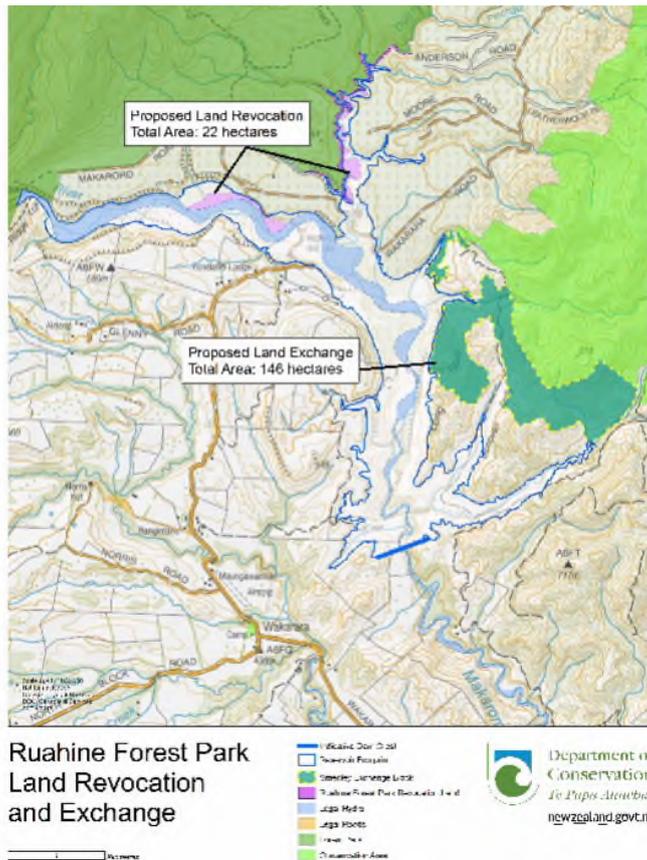


Figure 1: Map showing the Ruahine Forest Park Revocation Land and Smedley Exchange Block, as well as roads and rivers referred to in the text and the level of the proposed dam.

¹⁴ <https://www.doc.govt.nz/globalassets/documents/getting-involved/consultations/2014/ruataniwha-report.pdf>

29. With reference to Policy NFL-P5 in giving effect to higher order policy documents, I draw the Panel's attention to the 'Supplementary Information to Panel for Hearing Stream #1' received from Gavin Ide (HBRC) following the Hearing (dated 21 March 2022), identifying:
- references to the Mākāroro River in the Regional Resource Management Plan in Policy LW2 (Table 1), in Table 5.9.1C, and in the Glossary describing the 'Tukituki Catchment Area' (table in paragraph 2.2 of his supplementary information);
 - which water bodies in Central Hawke's Bay District have been identified as 'outstanding water bodies' in the Regional Resource Management Plan via Proposed Plan Change 7 (PPC7) (table in paragraph 3.5); and
 - clarifying the status of the Mākāroro River in this regard (paragraph 3.4).
30. From this, I note that the Mākāroro River is generally referenced in the Regional Resource Management Plan, and in its context as part of the overarching Tukituki Catchment Area (refer also Appendix 4 attached).
31. I also note that it is not identified as an outstanding water body in PPC7 to the Regional Resource Management Plan – but is named in the appeal on PPC7 from Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga, Te Manaaki Taiao o Heretaunga and Ngati Kahungunu Iwi Incorporated, as a water body to be added (along with a number of other water bodies). For the Panel's interest, I note the following reasons given in the appeal¹⁵ for seeking inclusion of additional outstanding water bodies (including the Mākāroro River):
- 'e) *There was inadequate consideration for the mana of hapū and iwi, and the Treaty principles recognised by HBRC, when deciding on water bodies and their outstanding and significant values, to be included in or omitted from Schedule 25.*
 - f) *Adoption of the new screening criteria meant that regionally outstanding water bodies were omitted from Schedule 25, despite relevant evidence and information being on record at regional council.*
 - g) *The new screening process "Outstanding Water Body Identification Screening Criteria was not discussed with or agreed to by tangata whenua or others who had been part of the expert panel convened by HBRC to assist with progressing PPC7.*
 - h) *The new screening process undermines the ability for council to recognise and provide for the relationships of Maori with their lands, waters, sites, fisheries and other taonga.*
 - i) *The decisions by the hearings panel do not provide for the active protection of Maori in the use of their lands, waters, sites, fisheries and other taonga to the fullest extent practicable.*
 - j) ...
 - k) *The decisions on PPC7 did not give appropriate consideration to taking into account the principles of the Treaty of Waitangi in terms of:*
 - *The Principle of Te Tino Rangatiratanga;*
 - *The Principle of Active Partnership and Consultation, and*
 - *The Principle of Active Protection.'*
32. In terms of provisions addressing outstanding natural features and landscapes in the Regional Resource Management Plan, I have identified only one reference – within table 12 of Policy 79. The Regional Coastal Environment Plan, however, includes a whole chapter on 'Outstanding natural features and landscapes' in relation to the coastal environment (Chapter 3 in Part B – Matters of National Importance, pgs 13 & 14). Given the Mākāroro Gorge is not located within the coastal environment, the Regional Coastal Environment Plan is not a relevant higher order document in this case.
33. I note the submissions of Council's legal counsel with regard to the application of NPS-FM and the concept of Te Mana o te Wai, where she states in paragraphs 22 and 23:
- '22. *In my submission, including a requirement to recognise the social and economic significance of a water storage scheme does not automatically conflict with any of the matters identified in*

¹⁵ <https://www.hbrc.govt.nz/assets/Uploads/PPC7-Notice-of-appeal-by-Te-Taiwhenua-o-Heretaunga-and-Ngati-Kahungunu-Iwi-Incorporated.pdf>

paragraph 40 of the RFB submissions as being required by the NPSFM, particularly when it is seen in the context of a policy in the Natural Features and Landscapes section. In particular:

- (a) The NFL chapter is not directed at the 'health and well-being of water bodies and freshwater ecosystems' but at protecting outstanding natural features from inappropriate development. While the NPS-FM may be indirectly relevant, it is not directed at landscape matters and is not intended to direct outcomes in that sphere. It certainly cannot be said to have 'complete coverage' over relevant matters. In any event, the ability of people to provide for their social, economic and cultural well-being is not irrelevant under the NPSFM– it is simply a lower order priority than other matters. NFL-P5 does not purport to prioritise the economic and social benefits of water storage over other matters, but just to have economic and social significance recognised. This is entirely consistent with the NPS-FM objective;*
 - (b) I agree that freshwater is to be managed in a way that gives effect to Te Mana o te Wai, however:*
 - (i) This chapter is not specifically directed at management of freshwater;*
 - (ii) What Te Mana o te Wai means for the Hawke's Bay region has not yet been defined, and can only be determined in active involvement from tangata whenua;*
 - (iii) NFL-P5 is not inherently inconsistent with Te Mana o te Wai;*
 - (c) In terms of the loss of river extent and protection of indigenous freshwater species, those policies are reflected in directions to the Regional Council, and would typically be relevant in applications for regional consent. As noted above, the relevance of NFL-P5 to assessment of applications for regional consents is likely to be very small, if it is relevant at all. In my submission it is a long bow to draw to argue that NPS-FM policies on river extent and freshwater species means that removal of NFL-P5 is necessary to ensure the PDP aligns with NPS-FM directives.*
23. *In short, RFB overplays the relevance of the NPS-FM in the context of the NFL chapter, and the extent to which NFL-P5 contradicts outcomes directed by that policy statement.'*
34. Based on the above, I am of the view that Policy NFL-P5 is not inherently inconsistent with Te Mana o te Wai or with the NPS-FM objective, or with the relevant higher order regional planning documents.
35. Turning to whether this policy, or a broader district-wide policy on water resources, would be better placed in the Strategic Direction section of the PDP, I note the policy specifically responds to the identification of the Mākāroro Gorge as an outstanding natural feature in the Landscape Assessment of the District carried out for the District Plan Review.
36. In my view, shifting the policy to another section in the PDP or broadening it, would have major implications. For example, if shifted to the Strategic Direction section, I consider this would significantly elevate its purpose and significance as to imply its purpose was responding to a key strategic or significant resource management matter for the District at a strategic level. This was not the intent of the policy. As already stated, the policy was never intended to pave the way for water storage but was an attempt to recognise the landscape values present in this specific area occur within the context of other values – in this case, the regional social and economic significance of water storage.
37. The 'District-wide Matters Standard' in the National Planning Standards provides mandatory directions in relation to the 'Strategic direction' of a District Plan, as follows:
1. *If the following matters are addressed, they must be located under the Strategic direction heading:*
 - a. an outline of the key strategic or significant resource management matters for the district*
 - b. issues, if any, and objectives that address key strategic or significant matters for the district and guide decision making at a strategic level*
 - c. policies that address these matters, unless those policies are better located in other more specific chapters*
 - d. how resource management issues of significance to iwi authorities are addressed in the plan.*
38. Policy NFL-P5 was not responding to an identified key strategic or significant resource management matter, and was purposely and specifically located in the NFL chapter.

39. The only alternative chapter for the policy's relocation that I consider potentially viable would be the General Rural Zone which applies in the vicinity of ONF-4. However, I do not consider NFL-P5 or any variant of it would be appropriate here, because it would amount to singling out one area and potential project for favourable consideration in a way which was not intended and has not been open to consideration through the public submission process.
40. Further, in my view there is limited scope in the submissions to allow for the policy to be relocated. Submissions on this policy generally either seek to retain the policy as notified or seek that it be deleted in its entirety. There are no submissions seeking that the policy be amended, relocated or broadened, in any way. I consider that if the policy had been in the Strategic Direction section, or any other section, of the PDP, it may well have generated different submissions and/or received the attention of a different set of submitters.
41. I, therefore, agree with the Royal Forest and Bird Protection Society of New Zealand Incorporated in this respect, as set out in paragraph 15 of their Memorandum of Responses to Panel Questions, that any amendment or enlargement of the terms of Policy NFL-P5 to give it broader application would be beyond the scope of any submissions on the PDP.
42. Therefore, I have not changed my position with respect to Policy NFL-P5 and recommend that it be retained as notified, and my recommendations with respect to the various submissions addressed in Key Issue 3 of my Section 42A Report on 'Natural Environment – Natural Features and Landscapes' still stand in this regard.

Significant Amenity Features

43. I note the evidence of Rhea Dasent for Federated Farmers of New Zealand, paragraphs 52 – 58, and the speaking notes presented at the Hearing by Rhea Dasent, paragraphs 27 – 35, however I have not changed my position on this matter.
44. In response to questions from the Panel about examples of whether and how significant amenity features have been provided for in other District Plans, I draw the Panel's attention to section 3.3 (pgs 12 – 15) in the Section 32 Natural Features and Landscapes Topic Report.
45. The table in section 3.3 of the Section 32 report addresses how natural features and landscapes have been addressed in the District Plans of neighbouring Hastings District, Manawatu District, and Taupo District, and also in the Proposed New Plymouth District Plan and South Taranaki District Plan. I have provided additional commentary on this in Appendix 4.
46. In my view, the Hastings District Plan is particularly relevant as it is the adjoining District, within the same Region. I have looked into the Hastings District Plan provisions in more detail and, as well as 8 'Outstanding Natural Features & Landscapes'(ONFLs), the Hastings District Plan also identifies and maps 8 'Significant Amenity Landscapes'(SALs) *'being landscapes where the landscape characteristics or values are not such as to meet the threshold for being classified as an Outstanding Natural Landscape'*¹⁶. Of note, the Hastings District Plan also identifies and maps other landscape character areas, comprising 7 'Rural Character Landscapes'(RCLs) and 5 'Coastal Character Landscapes'(CCLs) *'where broad areas are highly valued for their cultural patterns of land use, including rural patterns, rather than their natural landscape values'*¹⁷.
47. SAL provisions in the Hastings District Plan include a limited number of rules, being:
- i. Permitted Activity Rules LS3 and LS4 (relating to plantations below the ridgeline of specified SALs, and underground lines associated with network utilities on all SALs),
 - ii. Rule LS10 which makes plantations on specified SALs a Restricted Discretionary Activity, and

¹⁶ from Policy LSP8 in the Hastings District Plan

¹⁷ from Policy LSP12 in the Hastings District Plan

- iii. Any other activity not captured by the landscape area rules defaults to a Permitted Activity under Rule LS1.
48. The evidence of Rhea Dasent also referred the Panel to the proposed District Plans of Otorohanga District, Kaipara District, and the Waikato District, and noted the decision of Commissioners to delete the 'Significant Amenity Landscapes' in the Waikato District Plan, and the 'Visual Amenity Landscapes' in the Kaipara District Plan.
49. I have checked and can confirm that the Kaipara District Plan does not contain any 'Visual Amenity Landscapes', although it would appear the decision not to include 'Visual Amenity Landscapes', was not a recent one as that District Plan was made operative on 1 November 2013. A quick search of the District Plan online shows they were identified as part of the Landscape Technical Report prepared for Kaipara District Council by Litttoralis Landscape Architecture (in association with Beca), dated November 2010, which is referenced in the District Plan as the basis for identifying their 'outstanding natural landscapes'.
50. There is also no sense of such landscapes being reconsidered as part of their District Plan Review, with consultation on a Draft District Plan set to begin in May 2022 (Discussion Documents as part of the Review only address 'outstanding natural features and landscapes').
51. With respect to the Proposed Waikato District Plan, I have checked and can confirm that 'Significant Amenity Landscapes' (SALs) were originally included in the notified Proposed Plan, along with specific rules applying to them around earthworks, indigenous vegetation clearance, building height, and subdivision. The recently notified decisions of the Independent Commissioners on the Proposed Waikato District Plan on this matter (dated 17 January 2022) remove the 'Significant Amenity Landscape' overlays in their entirety, including associated policies, along with all accompanying SAL rules and map overlay – refer to paragraphs 10.12 to 10.23 of Decision Report 10¹⁸. This Plan is now subject to appeals, and it is not clear if that aspect of the Commissioners' decision is being challenged.
52. In contrast to the approach in the Waikato District Plan, the SAFs in the Proposed Central Hawke's Bay District Plan have no rules applying to them. Potential additional costs for landowners as a result of the planning response in the PDP, therefore, only relate to addressing additional landscape amenity objectives and policies and these are only triggered when an activity requires a resource consent for other reasons, and by way of relevant assessment matters. Given the advice of Council's landscape expert that the SAFs are clearly distinguishable from normal rural landscapes, I disagree that this level of planning response imposes a level of cost on landowners that would outweigh any benefit.
53. Therefore, I have not changed my position on retaining the Significant Amenity Features (SAF) overlay and non-regulatory planning response in the PDP, from that which is set out in Key Issue 4 of my Section 42A Report on 'Natural Environment – Natural Features and Landscapes', and my recommendations with respect to the various submissions addressed in Key Issue 4 of my report still stand in this regard.

Policy NFL-P2

54. I note the evidence of Rhea Dasent for Federated Farmers of New Zealand, paragraphs 60 – 61, supporting the recommended amendment to this policy outlined in Key Issue 5 of my Section 42A Report on 'Natural Environment – Natural Features and Landscapes'.
55. I also acknowledge the speaking notes and table presented at the Hearing by Tom Kay for The Royal Forest and Bird Protection Society of New Zealand Incorporated, relating to Policy NFL-P2.

¹⁸ https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/decisions/proposed-waikato-district-plan/decision-report-10-landscapes/decision-report-10-landscapes.pdf?sfvrsn=4af49ac9_2

56. The submitter presented that they are not opposed to the recommended amendment to the policy as contained in the s42A report, but suggested an alternative to clarify what land use(s) of most relevance, as follows:

NFL-P2 To allow activities within the District's outstanding natural features and landscapes where they are for;
**(1) existing land uses *such as farming*,
(2) conservation purposes and
(3) customary activities; and
provided the activities maintain or enhance the identified characteristics and values in NFL-SCHED6.**

57. The table provided with the speaking notes presented at the Hearing states that 'Clarification is also required as to what an "existing" land use is. I.e. Is it the operative dates of the plan? Is it lawfully established?'. In my view the word "existing" in this context would be taken to have its ordinary meaning as being in place at the time the provision comes to be applied. I do not consider there is any real benefit to be gained in qualifying the word "existing" further at the policy stage.

58. I support the alternative re-structuring of amended Policy NFL-P2, as presented by Forest & Bird, and wish to revisit my recommendation accordingly.

59. I recommend that Policy NFL-P2 be amended in line with the alternative wording above, and that the submission of Federated Farmers (S121.038) seeking amendment of the Policy continues to be **accepted in part**, and the submissions of Forest & Bird (S75.061, FS9.38) also remain **accepted in part**, on this basis.

Schedule NFL-SCHED6

60. I note the evidence of Rhea Dasent for Federated Farmers of New Zealand (S121.047), paragraphs 62 & 63, and I do not change my position around referencing land uses present within features/landscapes within this Schedule, as per my recommendations in Key Issue 7 of my Section 42A Report on 'Natural Environment – Natural Features and Landscapes'.

61. I remain of the view that adding this information would not provide any assistance to Plan users in the interpretation of Schedule NFL-SCHED6 in the PDP, and my recommendations with respect to Federated Farmers (S121.047) and the further submission of Forest & Bird (FS9.47) still stand in this regard.

Outstanding Natural Feature ONF-5 Nga Kaihinaki A Whata & Te Whata Kokako

62. In response to questions regarding the proposed ONF-5, the Panel requested (paragraph 13 of Minute 6) that a site inspection of this landscape area, particularly around the Three Sisters, be undertaken by the Council's landscape planning adviser, John Hudson, to verify the recommended boundaries of this proposed ONL, and to report back to the Hearing Panel with his recommendations and reasoning.

63. John Hudson has been briefed accordingly, and it is anticipated that he will report back to the Panel on this matter by 29 April 2022, as requested.

General 'Natural Features & Landscape' Matters Raised

64. In response to a question from Rhea Dasent for Federated Farmers (para 24 of her speaking notes), I draw the Panel's attention to the verbal response from John Hudson confirming that the boundaries of ONFLs in his Landscape Assessment Report (and subsequently adopted for the PDP maps) do not follow property boundaries, thereby clarifying that the physical extents of ONL-1 and ONF-4 do not follow Crown property boundaries.

65. I also note Rhea Dasent's statement (para 26 of her speaking notes) that ONFL status 'limits farmers with steep ONFLs to only long-term ecological restoration planting of forest species; or willow and

poplars space planted for soil conservation purposes, and not harvest-able forestry' (and she cites ONF-1 Whakarara Range and ONF-6 Silver Range).

66. Now that these natural features have been identified as ONFLs, I can confirm that Regulation 16 of the National Environmental Standards for Plantation Forestry (NES-PF) will apply, which determines that future afforestation within these ONFLs will require a resource consent as a Restricted Discretionary Activity, where previously it did not.
67. In that sense, future 'harvest-able forestry' on ONFLs identified in the PDP, including on ONF-1 Whakarara Range and ONF-6 Silver Range, will require a resource consent from Central Hawke's Bay District Council.
68. Regulation 17 of the NES-PF outlines the relevant matters to which discretion is restricted as being '(1)(c) the effects on the values of the significant natural area or outstanding natural feature or landscape'. Thus, in assessing such an application, consideration of effects on the values of the ONFL will need to be addressed and considered on a case-by-case basis. I note that, as a Restricted Discretionary Activity, consent can be granted, granted with conditions imposed, or refused, pursuant to section 104C of the RMA.

Coastal Environment

Objective CE-O2

69. I note the evidence of Rhea Dasent for Federated Farmers of New Zealand, paragraphs 71 – 82, supporting the recommendation in my s42A report in respect of their submission on Objective CE-O2 to reference 'rural character' (Federated Farmers, S121.056).
70. I also acknowledge the speaking notes and table presented at the Hearing by Tom Kay for The Royal Forest and Bird Protection Society of New Zealand Incorporated (as a further submitter, FS9.56), relating to Objective CE-O2 specifically.
71. I agree with the position presented by Tom Kay for Forest & Bird that inclusion of 'rural character' in this objective (which is about preserving the natural character of the coastal environment) suggests that 'rural character' is equivalent to 'natural character' (which is a section 6 RMA matter), and this could '*lead to conflicts between (1) activities that may be consistent with 'rural character' and (2) the effects of such activities, which would be inconsistent with the preservation or restoration of natural character*'. I concur that this could have the perverse outcome of seemingly recognising human-induced changes to land, even though some of those changes have degraded an area from its natural state in the past, and that this could inadvertently work against the 'restoration or rehabilitation' of areas with degraded natural character.
72. Accordingly, I wish to revisit my recommendations in Key Issue 2 of the Section 42A Coastal Environment Report. I recommend that Objective CE-O2 be retained as notified and that the submission of Federated Farmers (S121.056) seeking to include the words 'rural character' be **rejected**, and on that basis that the submissions of Forest & Bird (S75.069, FS9.56, FS9.367) and DOC (S64.084) **accepted**.

Provision for Firefighting Water Supply

73. I note the evidence of Paul McGimpsey (Planner) for Fire and Emergency New Zealand, paragraphs 17 – 27, regarding the inclusion of a servicing standard and associated assessment matter in the Large Lot Residential Zone provisions (i.e. coastal settlements).
74. As signalled at the hearing, I requested the opportunity to engage with the submitter's planner with a view to coming back to the Panel with an agreed position when reporting back on this matter for the Rural Zones as part of the section 42A report on the Rural Environment.

75. At that point, Reporting Officers will revisit the respective recommendations made in relation to the Large Lot Residential Zone in the section 42A report on the Coastal Environment (Hearings Stream 1), and in relation to the urban zones in the section 42A report on the Urban Environment (Hearings Stream 2).

76. The submitter supported this approach, verbally, at the Hearing, and the Panel instructed me to progress on this basis.

77. As an interim update, I have had an initial Zoom call with the submitter's planning consultant, and this matter is progressing well.

78.

Date: 8 April 2021

A handwritten signature in blue ink, consisting of stylized, overlapping loops and a long horizontal stroke at the end.

.....

List of Materials Provided by SubmittersSubmitter Evidence

- Paul McGimpsey for Fire and Emergency New Zealand [S57]
- Rhea Dasent for Federated Farmers of New Zealand [S121]

Submitter Legal Submissions

- May Downing for the Royal Forest and Bird Protection Society of New Zealand Incorporated [S75, FS9]

Submitter Statements

- Gavin Ide for Hawke's Bay Regional Council [S11]

Submitter Tabled Statements

- Submitter Tabled Statement – Kathryn Bayliss [S39]
 - Attachment – Ansar, A., et al., Should we build more large dams? The actual costs of hydropower megaproject development. Energy Policy (2014), <http://dx.doi.org/10.1016/j.enpol.2013.10.069>
 - Attachment – Salmond, A., et al, Let the Rivers Speak – thinking about waterways in Aotearoa New Zealand, Policy Quarterly – Volume 15, Issue 3 – August 2019 (pp 45-54)
 - Attachment – Brierley, G.J., et al, Why we should release New Zealand's strangled rivers to lessen the impact of future floods, The Conversation, 23 February 2021, <https://theconversation.com/why-we-should-release-new-zealands-strangled-rivers-to-lessen-the-impact-of-future-floods-153077>
 - Attachment – Beware the zombie river <https://www.waikato.ac.nz/news-opinion/media/2019/beware-of-zombie-rivers>
- Submitter Tabled Statement – Kathryn Bayliss [S39]
 - Attachment - Excerpts from: Climate change and agriculture: Understanding the biological greenhouse gases, Dr Jan Wright. Parliamentary Commissioner for the Environment October 2016, Full Report available at: www.pce.parliament.nz
 - Attachment – J. M. C. Stephens , P. C. Molan & B. D. Clarkson (2005) A review of Leptospermum scoparium (Myrtaceae) in New Zealand, New Zealand Journal of Botany, 43:2, 431-449, DOI: 10.1080/0028825X.2005.9512966
 - Attachment – Leader's Pledge for Nature at the United Nations Summit on Biodiversity, September 2020
 - Attachment – Glasgow Leaders' Declaration on Forests and Land Use, COP 26, November 2021
- Submitter Tabled Statement – Transpower New Zealand Limited [S79]
- Submitter Tabled Statement – Horticulture New Zealand [S81, FS17]
- Submitter Tabled Statement – Chorus [S117], Spark [S118], and Vodafone [S119]
- Submitter Tabled Statement – Kāinga Ora - Homes and Communities [S129, FS23]

Submitter Presentations

- Speaking Notes – Tom Kay for the Royal Forest and Bird Protection Society of New Zealand Incorporated [S75, FS9]
- Speaking Notes – Curt Zant [S99]
- Speaking Notes – Clint Deckard [S115]
- Speaking Notes – Rhea Dasent for Federated Farmers of New Zealand [S121]
- Speaking Notes – Liz Munroe [FS28]
 - Attachment – Letter from Brian Morris on behalf of Ngā hapū me ngā marae o Tamatea [S125, FS5]
- Submitter verbal presentation – Rayya Ali for New Zealand Motor Caravan Associated [S101, FS24]
- Submitter verbal presentation – Will Foley [S109]
- Submitter verbal presentation – Trevor Le Lievre [S112]
- Submitter verbal presentation – David Tipene Leach for Ngāti Kere Hapū Authority [S134]
- Submitter verbal presentation – Mike Petersen for Tukituki Water Security Project [FS1]
- Submitter verbal presentation – Hugh Ritchie for Water Holdings Hawke's Bay [FS29]

Supplementary Statements

- Supplementary Information for the Panel – Gavin Ide for Hawke's Bay Regional Council [S11]
- Memorandum of Responses to Panel Questions – Royal Forest and Bird Protection Society of New Zealand Incorporated [S75, FS9]

Updated Recommended Amendments to Plan Provisions

NFL – Natural Features and Landscapes

Introduction

Central Hawke's Bay District comprises diverse terrain and varied landscapes extending from the Ruahine Range and foothills in the west, through to the rolling hills and plains formed by the Waipawa, Tukituki, and Makaretu Rivers, and the geologically young coastal ranges and vast sandy beaches of the coastal margin, in the east. Together these provide a distinct natural identity and amenity unique to Central Hawke's Bay District that is valued by the community.

In achieving the sustainable management purpose of the RMA, the protection of outstanding natural features and landscapes is specifically identified as a 'matter of national importance' (section 6(b)).

One outstanding natural landscape (ONL), being the Ruahine Range, and the following outstanding natural features (ONF) have been identified within Central Hawke's Bay District:

- W(h)akarara Range
- Mangamauku Stream and Upokoro Stream
- Mangaoho Stream (and tributaries)
- Mākāro Gorge
- Northern end of Nga Kaihinaki-a-Whata and Te Whata Kokako
- Silver Range
- Kairakau Coastline
- Pourēre, Aramoana and Blackhead Coastline
- Parimahu
- Porangahau Foredune and Estuary
- Whangaehu Coastal Cliffs

The RMA also requires particular regard to be given to 'other matters', including maintenance and enhancement of amenity values (section 7(c)) amongst other things. The following Significant Amenity Features (SAF) have been identified within Central Hawke's Bay District:

- Mākāro River
- Mangataura Stream
- Waipawa River – Upper
- Tukituki River – Upper
- Tukipo River
- Tangarewai Stream
- Mangatawai River
- Makāretu River
- Te Aute Limestone Crest
- Lake Whatuma
- Pōrangahau Inland Dunes

Subdivision, use and development often results in changes to the natural environment. These changes are not always negative, nor are they always significant. However, certain natural features and landscapes can be more sensitive to the effects of development than others. Many of these features and landscapes are also of special spiritual, historical or cultural significance to tangata whenua, hence District Plan provisions relating to tangata whenua values must also be taken into account (refer TW – Tangata Whenua chapter).

Issues

NFL-I1 Loss of Landscape Values

The loss of those values that contribute to the unique characteristics of the District's landscape as a result of inappropriate subdivision, land use or development.

Explanation

The District's landscape generally reflects a 'working' rural or coastal landscape, where human activity, including subdivision and development, has significantly shaped its present-day character. The character of the District's landscape is also generally open and free of urbanisation.

Over time, many of the District's natural features and landscapes have been modified and, in particular, much of its indigenous vegetation and natural habitats have been lost to agricultural and other land use activities, including urban development.

The following outlines some of the land use activities that can adversely affect landscape values and how they can lead to the loss of landscape values:

1. Buildings and structures:
Buildings and structures can have an adverse effect on landscape character by introducing a constructed element into an area that is recognised for its naturalness, with some natural features having different tolerances for the effects of buildings than others;
2. Earthworks:
Large-scale earthworks undertaken within outstanding natural features and landscapes can have an adverse effect on landscape values by modifying the underlying landform, with some natural features being more sensitive to such effects than others;
3. Loss of indigenous vegetation cover; and
Significant indigenous vegetation makes an important contribution to the landscape values of some natural features and landscapes e.g. a number of small incised river valleys identified as outstanding in the District, and loss of this cover can have an adverse effect on the undeveloped ecological and naturalness factors of such features; and
4. Exotic plantation forestry:
The dark colour and uniform planting of plantation forestry can hide the underlying landform and also reduce perceived naturalness values, often contrasting in colour and form with adjacent land use.

Commented [RM1]: S129.063 Kainga Ora - Landscapes Topic, Issue 1

Subdivision and the above land use activities need to be managed in a way that recognises and protects values that contribute to those natural features and landscapes that are outstanding in the District or have significant amenity.

Objectives

NFL-O1 Outstanding natural features and landscapes **that are important to the identity of the District** are retained and protected from inappropriate subdivision, use and development.

Commented [RM2]: S75.060 Forest & Bird - Landscapes Topic, Issue 5

NFL-O2 The qualities and values of significant amenity features identified within the District are recognised and provided for, and considered when undertaking new subdivision, use and development.

Policies

NFL-P1 To identify the District's outstanding natural features and landscapes having regard to the following criteria:

1. natural science factors such as geology, biology, ecology and hydrology, including its rarity and variability;
2. perceptual factors, including legibility/expressiveness (such as how obviously the landscape demonstrates the formative processes leading to it), transient values (including the occasional presence of wildlife or other values at certain times of the day or year) and aesthetic values (including memorability and naturalness); and
3. associational factors, including historical associations, value to tangata whenua, and whether the values are shared and recognised.

ONFs and ONLs are mapped and are listed in NFL-SCHED6, along with a summary of their identified values.

Commented [RM3]: S121.037 Fed Farmers - Landscapes Topic, Issue 5

NFL-P2 To allow activities within the District's outstanding natural features and landscapes where they are for:

1. existing land uses **such as farming,**
2. **for conservation purposes, and**
3. **customary activities; and.**

provided the activities maintain or enhance the identified characteristics and values in NFL-SCHED6.

Commented [RM4]: Hearing Stream 1 - Right of Reply dated 8 April 22 (paras 54-59) - change to the wording layout of the policy in the recommendation in s42A Natural Features and Landscapes Topic, Issue 2, which still is to accept in part S121.038 Fed Farmers submission to amend Policy NFL-P2 (and accept in part FS9.38 Forest & Bird)

NFL-P3

To protect the District's outstanding natural features and landscapes by:

1. avoiding adverse effects from inappropriate activities, including subdivision, which compromise the values of the outstanding natural landscape features in the coastal environment;
2. avoiding, remedying or mitigating adverse effects from inappropriate activities, including subdivision, which compromise the values of all other outstanding natural landscapes or features;
3. ensuring the erection of structures, earthworks and/or clearance of indigenous vegetation and/or exotic plantation forestry within outstanding natural features and landscapes, do not compromise the values present; and
4. recognising the role of tangata whenua as kaitiaki over those outstanding natural features and landscapes which have cultural association.

Commented [RM5]: S121.039 Fed Farmers - Landscapes Topic, Issue 5

NFL-P4

To require that buildings, structures or earthworks locating within the District's outstanding natural landscapes or features avoid adverse visual effects in the coastal environment, and avoid, remedy or mitigate adverse visual effects in all other outstanding natural landscapes or features by:

1. ensuring the scale, design and materials of the building and/or structure are appropriate in the location;
2. integrating landform and context into the design and through the use of naturally occurring building platforms and sympathetic materials;
3. limiting the prominence or visibility of built form, including by integrating it into the outstanding natural landscape or feature; and
4. restoring or reinstating the site following earthworks.

NFL-P5

To recognise the regional social and economic significance of water storage within ONF-4 (Mākāroro Gorge).

NFL-P6

To identify the District's significant amenity features, being features where the landscape characteristics or values are significant but do not meet the threshold for outstanding natural features.

NFL-P7

To avoid, remedy or mitigate potential adverse effects of subdivision, use and development on the District's significant amenity features, including having regard to the following matters:

1. any specified values and/or management issues identified for the particular amenity feature;

2. the character or degree of modification, damage, loss or destruction that will result from the activity;
3. the duration and frequency of the effect of the activity (for example long-term or recurring effects);
4. the magnitude or scale of effect of the activity (for example the number of sites affected, spatial distribution, landscape context);
5. the cumulative effects (for example the loss of multiple features or values); and
6. the need for, or purpose of, the works having regard to the underlying zoning, noting that many significant amenity features comprise working farms.

NFL-P8 To identify opportunities to enhance natural values associated with significant amenity features, and to recognise the positive effects where enhancement is offered.

Rule Overview Table

Use/activity	Rule Number
Any new building, relocated building, or alteration to an existing building associated with any activity within an ONL or ONF identified in NFL-SCHED6	NFL-R1

Rules

Notes:

Rules relating to subdivision and land development involving the identified landscapes in NFL-SCHED6 are contained in the SUB – Subdivision chapter of the District Plan.

Rules relating to earthworks in the identified ONL and ONFs are contained in the EW – Earthworks chapter of the District Plan.

Rules relating to network utilities within the identified ONL and ONFs are contained in the NU – Network Utilities chapter of the District Plan. The rules in this chapter do not apply to network utilities.

Afforestation (new plantation forestry) within an identified ONL or ONF is regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities on land within or containing identified ONL, ONFs and SAFs.

NFL-R1 New buildings, relocated buildings, or alterations to existing buildings within an ONL or ONF identified in NFL-SCHED6

<p>All ONL/ONFs (except ONF-5, ONF-7, ONF-9 & ONF-10)</p>	<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <p>a. Gross floor area of the building or alteration is less than 25m².</p> <p>b. Maximum height of any building is less than 3m.</p>	<p>2. Activity status where compliance with condition NFL-R1(1)(a) is not achieved <u>and</u> where the gross floor area of the building or alteration is less than 50m²: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>a. NFL-AM1</p> <p>b. NFL-AM2.</p> <p>3. Activity status where compliance with condition NFL-R1(1)(b) is not achieved <u>or</u> the gross floor area of the building or alteration exceeds 50m²: NC</p>
<p>ONF-5 (Northern end of Nga Kaihinaki-a-Whata & Te Whata Kokako)</p> <p>ONF-7 (Kairakau)</p> <p>ONF-9 (Parimahu)</p> <p>ONF-10 (Porangahau Foredune)</p>	<p>4. Activity Status: PER</p> <p>Where the following conditions are met:</p> <p>a. Gross floor area of the building or alteration is less than 25m².</p> <p>b. Maximum height of any building is less than 3m.</p>	<p>5. Activity status where compliance not achieved: NC</p>

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

NFL-AM1 Identified Landscape Values

- Effects on the particular landscape values and characteristics contained in NFL-SCHED6 and relevant section(s) of the following assessment report:
'Central Hawke's Bay District Outstanding Natural Landscape Assessment', Hudson Associates Landscape Architects, January 2019.

NFL-AM2

Additional Specific Assessment Matters for Activities on Land within or containing ONLs, ONFs or SAFs

1. Buildings
 - (a) The location, layout, design, and materials of the development to ensure that it does not have adverse visual or landscape effects. This will include reference to the proposed nature and location of building platforms, accessways, landscaping, planting, and the position, form, and appearance of building development.

In particular, the location, layout and design of buildings should:

 - i. Be of a scale, design and location that is sympathetic to the visual form of rural ridgelines and spurs and should not dominate the landscape.
 - ii. Avoid large-scale earthworks on prominent rural ridgelines, hill faces and spurs.
 - iii. Be sympathetic to the underlying landform and surrounding visual and landscape patterns.
 - iv. Be designed to minimise cuttings across hill faces and through spurs.
 - v. Where planting is proposed, be of a scale, pattern and location that is sympathetic to the underlying landform and the visual and landscape patterns of surrounding activities.
 - vi. Where necessary for the avoidance or mitigation of adverse effects, include proposals to ensure the successful establishment of plantings.
 - vii. Avoid disturbance of archaeological sites.
2. Earthworks
 - i. Assessment Matters contained in EW-AM7.
3. General
 - (a) The natural science, perceptual and associational values (including the cultural relationship with the land for tangata whenua) associated with the natural landscape or feature.
 - (b) Place-specific management issues identified for the particular natural landscape or feature.
 - (c) The character and degree of modification, damage, loss, or destruction that will result from the activity.
 - (d) The duration and frequency of effect (for example, long-term or recurring effects).
 - (e) The magnitude or scale of effect (for example, the number of sites affected, spatial distribution, landscape context).
 - (f) The irreversibility of the effect (for example loss of unique or rare features, limited opportunity for remediation, the technical feasibility of remediation or mitigation).
 - (g) The resilience of heritage value or place to change (for example, the ability to assimilate change, vulnerability to external effects).
 - (h) The opportunities to remedy or mitigate pre-existing or potential adverse effects (for example restoration or enhancement), where avoidance is not practicable.

- (i) The probability of the effect (for example the likelihood of unforeseen effects, ability to take a precautionary approach).
- (j) Cumulative effects (for example, the modification to the existing natural landscape or feature and its sensitivity or vulnerability to further change).
- (k) Need for, or purpose of, the works.
- (l) Whether there is a practicable alternative recognising the operational and technical requirements of regionally or nationally significant infrastructure.

Methods

Methods for implementing the policies:

NFL-M1 Identification and Mapping of Outstanding Natural Features and Landscapes

Identifying and describing the values associated with Outstanding Natural Features (ONFs) and Landscapes (ONLs) and Significant Amenity Features (SAFs) in NFL-SCHED6 in the District Plan and showing them on the relevant Planning Maps.

NFL-M2 District Plan Rules

1. District Plan rules make subdivision of land containing an ONL or ONF a discretionary activity in the first instance.
2. Specific District Plan rules and performance standards controlling earthworks and built form in the District's ONL/ONFs (including network utilities locating within ONL/ONFs).
3. District Plan rules and performance standards relating to Significant Natural Areas (SNAs) and the clearance of significant indigenous vegetation or significant habitats of indigenous fauna, which can also act to protect against loss of indigenous vegetation cover where located within significant and outstanding landscapes containing such vegetation.
4. District Plan rules and performance standards protecting wāhi tapu, wāhi taonga and sites of significance, which can also assist with protecting those associational values attributed to significant and outstanding landscapes by tangata whenua, where located within identified significant and outstanding landscapes.

NFL-M3 Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

Afforestation (new plantation forestry) within an outstanding natural feature or landscape is a Restricted Discretionary Activity pursuant to the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

NFL-M4 Hawke’s Bay Regional Resource Management Plan and Hawke’s Bay Regional Coastal Environment Plan

Hawke’s Bay Regional Resource Management Plan and Regional Coastal Environment Plan rules and performance standards controlling drainage of wetlands and inundation/damming of rivers.

NFL-M5 Hawke’s Bay Regional Pest Management Plan and Biosecurity Act 1993

Control of animal and plant pests affecting indigenous vegetation cover across the District, where located within identified significant and outstanding landscapes, through rules and implementation methods in the Hawke’s Bay Regional Council’s ‘Regional Pest Management Plan’ and through enforcement of the Biosecurity Act 1993.

NFL-M6 Other Protection Mechanisms

Other protection mechanisms, such as the protection of public reserve land under the Conservation Act 1987 and Reserves Act 1977, retiring land under QEII covenant, and protection through Ngā Whenua Rāhui kawenata (covenants) on Māori-owned land, where located within identified significant and outstanding landscapes.

NFL-M7 Education, Advocacy, and Information Sharing

Promoting education, advocacy and information sharing to raise community awareness of the attributes and values of the District’s important natural features and landscapes including their contribution to community identity, and the need to have regard to them when undertaking subdivision, use and development activities.

NFL-M8 Liaison and Collaboration

Liaising and collaborating with landowners, interest groups and agencies with an interest in protecting, maintaining, or enhancing the District’s identified significant and outstanding landscapes.

Principal Reasons

The principal reasons for adopting the policies and methods:

In responding to its duties regarding the protection of outstanding landscapes and natural features under the RMA (s6(b)), Council commissioned a landscape assessment of the District, which identified one Outstanding Natural Landscape (ONL) and eleven Outstanding Natural Features (ONF), and a further twelve Significant Amenity Features (SAF) that were considered important landscapes although not meeting the threshold of outstanding. A schedule of these ONL, ONFs and SAFs is provided in NFL-SCHED6 in the District Plan and are shown on the Planning Maps.

Subdivision and subsequent buildings and structures can have an adverse effect on landscape character by introducing a constructed element into sensitive visual environments. Different areas have different tolerances for the effect of buildings. Enabling consideration of scale, design, and materials, integrating landform and context into the design, and limiting prominence or visibility of built form will help protect the outstanding landscape values of the District's ONL & ONFs.

Large scale earthworks can adversely affect the underlying landform which contributes to the fundamental character of the District's landscapes. Again, some areas are more sensitive to such effects than others. For example, wetlands or dune systems are more sensitive to earthworks than larger landscape elements that can absorb a degree of modification. The ability to control the scale and visual prominence of earthworks, as well as ensuring restoration and reinstatement of the site following earthworks, is important in minimising adverse visual effects of earthworks on the District's ONL & ONFs.

Loss of indigenous vegetation cover could adversely affect a key characteristic contributing to an area's outstanding value. It is noted that most of the District's ONL/ONFs are recognised for their significant indigenous vegetation cover, which either already have some form of protection, such as Department of Conservation reserve status, QEII Trust covenants etc, or fall within the District Plan provisions relating to identified Significant Natural Areas and/or the clearance or modification of significant indigenous vegetation in the ECO – Ecosystems and Indigenous Biodiversity chapter.

The landscape assessment for the District also identified exotic plantation forestry as having a potential adverse effect on landscape values. The National Environmental Standard for Plantation Forestry (NES-PF) controls much of how forestry activity is regulated, although the NES-PF does provide for imposition of greater restrictions on plantation forestry in District Plans where occurring within 'outstanding' natural features and landscapes, if deemed a threat to those values.

The District's outstanding landscapes also have significant cultural association for tangata whenua and the role of tangata whenua as kaitiaki is therefore specifically recognised. While pastoral farming has caused significant modification of the District's landscape over time, where it already occurs within identified landscapes of value, it can generally continue to be accommodated without adversely affecting the key characteristics of those areas. In some cases, pastoral land cover has had a positive effect where it acts to reveal the underlying landform. Similarly, conservation or customary activities have positive outcomes for natural features and landscapes and should be enabled.

The Mākāroro Gorge (ONF-4) includes the site of a water storage proposal that has been through a Board of Inquiry process. That process confirmed the value of water storage for the District in terms of regional social and economic benefits prior to identification of the area as an outstanding natural feature in the District Plan. Future land use activities in this location will be subject to the outstanding natural landscape provisions associated with ONF-4 now contained in the District Plan.

For those landscapes that have been identified as SAFs, the District Plan provides for any adverse effects on those amenity and landscape values to be assessed only where the need for a resource consent is triggered. Assessment will consider the landscape and amenity values identified for that SAF, the magnitude of adverse effects on those, and whether there are opportunities to enhance those values. There is also a recognition that many SAFs comprise working farms and, as such, it is intended that existing and anticipated rural activities should be able to continue.

It should be noted that many of the landscapes that have been identified for reasons outlined are on private land and any public access to these remains at the discretion of the landowner.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- NFL-AER1** **The values of important natural features and landscapes are not compromised by inappropriate subdivision, or visually intrusive building development or large-scale earthworks.**

- NFL-AER2** **A range of contrasting landscape types continues to provide a rich mixture of landscape amenity throughout the District.**

- NFL-AER3** **There is a greater public awareness of the different landscape areas throughout the District, and the activities that could have an adverse effect on the key elements, patterns and character that contribute to the significance of those landscape areas.**

NFL-SCHEM6 – Schedule of Outstanding Natural Features and Landscapes and Significant Amenity Features

Note: refer 'Central Hawke's Bay District – Outstanding Natural Landscape Assessment', January 2019 (Hudson Associates) for the full comprehensive assessment and evaluation supporting the identification of these outstanding natural landscapes and features and significant amenity features.

Schedule of Outstanding Natural Landscapes

Unique Identifier	Site Identifier	Description of Landscape	Site Type (Summary Description of Landscape Values)	Map Reference
ONL-1	Ruahine Range	<p>The Ruahine Range ONL contains a significant area of unmodified indigenous vegetation and is comprised primarily of the Ruahine Forest Park. It includes the upper reaches of the district's major watercourses, such as the Tukituki and Waipawa Rivers.</p> <p>The Central Hawke's Bay District boundary runs along the ridgeline separating the eastern side of the range and Manawatū District and Rangitīkei District on the western side. It stretches 35km from the Makāretu River in the south to Mākāroro River in the north. Much of the skyline lies within both districts.</p>	<ul style="list-style-type: none"> – Very high landscape and visual values and naturalness derived from the endemic vegetation and expressiveness of the formative processes of the ranges which form part of the backbone of the lower North Island's geology. – The dynamic qualities demonstrated by the legibility of the hills, the dramatic appearance of the defining landform and the natural simplicity of the extensive unbuilt character and endemic vegetation cover result in a highly memorable landscape. 	1, 4, 9, 14 & 20

Schedule of Outstanding Natural Features

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
ONF-1	W(h)akarara Range	The W(h)akarara Range ONF comprises the southern extension of the Whakarara Range and south of the Gwavas Conservation Area, most of which lies in Hastings District to the north. It is characterised by rolling to steep hills with regenerating native vegetation.	<ul style="list-style-type: none"> – High landscape and visual values derived from the regenerating indigenous vegetation cover over the eroded landform pattern. – Contrast with the surrounding areas of pasture and pine forest increases the value of such remnant areas of regeneration. 	5
ONF-2	Mangamauku Stream & Upokororo Stream	<p>The Mangamauku Stream & Upokororo Stream ONF comprises a 7km long section of the Mangamauku Stream plus the Upokororo Stream and several unnamed tributaries.</p> <p>The Mangamauku Stream flows through a pastoral setting in a small valley system parallel to and north of Smedley Road and south of Matheson Road. It rises in the Whakarara Range, with many smaller tributaries feeding into larger streams that in turn combine to form the main channel of the Mangamauku Stream.</p> <p>A significant tributary is Upokororo Stream, which runs along the southern side of Matheson Road before joining</p>	<ul style="list-style-type: none"> – The distinguishing characteristics of the named streams and unnamed tributaries that cause them to form the ONF are the density of podocarp and Beech forest, which potentially includes original trees that survived the burning and clearance over the last hundred years, as well as its undeveloped character and containment within a defined landscape setting. – The presence of such dense native vegetation contributes to fulfilment of the 'ecological' and 'naturalness' factors in the landscape assessment process, while the containment within the incised main valley system and more rolling lower tributaries contributes to the 'expressiveness' and 'coherence' of the aesthetic factors. 	5

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
		the Mangamauku Stream 4.5km west of SH50.	<ul style="list-style-type: none"> Rarity and associational cultural values are also contributing factors. 	
ONF-3	Mangaoho Stream (& tributaries) [One of three Incised River Valleys off the Ruahine Range]	<p>The Mangaoho Stream (& tributaries) ONF flows through a pastoral setting in a small valley system parallel to and north of Mākāroro Road. It rises in the Whakarara Range, with many smaller tributaries feeding into larger streams that in turn combine to form the main channel of the Mangaoho Stream.</p> <p>Bounded by west-east running ridgelines to the north and south, these separate the Mangaoho Stream valley from Mākāroro Road to the south and Smedley Road to the north. Both of these ridgelines run parallel to the stream and contain the catchment.</p>	<ul style="list-style-type: none"> A section of the Mangaoho Stream itself, plus two named and two unnamed tributaries, are identified as forming the Outstanding Natural Feature (ONF). The Mangaoho Stream flows through a pastoral setting in a small valley system parallel to and north of Mākāroro Road. It rises in the Whakarara Range, with many smaller tributaries feeding into larger streams that in turn combine to form the main channel of the Mangaoho Stream. Bounded by west-east running ridgelines to the north and south, these separate the Mangaoho Stream valley from Mākāroro Road to the south and Smedley Road to the north. Both of these ridgelines run parallel to the stream and contain the catchment. 	5
ONF-4	Mākāroro Gorge [One of three Incised River Valleys off the Ruahine Range]	<p>The Mākāroro River Gorge ONF flows from Whakarara downstream for approximately 1.5km (2.5km river length) through a deeply incised gorge generally enclosed by native vegetation.</p>	<ul style="list-style-type: none"> Very high landscape values contributed to by the remnant and regenerating indigenous vegetation cover in combination with the eroded valley landform pattern. 	5

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
			<ul style="list-style-type: none"> – Contrast with the surrounding areas of pastoral land increases the value of such remnant areas of vegetation and meandering valleys. – Historic and cultural values, with the Mākāroto River forming the walking route for Colenso and Māori travellers passing through Motu o Puka Pa. – Cultural values of the river's Mauri and as a tributary to the Tukituki River and those associated Deed of Settlement responsibilities. 	
ONF-5	Northern end of Nga Kaihinaki-a-Whata and Te Whata Kokako	The northern end of Nga Kaihinaki-a-Whata and Te Whata Kokako ONF comprises a group of seven uplifted tilted limestone cuesta hills with classic exposed limestone crust.	<ul style="list-style-type: none"> – High aesthetic values of legibility and naturalness with an unbuilt landform that is clearly expressive of its geological origins, with perception of this being greatly assisted by the pastoral cover, lack of trees or buildings or earthworks. – The extremely high cultural values related to Horehore Pa and association with this area for 500 years by Māori. – The highly legible tilted landforms and cuesta formations with their limestone edges and rockfield are clearly expressive of past uplift and geological processes. 	21, 26, 70 & 71
ONF-6	Silver Range	The Silver Range ONF comprises the tilted uplifted mudstone ridgeline	<ul style="list-style-type: none"> – Aesthetic values of expressiveness and legibility of geological processes. 	13 & 18

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
		extending 10km from south of Elsthorpe up to the CHB district boundary.	<ul style="list-style-type: none"> High geological natural science values due to the expressiveness of its formative process of fault movement and tilted uplift. The ridge has significance as a geological feature, for educational purposes and aesthetic interest. 	
ONF-7	Kairakau Coastline	The Kairakau Coastline Coastal escarpment ONF comprises the hills behind Kairakau beach and the Manawarakau Gorge.	<ul style="list-style-type: none"> Very high landscape values derived from the memorable geological formations which exhibit a visually striking landform. This results in very high expressiveness and aesthetic values, which is coupled with very high cultural values and the ecological significance of parts of these cliffs. Very high cultural significance of the Manawarakau Gorge including eight nearby Pa sites, urupā and one of the most extensive concentration of pits along the Central Hawke's Bay coastline. It is also located along the trans-peninsular route stretching from Cape Kidnappers to Cape Turnagain which is plentiful in Māori archaeological sites. 	18 & 57
ONF-8	Pourērere, Aramoana and Blackhead Coastline	The Pourērere, Aramoana and Blackhead Coastline ONF comprises the coastal cliffs from approximately mid-way between Mangakuri Beach and Paoanui Point down to Blackhead Point.	<ul style="list-style-type: none"> Very high landscape values derived from the memorable steeply eroded coastal escarpments which are visually striking. There is a very high level of expressiveness and aesthetic values, which is coupled with very high cultural values which feature frequently along this stretch of coastline. 	33 & 74

Commented [RM1]: S54.002 David Bishop - Landscapes Topic, Issue 7

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
ONF-9	Parimahu	The Parimahu ONF comprises the south facing coastal wetland basin enclosed by rolling hills near the northern headland of the Pōrangahau beach system.	<ul style="list-style-type: none"> – Very high landscape values due to the landform containment created by the basin, in conjunction with the naturalness exhibited by this contained coastal wetland which holds significant ecological values. – Parimahu is highly valued by tangata whenua with two recorded pa sites and evidence of considerable occupation. This area is also located along the transpeninsular route stretching from Cape Kidnappers to Cape Turnagain which is plentiful in Māori archaeological sites. 	36 & 37
ONF-10	Porangahau Foredune and Estuary	The Porangahau Foredune and Estuary ONF comprises a 13km long beach system bound between the headlands of Blackhead Point and Te Paerahi Point.	<ul style="list-style-type: none"> – Very high landscape values derived from the geomorphological process resulting in an extensive longshore sand bar and the resulting ecological values (flora and fauna) of the dune system/estuary. – This is a dramatic coastline which has a very high level of expressiveness and aesthetic values, along with very high cultural values associated with this stretch of coastline. 	36, 40 & 76
ONF-11	Whangaehu Coastal Cliffs	The Whangaehu Coastal Cliffs ONF comprises the coastal cliffs south of Pōrangahau to the District's southern boundary.	<ul style="list-style-type: none"> – Very high landscape values derived from expressive coastal processes, along with the legibility of the mudstone characteristics which are visually striking. 	43 & 46

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
			<ul style="list-style-type: none"> <li data-bbox="947 416 1496 576">– Due to the majority of development being concentrated around the settlements, the remaining areas retain a high degree of perceived naturalness for the coastal processes that are underway. <li data-bbox="947 584 1496 663">– There are also high cultural values associated with this stretch of coastline. 	

Schedule of Significant Amenity Features

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
SAF-1	Mākāroro River	The Mākāroro River SAF includes the length of river from the gorge down to the junction with the Waipawa River. This is a 5km stretch of river (5km direct or 9.5km as the river flows), with the upper end of the gorge being east of the Whakarara Settlement intersection and the lower end of the SAF being Mākāroro Road bridge (Burnt Bridge) just upstream of the confluence with the Waipawa River.	<ul style="list-style-type: none"> – The combination of distinctive incised landform, and perceived and ecological naturalness due to the presence of remnant and regenerating native forest, historic and cultural associations. – Current pastoral activities within the river channel potentially reduce the ecological naturalness. 	5
SAF-2	Mangataura Stream	The Mangataura Stream SAF extends almost 10km from the eastern edge of the Ruahine Range down to the confluence with the Waipawa River. It has an area of approximately 380ha, which includes the upper portion which is made up of a number of smaller tributaries. These all originate in the Ruahine Range and join together at Whakarara settlement before combining to form the larger Mangataura Stream that joins the Waipawa River 5km downstream from the settlement.	<ul style="list-style-type: none"> – Density of native vegetation, which may include original trees that survived the burning and clearance over the last hundred plus years, plus its containment within a defined landscape setting. – Presence of such dense native vegetation also contributes to fulfilment of the 'ecological' and 'naturalness' factors in the landscape assessment process, while the containment within the incised main valley system and more rolling lower tributaries contributes to the 'expressiveness' and 'coherence' aesthetic factors. 	1, 4 & 5

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
		The tributaries and the stream flow through incised channels enclosed by rolling hills in the upper portions and abutting flatter terraces in the lower portions. Each channel is filled with a mixture of regenerating native vegetation and pasture.	<ul style="list-style-type: none"> – Rarity and associational cultural values are also contributing factors. 	
SAF-3	Waipawa River – Upper	The Waipawa River - Upper SAF extends 4.5km from the eastern edge of the Ruahine Range down to the confluence with Middle Stream, then a further 1km downstream of that. The tributaries and the river flow through deeply incised valleys enclosed by rolling hills in the upper portions and abutting flatter terraces in the lower portion. Each channel is filled with a mixture of regenerating native vegetation and pasture.	<ul style="list-style-type: none"> – Density of native vegetation, which may include original trees that survived the burning and clearance over the last hundred plus years, plus its containment within a defined landscape setting. – Presence of such dense native vegetation also contributes to fulfilment of the ‘ecological’ and ‘naturalness’ factors in the landscape assessment process, while the containment within the incised main valley system and more rolling lower tributaries contributes to the ‘expressiveness’ and ‘coherence’ aesthetic factors. – Rarity and associational cultural values are also contributing factors. 	4
SAF-4	Tukituki River - Upper	The Tukituki River - Upper SAF extends 7.5km direct (11.5km as the river flows) from the eastern edge of the Ruahine Range. The tributaries and the river flow	<ul style="list-style-type: none"> – River gorge geomorphology, with the extensively incised valley that has carved its way through the rolling foothills of the Ruahine Range. 	9 & 10

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
		through deeply incised valleys enclosed by rolling hills in the upper portions and abutting flatter terraces in the lower portion. The river channel is filled with a mixture of regenerating native vegetation and pasture.	<ul style="list-style-type: none"> – Areas of regenerating native vegetation, particularly on the south facing escarpments and valleys that remain wetter during the year, reinforce the naturalness and meandering presence of the gorge and incised valley system. 	
SAF-5	Tukipo River	The Tukipo River SAF extends almost 3.5km from the lower foothills of the Ruahine Range down to the flats of the river terraces. It has an area of approximately 113ha, which includes the upper portion which is made up of a number of smaller tributaries. These all originate in the lower foothills and join together at the Clinton Makāretu Road before flowing east towards SH50. The tributaries and the river flow through incised channels enclosed by rolling hills in the upper portions and abutting flatter terraces in the lower portions. Each channel is filled with a predominance of regenerating native vegetation and some pasture.	<ul style="list-style-type: none"> – Density of native vegetation, which may include original trees that survived the burning and clearance over the last hundred plus years. – Containment within a defined landscape setting. 	14
SAF-6	Tangarewai Stream	The Tangarewai Stream SAF extends almost 5km from its western end in the lower foothills of the Ruahine Range to its eastern end on the flats of the river	<ul style="list-style-type: none"> – Density of native vegetation, which includes (perhaps deliberately) original trees that survived the milling, burning and clearance over the last hundred plus years. 	14 & 15

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
		terraces. It has an area of approximately 190ha, which includes the upper portion which is made up of a number of smaller tributaries. These all originate in the lower foothills and join together southwest of Ashley Clinton before flowing east towards SH50. The tributaries and the river flow through incised channels enclosed by rolling hills in the upper portions and abutting flatter terraces in the lower portions. Each channel is filled with a predominance of regenerating native vegetation and some pasture.	<ul style="list-style-type: none"> – Containment within a defined landscape setting. – The presence of such dense native vegetation contributes to fulfilment of the 'ecological' and 'naturalness' factors in the landscape assessment process, while the containment within the incised main valley system and more rolling lower tributaries contributes to the 'expressiveness' and 'coherence' aesthetic factors. – Rarity and associational cultural values are also contributing factors. 	
SAF-7	Mangatewai River	<p>The Mangatewai Stream SAF extends almost 10km from the eastern edge of the Ruahine Range down to SH50. It has an area of approximately 530ha, which includes the upper portion which is made up of a number of smaller tributaries. These all originate in the Ruahine Range and join together just south of Te Wai Station at the end of Crump Road and Boyle Road.</p> <p>The tributaries and river flow through incised channels enclosed by rolling hills in the upper portions and abutting</p>	<ul style="list-style-type: none"> – Density of native vegetation, which includes regeneration and may include original trees that survived the burning and clearance over the last hundred plus years. – Containment within a defined landscape setting. – The presence of such dense native vegetation contributes to fulfilment of the 'ecological' and 'naturalness' factors in the landscape assessment process, while the containment within the incised main valley system and more rolling lower tributaries contributes to the 	20 & 21

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
		flatter terraces in the lower portions. Each channel is filled with a mixture of regenerating native vegetation and pasture.	<p>‘expressiveness’ and ‘coherence’ aesthetic factors.</p> <ul style="list-style-type: none"> – Rarity and associational cultural values are also contributing factors. 	
SAF-8	Makāretu River	The Makāretu Stream SAF extends 7.5km from the lower foothills of the Ruahine Range down to the flats of the river terraces. It has an area of approximately 250ha. Its upper tributaries all originate in the upper hills of the Ruahine Range, with the North Branch starting near Moorcock Saddle and the southern tributaries starting near Apiti Track, a long-used access across the Range from Norsewood to Makiekie Creek and then on to Apiti in Manawatū District. The river flows through incised channels enclosed by rolling hills in the upper portions and abutting flatter terraces in the lower portions before crossing the flat terraces of the Ruataniwha Plains as it approaches SH50. The channel is filled with a mixture of regenerating native vegetation and pasture.	<ul style="list-style-type: none"> – Density of native vegetation, which includes regeneration and may include original trees that survived the burning and clearance over the last hundred plus years. – Containment within a defined landscape setting. – The presence of such dense native vegetation contributes to fulfilment of the ‘ecological’ and ‘naturalness’ factors in the landscape assessment process, while the containment within the incised main valley system and more rolling lower tributaries contributes to the ‘expressiveness’ and ‘coherence’ aesthetic factors. – Rarity and associational cultural values are also contributing factors. 	20

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
SAF-9	Te Aute Limestone Crest	The Te Aute Limestone Crest SAF comprises a length of tilted limestone ridge with exposed limestone edges (cuesta's) on the eastern edge. The ridge runs for 27km, starting at Pakipaki in Hastings District to the north and finishing west of Otane in CHB. 7km of the ridge lies within CHB district.	<ul style="list-style-type: none"> – High aesthetic values of visibility and legibility of exposed limestone unbuild landform that is clearly expressive of its geological origins. – Visibility is assisted by lack of pine plantations, which have been planted on other limestone ridges in the area. – Ecological values of Highfield native vegetation, recognised as high significance in PNA assessment. 	7, 11 & 12
SAF-10	Lake Whatuma	The Lake Whatuma SAF comprises the shallow lake south of Waipukurau township.	<ul style="list-style-type: none"> – Whatuma has strong historic cultural associations for Māori and with the original establishment of the town. Its physical qualities have been greatly diminished over time and would benefit from enhanced water quality, fish life and increased endemic riparian vegetation. – High cultural values exemplified by the presence of white basket fungus (<i>Ileodictyon cibarium</i>) a local Māori delicacy. – It has high aesthetic values which are contributed to by the unbuild nature of periphery and openness of the western backdrop. 	22
SAF-11	Pōrangahau Inland Dunes	The Pōrangahau Inland Dunes SAF comprise the dune system (Sand Plain) located behind the Pōrangahau foredune.	<ul style="list-style-type: none"> – The high landscape values of this location relate to the geomorphology which is exhibited through both remnant and active coastal processes. This is a highly expressive dune system. 	36 & 40

Unique Identifier	Site Identifier	Description of Feature	Site Type (Summary Description of Landscape Values)	Map Reference
			<ul style="list-style-type: none"> - The uniqueness of the seaward parabolic dune movement and rich cultural components (particularly Rangitoto Pā) elevated the value of this area, however the extent of modifications reduce the status down to SAF from a potential ONF. The SAF is focused on the northern end of the Sand Plain, as this appears to have undergone less landform modification. 	

CE – Coastal Environment

Introduction

The coastal environment is important to residents and visitors to the District and there are a number of issues relating to management of activities and development within this area which need to be addressed through District Plan policies and methods.

This chapter addresses the following:

- the physical extent of the coastal environment;
- the preservation of the natural character of the coastal environment;
- the protection of the natural character of the coastal environment from inappropriate subdivision, use and development.

The coastal environment is also subject to natural hazards. Coastal hazards are addressed in the NH – Natural Hazards chapter, and are cross-referenced within this chapter where relevant.

The coastal environment has been mapped in the District Plan, defined as the area where coastal processes are dominant or significant. There are particular features which sit within this coastal environment which have also been mapped, including:

- Areas of High Natural Character (CE-SCHED7);
- Outstanding Natural Features and Landscapes, and Special Amenity Features (NFL-SCHED6);
- Heritage Items (HH-SCHED2);
- Archaeological Sites (refer NZAA's www.archsite.eaglelegis.co.nz for latest recorded sites);
- Wāhi Tapu, Wāhi Taonga and Sites of Significance (SASM-SCHED3); and
- Significant Natural Areas (ECO-SCHED5).

This chapter, therefore, also needs to be read in conjunction with other chapters covering these matters, such as:

- ECO – Ecosystems and Indigenous Biodiversity which contain policies and rules relating to overall protection of significant indigenous vegetation and habitat;
- NFL – Natural Features and Landscapes which contain policies and rules relating to overall protection of outstanding natural features and landscapes; and
- TW – Tangata Whenua (Ngā Tangata Whenua o Tamatea) and HH – Historical Heritage, which contain policies and rules relating to the relationship of tangata whenua with their ancestral lands, water, sites, wāhi tapu and other taonga, and the protection of historical heritage.
- SASM – Sites and Areas of Significance to Māori which contains policies and rules relating to the protection of identified wāhi tapu, wāhi taonga and sites and areas of significance to Māori.

The above cover numerous matters of national importance to be recognised and provided for pursuant to section 6 of the RMA and addressed specifically in terms of the coastal environment through the policies contained in the New Zealand Coastal Policy Statement (NZCPS), the Hawke's Bay Regional Policy Statement (RPS), and the Hawke's Bay Regional Coastal Environment Plan (RCEP). The District Plan is required to give effect to the NZCPS and the RPS and must not be inconsistent with the RCEP.

In terms of the day-to-day management of subdivision, use and development in the coastal environment, the coastal environment retains an underlying zoning of General Rural Zone, with a Large Lot Residential Zone (Coastal) applying to the majority of the beach settlements. Those zone provisions, along with the provisions in the District Plan relating to subdivision and network utilities, also come into play.

This chapter provides high-level guidance for sustainable management of the coastal environment, to be referred to where relevant, when making decisions on applications for resource consent applications required by the District Plan.

The Coastal Environment of Central Hawke's Bay District

Central Hawke's Bay's coastal area has a temperate climate with warm summers and cooler winters, typically experiencing lower rainfall, higher sunshine hours and a higher average temperature, when compared to the western districts of the North Island. The southern part of area is also known for its strong prevailing winds.

Overall, the coastal margin and adjacent inland area have seen a significant amount of terrestrial land cover modification through human settlement and development, with the majority of native vegetation having been cleared. Almost all the original native vegetation within the coastal environment has been lost, settlements have been introduced, grazing has been developed, drainage patterns have been modified and in some places the dunes have been recontoured to assist irrigation and primary production activities. These factors have diminished the natural character of the district, when compared to its original, natural state.

The eastern coastline of Central Hawke's Bay primarily comprises steep eroding mudstone /sandstone cliffs, separating a series of small coastal settlements located at road ends and adjacent to more sheltered sandy beaches. These settlements have traditionally provided bach and camping opportunities. The intent of the District Plan is for consolidation of existing coastal settlements that are set back from the coastal marine area, to avoid sprawling or sporadic patterns of settlement in the coastal environment, and to ensure that built development and associated public infrastructure does not compromise other values associated with the coastal environment.

The District's coastal boundaries extend from south of Waimarama to south of Whangaehu, a distance of approximately 70km. A short length of limestone cliffs and outcrops are located at Kairakau and the area to its north – the only such outcrop on the District's coastal edge. Remnants of a coastal sand dune system exist at Porangahau/Parimahu, a wide sweeping beach nearly 15km long. Drained and flattened, much of the dune area has been converted to

pasture, although remnant forms and interdunal wetlands and vegetation still remain to a limited extent on the northern-facing parts of the beach.

Most of the beach settlements and coastal developments are not serviced with Council infrastructure e.g. sewerage or potable water, or have private services which residents may be required to connect to. The provision of private on-site services is typical of servicing options within the coastal environment and helps maintain a sense of remoteness and wildness of the District's coastal environment. Similarly, there is a lack of hard protection structures – the only protection structure along the Central Hawke's Bay coast is the seawall along the foreshore at Kairakau Beach. This helps maintain the natural character of the coastal environment.

The coastal environment supports a wide variety of open space and recreational activities for the public to use and enjoy, such as beach walking, fishing, boating, swimming and surfing.

The coastal environment has special significance and cultural association for tangata whenua in terms of their relationship with the land and sea, and the historical pattern of settlement of the area. The coastal environment contains many important sites of cultural and heritage significance, including pā, middens and urupā. Coastal areas are of significance to tangata whenua both spiritually, and as a source of resources such as food, weaving and carving materials, and will continue to be a source of sustenance and identity to tangata whenua.

These attributes contribute to the distinctive character of the coastal environment of Central Hawke's Bay and to the well-being of the District and are highly valued by the community.

The future effects of climate change on the coastal environment, both in the short and long-term (for example, through sea level rise, coastal inundation and coastal erosion) is an issue that will feature prominently in Council decision-making. The NZCPS requires adoption of a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change. In this respect, these provisions need to be read in conjunction with the provisions in NH – Natural Hazards and the provisions of the Hawke's Bay Regional Coastal Environment Plan.

Issues

CE-I1 Preservation of the Natural Character of the Coastal Environment

Inappropriate subdivision, use, and development can adversely affect the natural character of the coastal environment, particularly in those areas identified as having high natural character.

Explanation

The Central Hawke's Bay coast forms part of a unique and extensive landscape and its natural character is typically due to a combination of its underlying geology, topography and pastoral landcover. Significant modification to the landform, such as may occur through mining or major earthworks, could threaten the aesthetic coherence of the coastline.

The highest degree of natural character (greatest naturalness) occurs where there is least modification. The amount of landform and land cover modification that has occurred along the Central Hawke's Bay coast, including modifications such as flattening of dunes and other landform modification through earthworks, drainage of wetlands, and general vegetation clearance and exotic vegetation colonisation, as well as the introduction of buildings and structures, have all reduced the natural character level from an outstanding natural state.

Whilst no areas of outstanding natural character have been identified, much of the District's coastline is considered to have high to very high natural character values. The natural character value in the cliff areas is largely due to the expressive formative landform processes and high perceptual values of the exposed underlying geology, while the natural character value in the dune area is due to the remaining dune landform and inter-dunal vegetation patterns and absence of built structures/elements. The coastal settlements are considered to have moderate or low natural character (albeit they have their own 'special character'). The natural character of the coastal environment can be adversely affected through the effects of coastal subdivision, use and development.

Policy 13 of the NZCPS 2010 states that natural character is not the same as natural features and landscapes or amenity values, and may include matters such as:

- natural elements, processes and patterns;
- biophysical, ecological, geological and geomorphological aspects;
- natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
- the natural movement of water and sediment;
- the natural darkness of the night sky;
- places or areas that are wild or scenic;
- natural character ranging from pristine to modified; and
- experiential attributes, including the sounds and smell of the sea; and their context or setting.

The extent to which development impacts on natural character will depend on how modified the environment currently is, and how well the development has been designed to accommodate elements of natural character (including coastal processes) and mitigate adverse impacts. The risk of incremental loss of natural character as a result of coastal land development and other activities in the coast can be high.

Some of the impacts that development can have on the natural character of the coast are:

- modification of natural landforms through earthworks;
- removal of indigenous vegetation;
- destruction of important indigenous habitats such as wetlands, dunes and riparian margins;
- disruption of natural drainage patterns;
- disruption of natural coastal processes including through activities such as beach replenishment, reclamations and coastal structures;
- increased sediment runoff from land clearance and earthworks;

- buildings and structures which are singly or cumulatively visually intrusive or dominant within the landscape; and
- disrupting natural patterns through inappropriate planting of non-indigenous local species.

However, the preservation of the natural character of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits. Some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic, and cultural wellbeing of people and communities, such as public infrastructure and some public facilities. Also, functionally, some uses and developments can only be located on the coast or in the coastal marine area.

Policy 6 of the NZCPS 2010 recognises that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals, are activities important to the well-being of people and communities, provided they do not compromise the other values of the coastal environment.

Further, in preserving the natural character of the coastal environment, subdivision, use and development activities that restore or rehabilitate natural character should be promoted where practicable, particularly in areas where the coastal environment is degraded.

Objectives

CE-O1 **Preservation of the natural character of the coastal environment of Central Hawke’s Bay, comprising the following distinctive landform of:**

1. **rugged eroding grey mudstone cliffs;**
2. **steep limestone outcrops;**
3. **remnant dunelands and associated interdunal wetlands, small lakes and associated vegetation;**
4. **wide sweeping beaches; and**
5. **small settlements, recessed into bays, adjoining a number of sheltered beaches.**

CE-O2 **Protection of the natural character of the coastal environment of Central Hawke’s Bay from inappropriate subdivision, use and development, and identify and promote opportunities for restoration or rehabilitation.**

CE-O3 **Activities that have a functional need (or operational need in respect of the National Grid) to locate in the coastal environment are provided for in appropriate locations, where they do not compromise other significant values in the coastal environment.**

Refer Objective PA-O1, as it relates to public access to and along the coast.

Commented [RM1]: Hearing Stream 1 - Right of Reply dated 8 April 22 (paras 69-72) - change of recommendation in s42A Coastal Topic, Issue 2, to retain the objective as notified, which is to then reject S121.056 Fed Farmers submission to include 'rural character' in Objective CE-O2 (and accept FS9.56 Forest & Bird)

Commented [RM2]: S79.088 Transpower - Coastal Topic, Issue 3

Commented [RM3]: S75.070 Forest & Bird - Coastal Topic, Issue 3

Commented [RM4]: S75.071 Forest & Bird - Coastal Topic, Issue 4

Refer also Objectives NH-O1, NH-O2 and NH-O3, as they relate to coastal hazards.

Policies

- CE-P1** To identify and map the coastal environment area of Central Hawke's Bay consistent with the Hawke's Bay Regional Coastal Environment Plan.
- CE-P2** To avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on the natural character of the coastal environment area (particularly in the areas of high natural character identified on the Planning Maps and in CE-SCHED7); including adverse effects resulting from the following activities:
1. drainage of coastal flats and wetlands;
 2. earthworks within dunes and coastal escarpments;
 3. buildings outside of the Large Lot Residential Zone (Coastal) within the coastal environment;
 4. plantation forestry; and
 5. use of vehicles on beaches and adjacent public land;
- particularly where these have been identified as a threat to the values of a particular area of high natural character.
- CE-P3** To avoid sprawling or sporadic subdivision and development in the coastal environment area.
- CE-P4** To manage the activities that can occur in the coastal environment area, including:
1. expansion and consolidation of existing coastal settlements;
 2. the scale, location, design and use of structures, buildings and infrastructure;
 3. earthworks; and
 4. subdivision.
- CE-P5** To recognise that there are activities which have a functional need **(or operational need in respect of the National Grid)** to locate and operate within the coastal environment, and provide for those activities in appropriate places.
- CE-P6** To require that proposed activities within the coastal environment area demonstrate that the activity is located appropriately, having regard to **its effects and:**
1. the particular natural character, ecological, historical or recreational values of the area;

Commented [RM5]: S79.089 Transpower - Coastal Topic, Issue 3

Commented [RM6]: S75.075 Forest & Bird - Coastal Topic, Issue 4

2. the extent to which the values of the area are sensitive or vulnerable to change;
3. opportunities to restore or rehabilitate the particular values of the coastal environment of the area;
4. the presence of any natural hazards and whether the activity will exacerbate the hazard and/or be vulnerable to it;
5. the impacts of climate change;
6. appropriate opportunities for public access and recreation; **and**
7. the extent to which any adverse effects are avoided, remedied or mitigated; **and**
- 7.8. **consistency with underlying zoning and existing land use.**

Commented [RM7]: S121.063 Fed Farmers - Coastal Topic, Issue 2

CE-P7

To require that proposed activities within the coastal environment area minimise any adverse effects by:

1. ensuring the scale, location and design of any built form or land modification is appropriate in the location;
2. integrating natural processes, landform and topography into the design of the activity, including the use of naturally occurring building platforms;
3. limiting the prominence or visibility of built form; and
4. limiting buildings and structures where the area is subject to the impacts of climate change and the related impacts of sea level rise, sea temperature rise and higher probability of extreme weather events; and
5. restoring or rehabilitating the landscape, including planting using local coastal plant communities.

CE-P8

To encourage restoration and rehabilitation of natural character, indigenous vegetation and habitats, landscape features, dunes and other natural coastal features or processes.

Refer Policies PA-P3 and PA-P4, as they relate to public access to and along the coast.

Commented [RM8]: S75.071 Forest & Bird - Coastal Topic, Issue 4

Refer also Policies NH-P4, NH-P5, NH-P6, NH-P7, MH-P8, NH-9, NH-P10, NH-P11 and NH-P12, as they relate to coastal hazards.

Rules

Refer Rules NH-R1, NH-R2 and NH-R3, as they relate to coastal hazards (the identified Tsunami Hazard Area, in particular).

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

CE-AM1 Identified Natural Character Values

1. Effects on the particular natural character values and characteristics contained in CE-SCHED7 and relevant section(s) of the following assessment report:

'Natural Character Assessment of the Central Hawke's Bay Coastal Environment', Hudson Associates Landscape Architects, January 2019.

CE-AM2 Additional Specific Assessment Matters for Activities on Land within or containing HNCs

1. Buildings
 - a. The location, layout, and design of the development to ensure that it does not have adverse effects on the coastal natural character. This will include reference to the proposed nature and location of building platforms, accessways, landscaping, planting, and the position, form, and appearance of building development.

In particular, the location, layout and design of buildings should:

 - i. Be of a scale, design and location that is sympathetic to the visual form of ridgelines and spurs and should not dominate the landscape.
 - ii. Avoid large-scale earthworks on ridgelines, hill faces and spurs.
 - iii. Be sympathetic to the underlying landform and surrounding visual and landscape patterns.
 - iv. Be designed to minimise cuttings across hill faces and through spurs.
 - v. Where planting is proposed, be of a scale, pattern and location that is sympathetic to the underlying landform and the visual and landscape patterns of surrounding activities.
 - vi. Where necessary for the avoidance or mitigation of adverse effects, include proposals to ensure the successful establishment of plantings.
 - vii. Avoid disturbance of archaeological sites.
2. Earthworks
 - a. The extent to which earthworks have been designed and located to minimise adverse visual effects.

In particular, the extent to which any such proposal:

 - i. Minimises the location of large-scale earthworks on prominent ridgelines, hill faces and spurs, where practicable.
 - ii. Minimises cuttings across hill faces and spurs.
 - iii. Minimises the number of finished contours that are out of character with the natural contour, where practicable.
 - iv. Can adequately mitigate the adverse visual effects through restoration or reinstatement of the site following the earthworks.
 - v. Will compromise the values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to tangata whenua.

vi. Will have any cumulative adverse effects (for example, the modification to the existing natural character and the sensitivity or vulnerability to further change).

vi-vii. Is consistent with the underlying zoning and existing land use.

Commented [RM9]: S121.067 Fed Farmers - Coastal Topic, Issue 2

3. General

- a. The natural science, perceptual and associational values (including the cultural relationship with the land for tangata whenua) associated with the natural character of the area.
- b. Place-specific management issues identified for the particular natural character area.
- c. The character and degree of modification, damage, loss, or destruction that will result from the activity.
- d. The duration and frequency of effect (for example, long-term or recurring effects).
- e. The magnitude or scale of effect (for example, the number of sites affected, spatial distribution, landscape context).
- f. The irreversibility of the effect (for example loss of unique or rare features, limited opportunity for remediation, the technical feasibility of remediation or mitigation).
- g. The resilience of heritage value or place to change (for example, the ability to assimilate change, vulnerability to external effects).
- h. The opportunities to remedy or mitigate pre-existing or potential adverse effects (for example restoration or enhancement), where avoidance is not practicable.
- i. The probability of the effect (for example the likelihood of unforeseen effects, ability to take a precautionary approach).
- j. Cumulative effects (for example, the modification to the existing natural character and its sensitivity or vulnerability to further change).
- k. Need for, or purpose of, the works.
- l. Whether there is a practicable alternative recognising the operational and technical requirements of regionally or nationally significant infrastructure.
- l.m. The consistency of the activity with its underlying zoning and existing land use.

Commented [RM10]: S121.068 Fed Farmers - Coastal Topic, Issue 2

Refer also Assessment Matters NH-AM1, NH-AM2, NH-AM3, NH-AM4, NH-AM5 and NH-AM6, as they relate to coastal hazards.

Methods

Methods for implementing the policies:

CE-M1 Mapping the Coastal Environment Area

Mapping the extent of the coastal environment on the Planning Maps.

CE-M2 Identifying and Mapping the Natural Character of the Coastal Environment

Identifying and describing the values associated with areas of high natural character (HNCs) in CE-SCHED7 and identifying them on the Planning Maps.

CE-M3 District Plan Provisions

1. SUB – Subdivision: subdivision of land within the coastal environment, and/or containing an identified area of high natural character, is a discretionary activity, with assessment matters in terms of those coastal and high natural character values.
2. EW – Earthworks, and NFL – Natural Features & Landforms: specific rules and standards controlling earthworks in the coastal environment and identified areas of high natural character in the coastal environment (HNCs), and controlling earthworks and built form in the District's ONFs (some of which present a significant overlap with identified HNCs), and accompanying assessment matters for assessing resource consent applications.
3. ECO – Ecosystems and Indigenous Biodiversity: rules and performance standards relating to Significant Natural Areas (SNAs) and the clearance of significant indigenous vegetation or significant habitats of indigenous fauna, which will also act to protect against loss of indigenous vegetation cover in identified HNCs containing such vegetation.
4. SASM – Sites and Areas of Significance to Māori: rules and standards protecting wāhi tapu, wāhi taonga and sites and areas of significance to Māori, which will also assist with protecting those associational values attributed by tangata whenua to identified HNCs.

CE-M4 Hawke's Bay Regional Resource Management Plan and Hawke's Bay Regional Coastal Environment Plan

Hawke's Bay Regional Resource Management Plan and Regional Coastal Environment Plan rules and performance standards controlling drainage of wetlands and inundation/damming of rivers, as well as land use controls restricting buildings and structures within identified coastal hazard zones.

CE-M5 Hawke's Bay Regional Pest Management Plan and Biosecurity Act 1993

Control of animal and plant pests affecting indigenous vegetation cover across the District through rules and implementation methods in the Hawke's Bay Regional Council's 'Regional Pest Management Plan' and through enforcement of the Biosecurity Act 1993.

CE-M6 Other Protection Mechanisms

Other protection mechanisms, such as the protection of public reserve land under the Conservation Act 1987 and Reserves Act 1977, retiring land under QEII covenant, and protection through Ngā Whenua Rāhui kawenata (covenants) on Māori-owned land. Such areas could be subject to partial rates relief or other assistance.

CE-M7 Education, Advocacy, and Information Sharing

Promoting education, advocacy and information sharing to raise community awareness of the attributes and values of the District's important natural character areas including their contribution to community identity, and the need to have regard to them when undertaking subdivision, use and development activities.

CE-M8 Liaison and Collaboration

Liaising and collaborating with landowners, interest groups and agencies with an interest in protecting, maintaining, or enhancing the District's high natural character areas in the coastal environment.

Liaising with others to develop, or utilising existing, climate change science and research to understand the relevant risks and adaptation, mitigation, or avoidance responses.

Refer also Methods NH-M1, NH-M2, NH-M5, NH-M6, NH-M7, NH-M8, NH-M9 and NH-M10, as they relate to coastal hazards.

Principal Reasons

The principal reasons for adopting the policies and methods:

The scale of the escarpments and dynamic nature of the coastal processes are such that only major changes have been assessed as likely to affect the natural character of features within the coastal environment of Central Hawke's Bay. These major changes centre around pine plantations, earthworks, drainage, and buildings.

Pine plantations can cover and hide the exposed geomorphology, which is a key perceptual characteristic owing to its prominent light grey colour, steep imposing cliffs and demonstration of active coastal processes. Conversely, pines can hold the land and limit erosion, which may be beneficial for the near shore marine environment. Consideration could be given to promoting the establishment of native vegetation as an alternative to pines along the eroding coastal escarpments. This would increase land stability and the natural character rating, also negating potential erosion problems that could result from pine harvesting.

Earthworks of a large scale can adversely affect features such as remnant dunes, flattening these to create more usable areas of pasture for farming operations. This negatively affects the landform. Similarly, drainage of dune areas has an adverse effect on biodiversity, vegetation habitat and perceived naturalness. Earthworks are not anticipated to occur on the steep escarpments due to accessibility issues, but if they did occur, they could be a threat to perceived naturalness, particularly in areas characterised by limestone or bare mudstone escarpments.

Buildings can detract from the perceived naturalness of the coastal edge if placed directly along the top of an escarpment by introducing a built form near an area where natural processes are clearly dominant.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- CE-AER1** **The distinctive eroding mudstone cliffs, limestone outcrops, dunelands and interdunal wetlands and lakes within the District's coastal environment are maintained and enhanced.**

- CE-AER2** **The natural character of the District's coastal environment is preserved through consolidation of existing coastal settlements, and through controls on subdivision and development.**

- CE-AER3** **Identified sites, landscapes, features and areas of natural, cultural and historical heritage significance within the coastal environment are protected.**

CE-SCHED7 – Schedule of Areas of High Natural Character

Schedule of Areas of High Natural Character in the Coastal Environment

Note: refer 'Natural Character Assessment of the Central Hawke's Bay Coastal Environment', January 2019 (Hudson Associates) for the full comprehensive assessment and evaluation supporting the identification of these natural character areas.

Unique Identifier	Site Identifier	Site Type (Summary Description of Natural Character Values)	Overall Natural Character Ranking	Identified Threats	Map Reference
HNC-1	Huarau – Taupata	<p>This sector has a High natural character ranking overall due to the dominance of the underlying topography and expressive formative processes.</p> <p>The northern Huarau feature comprises highly eroded mudstone with deep gully erosion on the cliff face and mudflows of softer sedimentary material flowing down the valleys to the beach, which are constantly susceptible to change through erosion. The southern Tuapata cliffs comprise fragmented limestone which gives these cliffs greater stability but are crumbling and broken due to the fragmented nature of the limestone which creates a highly diverse surface texture and profile.</p> <p>The verticality and yellow of the limestone contrasts with slumping and the characteristic</p>	High	<p>Pine plantation cover.</p> <p><i>[It is noted that vegetation cover of exposed slopes has the counter benefit of erosion control. Indigenous vegetation cover would be preferable to pine plantation in this instance].</i></p>	19

Unique Identifier	Site Identifier	Site Type (Summary Description of Natural Character Values)	Overall Natural Character Ranking	Identified Threats	Map Reference
		<p>whiteness of the light grey mudstone to the north.</p> <p>Pasture covers much of the more stable surfaces on both features, but recent planting of pine plantation on the Huarau feature will soon suppress this and form a dense exotic treed cover. There are small patches of regenerating native coastal shrubland in firmer areas of the Huarau feature and more on the Taupata feature, and biodiversity value is therefore limited. Pasture and exotic plantations reduce biodiversity.</p> <p>The structures within this sector are limited to rural fencing which has a minimal impact on natural character.</p>			
HNC-2	Waimoana – Kairakau	<p>This sector has a Very High natural character ranking overall due to a combination of its clearly perceived underlying geology and formative processes, areas of ecological value, perceptual coherence and sites of cultural importance.</p> <p>The sector is a short section of coast characterised by steep limestone cliffs and exposed limestone outcrops. Slopes are more eroded in the northern part of the sector, with broken surface slopes exposing the colour and</p>	Very High	<p>Pine plantation cover.</p> <p>Earthworks in the southern portion.</p> <p>Buildings along the top of the southern escarpment.</p> <p>Pine plantation along the top of the southern escarpment.</p>	18 & 57

Unique Identifier	Site Identifier	Site Type (Summary Description of Natural Character Values)	Overall Natural Character Ranking	Identified Threats	Map Reference
		<p>texture of the limestone base, while the southern portion has less eroded slopes and tops with exposed faces and a distinctive overhanging edge.</p> <p>Areas of native regeneration are evident on the firmer faces and behind the Kairakau coastal settlement. The rest of the cover is mainly pasture, although bare areas where erosion is more concentrated is evident further to the north.</p> <p>Kairakau lies in the lee of the cliffs at the southern end of the feature, with the towering cliffs behind with their verticality and exposed limestone frontage reinforcing their legibility and expressiveness. The continued height and exposure to the north, coupled with the smoothness of the pasture covered colluvium runoff, give the sea front cliffs a clean and stable appearance, highly coherent and completely dominant over the settlement and adjacent beach.</p> <p>Numerous sites of cultural significance are present within the local area.</p>			

Unique Identifier	Site Identifier	Site Type (Summary Description of Natural Character Values)	Overall Natural Character Ranking	Identified Threats	Map Reference
HNC-3	Paonui Point – Pourerere	<p>This sector has High and Very High natural character ranking due to a combination of the key characteristics of its underlying geology, highly varied topography, expressiveness of formative processes, possible ecological value of regenerating vegetation and limited human modification.</p> <p>The sector contains a dramatic piece of eroding mudstone just north of Paonui Point, with the unstable nature of the underlying rock type clearly visible due to its bareness and highly eroded nature. Paonui Point is a prominent headland, also with exposed eroded mudstone but alternating with sandstone, giving the smooth appearance of the escarpment. This continues around the point, with steep eroded light grey cliffs before reaching mudstone again toward Pourerere where it is less dramatic due to the vegetation cover.</p> <p>The area is generally bare of vegetation, except for the mudstone cliff towards Pourerere where regeneration has formed a thick cover, providing good biodiversity over that limited area.</p>	High & Very High	<p>Vegetation clearance in the southern portion of the sector.</p> <p>Pine plantation cover.</p> <p><i>[It is noted that vegetation cover of exposed slopes has the counter benefit of erosion control. Indigenous vegetation cover would be preferable to pine plantation in this instance].</i></p>	29

Unique Identifier	Site Identifier	Site Type (Summary Description of Natural Character Values)	Overall Natural Character Ranking	Identified Threats	Map Reference
		Active erosion processes are evident, and coastal erosion is eating away at the base of the escarpments.			
HNC-4	Aramoana – Te Angiangi	<p>This sector has a High natural character ranking due to a combination of its underlying estuarine processes and vegetation, potential ecological value and limited human modification despite its proximity to the settlement at Aramoana (Shoal Beach development).</p> <p>Tall sea cliffs south of the Shoal Beach development are representative of an intact section of the coastal escarpment landform.</p> <p>The river estuary and adjacent wetland at Aramoana are expressive of the river/coastal interface landform and provide wetland grass habitat contributing to greater biodiversity along the riparian edges. The estuary, although small and only exposed to the sea in very high tides, retains an appearance of naturalness due to the riparian vegetation and its width and is somewhat rare in this coastal environment.</p>	High	<p>Earthworks and drainage in the riparian area.</p> <p>Pine plantation cover in the coastal cliff area.</p>	33 & 74
HNC-5	Pohutapapa – Blackhead	This sector has High and Very High natural character ranking due to a combination of its underlying geology and topography,	High & Very High	Pine plantation cover.	37 & 74

Unique Identifier	Site Identifier	Site Type (Summary Description of Natural Character Values)	Overall Natural Character Ranking	Identified Threats	Map Reference
		<p>expressiveness of its formative processes, perceptual values and limited human modification.</p> <p>The sector is representative of the Central Hawke's Bay coastal character, characterized by steeply sloping mudstone cliffs eroded and exposed light grey base rock with escarpments of varying height. The southern extent ends at Blackhead Point with a small distinctive cliff of eroded sandstone. Coastal processes constantly nibble at the foot of the escarpments while surface erosion on the steep cliffs, resulting in incised valley and extensive areas of bare mudstone.</p> <p>The cover is a mixture of bare eroded surface, with areas of pasture and small areas of revegetation (and therefore contains limited biodiversity). There are no structures or settlements within this sector.</p>		<p><i>[It is noted that vegetation cover of exposed slopes has the counter benefit of erosion control. Indigenous vegetation cover would be preferable to pine plantation in this instance].</i></p>	
HNC-6	Porangahau	<p>This sector has a High and Very High natural character ranking due to a combination of its underlying topography, formative processes, ecological value and perceived naturalness.</p> <p>The sector contains an extended area of coastal dune land backed by rising land, limited estuarine habitat around the</p>	High & Very High	<p>Landform modifications and drainage.</p> <p>Pine plantation cover in the northern portion.</p>	36, 40 & 76

Unique Identifier	Site Identifier	Site Type (Summary Description of Natural Character Values)	Overall Natural Character Ranking	Identified Threats	Map Reference
		<p>Porangahau River in riparian areas. The dunes are more apparent to the northern end, and there are limited remnants of interdunal wetlands and dune vegetation.</p> <p>This area would have had high biodiversity, but this has been diminished over time as land use has changed. There is greater biodiversity towards the northern end where less disturbance has occurred.</p> <p>The beach between MHWS and the inner edge of the narrow dune system has very high perceived naturalness values. Dune flats at the northern end have high perceived naturalness due to the remnant dune forms and less modified land cover. Large areas to the south have reduced perceived naturalness values due to modifications to landform and drainage patterns.</p> <p>Structures within this section include farm buildings, fences and ditches, with the original paper road and paper settlement of Parimahu at the northern end.</p>			
HNC-7	Mt Pleasant	This sector has High and Very High natural character ranking due to a combination of its underlying geology and topography, formative	High & Very High	Pine plantation cover.	43

Unique Identifier	Site Identifier	Site Type (Summary Description of Natural Character Values)	Overall Natural Character Ranking	Identified Threats	Map Reference
		<p>processes, perceptual values of this geology and limited human modification.</p> <p>The sector is representative of the Central Hawke’s Bay coastal character, with steeply sloping mudstone cliffs eroded and exposed light grey base rock with escarpments of varying height. There are areas of pasture on steep slopes, areas of bare mudstone and an area of pine plantation cover over steeply eroding cliff – hence limited biodiversity. There are no settlements or structures in this area.</p> <p>The erosion processes are most apparent on bare faces of mudstone and with the sea nibbling away at the base of escarpments.</p>			
HNC-8	Whangaehu	<p>This sector has Very High natural character ranking due to a combination of its underlying geology and resultant topography, expressiveness of formative processes, ecological value of regenerating vegetation and limited human modification.</p> <p>The Whangaehu landform comprises an extended length of steeply sloping eroding mudstone cliffs, which ends at the district boundary just 5km north of Cape Turnagain. It contains large patches of regeneration with an accompanying level of biodiversity, small</p>	Very High	Pine plantation cover.	46

Unique Identifier	Site Identifier	Site Type (Summary Description of Natural Character Values)	Overall Natural Character Ranking	Identified Threats	Map Reference
		<p>areas of pasture, but mainly bare exposed mudstone. There is clear evidence of erosion processes with soft mudstone on the coastal edge.</p> <p>The small settlement of Whangaehu around the northern point has minimal impact on the overall feature.</p>			

PART 3 – AREA-SPECIFIC MATTERS

ZONES

LLRZ – Large Lot Residential Zone (Coastal)

Introduction

The coastal settlements covered by the Large Lot Residential Zone(Coastal) are:

- Kairakau Beach
- Mangakuri Beach
- Pourerere Beach
- Blackhead Beach
- Te Paerahi Beach.

These settlements are highly valued for their feeling of remoteness and they each have a special and distinct character. The key characteristics across all of the settlements include:

- single baches, mainly single or 2-storey in height, on large lots;
- the absence of kerb and channel, footpaths and street lighting;
- the absence of business activities; and
- large areas of public open space and associated small scale public facilities, particularly along the beach front.

The future of the coastal settlements depends on maintaining their small scale, sense of remoteness, and their ability to provide water supply and sewage disposal systems that can meet the demands of a seasonal population.

Additional characteristics of each coastal settlement are described below:

Kairakau Beach

The landscape of Kairakau Beach settlement is easily recognisable by the imposing limestone cliffs backdrop that provide a distinct 'sense of place'. It also features the only seawall protection along the Central Hawke's Bay coastline. Residential development is clustered between the base of the cliffs, the foreshore and the Mangakuri River estuary.

Mangakuri Beach

Mangakuri Beach settlement comprises a single row of baches/holiday homes discretely located above and on the landward side of the road, between the base of the hills and the foreshore dunes. Sites in this settlement are large in size (the average site size being just under 3,000m²), with only one dwelling on each site. The character of this settlement is therefore very open, small scale and has a feeling of remoteness.

Pourerere Beach

This settlement is comprised of two distinct parts, the northern area located where Pourerere Road first meets the beach; and the historic bach settlement area further along the coast to

the south. Development is small scale, particularly in the southern area, comprising single baches and dwellings on individual sites. A camping ground is also located centrally within the southern area.

While demand for coastal living peaked in the early 2000's, provision for future development at Pourerere Beach is constrained by on-site servicing issues, coastal natural hazards and limited suitable land for new development available within the Large Lot Residential Zone.

Blackhead Beach

Blackhead Beach settlement, located off a side road at the end of Long Range Road, comprises a small cluster of baches setback some distance from the beach in a small basin of land surrounded by hills. Te Angiangi Marine Reserve, managed by the Department of Conservation, is accessed via Blackhead Beach (and Aramoana). This reserve, established in 1997, protects 446 ha of coastline in this vicinity, and comprises a coastal and marine environment that is fully protected to help allow the coastal and marine ecosystems to return to their former natural state. It is an area highly valued by locals and visitors for educational and scientific reasons as well as for recreational pursuits. It is the only Marine Reserve in Hawke's Bay.

Te Paerahi Beach

Te Paerahi Beach settlement is the largest coastal settlement and is located on land between Porangahau River and the coast. Te Paerahi is the only settlement serviced by Council reticulated water and wastewater and therefore the potential for infill is greater in this settlement.

The coastal developments at Shoal Beach (between Pourerere and Blackhead) and Whangaehu on the southern coastline, have not been included within the Large Lot Residential Zone. These settlements have a complex set of resource consent conditions and covenants controlling their development. They retain an underlying General Rural zoning.

Issues

LLRZ-I1 Amenity and Character

Maintaining the special identity, character and heritage of the coastal settlements, including the 'remote' feel, characterised by a lack of urban kerb and channel on roadways, large sections with single dwellings, and absence of business activities.

LLRZ-I2 Coastal Hazards and Climate Change

The coastal fringe, including coastal settlements, is susceptible to natural hazards including coastal erosion and coastal inundation and the effects of storm surge, sea level rise and tsunamis. Refer CE – Coastal Environment and NH – Natural Hazards chapters.

LLRZ-I3 Access to the Coast

Public access to and along the Central Hawke’s Bay District Coast is highly valued for coastal recreation and camping opportunities and needs to be maintained and enhanced. Refer PA – Public Access chapter.

LLRZ-14 Servicing

Servicing of the coastal settlements varies. There is on-site servicing in some settlements, Council reticulated water and wastewater at Te Paerahi, Council non-potable water at Pourerere, and Council potable water supply at Kairakau. Kairakau also has a private community wastewater system which is not mandatory to join.

Explanation

The Large Lot Residential Zone (Coastal) within the coastal environment is important as it provides a place where people can live or holiday and relax in a coastal environment. The coastal settlements are valued for their sense of remoteness, small scale and lack of urban amenity and their easy access to beaches.

The zone provides for large-lot residential living in a distinctive coastal environment and land uses are managed in such a way to ensure that their effects are compatible with the amenity associated with these coastal settlements.

While there are areas within the zone where growth is possible, development is generally constrained by the need to provide on-site water supplies and wastewater services, and the limited amount of undeveloped land available.

Coastal settlements are located in dynamic natural environments and will require ongoing management and monitoring. While these are matters addressed by Hawke’s Bay Regional Council through the Hawke’s Bay Regional Coastal Environment Plan, the District Plan also needs to have regard to them.

New Zealanders place high value on being able to access and enjoy the coast. Much of the Central Hawke’s Bay District’s coast is not easily accessible to the public, and roads and public open space areas within coastal settlements provide important access points. It is important that these access points are maintained and enhanced in our coastal settlements.

Contamination of ground and surface water can result from septic tank failure and lead to subsequent health risks. Discharge to land from on-site wastewater disposal are subject to controls under the Hawke’s Bay Regional Coastal Environment Plan. Areas with known on-site sewage problems will require larger sites in order to provide adequate effluent disposal fields.

Objectives

LLRZ-01 To ensure that the identity, character, and heritage values of the coastal settlements are maintained and enhanced.

LLRZ-O2 To enable certain small-scale community and recreation facilities, and physical infrastructure, including educational facilities, **emergency service facilities** and network utilities, to be located in the coastal settlements in a way which maintains and enhances the character and amenity of these settlements while providing for the social, and cultural wellbeing of people in the community, as well as their health and safety.

Commented [RM1]: S57.099 FENZ - Coastal Topic, Issue 6

LLRZ-O3 To avoid the extension, alteration, and construction of buildings on those parts of the coastal environment which are most at risk from erosion and inundation.

LLRZ-O4 To facilitate public access to, and enjoyment of, the District's coast and its margins in a manner that protects the natural character values of the coastal environment.

Policies

LLRZ-P1 Through the Large Lot Residential Zone (Coastal), recognise and provide for existing coastal settlements that serve an important social and recreational function and have a distinct character related to their coastal location.

LLRZ-P2 Allow for use and development that maintains or enhances the identity, character and heritage values of the Large Lot Residential Zone (Coastal).

LLRZ-P3 Provide building density controls for coastal settlements which promote an open appearance.

LLRZ-P4 Provide for limited small-scale, non-residential activities within coastal settlements that directly support the well-being of the coastal communities and their visitors.

LLRZ-P5 Subdivision, use and development in the Large Lot Residential Zone (Coastal) will retain the existing built character of the coastal settlements including the building density, height and setbacks.

LLRZ-P6 Control land use and subdivision activities in the coastal settlements where coastal hazards may potentially put communities, resources, buildings and people at risk.

LLRZ-P7 Recognise and provide for existing recreational activities within existing coastal settlements that do not have detrimental effects on the coastal environment.

LLRZ-P8 Ensure use, subdivision and development within existing coastal settlements provides for, or enhances, public access to and along the coast. Access should only be restricted for the following reasons:

1. to protect natural habitats;
2. to protect historic heritage features and areas; or
3. to protect public health and safety.

LLRZ-P9 Ensure all land use activities, development and subdivision provide a suitable on-site wastewater treatment and disposal system, stormwater systems, and water supply unless an approved alternative system is available.

Note: refer also to the SUB – Subdivision chapter, and Hawke’s Bay Regional Coastal Environment Plan.

Rule Overview Table

Use/activity	Rule Number
Residential activities	LLRZ-R1
Home businesses	LLRZ-R2
Visitor accommodation	LLRZ-R3
Community facilities	LLRZ-R4
Educational facilities	LLRZ-R5
Emergency service activities and emergency aviation movements	LLRZ-R6
Community corrections activities	LLRZ-R7
Relocated buildings	LLRZ-R8
Primary production activities	LLRZ-R9
Commercial activities not otherwise provided for	LLRZ-R10
Camping grounds	LLRZ-R11
Any other activity not otherwise provided for	LLRZ-R12
Intensive primary production activities	LLRZ-R13
Industrial activities	LLRZ-R14

Service activities

LLRZ-R15

Rules

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the Large Lot Residential Zone within the coastal environment.

Also, check to see if consents are required from Hawke's Bay Regional Council, for instance in relation to:

- discharges of contaminants to land or water (e.g. on-site disposal of effluent, stormwater from industrial or trade premises).
- taking of water (e.g. from water courses or underground wells).
- vegetation clearance and soil disturbance activities in the coastal environment.
- activities in identified Coastal Hazard Zones.

LLRZ-R1 Residential activities

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with:
 - i. LLRZ-S1;
 - ii. LLRZ-S2;
 - iii. LLRZ-S3;
 - iv. LLRZ-S4;
 - v. LLRZ-S5;
 - vi. LLRZ-S6;
 - vii. LLRZ-S7;
 - viii. LLRZ-S8;
 - ix. LLRZ-S9;
 - x. LLRZ-S10;
 - xi. LLRZ-S11;
 - xii. LLRZ-S12;
 - xiii. LLRZ-S13; and
 - xiv. LLRZ-S14.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:

- i. LLRZ-AM1.
- ii. LLRZ-AM2.
- iii. LLRZ-AM3.
- iv. LLRZ-AM4.
- v. LLRZ-AM5.

- vi. LLRZ-AM12.
- vii. LLRZ-AM13.

- b. Assessment matters in the following chapters:

- i. TRAN – Transport.
- ii. LIGHT – Light.
- iii. NOISE – Noise.

Commented [RM2]: S90.054 Centralines - Coastal Topic, Issue 7

Commented [RM3]: S57.117 FENZ - Coastal Topic, Issue 6

LLRZ-R2 Home businesses

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:

2. Activity status where compliance with condition LLRZ-R2(1)(b) is not achieved: RDIS

- i. Home businesses must occupy no more than 50m² of the gross floor area of the buildings on the site.
 - ii. Goods, materials, or equipment associated with the home business must be stored within a building.
 - iii. Manufacturing, altering, repairing, dismantling, or processing of any goods or articles associated with the home business must be carried out within a building.
 - iv. Home businesses must be undertaken by a person(s) residing on the site and employ no more than one full-time equivalent person who does not reside on the site.
- b. Compliance with:
- i. LLRZ-S1;
 - ii. LLRZ-S2;
 - iii. LLRZ-S3;
 - iv. LLRZ-S4;
 - v. LLRZ-S5;
 - vi. LLRZ-S6;
 - vii. LLRZ-S7;
 - viii. LLRZ-S8;
 - ix. LLRZ-S9;
 - x. LLRZ-S10;
 - xi. LLRZ-S11;
 - xii. LLRZ-S12;
 - xiii. LLRZ-S13; and
 - xiv. LLRZ-S14.

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. LLRZ-AM1.
 - ii. LLRZ-AM2.
 - iii. LLRZ-AM3.
 - iv. LLRZ-AM4.
 - v. LLRZ-AM5.
 - vi. LLRZ-AM12.
 - vii. LLRZ-AM13.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with condition LLRZ-R2(1)(a) is not achieved: DIS

Commented [RM4]: S90.054 Centralines - Coastal Topic, Issue 7

Commented [RM5]: S57.117 FENZ - Coastal Topic, Issue 6

LLRZ-R3 Visitor accommodation

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. Accommodating no more than 5 guests at any one time.
 - ii. Length of stay for any one guest must be no greater than 3 months in any 12-month period.
Note: activities involving longer term tenancy within a residential unit are assessed as a 'Residential Activity'.
- b. Compliance with:

2. Activity status where compliance with condition LLRZ-R3(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. LLRZ-AM1.
 - ii. LLRZ-AM2.
 - iii. LLRZ-AM3.
 - iv. LLRZ-AM4.
 - v. LLRZ-AM5.

<ul style="list-style-type: none"> i. LLRZ-S1; ii. LLRZ-S2; iii. LLRZ-S3; iv. LLRZ-S4; v. LLRZ-S5; vi. LLRZ-S6; vii. LLRZ-S7; viii. LLRZ-S8; ix. LLRZ-S9; x. LLRZ-S10; xi. LLRZ-S11; xii. LLRZ-S12; xiii. LLRZ-S13; and xiv. LLRZ-S14. 	<ul style="list-style-type: none"> vi. LLRZ-AM12; vii. LLRZ-AM13; <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
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Commented [RM6]: S90.054 Centralines - Coastal Topic, Issue 7

Commented [RM7]: S57.117 FENZ - Coastal Topic, Issue 6

LLRZ-R4 Community facilities

<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Limited to 100m² gross floor area. b. Compliance with: <ul style="list-style-type: none"> i. LLRZ-S2; ii. LLRZ-S3; iii. LLRZ-S4; iv. LLRZ-S5; v. LLRZ-S6; vi. LLRZ-S7; vii. LLRZ-S8; viii. LLRZ-S9; ix. LLRZ-S10; x. LLRZ-S11; xi. LLRZ-S12; xii. LLRZ-S13; and xiii. LLRZ-S14. 	<p>2. Activity status where compliance with condition LLRZ-R4(1)(b) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <ul style="list-style-type: none"> a. Assessment matters: <ul style="list-style-type: none"> i. LLRZ-AM1. ii. LLRZ-AM2. iii. LLRZ-AM3. iv. LLRZ-AM4. v. LLRZ-AM5. vi. LLRZ-AM12; vii. LLRZ-AM13; b. Assessment matters in the following chapters: <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
	<p>3. Activity status where compliance with condition LLRZ-R4(1)(a) is not achieved: DIS</p>

Commented [RM8]: S90.054 Centralines - Coastal Topic, Issue 7

Commented [RM9]: S57.117 FENZ - Coastal Topic, Issue 6

LLRZ-R5 Educational facilities

<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Limited to 4200m² gross floor area. 	<p>2. Activity status where compliance with condition LLRZ-R5(1)(b) is not achieved: RDIS</p>
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Commented [RM10]: S73.014 MoE - Coastal Topic, Issue 7

- b. Compliance with:
 - i. LLRZ-S2;
 - ii. LLRZ-S3;
 - iii. LLRZ-S4;
 - iv. LLRZ-S5;
 - v. LLRZ-S6;
 - vi. LLRZ-S7;
 - vii. LLRZ-S8;
 - viii. LLRZ-S9;
 - ix. LLRZ-S10;
 - x. LLRZ-S11;
 - xi. LLRZ-S12;
 - xii. LLRZ-S13; and
 - xiii. LLRZ-S14.

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. LLRZ-AM1.
 - ii. LLRZ-AM2.
 - iii. LLRZ-AM3.
 - iv. LLRZ-AM4.
 - v. LLRZ-AM5.

- vi. LLRZ-AM12.
- vii. LLRZ-AM13.

- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with condition LLRZ-R5(1)(a) is not achieved: DIS

LLRZ-R6 Emergency service activities and emergency aviation movements

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area.
- b. Compliance with:
 - i. LLRZ-S2;
 - ii. LLRZ-S3;
 - iii. LLRZ-S4;
 - iv. LLRZ-S5;
 - v. LLRZ-S6;
 - vi. LLRZ-S7;
 - vii. LLRZ-S8;
 - viii. LLRZ-S9;
 - ix. LLRZ-S10;
 - x. LLRZ-S11;
 - xi. LLRZ-S12;
 - xii. LLRZ-S13; and
 - xiii. LLRZ-S14.

2. Activity status where compliance with condition LLRZ-R6(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. LLRZ-AM1.
 - ii. LLRZ-AM2.
 - iii. LLRZ-AM3.
 - iv. LLRZ-AM4.
 - v. LLRZ-AM5.

- vi. LLRZ-AM12.
- vii. LLRZ-AM13.

- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

Commented [RM11]: S90.054 Centralines - Coastal Topic, Issue 7

Commented [RM12]: S57.117 FENZ - Coastal Topic, Issue 6

Commented [RM13]: S57.108 FENZ - Coastal Topic, Issue 6

Commented [RM14]: S90.054 Centralines - Coastal Topic, Issue 7

Commented [RM15]: S57.117 FENZ - Coastal Topic, Issue 6

3. Activity status where compliance with condition LLRZ-R6(1)(a) is not achieved: DIS

LLRZ-R7 Community corrections activities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area.
- b. Compliance with:
 - i. LLRZ-S2;
 - ii. LLRZ-S3;
 - iii. LLRZ-S4;
 - iv. LLRZ-S5;
 - v. LLRZ-S6;
 - vi. LLRZ-S7;
 - vii. LLRZ-S8;
 - viii. LLRZ-S9;
 - ix. LLRZ-S10;
 - x. LLRZ-S11;
 - xi. LLRZ-S12;
 - xii. LLRZ-S13; and
 - xiii. LLRZ-S14.

2. Activity status where compliance with condition LLRZ-R7(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. LLRZ-AM1.
 - ii. LLRZ-AM2.
 - iii. LLRZ-AM3.
 - iv. LLRZ-AM4.
 - v. LLRZ-AM5.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with condition LLRZ-R7(1)(a) is not achieved: DIS

Commented [RM16]: S97.010 Corrections - Coastal Topic, Issue 7

LLRZ-R8 Relocated buildings

1. Activity Status: PER

Where the following conditions are met:

- a. The building must be for the purpose of accommodating a permitted or consented activity on the site.
- b. Compliance with LLRZ-S15.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted:

- a. LLRZ-AM1.
- b. LLRZ-AM2.
- c. LLRZ-AM5.
- d. Whether the building is structurally sound, the condition of the building and the works needed to bring the exterior of the building up to an external visual appearance that is tidy, of appropriate standard, and compatible with other buildings in the vicinity.

- e. The bulk and location of the building in relation to the requirements of the zone.
- f. The need for structural repairs and reinstatement of the building and the length of time for completion of that work.
- g. The imposition of a performance bond to ensure compliance with the consent conditions.

Note: this rule applies to the building only. Any activities occurring within the building are subject to the District Plan rules relating to the activity itself.

LLRZ-R9 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying)

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with:
 - i. LLRZ-S2;
 - ii. LLRZ-S3;
 - iii. LLRZ-S4;
 - iv. LLRZ-S5;
 - v. LLRZ-S6;
 - vi. LLRZ-S7;
 - vii. LLRZ-S8;
 - viii. LLRZ-S9;
 - ix. LLRZ-S10;
 - x. LLRZ-S11;
 - xi. LLRZ-S12;
 - xii. LLRZ-S13; and
 - xiii. LLRZ-S14.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. LLRZ-AM1.
 - ii. LLRZ-AM2.
 - iii. LLRZ-AM3.
 - iv. LLRZ-AM4.
 - v. LLRZ-AM5.
 - vi. [LLRZ-AM12](#)
 - vii. [LLRZ-AM13](#)
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

Commented [RM17]: S90.054 Centralines - Coastal Topic, Issue 7

Commented [RM18]: S57.117 FENZ - Coastal Topic, Issue 6

LLRZ-R10 Commercial activities not otherwise provided for

1. Activity Status: RDIS

Where the following conditions are met:

- a. Limited to:
 - i. Commercial activities must occupy no more than 50m² gross floor area on the site.

2. Activity status where compliance not achieved: NC

b. Compliance with:

- i. LLRZ-S2;
- ii. LLRZ-S3;
- iii. LLRZ-S4;
- iv. LLRZ-S5;
- v. LLRZ-S6;
- vi. LLRZ-S7;
- vii. LLRZ-S8;
- viii. LLRZ-S9;
- ix. LLRZ-S10;
- x. LLRZ-S11;
- xi. LLRZ-S12;
- xii. LLRZ-S13; and
- xiii. LLRZ-S14.

**Matters over which discretion is restricted
(where relevant to the infringed standard(s)):**

c. Assessment matters:

- i. LLRZ-AM1.
- ii. LLRZ-AM2.
- iii. LLRZ-AM3.
- iv. LLRZ-AM4.
- v. LLRZ-AM5.
- vi. LLRZ-AM6.

d. Assessment matters in the following chapters:

- i. TRAN – Transport.
- ii. LIGHT – Light.
- iii. NOISE – Noise.

LLRZ-R11 Camping grounds

1. Activity Status: RDIS

Where the following conditions are met:

a. Compliance with:

- i. LLRZ-S2;
- ii. LLRZ-S3;
- iii. LLRZ-S4;
- iv. LLRZ-S5;
- v. LLRZ-S8;
- vi. LLRZ-S9;
- vii. LLRZ-S10;
- viii. LLRZ-S11;
- ix. LLRZ-S12;
- x. LLRZ-S13; and
- xi. LLRZ-S14.

2. Activity status where

compliance not achieved: DIS

<p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <p>b. Assessment matters:</p> <ul style="list-style-type: none"> i. LLRZ-AM1. ii. LLRZ-AM3. iii. LLRZ-AM4. iv. LLRZ-AM5. v. LLRZ-AM7. vi. LLRZ-AM12. vii. LLRZ-AM13. <p>c. LLRZ-AM11.</p> <p>d. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise. 	
<p>1. Activity Status: DIS</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
<p>LLRZ-R12 Any other activity not otherwise provided for</p>	
<p>1. Activity Status: DIS</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
<p>LLRZ-R13 Intensive primary production activities</p>	
<p>1. Activity Status: NC</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
<p>LLRZ-R14 Industrial activities</p>	
<p>1. Activity Status: NC</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
<p>LLRZ-R15 Service activities</p>	
<p>1. Activity Status: NC</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>

Commented [RM19]: S101.001 NZ Motor Caravan - Coastal Topic, Issue 7

Standards

LLRZ-S1 Residential Density

Mangakuri Beach Only

1. There must be no more than:
 - a. two residential units (including minor residential units) on any site; or
 - b. one residential unit and one visitor accommodation unit on any site.
2. Minimum net site area for any site is 1500m² for each residential/visitor accommodation unit.

Note: Mangakuri Beach is not serviced by a reticulated wastewater disposal system. Resource consent may be required from the Hawke's Bay Regional Council for new or existing on-site wastewater disposal and treatment systems. Any proposed on-site drainage fields and reserve areas will need to be identified on a site plan prior to any building consent being issued and must remain free of permanent structures.

All Other Settlements

3. There must be no more than:
 - a. two residential units (including minor residential units) on any site; or
 - b. one residential unit and one visitor accommodation unit on any site.
4. Minimum net site area for any site is 800m² for each residential/visitor accommodation unit where the site is connected to a reticulated wastewater disposal system.
5. Minimum net site area for any site is 1000m² for each residential/visitor accommodation unit where it is not connected to a reticulated wastewater disposal system.

Note: Most of the coastal settlements are not serviced by reticulated wastewater disposal systems. Resource consent may be required from the Hawke's Bay Regional Council for new or existing on-site wastewater disposal and treatment systems. Any proposed on-site drainage fields and reserve areas will need to be identified on a site plan prior to any building consent being issued and must remain free of permanent structures.

LLRZ-S2 Height of Buildings

All

1. Maximum height of any building(s) is 8m.

Note: in all instances, height is measured from the natural ground level.

LLRZ-S3 Height in Relation to Boundary

All	<ol style="list-style-type: none"> 1. No part of a building must exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary, except for the following: <ol style="list-style-type: none"> a. chimneys, ventilation shafts, lift and stair shafts and spires, poles and masts that meet the maximum height standard for the relevant zone, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; b. domestic water storage tanks, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; c. solar panels or solar hot water systems (and associated hardware), provided that the panels do not protrude more than 500mm from the surface of the roof. 2. Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site, or has a registered right-of-way over it in favour of that site, the height in relation to boundary is measured from the far side of the access.
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LLRZ-S4 Setback from Roads

All	<ol style="list-style-type: none"> 1. Minimum setback of any building(s) is 3m. 2. Where the vehicle access to garage faces a road boundary, the garage building must be setback at least 5m from the road boundary.
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LLRZ-S5 Setback from Neighbours

Residential Activities	<ol style="list-style-type: none"> 1. Minimum setback of buildings for an activity from internal boundaries is 1m. Domestic water storage tanks up to 2m in height are exempt from this standard.
All Other Activities	<ol style="list-style-type: none"> 2. Minimum setback of buildings for an activity from internal boundaries is 3m. Domestic water storage tanks up to 2m in height are exempt from this standard. 3. Buildings designed and/or used for the housing of livestock must be setback a minimum of 8.5m from any internal boundary.

LLRZ-S6 Outdoor Living Space

Residential Activities	<ol style="list-style-type: none"> 1. For each residential unit, there must be a minimum continuous area for outdoor living space, contained in one area within the net site area of the site, of 80m² with a minimum dimension of 5m, except that: <ol style="list-style-type: none"> a. For any residential unit with a gross floor area less than 65m², the minimum area may be reduced to 30m² with a minimum dimension of 3.5m.
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	2. The required minimum area of outdoor living space must be readily accessible from a living area of the residential unit, and may take the form of a deck, terrace or verandah, but must be kept free of buildings (other than cantilevered decks), access areas (including driveways and manoeuvring areas), parking spaces and dedicated outdoor service space.
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LLRZ-S7 Outdoor Service Space

Residential Activities	1. In addition to provision of outdoor living space, for each residential unit, there must be a minimum continuous area for outdoor service space, contained in one area within the net site area of the site, of 15m ² with a minimum dimension of 3m.
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LLRZ-S8 Hours of Operation

All (except for Residential Activities, Emergency Service Activities, or Visitor Accommodation)	1. Limited to the following hours of operation: <ul style="list-style-type: none"> a. 0700 – 2200 hours, seven days a week; except where: <ul style="list-style-type: none"> i. the entire activity is located within a building; and ii. each person engaged in the activity outside the above hours resides permanently on the site; and iii. there are no visitors, customers, or deliveries to the activity outside the above hours.
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Commented [RM20]: S57.113 FENZ - Coastal Topic, Issue 6

LLRZ-S9 Heavy Vehicle Storage

All	1. There must be no more than one heavy vehicle stored on a site.
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LLRZ-S10 Screening of Outdoor Storage and Service Areas

Non-Residential Activities	<ol style="list-style-type: none"> 1. Any outdoor storage (including waste) or service area associated with non-residential activities must be fully screened from adjoining sites and from the street by fencing to a maximum height of 2 metres, and/or by landscaping. 2. If using landscaping to achieve the above rule, trees must have a minimum height of 2 metres at the time of planting (PB95) and shrubs must have a minimum height of 1 metre at the time of planting and be able to grow to 2 metres in height. 3. <u>Screening shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u>
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Commented [RM21]: S57.114 FENZ - Coastal Topic, Issue 6

LLRZ-S11 Electricity Safety Distances

All	1. Any activity, including the establishment of buildings and structures within the vicinity of overhead electric lines must comply
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	with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZCEP 34:2001).
LLRZ-S12 Transport (Access, Parking, Loading)	
All	1. Activities must comply with the provisions of the TRAN – Transport chapter.
LLRZ-S13 Light	
All	1. Activities must comply with the provisions of the LIGHT – Light chapter.
LLRZ-S14 Noise	
All	1. Activities must comply with the provisions of the NOISE – Noise chapter.
LLRZ-S15 Relocated Buildings	
All	<ol style="list-style-type: none"> 1. Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built, and used as a dwelling or for visitor accommodation. 2. The relocated building must comply with all other relevant performance standards for the zone. 3. A Building Pre-Inspection Report must be submitted to the Council with each application to relocate a building. The report must: <ol style="list-style-type: none"> a. state whether the building is structurally sound; b. describe the condition of the building and identify all reinstatement works needed to bring the exterior of the building up to an external visual appearance that is tidy, workmanlike and compatible with other buildings in the vicinity; c. state the proposed timetable to complete the external reinstatement works (including connections to all infrastructure services and closing in and ventilation to the foundations) within 12 months from the date the building is moved to the site; d. provide clear photographs of the building in its current state; and e. provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of the reinstatement work. 4. The Building Pre-Inspection Report must be prepared by: <ol style="list-style-type: none"> a. A Member of Engineering New Zealand (the Institute of Engineering Professionals) (Structural and Civil); or

- b. A member of the New Zealand Institute of Building Surveyors; or
 - c. An independent person, persons, or company as approved by Central Hawke's Bay District Council Building Control Authority; or
 - d. A Building Control Officer (or equivalent) from the Territorial Local Authority where the building is being relocated from outside of the District.
5. The Council must be notified of the intended delivery date at least 48 hours before the building is relocated. Relocation must not be undertaken until the site is visited by Council officers to inspect the standard of the site, footpath, vehicle entrance and road. This standard will be met provided that the building is relocated within 5 days of the notified date.
 6. The building must be placed on permanent foundations no later than two weeks from the date the building is moved to the site.
 7. All external reinstatement works identified in the Building Pre-Inspection Report, including connections to all infrastructure services and closing in and ventilation to the foundations, must be completed within 12 months from the date the building is moved to the site.
 8. The owner of the site on which the relocated building is placed must certify to the Council that the reinstatement work identified in the Building Pre-Inspection Report will be completed within the 12-month period. The site owner will be responsible for ensuring this work is completed.

Note: All necessary building consents under the Building Act 2004 (including consent to place the building on permanent foundations) must be obtained prior to the relocated building being placed on the destination site, unless otherwise agreed in writing by the Council.

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

LLRZ-AM1 Height of Buildings, Height in Relation to Boundary, Setback from Roads, Setback from Neighbours

1. The degree to which the proposed buildings:
 - a. will be compatible with the character and amenity of the area, including the nature and scale of other buildings in the surrounding area;
 - b. will overshadow adjoining sites and result in reduced sunlight and daylight;
 - c. will cause a loss of privacy through being over-looked from neighbouring buildings;

- d. will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
 - e. will diminish the openness and attractiveness of the street scene;
 - f. will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building; and
 - g. will adversely affect the safe and efficient operation of the land transport network.
2. The ability of the applicant to:
- a. provide adequate opportunity for garden and tree planting around buildings;
 - b. provide adequate vehicle parking and manoeuvring space on site;
 - c. provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
 - d. mitigate any adverse effects of increased height or exceedance of the height in relation to boundary, such as through increased separation distances between the building and adjoining sites or the provision of screening; and
 - e. mitigate any adverse effects on people affected by the proposal.
- ~~3.1. Where sewerage reticulation is not available to the site, the ability of the applicant to adequately dispose of effluent, which avoids:~~
- ~~a. any potential contamination of groundwater;~~
 - ~~b.a. any potential slope instability problems;~~
 - ~~c.a. any potential odour, noise and vibration nuisance to neighbours; and~~
 - ~~d.a. any potential seepage of effluent at ground surface.~~
- 4.3. The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
- 5.4. The degree to which alternative practical locations are available for the building.

Commented [RM22]: consequential amendment - S57.117 FENZ - Coastal Topic, Issue 6

LLRZ-AM2 Outdoor Living and Service Space

- 1. The degree to which the reduction in outdoor living or service space and/or its location will adversely affect the ability of the site to provide for the outdoor living or service needs of likely future residents of the site.
- 2. Any alternative provision on, or in close proximity to, the site for outdoor living or service space to meet the needs of likely future residents of the site.
- 3. The degree to which access to alternative outdoor living or service space (e.g. balconies or communal open space) is provided.

LLRZ-AM3 Hours of Operation

- 1. The degree to which additional visitors, employees, customers, or suppliers to the site will result in traffic generation and pedestrian activity that is incompatible with the character of the surrounding area.
- 2. Any adverse effects of the extended hours in terms of noise, vibration, glare, loss of privacy, traffic and/or parking congestion.

LLRZ-AM4 Heavy Vehicle Storage

1. The degree to which the vehicles being stored can be viewed from adjoining sections, the road and public places and the degree to which screening (either by fences, buildings, or landscaping) may mitigate any adverse visual impact.
2. The degree of noise that may be generated from the starting, manoeuvring and mechanical repair of vehicles on site and the degree to which this will contrast with the existing noise environment.
3. Where a heavy vehicle to be stored has been used for the cartage of animals the procedures to be adopted for the washing down of the vehicles and the disposal of the waste and wash water.

LLRZ-AM5 Screening of Outdoor Service Areas

1. The degree to which the visual characteristics of the activity to be established are compatible with the character and amenity of the surrounding area and the degree to which screening or landscaping can mitigate any adverse impact.

LLRZ-AM6 Home Businesses

1. The degree to which the character of the site will retain open space or tree and garden plantings rather than become dominated by buildings and areas of hard surfacing.
2. The degree to which the activities on the site remain dominated by residential activities, rather than by activities which are not associated with or incidental to residential activities on the site.
3. The degree to which additional employment is an integral and necessary part of other activities being undertaken on the site and contributes towards alternative home-based employment and income-generating opportunities for residents or occupiers of the site.
4. The degree to which the activity fulfils a function at a local level by meeting the needs of residents principally within the surrounding environment.
5. Any adverse effects of the home business in terms of noise, vibration, glare, odour, dust, loss of privacy, traffic and/or parking congestion.

LLRZ-AM7 Outdoor Storage

1. The degree to which materials or equipment associated with the activity need to be stored outside the building, taking account of:
 - a. the nature, coverage area and height of materials or equipment; and
 - b. the time period over which materials or equipment are intended to be outside a building.
2. The degree to which provisions would be needed for:
 - a. security;
 - b. control of litter and vermin; and
 - c. prevention or containment of fire hazard.
3. Where goods are not stored to the rear of a building or not screened from public view, the degree to which the outdoor storage will be compatible with the appearance, layout and functioning of other sites in the adjoining area, and the

degree to which it will detract from the attractiveness of the site, as viewed from adjoining roads and sites.

LLRZ-AM8 Visitor Accommodation

1. Any adverse effects of the likely traffic and pedestrian generation from the proposed visitor accommodation in terms of:
 - a. Noise, vibration and glare from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density coastal residential environment;
 - b. Loss of privacy;
 - c. Levels of traffic congestion, reduction in levels of traffic safety, or reduction in availability of on-street parking, which are inconsistent with the classification of the adjoining road; and
 - d. Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
2. The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening. (Other factors may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur).

LLRZ-AM9 Community Facilities and Educational Facilities

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk, and scale of buildings.
2. Any adverse effects from the proposed activity in terms of:
 - a. loss of privacy to neighbours through being over-looked, including by buildings;
 - b. loss of openness and attractiveness of the street scene;
 - c. noise, vibration, and glare; and
 - d. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design.
4. Whether the amenity of the residential environment will be adversely affected by the scale and/or intensity of the activity. The following matters will be considered:
 - a. the number of patrons and/or staff on the site at any one time;
 - b. the hours of operation to maintain the residential amenity of the area
 - c. the proximity of the activity to adjacent residential activities;
 - d. the anticipated number of transportation movements (including pedestrians and vehicular traffic); and
 - e. whether the proposed activity is located in an area where there are already one or more non-residential activities in close proximity and the resultant cumulative effect on residential amenity.

5. Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.

LLRZ-AM10 Commercial Activities

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk, location, and scale of buildings.
2. Any adverse effects from the proposed activity in terms of:
 - a. loss of privacy to neighbours, including being over-looked by buildings;
 - b. loss of openness and attractiveness of the street scene;
 - c. noise, vibration, and glare; and
 - d. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design, as well as any necessary landscaping.

LLRZ-AM11 Camping Grounds

1. The size of the camping ground, number of camp sites/accommodation units, carparks, and scale of buildings to ensure that they are consistent with the surrounding character and amenity and, where located within the identified coastal environment area, the natural character of the coastal environment.
2. Whether the design and appearance of the development of the site harmonises with the surrounding natural features and landscape, in particular the character of the coastal environment.
3. Whether the location of the camping ground will give rise to reverse sensitivity effects, particularly in terms of primary production and associated activities.
4. Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.
5. The design of infrastructure to ensure it is of a standard capable of servicing the camping ground, assuming 100% capacity.
6. Whether the activity is, or will be, located in an identified natural hazard area, considering the health and safety of camp users and the long- term viability of safe access and egress to the site.
7. The proximity of the camping ground to the coastal margin and the susceptibility of the site to coastal erosion and coastal inundation both in the short and long-term, considering the health and safety of camp users and the long- term viability of safe access and egress to the site.
8. Whether the activity will make a positive contribution to the social and economic well-being of the local community.
9. The proximity to any wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.

10. Effects on areas of high natural character identified in CE-SCHED7, or on outstanding natural landscape or feature, or significant amenity feature identified in NFL-SCHED6.

LLRZ-AM12 Electricity Safety Distances

1. Impacts on the operation, maintenance, upgrading and development of the electricity network.
2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
3. The risk to the structural integrity of any support structures associated with the electricity network.
4. Technical advice provided by the National Grid owner (Transpower) or electricity distribution network operator (Centralines Limited).

Commented [RM23]: S90.054 Centralines - Coastal Topic, Issue 7

LLRZ-AM13 Servicing

1. Where the new development will not be connected to a public reticulated water supply, or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the developer must demonstrate how an alternative and satisfactory water supply can be provided.
2. The provisions of the NZ Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.
3. Where sewerage reticulation is not available to the site, the ability of the applicant to adequately dispose of effluent, which avoids:
 - a. any potential contamination of groundwater;
 - b. any potential slope instability problems;
 - c. any potential odour, noise and vibration nuisance to neighbours; and
 - d. any potential seepage of effluent at ground surface.

Commented [RM24]: S57.117 FENZ - Coastal Topic, Issue 6

Commented [RM25]: consequential amendment - S57.117 FENZ - Coastal Topic, Issue 6

Methods

Methods, other than the above rules, for implementing the policies:

LLRZ-M1 Other Provisions in the District Plan

Other sections of the District Plan contain additional policies, rules and standards applying to activities in the Large Lot Residential Zone within the coastal environment:

1. NU – Network Utilities – includes rules and standards relating to network utility operations.
2. TRAN – Transport – includes rules and standards relating to access, parking, and loading.
3. HAZS – Hazardous Substances – includes rules relating to the storage, handling and use of hazardous substances, and rules applying to major hazardous facilities.
4. NH – Natural Hazards – includes rules applying in areas specifically identified as subject to natural hazards.

5. HH – Historic Heritage – includes rules applying specifically to identified heritage buildings.
6. TREE – Notable Trees – includes rules applying specifically to identified notable trees.
7. SASM – Sites and Areas of Significance to Māori – includes rules applying specifically to identified sites of significance.
8. ECO – Ecosystems and Indigenous Vegetation – includes rules applying to the trimming and modification of indigenous vegetation and natural wetlands.
9. NFL – Natural Features and Landscapes – includes rules applying to earthworks and buildings within identified outstanding natural features or landscapes.
10. SUB – Subdivision – includes rules and standards applying to subdivision.
11. CE – Coastal Environment – includes objectives and policies relating to the coastal environment, including public access to the coastal environment.
12. EW – Earthworks – includes rules and standards relating to earthworks and land disturbance, mining, quarrying and mineral prospecting and exploration.
13. NOISE – Noise – includes rules and standards relating to the emission of noise.
14. LIGHT – Light – includes rules and standards relating to light and glare.
15. PKH – Papakāinga and Kaumātua Housing, and associated Marae-based Development – includes rules and standards relating to papakāinga and kaumātua housing and marae-based developments on Māori land.
16. SIGN – Signs – includes rules and standards relating to the design and installation of signs.
17. TEMP – Temporary Activities – includes rules and standards relating to temporary activities, temporary buildings, and temporary events.

Principal Reasons

The principal reasons for adopting the policies and methods:

These provisions are designed to provide for activities appropriate to the low scale and low-density coastal residential environment. Limited future community activities are envisaged where they support the residential/ coastal access function of the Large Lot Residential Zone within the coastal environment. Other small-scale, non-residential activities may be appropriate in this zone but larger retail and commercial activities, industrial and service activities are not envisaged in this zone.

Providing for larger minimum site sizes also ensures that adequate land is available for servicing these sites appropriately.

Limiting residential development in the coastal environment to the coastal settlement areas will assist with reducing the effects of coastal hazards. Subdivision consent may also be refused under section 106 of the RMA, where land is subject to serious erosion or inundation. The administration of the Building Act in the Central Hawke's Bay District will take into account, but not be limited to, the natural hazards identified in the NH – Natural Hazards chapter of the District Plan.

The Council recognises that the public expect to be given free and unimpeded access to and along the coast for recreational or cultural reasons. Currently the community is able to enjoy such access from points within the coastal settlements and reserves.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- LLRZ-AER1** Coastal residential growth is consolidated and restricted to the existing Large Lot Residential Zone boundaries within the coastal environment.
- LLRZ-AER2** The open and natural landscape character of the coastal environment and amenity of the coastal settlements is retained and protected.
- LLRZ-AER3** Non-residential activities are limited to those necessary to support the coastal settlement community and are of a scale and design that is compatible with the surrounding residential environment and coastal landscapes.
- LLRZ-AER4** Public access is maintained, improved and enhanced where practicable.
- LLRZ-AER5** Residential development is appropriately serviced including the integrated management of stormwater, water, sewer and roading infrastructure. Low impact urban design solutions are used where practicable.
- LLRZ-AER6** Residential development that does not create adverse impacts in terms of overshadowing, excessive building scale, or loss of privacy.
- LLRZ-AER7** A residential environment free from excessive noise, odour, dust, glare and vibration nuisance.

Updated Table of Recommended Responses to Submissions and Further Submissions

Coastal Environment (including Coastal Settlements)

Table: Summary of Recommended Responses to Submissions and Further Submissions

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
S11.028	Hawke’s Bay Regional Council	CE - Coastal Environment	No changes	Accept in part	No
S57.081	Fire and Emergency New Zealand	CE-03	Retain CE-03 as notified.	Accept in part	No
S57.082	Fire and Emergency New Zealand	CE-P5	Retain CE-P5 as notified.	Accept in part	No
S57.099	Fire and Emergency New Zealand	LLRZ-02	Amend LLRZ-02 as follows: ‘To enable certain small-scale community and recreation facilities, and physical infrastructure, including educational facilities, emergency service facilities and network utilities, to be located in the coastal settlements in a way which maintains and enhances the character and amenity of these settlements while providing for the social, and cultural wellbeing of people in the community, as well as their health and safety.’	Accept	Yes
S57.100	Fire and Emergency New Zealand	LLRZ-P4	Retain LLRZ-P4 as notified.	Accept	No
S57.101	Fire and Emergency New Zealand	LLRZ-P6	Retain LLRZ-P6 as notified.	Accept	No
S57.102	Fire and Emergency New Zealand	LLRZ-P9	Retain LLRZ-P9 as notified.	Accept	No
S57.103	Fire and Emergency New Zealand	LLRZ-R1	Amend LLRZ-R1(1) as follows: ‘...Where the following conditions are met: a. Compliance with: i. x. LLRZ-S15. And amend LLRZ-R1(2) as follows: ‘...Matters over which discretion is restricted: a. Assessment matters: i.’	Reject	No

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
			<p>x. LLRZ-AM12 Servicing. ...</p>		
S57.104	Fire and Emergency New Zealand	LLRZ-R3	<p>Amend LLRZ-R3(1) as follows: '...Where the following conditions are met: a. ... b. Compliance with: i. x. LLRZ-S15.' And amend LLRZ-R3(2) as follows: '...Matters over which discretion is restricted: a. Assessment matters: i. x. LLRZ-AM12 Servicing. ...</p>	Reject	No
S57.105	Fire and Emergency New Zealand	LLRZ-R4	<p>Amend LLRZ-R4(1) as follows: '...Where the following conditions are met: a. ... b. Compliance with: i. x. LLRZ-S15.' And amend LLRZ-R4(2) as follows: '...Matters over which discretion is restricted: a. Assessment matters: i. x. LLRZ-AM12 Servicing. ...</p>	Reject	No
S57.106	Fire and Emergency New Zealand	LLRZ-R5	<p>Amend LLRZ-R5(1) as follows: '...Where the following conditions are met: a. ... b. Compliance with: i. x. LLRZ-S15.' And amend LLRZ-R5(2) as follows: '...Matters over which discretion is restricted: a. Assessment matters:</p>	Reject	No

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
.			i. x. LLRZ-AM12 Servicing. ...		
S57.107	Fire and Emergency New Zealand	LLRZ-R6	Amend LLRZ-R6(1) as follows: ‘...Where the following conditions are met: a. ... b. Compliance with: i. x. LLRZ-S15.’ And amend LLRZ-R6(2) as follows: ‘...Matters over which discretion is restricted: a. Assessment matters: i. x. LLRZ-AM12 Servicing. ...’	Reject	No
S57.108	Fire and Emergency New Zealand	LLRZ-R6	Amend LLRZ-R6, subject to consequential amendments sought in this chapter. Add in provision for ‘emergency aviation movements’.	Accept in part	Yes
S57.109	Fire and Emergency New Zealand	LLRZ-R7	Amend LLRZ-R7(1) as follows: ‘...Where the following conditions are met: a. ... b. Compliance with: i. x. LLRZ-S15.’ And amend LLRZ-R7(2) as follows: ‘...Matters over which discretion is restricted: a. Assessment matters: i. x. LLRZ-AM12 Servicing. ...’	Reject	No
S57.110	Fire and Emergency New Zealand	LLRZ-R10	Amend LLRZ-R10(1) as follows: ‘...Where the following conditions are met: a. ... b. Compliance with:	Reject	No

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
.			i. x. LLRZ-S15. Matters over which discretion is restricted (where relevant to the infringed standard(s)): c. Assessment matters: i. x. LLRZ-AM12 Servicing.		
S57.111	Fire and Emergency New Zealand	LLRZ-S2	Amend LLRZ-S2 as follows: '1. Maximum height of any building(s) is 8m. Note: in all instances, height is measured from the natural ground level. Hose drying towers up to 15m in height are exempt from the rule.'	Reject	No
S57.112	Fire and Emergency New Zealand	LLRZ-S3	Amend LLRZ-S3(1) as follows: '1. No part of a building must exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary, except for the following: a. d. Hose drying towers up to 15m in height.'	Reject	No
S57.113	Fire and Emergency New Zealand	LLRZ-S8	Amend LLRZ-S8 as follows: 'All (except for Residential Activities, Emergency Service Activities or Visitor Accommodation) 1.	Accept	Yes
S57.114	Fire and Emergency New Zealand	LLRZ-S10	Amend LLRZ-S10 as follows: '1. ... 2. ... 3. Screening shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.'	Accept	Yes
S57.115	Fire and Emergency New Zealand	LLRZ-S12	Retain LLRZ-S12 as notified.	Accept	No
S57.116	Fire and Emergency New Zealand	LLRZ-SXX (new standard)	Add a new standard in the 'Large Lot Residential Zone' as follows: ' LLRZ-S15 Servicing 1. All new developments that will require a water supply must be connected to a public reticulated water supply, where one is available.	Reject	No

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
			2. Where the new development will not be connected to a public reticulated water supply, or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the developer must demonstrate how an alternative and satisfactory water supply can be provided to each lot. Note: The above does not replace regional rules which control the taking and use of groundwater and surface water. These rules must be complied with prior to the activity proceeding. Further advice and information about how an alternative and satisfactory firefighting water supply can be provided to a development can be obtained from Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.'		
S57.117	Fire and Emergency New Zealand	LLRZ-AMXX (new assessment matter)	Add a new assessment matter in the 'Large Lot Residential Zone' as follows: 'LLRZ-AM12 Servicing 1. The provisions of the NZ Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.'	Reject	No
S64.083	Department of Conservation	CE-O1	Retain CE-O1.	Accept	No
FS9.366	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
S64.084	Department of Conservation	CE-O2	Retain CE-O2.	Accept in-part	No
FS9.367	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept in-part	
S64.085	Department of Conservation	CE-O3	Retain CE-O3.	Accept in part	No
FS9.368	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept in part	
S64.086	Department of Conservation	CE-P1	Retain CE-P1.	Accept	No
FS9.369	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
S64.087	Department of Conservation	CE-P2	Retain CE-P2.	Accept	No
FS9.370	Royal Forest and Bird Protection Society of		Allow	Accept	

Commented [RM1]: Hearing Stream 1 - Right of Reply dated 8 April 22 (paras 69-72) - consequential changes to recommendations in s42A Coastal Topic, Issue 2, to retain the objective as notified, which is to then reject S121.056 Fed Farmers submission to include 'rural character' in Objective CE-O2 (and accept FS9.56 Forest & Bird)

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
	New Zealand Incorporated				
S64.088	Department of Conservation	CE-P3	Retain CE-P3.	Accept	No
FS9.371	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
S64.089	Department of Conservation	CE-P4	Retain CE-P4.	Accept	No
FS9.372	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
S64.090	Department of Conservation	CE-P5	Retain CE-P5.	Accept in part	No
FS9.373	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept in part	
S64.091	Department of Conservation	CE-P6	Retain CE-P6.	Accept in part	No
FS9.374	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept in part	
S64.092	Department of Conservation	CE-P7	Retain CE-P7.	Accept	No
FS9.375	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
S64.093	Department of Conservation	CE-P8	Retain CE-P8.	Accept	No
FS9.376	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
S71.001	Peggy Scott	LLRZ - Large Lot Residential Zone (Coastal)	Need to talk to landowners individually	Reject	No

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
S73.013	Ministry of Education	LLRZ-02	Retain LLRZ-02 as proposed.	Accept in part	No
S73.014	Ministry of Education	LLRZ-R5	Amend LLRZ-R5(1)(a) as follows: '1. Activity Status: PER Where the following conditions are met: a) Limited to 200-400 200-400m ² gross floor area. b) ...' And amend LLRZ-R5(2) as follows: '2. Activity status where gross floor area is 200-400m² and/or compliance with condition LLRZ-R5(1)(b) is not achieved: RDIS ...' And amend LLRZ-R5(3) as follows: '3. Activity status where gross floor area is over 400m² where compliance with condition LLRZ-R5(1)(a) is not achieved: DIS'	Accept in part	Yes
FS23.83	Kāinga Ora - Homes and Communities		Allow	Accept in part	
S73.033	Ministry of Education	LLRZ-AM9	Retain LLRZ-AM9 as proposed.	Accept	No
S75.003	Royal Forest and Bird Protection Society NZ	COASTAL ENVIRONMENT (Definition)	Retain the definition of 'Coastal Environment' as proposed.	Accept	No
S75.068	Royal Forest and Bird Protection Society NZ	CE-01	Retain CE-01 as proposed.	Accept	No
S75.069	Royal Forest and Bird Protection Society NZ	CE-02	Retain CE-02 as proposed.	Accept in part	No
S75.070	Royal Forest and Bird Protection Society NZ	CE-03	Amend CE-03 as follows: 'Activities that have a functional need to locate in the coastal environment are provided for in appropriate locations , where they do not compromise other significant values in the coastal environment.'	Accept	Yes
S75.071	Royal Forest and Bird Protection Society NZ	CE-OXX (new objective)	Add a new objective in the 'CE - Coastal Environment' chapter as follows: ' Maintenance and enhancement of public access to and along the coast, where any new access is provided in a way that does not compromise other values within the coastal environment. '	Accept in part	Yes
FS25.74	Federated Farmers of New Zealand		Allow	Accept in part	
S75.072	Royal Forest and Bird Protection Society NZ	CE-P1	Retain CE-P1 as proposed.	Accept	No

Commented [RM2]: Hearing Stream 1 - Right of Reply dated 8 April 22 (paras 69-72) - consequential changes to recommendations in s42A Coastal Topic, Issue 2, to retain the objective as notified, which is to then reject S121.056 Fed Farmers submission to include 'rural character' in Objective CE-02 (and accept FS9.56 Forest & Bird)

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
.					
S75.073	Royal Forest and Bird Protection Society NZ	CE-P2	Amend CE-P2 to remove reference to drainage of wetlands.	Accept in part	No
FS25.75	Federated Farmers of New Zealand		Allow in part	Accept in part	
S75.074	Royal Forest and Bird Protection Society NZ	CE-P5	Retain CE-P5 as proposed.	Accept in part	No
.					
S75.075	Royal Forest and Bird Protection Society NZ	CE-P6	Amend CE-P6 as follows: 'To require that proposed activities within the coastal environment area demonstrate a functional need to be located in the coastal environment area, and that the activity is located appropriately, having regard to its effects and: ...'	Accept in part	Yes
FS25.76	Federated Farmers of New Zealand		Allow in part	Accept in part	
S75.076	Royal Forest and Bird Protection Society NZ	CE-P7	Retain CE-P7 as proposed.	Accept	No
.					
S75.077	Royal Forest and Bird Protection Society NZ	CE-P8	Retain CE-P8 as proposed.	Accept	No
.					
S75.078	Royal Forest and Bird Protection Society NZ	CE - Rules	Amend 'CE - Rules' for consistency with NZCPS and RMA in particular (and NPS-IB if notified).	Reject	No
.					
S75.079	Royal Forest and Bird Protection Society NZ	CE-SCHED7	Retain areas of high natural character listed in CE-SCHED7 as proposed.	Accept	No
.					
S79.087	Transpower New Zealand Ltd	CE-I1	Retain the explanation accompanying CE-I1, specifically the reference to Policy 6 of the NZCPS.	Accept	No
.					
S79.088	Transpower New Zealand Ltd	CE-O3	Amend CE-O3 as follows: 'Activities that have a functional need (or operational need in respect of the National Grid) to locate in the coastal environment are provided for, where they do not compromise other significant values in the coastal environment. '	Accept in part	Yes
FS9.427	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept in part	
S79.089	Transpower New Zealand Ltd	CE-P5	Amend CE-P5 as follows: 'To recognise that there are activities which have a functional need (or operational need in respect of the National Grid) to locate and operate within the coastal environment, and provide for those activities in appropriate places.'	Accept	Yes

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
FS9.428	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Reject	
S90.041	Centralines Limited	LLRZ - Rules	Insert new matters for discretion for RDIS activities which relate to a breach of the Electricity Safety Distance standard (LLRZ-S11) in all relevant rules in the 'LLRZ - Large Lot Residential Zone' to include: a. Impacts on the operation, maintenance, upgrading and development of the electricity network. b. The risk of electrical hazards affecting public or individual safety, and the risk of property damage. c. The risk to the structural integrity of any support structures associated with the electricity network. d. Technical advice provided by the National Grid owner (Transpower) or electricity distribution network operator (Centralines Limited).' And insert a notification clause requiring written approval.	Accept in part	Yes
FS23.13	Kāinga Ora - Homes and Communities		Disallow	Reject	
S90.054	Centralines Limited	LLRZ-S11	Retain LLRZ-S11.	Accept	No
S97.010	Ara Poutama Aotearoa the Department of Corrections	LLRZ-R7	Delete LLRZ-R7. N.B. 'community corrections activities' would then default to a Discretionary Activity as 'any other activity not otherwise provided for' under LLRZ-R12.	Accept	No
S97.012	Ara Poutama Aotearoa the Department of Corrections	LLRZ-R1	Retain LLRZ-R1.	Accept	No
S101.001	New Zealand Motor Caravan Association	LLRZ-R11	Amend LLRZ-R11 to provide for 'camping grounds' as a Permitted Activity, subject to permitted activity conditions.	Accept in part	Yes
S103.001	Sandy Hill Farms Limited	CE-SCHED7	Remove the 'High Natural Character Area' [HNC-6] on 1046 Blackhead Road.	Reject	No
S121.055	Federated Farmers of New Zealand	CE-O1	Amend CE-O1 as follows: 'Preservation of the natural character of the coastal environment of Central Hawke's Bay, comprising the following distinctive landform of: 1. 6. Rural character and farming land uses.'	Reject	No
FS9.55	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
S121.056	Federated Farmers of New Zealand	CE-O2	Amend CE-O2 as follows: 'Protection of the natural and rural character of the coastal environment of Central Hawke's Bay from inappropriate subdivision, use and development, and identify and promote opportunities for restoration or rehabilitation.'	AcceptReject	YesNo
FS9.56	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	RejectAccept	
S121.057	Federated Farmers of New Zealand	CE-O3	Amend CE-O3 as follows: 'Activities that have a functional need to locate in the coastal environment or are part of an existing farming land use are provided for, where they do not compromise other significant values in the coastal environment. '	Reject	No
FS9.57	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.058	Federated Farmers of New Zealand	CE-P1	Amend CE-P1 as follows: 'To identify and map the coastal environment area of Central Hawke's Bay consistent with the Hawke's Bay Regional Coastal Environment Plan, indicating where public access is also available. '	Reject	No
FS9.58	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.059	Federated Farmers of New Zealand	CE-P2	Amend CE-P2 as follows: 'To avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on the rural and natural character of the coastal environment area (particularly in the areas of high natural character identified on the Planning Maps and in CE-SCHEDULE7) ; including adverse effects resulting from the following activities where they are inconsistent with the existing land use: 1. particularly where these have been identified as a threat to the values of a particular area of high natural character or are inconsistent with existing farmland uses. '	Reject	No
FS9.59	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.060	Federated Farmers of New Zealand	CE-P3	Amend CE-P3 as follows: 'To avoid sprawling or sporadic urban/residential subdivision and development in the coastal environment area.'	Accept	Yes
FS9.60	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.061	Federated Farmers of New Zealand	CE-P4	Amend CE-P4 as follows: 'To manage the activities that can occur in the coastal environment area, where they are inconsistent with existing rural character and farm land uses , including: ...'	Reject	No

Commented [RM3]: Hearing Stream 1 - Right of Reply dated 8 April 22 (paras 69-72) - changes to recommendations in s42A Coastal Topic, Issue 2, to retain the objective as notified, which is to then reject S121.056 Fed Farmers submission to include 'rural character' in Objective CE-O2 (and accept FS9.56 Forest & Bird)

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
FS9.61	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.062	Federated Farmers of New Zealand	CE-P5	Amend CE-P5 as follows: 'To recognise that there are activities which have a functional need to locate and operate within the coastal environment or are part of an existing farming land use , and provide for those activities in appropriate places.'	Reject	No
FS9.62	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.063	Federated Farmers of New Zealand	CE-P6	Amend CE-P6 as follows: 'To require that proposed activities within the coastal environment area demonstrate that the activity is located appropriately, having regard to: 1. 8. consistency with underlying zoning and existing land uses. '	Reject	No
FS9.63	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.064	Federated Farmers of New Zealand	CE-P7	Amend CE-P7 as follows: 'To require that proposed activities within the coastal environment area minimise any adverse effects that are inconsistent with underlying zoning and existing land uses , by: ...'	Reject	No
FS9.64	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.065	Federated Farmers of New Zealand	CE-PXX (new policy)	Add a new policy in the 'CE - Coastal Environment' chapter in the Proposed Plan as follows: 'To recognise and provide for farming land uses and rural character as positive contributors to the character and amenity of the Coastal Environment, due to the low density of buildings, pasture interspersed with native and exotic vegetation, and low artificial noise and light effects.'	Reject	No
FS9.65	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.066	Federated Farmers of New Zealand	CE-AM2	Amend CE-AM2(1) to be more targeted as earthworks for buildings, and not restrict earthworks for other farming-related activities.	Reject	No
FS9.66	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Coastal Environment (including Coastal Settlements)

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
S121.067	Federated Farmers of New Zealand	CE-AM2	Amend CE-AM2(2) as follows: 2. Earthworks a. The extent to which urban, residential or lifestyle earthworks have been designed and located to minimise adverse visual effects. In particular, the extent to which any such proposal: i. Minimises the location of large-scale earthworks on prominent ridgelines, hill faces and spurs, where practicable, unless for farm tracks and fences. ii. Minimises cuttings across hill faces and spurs, unless for farm tracks and fences. ... vii. Are consistent with their underlying zoning and existing land use.'	Accept in part	Yes
FS9.67	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept in part	
S121.068	Federated Farmers of New Zealand	CE-AM2	Amend CE-AM2(3) as follows: 3. General a. m. The consistency of the activity with its underlying zoning and existing land use.'	Accept	Yes
FS9.68	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Reject	
S121.069	Federated Farmers of New Zealand	CE-SCHED7	Delete 'Areas of High Natural Character'.	Reject	No
FS9.69	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S125.069	Ngā hapū me ngā marae o Tamatea	CE - Coastal Environment	Retain the provisions in the 'CE - Coastal Environment' chapter as notified.	Accept in part	No
S129.240	Kāinga Ora - Homes and Communities	LLRZ - Large Lot Residential Zone (Coastal)	Re-name 'LLRZ - Large Lot Residential Zone' to 'Low Density Residential Zone'.	Reject	No
S134.009	Ngāti Kere Hapū Authority	CE - Coastal Environment	[Ensure provision for papakainga - kaumatua housing in the Proposed Plan is not impeded by 'Coastal Environment Area' and 'High Natural Character Area' provisions where these areas overlay residual lands owned by Māori.] We recommend that CHBDC launch an intensive communication and with mana whenua of Tamatea around land and housing development.	Accept in part	No

Natural Features and Landscapes

Table: Summary of Recommended Responses to Submissions and Further Submissions

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
S4.001	George Harper	[General]	Protecting the integrity if the skyline.	Reject	No
S11.020	Hawke's Bay Regional Council	NFL - Natural Features and Landscapes	No changes.	Accept	No
S28.004	Gerard Pain	NFL - Natural Features and Landscapes	'Natural Amenity Features' should be 'rates free' (like what is available for QEII blocks).	Reject	No
S39.001	Kathryn Bayliss	NFL-P5	Delete the policy.	Reject	No
FS25.68	Federated Farmers of New Zealand		Disallow	Accept	
S39.002	Kathryn Bayliss	NFL - Principal Reasons	Delete the principal reasons given for the water storage within ONF-4 (Mākāroro Gorge) - being the third to last paragraph under Principal Reasons.	Reject	No
S40.002	Lance de Malmanche	NFL-SCHED6	Delete Significant Amenity Features.	Reject	No
S51.002	N. M. Riddell Family Trust Farm	MAPS	Remove SAF-9 from our property.	Reject	No
S54.002	David Bishop	NFL-SCHED6	Amend the description for ONF-8 in NFL-SCHED6 to align with it commencing 'mid-way between Mangakuri Beach and Paoanui Point'.	Accept	Yes
S64.068	Department of Conservation	NFL-O1	Retain NFL-O1.	Accept in part	No
FS9.351	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept in part	
S64.069	Department of Conservation	NFL-O2	Retain NFL-O2.	Accept	No

Proposed Central Hawke’s Bay District Plan

**Officer’s Right of Reply: Natural Environment –
Natural Features and Landscapes**

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
FS9.352	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
S64.070	Department of Conservation	NFL-P1	Retain NFL-P1.	Accept in part	No
FS13.032	Heretaunga Tamatea Settlement Trust		Allow	Accept in part	
FS9.353	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept in part	
S64.071	Department of Conservation	NFL-P2	Retain NFL-P2.	Accept in part	No
FS9.354	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept in part	
FS13.033	Heretaunga Tamatea Settlement Trust		Allow	Accept in part	
S64.072	Department of Conservation	NFL-P3	Retain NFL-P3.	Accept	No
FS9.355	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
FS13.034	Heretaunga Tamatea Settlement Trust		Allow	Accept	
S64.073	Department of Conservation	NFL-P4	Retain NFL-P4.	Accept	No
FS13.035	Heretaunga Tamatea Settlement Trust		Allow	Accept	
FS9.356	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
S64.074	Department of Conservation	NFL-P5	Retain NFL-P5.	Accept	No
FS29.2	Water Holdings Hawke’s Bay		Allow	Accept	
FS9.357	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	

Proposed Central Hawke’s Bay District Plan

**Officer’s Right of Reply: Natural Environment –
Natural Features and Landscapes**

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
FS1.2	Tukituki Water Security Project		Allow	Accept	
FS13.036	Heretaunga Tamatea Settlement Trust		Allow	Accept	
S64.075	Department of Conservation	NFL-P6	Retain NFL-P6.	Accept	No
FS9.358	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
FS5.083	Nga’hapu’me nga’marae o Tamatea		Allow	Accept	
FS13.037	Heretaunga Tamatea Settlement Trust		Allow	Accept	
S64.076	Department of Conservation	NFL-P7	Retain NFL-P7.	Accept	No
FS9.359	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
FS5.084	Nga’hapu’me nga’marae o Tamatea		Allow	Accept	
FS13.038	Heretaunga Tamatea Settlement Trust		Allow	Accept	
S64.077	Department of Conservation	NFL-P8	Retain NFL-P8.	Accept	No
FS13.039	Heretaunga Tamatea Settlement Trust		Allow	Accept	
FS5.085	Nga’hapu’me nga’marae o Tamatea		Allow	Accept	
FS9.360	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Accept	
S64.078	Department of Conservation	NFL-R1	Amend NFL-R1 to 'Restricted Discretionary' activity status.	Reject	No
FS9.361	Royal Forest and Bird Protection Society of New Zealand Incorporated		Allow	Reject	
FS25.71	Federated Farmers of New Zealand		Disallow	Accept	
FS23.32	Kāinga Ora - Homes and Communities		Disallow	Accept in part	

Proposed Central Hawke’s Bay District Plan

**Officer’s Right of Reply: Natural Environment –
Natural Features and Landscapes**

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
S75.060	Royal Forest and Bird Protection Society NZ	NFL-O1	Amend NFL-O1 as follows: ‘Outstanding natural features and landscapes that are important to the identity of the District are retained and protected from inappropriate subdivision, use and development.’	Accept	Yes
S75.061	Royal Forest and Bird Protection Society NZ	NFL-P2	Amend NFL-P2 to clarify what constitutes an ‘existing land use’.	Accept in part	No
S75.062	Royal Forest and Bird Protection Society NZ	NFL-P3	Retain NFL-P3(1) as proposed.	Accept	No
S75.063	Royal Forest and Bird Protection Society NZ	NFL-P4	Amend NFL-P4 to clarify that this policy should be read in conjunction with other policies which may prevent the construction of a building in the coastal environment.	Reject	No
FS25.67	Federated Farmers of New Zealand		Disallow	Accept	
S75.064	Royal Forest and Bird Protection Society NZ	NFL-P5	Delete NFL-P5.	Reject	No
FS29.4	Water Holdings Hawke’s Bay		Disallow	Accept	
FS28.001	Liz Munroe		Disallow	Accept	
FS1.4	Tukituki Water Security Project		Disallow	Accept	
FS25.69	Federated Farmers of New Zealand		Disallow	Accept	
FS5.082	Nga’ hapū me nga’ marae o Tamatea		Allow	Reject (potentially withdrawn)	
S75.065	Royal Forest and Bird Protection Society NZ	NFL-P8	Retain NFL-P8 as proposed.	Accept	No
S75.066	Royal Forest and Bird Protection Society NZ	NFL-R1	Amend NFL-R1 as follows: ‘The activity is an alteration to an existing building, where the following conditions are met: a. Gross floor area of the building, including any alteration/extension, is less than 25m ² . b. Maximum height of any building, including any alteration/extension, is less than 3m.’	Reject	No
FS25.72	Federated Farmers of New Zealand		Disallow	Accept	
S75.067	Royal Forest and Bird Protection Society NZ	NFL-SCHED6	Retain all the natural features and landscapes listed in NFL-SCHED6.	Accept	No
FS5.086	Nga’ hapū me nga’ marae o Tamatea		Allow	Accept	
S79.068	Transpower New Zealand Ltd	NFL-O1	Retain NFL-O1.	Accept in part	No

Proposed Central Hawke’s Bay District Plan

**Officer’s Right of Reply: Natural Environment –
Natural Features and Landscapes**

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
FS9.423	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept in part	
S79.069	Transpower New Zealand Ltd	NFL - Policies	Retain policies in 'NFL - Natural Features and Landscapes' chapter. However, should a new 'Network Utilities' policy (as sought in another submission point) not be provided, Transpower seeks relief consistent with that sought in its earlier submission point seeking the new policy.	Accept in part	No
FS9.424	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept in part	
S79.070	Transpower New Zealand Ltd	NFL - Rules	Retain 'Note' at start of 'NFL - Rules' stating 'Rules relating to network utilities within the identified ONL and ONFs are contained in the NU - Network Utilities chapter of the District Plan. The rules in this chapter do not apply to network utilities'.	Accept	No
FS9.425	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Reject	
S81.074	Horticulture New Zealand	NFL-O2	Delete NFL-O2.	Reject	No
.					
S81.075	Horticulture New Zealand	NFL-P6	Delete NFL-P6.	Reject	No
.					
S81.076	Horticulture New Zealand	NFL-P7	Delete NFL-P7. If not deleted, add to NFL-P7 as follows: 'To avoid, remedy or mitigate potential adverse effects of subdivision, use and development on the District's significant amenity features, including having regard to the following matters: 1. 7. the importance of water storage to regional and district social and economic development.'	Reject	No
.					
S88.001	Robert Eagles	EW-S2	The rules applying to ONFLs need to be changed to allow for normal farming practices to continue without undue regulation.	Accept in part	No
.					
S88.002	Robert Eagles	NFL - Natural Features and Landscapes	These rules need to be changed to allow for the normal farming practices to continue without undue regulation.	Accept in part	No
.					
S99.002	Curt & Tricia Zant	NFL-SCHED6	Remove ONF [ONF-7] from my freehold land.	Reject	No

Proposed Central Hawke’s Bay District Plan

**Officer’s Right of Reply: Natural Environment –
Natural Features and Landscapes**

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
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S109.001	Will Foley	MAPS	Limit the area of land mapped as 'ONF-5 Three Sisters' on the Planning Maps [identified as 'ONF-5 Northern end of Nga Kaihinaki-a-Whata and Te Whata Kokako' in NFL-SCHED6] to just encompass 'The Three Sisters'.	Reject	No
FS5.096	Nga hapu me nga marae o Tamatea		Disallow	Accept	
S112.001	Trevor Le Lievre	NFL-P5	Delete NFL-P5. That Council desist from any further involvement, promotion, or pecuniary support for water storage.	Reject	No
FS25.70	Federated Farmers of New Zealand		Disallow	Accept	
S115.001	Clint Deckard	NFL-P5	Delete NFL-P5.	Reject	No
.					
S117.057	Chorus New Zealand Limited	NFL - Rules	Retain 'NFL-Rules' section, including notes, as notified.	Accept	No
FS9.485	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Reject	
S118.057	Spark New Zealand Trading Limited	NFL - Rules	Retain 'NFL-Rules' section, including notes, as notified.	Accept	No
.					
S119.057	Vodafone New Zealand Limited	NFL - Rules	Retain 'NFL-Rules' section, including notes, as notified.	Accept	No
.					
S120.019	Heretaunga Tamatea Settlement Trust	NFL - Natural Features and Landscapes	No relief sought.	Accept in part	No
.					
S121.035	Federated Farmers of New Zealand	NFL-O1	Retain NFL-O1 as proposed.	Accept in part	No
FS9.35	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept in part	
S121.036	Federated Farmers of New Zealand	NFL-O2	Delete NFL-O2 [and all provisions relating to 'Significant Amenity Features'].	Reject	No
FS17.49	Horticulture New Zealand		Allow	Reject	
FS9.36	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Natural Environment –
Natural Features and Landscapes

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
S121.037	Federated Farmers of New Zealand	NFL-P1	Amend NFL-P1 as follows: 'To identify the District's outstanding natural features and landscapes having regard to the following criteria: 1. ... 2. ... 3. ... ONFLs will be mapped and listed in Schedule 6, along with their identified values.'	Accept	Yes
FS9.37	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Reject	
S121.038	Federated Farmers of New Zealand	NFL-P2	Amend NFL-P2 as follows: 'To allow activities within the District's outstanding natural features and landscapes where they are for existing land uses such as farming , for conservation purposes and customary activities.'	Accept in part	Yes
FS9.38	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept in part	
S121.039	Federated Farmers of New Zealand	NFL-P3	Amend NFL-P3 as follows: 'To protect the District's outstanding natural features and landscapes by: 1. avoiding adverse effects from inappropriate activities, including subdivision, which compromise the values of the outstanding natural landscape in the coastal environment; 2. avoiding, remedying or mitigating adverse effects from inappropriate activities, including subdivision, which compromise the values of all other outstanding natural landscapes or features, having regard to existing land uses and underlying zoning ; 3. recognising and providing for some ensuring the erection of structures, earthworks and/or clearance of indigenous vegetation and/or exotic plantation forestry within outstanding natural features and landscapes will be appropriate and will not compromise the values present; and 4. recognising the role of tangata whenua as kaitiaki over those outstanding natural features and landscapes which have cultural association.'	Reject	No
FS9.39	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
FS5.070	Nga hapu me nga marae o Tamatea		Disallow	Accept	
S121.040	Federated Farmers of New Zealand	NFL-P4	Amend NFL-P4 as follows: 'To require that buildings, structures or earthworks locating within the District's outstanding natural landscapes or features avoid adverse visual effects in the coastal environment, and avoid, remedy or mitigate adverse visual effects in all other outstanding natural landscapes or features by: 1. ensuring the scale, design and materials of the building and/or structure are appropriate in the location and consistent with existing land uses such as farming ; 2. ... 3. ... 4. ...'	Reject	No
FS9.40	Royal Forest and Bird Protection Society of		Disallow	Accept	

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Natural Environment –
Natural Features and Landscapes

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
	New Zealand Incorporated				
S121.041	Federated Farmers of New Zealand	NFL-P5	Retain NFL-P5 as proposed.	Accept	No
FS1.3	Tukituki Water Security Project		Allow	Accept	
FS9.41	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Reject	
FS29.3	Water Holdings Hawke's Bay		Allow	Accept	
S121.042	Federated Farmers of New Zealand	NFL-P6	Delete NFL-P6.	Reject	No
FS9.42	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.043	Federated Farmers of New Zealand	NFL-P7	Delete NFL-P7.	Reject	No
FS9.43	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.044	Federated Farmers of New Zealand	NFL-P8	Delete NFL-P8.	Reject	No
FS9.44	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.045	Federated Farmers of New Zealand	NFL-R1	Amend Rule NFL-R1(1) as follows: 'All ONFLs (except ONE-5, ONE-7, ONE-9 & ONE-10) 1. Activity Status: PER Where the following conditions are met: a. Gross floor area of the building or alteration is less than 25m2. The building is for an existing farm landuse, or b. Gross floor area of the building or alteration is less than 25m2 and Maximum height of any building is less than 3m.'	Reject	No
FS23.36	Kāinga Ora - Homes and Communities		Disallow	Accept	
FS9.45	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.046	Federated Farmers of New Zealand	NFL-R1	Amend NFL-R1(4) to apply only to specific sensitive ONFLs that do not have farming land uses (in conjunction with relief sought in relation to NFL-R1(1)).	Reject	No

Proposed Central Hawke’s Bay District Plan

Officer’s Right of Reply: Natural Environment –
Natural Features and Landscapes

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
			Or amend NFL-R1(4) as follows: ‘ONF-5 (Northern end of Nga Kaihinaki-a-Whata and Te Whata Kokako / ONF-7 (Kairakau) / ONF-9 (Parimahu) / ONF-10 (Porangahau Foredune) 4. Activity Status: PER Where the following conditions are met: a. Gross floor area of the building or alteration is less than 25m2. The building is for an existing farm landuse, or b. Gross floor area of the building or alteration is less than 25m2 and Maximum height of any building is less than 3m.’		
FS9.46	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S121.047	Federated Farmers of New Zealand	NFL-SCHED6	Adjust ONFL boundaries and information according to landowner submissions. And amend NFL-SCHED6, column 2 and 3, to state what existing land uses that are occurring on each ONFL.	Reject	No
FS9.47	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Accept	
S125.062	Ngā hapū me ngā marae o Tamatea	NFL - Introduction	Retain 'NFL - Introduction' as notified.	Accept	No
S125.063	Ngā hapū me ngā marae o Tamatea	NFL-P1	Amend NFL-P1 so that it meets mana whenua aspirations including a more detailed description of the role of mana whenua in preventing the loss of landscape values.	Reject	No
S125.064	Ngā hapū me ngā marae o Tamatea	NFL-P3	Amend NFL-P3 so that it meets mana whenua aspirations including a more detailed description of the role of mana whenua in preventing the loss of landscape values.	Reject	No
S129.005	Kāinga Ora - Homes and Communities	Definitions	Add a new definition and criteria for 'Outstanding Natural Features and Landscape'.	Reject	No
FS19.2	Penny Nelson, Director-General of Conservation		Allow in part	Reject	
S129.063	Kāinga Ora - Homes and Communities	NFL - Natural Features and Landscapes	Kāinga Ora seeks amendments to address the below matters: 1. Kāinga Ora considers that in its current form, NFL-11 does not clearly articulate the implications and potential adverse effects resulting from loss of landscape values. This needs to be properly stated and documented in SASM-11[NFL-11?], as the potential adverse effects will determine the type of response and degree of management required through subsequent provisions. 2. Kāinga Ora opposes reference to terms 'high natural character areas' and 'significant amenity features' in that these terms are not defined within the plan, and it is presumed that these areas do not meet the threshold for consideration as 'outstanding natural landscapes and features.' Given the lack of clarity around what constitutes a 'high natural character area' or a 'significant amenity feature,' it is unclear to what degree the plan should have regard to these matters within an RMA context 3. In relation to certain activities, such as earthworks, it is Kāinga Ora's view that there is a disconnect between the objectives and policies, rules and standards, and assessment matters, such that the majority of earthworks even when located within areas of outstanding natural features and landscapes cannot be appropriately managed by Council unless non-compliances to other standards occur.	Accept in part	Yes

Proposed Central Hawke’s Bay District Plan

**Officer’s Right of Reply: Natural Environment –
Natural Features and Landscapes**

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Officer Recommendation	Amendments to Proposed Plan?
FS17.48	Horticulture New Zealand		Allow	Accept in part	
S134.008	Ngāti Kere Hapū Authority	NFL - Natural Features and Landscapes	[Ensure provision for papakainga - kaumatua housing in the Proposed Plan is not impeded by 'Outstanding Natural Feature' and 'Significant Amenity Feature' provisions where such features overlay residual lands owned by Māori.] We recommend that CHBDC launch an intensive communication and with mana whenua of Tamatea around land and housing development.	Accept in part	No
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APPENDIX 4

Specific Questions/Directions from the Panel

Questions/Directions from the Panel

1. The following responds to the memorandum and direction of the Hearings Panel as outlined in Minute 6, as well as other questions put to the Reporting Officers (verbally) during the Hearings.

Policy NFL-P5

2. The Panel requested (paragraphs 5 & 7 of Minute 6) that Council's legal counsel provide legal submissions, and that the Reporting Officer specifically address proposed Policy NFL-P5 'To recognise the regional social and economic significance of water storage within ONF-4 (Mākāroro Gorge)' in response to matters arising during the hearing.
3. This is addressed in my Right of Reply (paragraphs 16 – 42) and in legal submissions from Ms Davidson.

'Outstanding Natural Features & Landscapes' Provisions and 'Outstanding Waterbodies' in the Hawke's Bay Regional Resource Management Plan

4. Following the presentation of Gavin Ide from Hawke's Bay Regional Council, the Panel questioned what provisions are currently contained in the Regional Policy Statement and Regional Plan to address outstanding natural features and landscapes, what references there are to the Mākāroro River in the Regional Plan, and also what waterbodies in Central Hawke's Bay have been identified as an 'outstanding waterbody'.
5. I draw the Panel's attention to the 'Supplementary Information to Panel for Hearing Stream #1' received from Gavin Ide following the Hearing (dated 21 March 2022), identifying:
 - references to the Mākāroro River in the Regional Resource Management Plan in Policy LW2 (Table 1), in Table 5.9.1C, and in the Glossary describing the 'Tukituki Catchment Area' (table in paragraph 2.2 of his supplementary information);
 - which water bodies in Central Hawke's Bay District have been identified as 'outstanding water bodies' in the Regional Resource Management Plan via Proposed Plan Change 7 (PPC7) (table in paragraph 3.5); and
 - clarifying the status of the Mākāroro River in this regard (paragraph 3.4).
6. From this, I note that the Mākāroro River is generally referenced in the Regional Resource Management Plan in its context as part of the overarching Tukituki Catchment Area. The following is the relevant excerpt from Table 1 in Policy LW2 identified above (my highlighting):

<p>Tukituki Catchment Area</p>	<ul style="list-style-type: none"> • any regionally significant native water bird populations and their habitats • Cultural values and uses for: <ul style="list-style-type: none"> ○ mahinga kai ○ nohoanga ○ taonga raranga ○ taonga rongoa • Fish passage • Individual domestic needs and stock drinking needs³ • Industrial & commercial water supply • Native fish and trout habitat • Recreational trout angling and trout habitat in: <ul style="list-style-type: none"> ○ the Mangaonuku Stream ○ the Tukipo River ○ the Tukituki River mainstem downstream to Red Bridge ○ the Waipawa River • The high natural character values of: <ul style="list-style-type: none"> ○ the Tukituki River upstream of the end of Tukituki Road; and ○ the Waipawa River above the confluence with the Makaroro River, including the Makaroro River • Trout spawning habitat • Urban water supply for cities, townships and settlements and water supply for key social infrastructure facilities • freshwater use for beverages, food and fibre production and processing and other land-based primary production 	<ul style="list-style-type: none"> • Aggregate supply and extraction in lower Tukituki River • Amenity for contact recreation (including swimming) in lower Tukituki River. • any locally significant native water bird populations and their habitats • Recreational trout angling, where not identified as a primary value and use • Trout habitat, where not identified as a primary value and use • Water use for renewable electricity generation in the Tukituki River (mainstem) and the Waipawa River above SH50 including the Mākāroro River.
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7. I also note that it is not identified as an outstanding water body in PPC7 to the Regional Resource Management Plan, but is named in the appeal on PPC7 from Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga, Te Manaaki Taiao o Heretaunga and Ngati Kahungunu Iwi Incorporated, as a water body to be added (along with a number of other water bodies).

8. The following is the relevant excerpt from the Independent Commissioners decision on PPC7¹⁹:

Add Further Water Bodies to Schedule 25

- 4.7 Submitters sought the addition of four further water bodies to Schedule 25 of Proposed PC7. We discuss these in turn.
- 4.8 Four submitters¹² sought that the Makaroro River be added to the Schedule. In particular Kathryn Bayliss and Gerard Pain asserted that river has a wide variety of characteristics that make it "outstanding". These included "cultural and spiritual"; 'ecology' (for native birds, native fish, native plants, aquatic macroinvertebrates,); 'landscape' (scenic, natural characteristics); 'natural character'; 'recreation'; 'geology'; and 'historic'.
- 4.9 In support of an outstanding status for the values identified above, submitters have referred to 'research and investigations' undertaken during development of Change 6 with respect to the Ruataniwha Water Storage Scheme and the Board of Inquiry into the Tukituki Catchment Proposal.
- 4.10 The Makaroro River is located in Central Hawke's Bay, flowing from the slopes of the Ruahine Range into the Waipawa River near the town of Tikokino.
- 4.11 The river was not one of the 42 water bodies considered by the expert panel, so it was not assessed for cultural and spiritual values. In our view the submissions did not substantiate that such values exist on the Makaroro River, and none of the submitters appeared at the hearing.
- 4.12 Similarly, no substantive evidence was provided in submissions that other values associated with the Makaroro River are outstanding. The only criteria that it could possibly meet would be for outstanding natural character and/or ecological values. However we agree with officers' conclusion that it met none of the screening criteria (see Paragraphs 506 to 514 inclusive of the Officers' Report). For these reasons we have not added the Makaroro River to Schedule 25.

9. The following are the reasons given in the appeal²⁰ for seeking inclusion of additional outstanding water bodies in Schedule 25 'Outstanding Water Bodies' in the Regional Resource Management Plan:

- (e) *There was inadequate consideration for the mana of hapū and iwi, and the Treaty principles recognised by HBRC, when deciding on water bodies and their outstanding and significant values, to be included in or omitted from Schedule 25.*
- (f) *Adoption of the new screening criteria meant that regionally outstanding water bodies were omitted from Schedule 25, despite relevant evidence and information being on record at regional council.*
- (g) *The new screening process "Outstanding Water Body Identification Screening Criteria was not discussed with or agreed to by tangata whenua or others who had been part of the expert panel convened by HBRC to assist with progressing PPC7.*
- (h) *The new screening process undermines the ability for council to recognise and provide for the relationships of Maori with their lands, waters, sites, fisheries and other taonga.*
- (i) *The decisions by the hearings panel do not provide for the active protection of Maori in the use of their lands, waters, sites, fisheries and other taonga to the fullest extent practicable.*
- (j) ...
- (k) *The decisions on PPC7 did not give appropriate consideration to taking into account the principles of the Treaty of Waitangi in terms of:*
- *The Principle of Te Tino Rangatiratanga;*
 - *The Principle of Active Partnership and Consultation, and*
 - *The Principle of Active Protection.'*

10. In addition to this, with respect to provisions addressing outstanding natural features and landscapes in the Regional Resource Management Plan, I have identified only one reference, being Policy 79 as follows:

¹⁹ <https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/Decision-of-the-Independent-Hearing-Panel-PC7.pdf>

²⁰ <https://www.hbrc.govt.nz/assets/Uploads/PPC7-Notice-of-appeal-by-Te-Taiwhenua-o-Heretaunga-and-Ngati-Kahungunu-Iwi-Incorporated.pdf>

POL 79 ENVIRONMENTAL GUIDELINES – BEDS OF RIVERS AND LAKES

5.5.1 To manage the effects of activities affecting river beds and lake beds in accordance with the environmental guidelines set out in Table 12 below.

Table 12. Environmental Guidelines – Beds of Rivers and Lakes

Issue	Guideline
1. Fish passage	The activity should be undertaken in a manner that continues to provide for the existing passage of fish past the structure.
2. Fish spawning	In areas of fish spawning the activity should be undertaken in a manner that minimises adverse effects on overall fish spawning patterns.
3. Bed stability	No long term or ongoing acceleration of the rate of erosion or accretion of the bed of a river or lake as a result of any activity in a river bed or lake bed.
4. Habitat	Adverse effects on the habitat of aquatic and terrestrial flora and fauna within the bed of a river or lake should be avoided, remedied or mitigated.
5. Flow regimes	Adverse effects on natural flow regimes should be avoided where this is possible, or remedied or mitigated where avoidance is not possible.
6. Other structures & activities	There should be no significant adverse effects, including by way of destabilisation, on lawful existing structures or activities within the bed of a river or lake.
7. Flood & debris risk	There should be no reduction in the ability of the channel to convey flood flows, and no significant impedance to the passage of floating debris.
8. Damage to property	There should be no damage caused, and no increase in the risk of damage, to any property, including river control works, unless written approval is obtained from any affected parties.
9. Temporary activities	Upon completion of any temporary activity affecting the bed of a river or lake, the bed should as far as practicable be restored to no less than the state it was in prior to the activity taking place.
10. Outstanding natural features	Adverse effects on any outstanding natural features within river and lake beds should be avoided, remedied or mitigated.

11. The Regional Coastal Environment Plan, however, includes a whole section on 'Outstanding natural features and landscapes' in relation to the coastal environment (Chapter 3 in Part B – Matters of National Importance, pgs 13 & 14), containing an issue, objective, policies, and anticipated environmental results.
12. Where relevant, the above has been considered in the preparation of my Right of Reply in relation to Policy NFL-P5 (paragraphs 27 – 32).

Site Inspection for ONF-5 Te Kaihinaki A Whata and Te Whata Kokako

13. In response to questions regarding the proposed ONF-5, the Panel requested (paragraph 13 of Minute 6) that a site inspection of this landscape area, particularly around the Three Sisters, be undertaken by the Council's landscape planning adviser, John Hudson, to verify the recommended boundaries of this proposed ONL, and to report back to the Hearing Panel with his recommendations and reasoning.
14. John Hudson has been briefed accordingly, and it is anticipated that he will report back to the Panel on this matter by 29 April 2022, as requested.

Natural Features and Landscapes bordering Neighbouring Local Authority Boundaries

15. There was a question from the Panel to the Reporting Officers as to whether the landscape features SAF-9 Te Aute Limestone Crest & ONF-1 Whakarara identified in the PDP extended into neighbouring Districts.
16. I draw the Panel's attention to the Section 32 Natural Features and Landscapes Topic Report accompanying notification of the PDP – pgs 12 & 13, and can confirm as follows:
 - **SAL5** (Te Aute Valley including Lake Poukawa, Te Aute Hill, Raukawa Range and Kaokaoroa Range) in the Hastings District adjoins **SAF-9** (Te Aute Limestone Crest) in the Central Hawke's Bay District, and is an extension of the same landscape feature.
 - **ONFL7** (Kaweka and Ruahine Ranges) in the Hastings District adjoins

ONL-1 (Ruahine Ranges), **ONF-1** (Whakarara Bush), and also **SAF-2** (Mangataura Stream) in the Central Hawke's Bay District, and is an extension of the same landscape.

- **ONL** (the ridgeline of the Ruahine ranges) in the Manawatu District adjoins **ONL-1** (Ruahine Ranges) in the Central Hawke's Bay District, and is an extension of the same landscape.
- The Ruahine Forest Park is identified as a Regionally Outstanding Natural Feature or Landscape in Schedule G of the Horizons – One Plan (Regional Policy Statement & Regional Plan for the Manawatu-Whanganui Region).

Significant Amenity Features in Other District Plans / Natural Features and Landscapes Shared with Neighbouring Territorial Authorities

17. In response to questions from the Panel to the Reporting Officers about examples of whether and how significant amenity features have been provided for in other District Plans, and the treatment of identified ONLs, ONFs, and SAFs where the features extend beyond the District Council boundary into a neighbouring territorial local authority area, I draw the Panel's attention to section 3.3 (pgs 12 – 15) in the Section 32 Natural Features and Landscapes Topic Report.
18. The evidence of Rhea Dasent also referred the Panel to the proposed District Plans of Otorohanga District, Kaipara District, and the Waikato District, and the decision of Commissioners to delete the 'Significant Amenity Landscapes' in the Waikato District Plan, and the 'Visual Amenity Landscapes' in the Kaipara District Plan.
19. This is addressed in greater detail in my Right of Reply (paragraphs 43 – 53).