



Waikato District Council
28/32 Ruataniwha Street
Waipawa 4210

22 August 2022

Attention: Hearing Commissioners

Dear Commissioners

Ministry of Education – Proposed Central Hawke’s Bay District Plan - Letter to be Tabled at Hearing 5: Hazards and Risks, Earthworks and Subdivision

The Ministry of Education (the Ministry) has lodged a submission (S73) and further submission (S011) on the Proposed Central Hawke’s Bay District Plan (PDP). The Ministry will not attend Hearing 5 – Hazards and Risks, Earthworks and Subdivision scheduled to commence Wednesday 7 September 2022 and requests that in lieu of attendance this letter be tabled for the Hearing Commissioners’ consideration.

The s42A Reporting Officer’s reports for Hearing 5 of the PDP have been received and reviewed. The Ministry’s response to the recommendations contained within the Officer’s report in relation to the Ministry’s submission points are set out below.

Officer’s Report: Natural Hazards & Climate Change

Rule NH-R2

The submissions (S73.011) made by the Ministry sought to retain Rule NH-R2 as proposed for any new buildings or alteration to existing buildings or structures within a Natural Hazard area. The Ministry notes that Designation MEDU2 for Central Hawke’s Bay College is located in a Fault Avoidance Area and Designation MEDU8 for Pōrangahau School is located in a Flood Hazard Area.

Education Facilities are Building Importance Category (BIC) 3 so any alteration to schools that are not designated would be of a Restricted Discretionary activity status. In its submission, the Ministry supported the Restricted Discretionary activity status and the matters over which discretion is restricted as they allow the consideration by Council for alteration to non-designated education facility buildings if changes are unlikely to increase the risk from natural hazards.

The s42A Reporting Officer has agreed with the Ministry in part that the activity status is retained, however recommends the below amendments to the rule:

- The addition of the term ‘structure’ as the rule is intended to address both buildings and structures.
- Amended wording for the matter of discretion in Rule NH-R2(2)(b) to relate the assessment back to whether the activity is likely to increase or exacerbate risks to people or property. The Reporting Officer considers this more appropriate and in line with a risk management approach.
- The splitting of the Flood Hazard Area categories into ‘Zone 1’ and ‘Zone 2’ to reflect updated flood hazard maps developed by the HBRC Asset Management team and provide clarification on areas that more at risk from flooding than others and allow proposed developments and land use change within both these areas to be considered on a case-by-case basis by Council.
- An additional matter of discretion in relation to the Tsunami Hazard Area in Rule NH-R2(8) as appropriate and practical escape paths and evacuation routes are a reasonable consideration when assessing applications for vulnerable activities within such areas.

The recommended amendments are supported by the Ministry.

Should you have any queries or seek clarification on the above, please contact me on the details below.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Rogers'.

Danielle Rogers
Planner

on behalf of

Beca Limited

Direct Dial: +64 7 960 7259

Email: alec.duncan@beca.com