

563 Change 22: Overall Strategy for Mapua/Ruby Bay**DECISIONS AND REASONS****Final Decision 563.1**

C22.849.2	NZ Historic Places Trust	Allow
C22.3034.8	Gallagher, Devin & Charmaine	Disallow
<i>Allow</i>	FC22.3151.46	
C22.3701.1	Drewery, Graeme	Allow
C22.3722.1	Ngaruroro Farm Ltd	Allow In Part

Plan Amendments*Plan Topic 6.15.3.2*

Amend Policy 6.15.3.2 by adding "rural" before the word "residential".

Reasons

1. Provision has been made for future residential development to occur on the hillslopes of Ruby Bay in a low density manner.
2. New areas for development have been deferred until stormwater and other services are provided.
3. The background engineering studies for Plan Change 22 have taken a 'whole of catchment' approach and have included the assumption that there will be very little further subdivision on the coastal plain. Additional capacity for stormwater is planned to be provided in the Seaton Valley Stream upgrade which should help mitigate the elevation of groundwater levels.
4. Limiting the amount of subdivision on the coastal plain will help reduce the loss of archaeological sites.

Final Decision 563.2

C22.342.3	Adventurer Leisure Properties Ltd	Disallow
C22.3034.10	Gallagher, Devin & Charmaine	Allow In Part
<i>Disallow</i>	FC22.3151.48	
C22.3736.2	Talley, P; Ryder, J; Fitchett, J	Disallow
<i>Allow</i>	FC22.3151.127	
C22.3739.1	Waugh, J and Armstrong, A	Disallow

Plan Amendments*Plan Topic 6.15.3.6*

No Plan amendments to Policy 6.15.3.6.

Reasons

1. The policy applies to that part of the coastline that is most at risk from coastal erosion and inundation, and that part of the cliffline that is most at risk from instability along the Ruby Bay cliffs.
2. The avoidance of buildings in the coastal setback area is to ensure management of coastal hazard risk is in accord with objective 5 of the NZ Coastal Policy Statement - locating new development away from areas prone to such risks.
3. For those submitters such as submitters C22.3739.1 and C22.342.3 who have existing residential and commercial buildings close to the Mapua Channel and entrance within the setback area to mean high water springs, existing use rights under Section 10 of the RMA apply.
4. It is prudent that new buildings close to the Mapua Channel entrance should be set back because coastal erosion and inundation are a feature of this dynamic sandspit area.

Final Decision 563.3

C22.1445.7	Director-General of Conservation	Allow
<i>Allow</i>	FC22.3151.11	
C22.3034.11	Gallagher, Devin & Charmaine	Allow In Part
<i>Disallow</i>	FC22.3151.49	
C22.3692.5	Bannister, Frederick & Annamarie	Disallow
C22.3710.2	Jarvis, Martin D	Disallow
C22.3715.1	Le Petit, Gary and 95 others	Allow In Part
<i>Disallow</i>	FC22.3151.78	
C22.3715.2	Le Petit, Gary and 95 others	Allow In Part
<i>Disallow</i>	FC22.3151.79	
C22.3718.12	Mapua and District Cycle-Walkways Group	Disallow
<i>Disallow</i>	FC22.3151.96	
C22.3736.3	Talley, P; Ryder, J; Fitchett, J	Disallow

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C22.3736.3

Talley, P; Ryder, J; Fitchett, J

Disallow

Allow

FC22.3151.128

Plan Amendments*Plan Topic 6.15.3.7*

Delete the word "strictly" in Policy 6.15.3.7.

Plan Topic 18.9

Amend all references to "Coastal Hazard Area" to "Coastal Risk Area".

Reasons

1. The Council has previously identified an area of coastal hazard risk at Ruby Bay. In Plan Change 22 it has reviewed the extent of the Coastal Risk Area at Mapua and Ruby Bay in the light of new national guidance on sea level rise, LiDAR levels, stormwater modelling and the best available information on the likely effects of climate change on the district. The Mapua/Ruby Bay area has been given priority as an area at high risk of being affected.
2. There is a degree of differentiation in the Coastal Risk Area in that the Council has imposed a minimum setback area from mean high water springs where permanent habitable buildings are not permitted (other than those that are already there and have existing use rights).
3. The Council has decided to limit development rather than prohibit development throughout the Coastal Risk Area. It has differentiated an area of greater risk from the rest of the Coastal Risk Area.
4. Because there is not a consistent standard of hazard protection at Mapua Ruby Bay and there is a possibility that some of the current protection structures could fail, the Council has considered it prudent to define a hazard risk area.
5. The name of the Coastal Hazard Area has been changed to Coastal Risk Area as the area is exposed to several hazard risks (potential harmful events).
6. While existing coastal walls may reduce risk, they do not remove risk.

Final Decision 563.4

C22.3034.9

Gallagher, Devin & Charmaine

Allow In Part

Disallow

FC22.3151.47

Plan Amendments*Plan Topic 6.15.3.3*

No Plan amendments to Policy 6.15.3.3.

Reasons

1. Policy 6.15.3.3 seeks to improve the management of the cross-boundary effects between residential buildings on the Ruby Bay flats where the previous Rural 1 Zone rules provided no daylight over and around rules and no coverage limits for dwellings on sites 4000 square metres or less.
2. Rezoning submitter C22.3034's 3.3 hectares land to Residential will not address the matters that the Council has been asked to address at Ruby Bay.
3. The policy decision is that the submitters' low-lying site is inappropriate for further residential subdivision and the zoning should not be amended.

Final Decision 563.5

C22.3034.12

Gallagher, Devin & Charmaine

Allow In Part

Disallow

FC22.3151.50

Plan Amendments*Plan Topic 6.15.3.12*

No Plan amendments to Policy 6.15.3.12.

Plan Topic 6.15.30

Add to the end of the third paragraph after "Long Term Plan":

"While low impact stormwater systems are encouraged, they may not be appropriate on some areas such as hill or clay soil areas."

Reasons

The submitter has correctly identified that some areas are unsuitable for low-impact stormwater systems.

Final Decision 563.6

C22.3034.7

Gallagher, Devin & Charmaine

Disallow

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C22.3034.7 **Gallagher, Devin & Charmaine** **Disallow**
Allow FC22.3151.45

Plan Amendments

Plan Topic 6.15.1.9

No Plan amendments to issue statement 6.15.1.9.

Reasons

1. The submitters seek clarification as to whether their land is subject to being flood prone. The current stormwater works in the Ruby Bay area will reduce but not remove the risk of flooding on the submitter's land.
2. The submitter's 3.3 hectares land at 32 Broadsea Avenue is identified on LiDAR maps as being 2.5 to 3.5 metres above mean sea level. Any filling of the property is likely to pass stormwater to other properties nearby.

Final Decision 563.7

C22.3684.4 **Tiakina te Taiao Ltd** **Allow In Part**
C22.3684.6 **Tiakina te Taiao Ltd** **Allow**
C22.3684.7 **Tiakina te Taiao Ltd** **Allow**

Plan Amendments

Plan Topic C22 GEN

No Plan amendments.

Reasons

1. The Council is encouraging the restoration of habitat to support indigenous species both within the Waimea Estuary and around its margins at Mapua. Eventually this will enhance the ability of tangata whenua to undertake customary practices associated with flora and fauna.
2. Iwi monitoring of significant sites in Mapua such as the remediation of the ex Fruitgrowers Chemical Company site has been occurring.
3. Consultation with tangata whenua is an integral part of Council's project management at Mapua.
4. Tangata whenua representation at the decision-making level is an issue that goes beyond the scope of Plan Change 22.

Final Decision 563.8

C22.849.5 **NZ Historic Places Trust** **Allow**
C22.1223.2 **Garnett, Colin J & Hulse, Carol** **Disallow**
C22.1223.6 **Garnett, Colin J & Hulse, Carol** **Disallow**
C22.1445.9 **Director-General of Conservation** **Allow**
Allow FC22.3151.13
C22.3034.15 **Gallagher, Devin & Charmaine** **Disallow**
Allow FC22.3151.53
C22.3151.7 **BibbySmith, Fiona and Family** **Allow In Part**
C22.3694.4 **Blair, Malcolm & Natalie** **Disallow**
C22.3710.3 **Jarvis, Martin D** **Disallow**
C22.3715.3 **Le Petit, Gary and 95 others** **Allow In Part**
Disallow FC22.3151.80
C22.3726.2 **Rhodes, Charles R** **Disallow**

Plan Amendments

Plan Topic 6.15.30

No Plan amendments to explanation 6.15.30 in relation to these submissions.

Reasons

1. The Council has tide gauges at Little Kaiteriteri and Port Nelson to rely on for local tidal measurements.
2. Guidance on projected sea level rise has been obtained from the Ministry for the Environment and the NZ Coastal Policy Statement 2010. This guideline has application nationally.
3. It is relevant to include part of Iwa Street and Tahī Street in the explanation about coastal hazard risk because they are very low-lying areas close to the coast.
4. The new consent requirement for coastal protection structures will enable the Council to take a more consistent

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■ **DECISIONS AND REASONS**

Reasons

approach to protection works on private and public land.

5. Council believes that its approach in Plan Change 22 reflects a management strategy that is prudent for the present and adjustable over time in the light of new information.

6. Any increase in existing rock revetment height will be subject to a resource consent. One of the matters to be addressed will be whether such an action fits into Council's Long Term Plan for hazard risk management when considered alongside the NZ Coastal Policy Statement and sustainable management resources.