

Memorandum

To: Robert Scott, Hearing Panel Chair, Proposed Far North District Plan

From: James Witham – Team Leader District Plan, Far North District Council

Date: 18 December 2024

Subject: **PROCEDURAL MATTERS FOR PLAN VARIATION 1 TO THE FAR NORTH PROPOSED DISTRICT PLAN**

1. BACKGROUND AND PURPOSE

Far North District Council (Council) notified Plan Variation 1 (Minor Corrections and Other Matters) to the Proposed District Plan on 14 October 2024, with the submission period closing on 12 November 2024. Council received 17 original submissions in total. Of these 17 submissions, there were several submission points where it is not clear that they “on” Plan Variation 1 (i.e out of scope submissions), and one late submission received (Submission 605). The Summary of Decisions requested was notified on 26 November 2024 and closed on 10 December 2024. No further submissions were received.

The purpose of this memorandum is to make a recommendation and seek a determination from the Panel Chair on the following procedural matters under the Resource Management Act (RMA).

- a) the process for “out of scope” submissions
- b) determination on whether late submission S605 is accepted for evaluation.

2. OUT OF SCOPE SUBMISSIONS

Clause 6(1) of Schedule 1 of the RMA provides that once a proposed plan (or plan variation) is publicly notified under clause 5, the relevant persons may make a submission “on” it to the relevant local authority.

Plan Variation 1 is limited in scope, to the changes it proposes to the Proposed District Plan which are summarised in the [public notice](#). Proposed Plan Variation 1 was proposed to make minor amendments to correct identified errors and amend provisions that are having unintended consequences, to remove ambiguity and improve clarity and workability of provisions. Proposed Plan Variation 1 also addresses mapping and zoning corrections in the Proposed District Plan (for specific properties), including adding some of the Coastal Flood Hazard Layers to certain areas that were inadvertently omitted from the notified Proposed District Plan.

The public notice explains that submissions must be related to changes proposed as part of Plan Variation 1. In addition, during the submission period, the [Council’s webpage](#) also explained that:

The submissions process (for Plan Variation 1) does not re-open any previous submissions on the Proposed District Plan beyond the scope of the changes proposed in Proposed Plan Variation 1. **Any submission must be related to the changes proposed as part of Proposed Plan Variation 1. Submission points not related to variation are unable to be considered.**

Council has received a number of submission points which it considers are not “on” Plan Variation 1 or where the scope is unclear. These submissions are identified as out of scope” or “Scope unclear” in the Summary of Decisions Requested, provided as **Attachment 1** to this memorandum and listed below:

- S596.001 (Sue Tiexeira) because the submission and relief sought is not clear and does not appear to be related to the content of Plan Variation 1.
- S605.002, S605.007, S605.008, S605.010, (Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling) because the submissions are on the erosion layer and River Flood Hazard Layer which were not proposed to be amended through Plan Variation 1.
- S587.001 (David Leslie) because the submission seeks rezoning of land at 25A and 25B Tauranga Bay Beach Road, Kaeo and the zoning of the land was not proposed to change through Plan Variation 1.

The key reason that Council staff consider that the submissions are not on plan variation is that they raise matters or seek amendments which are beyond the scope of the changes proposed as part of Plan Variation 1 (the changes sought by the submission do not “fall within the ambit of the plan variation”).

There is a risk that persons directly or potentially directly affected by the additional changes proposed in the submission have been denied an effective opportunity to respond to those additional changes in the plan variation process, and also the timeframe for submissions on the other provisions of the Proposed District Plan (not included in Plan Variation 1) has passed.

3. LATE SUBMISSION

Submission S605, received from Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, and Leah Frieling was received by Council on 13 November 2024, one day past the closing date for original submissions on Plan Variation 1 (12 November 2024).

The Hearing Panel (on behalf of Council) has the ability to waive or extend a time limit for Schedule 1 processes under Section 37 and 37A of the RMA, taking into account:

(a) the interests of any person who, in its opinion, may be directly affected by the extension or waiver; and

(b) the interests of the community in achieving adequate assessment of the effects of a proposal, policy statement, or plan; and

(c) its duty under section 21 to avoid unreasonable delay.

Taking into account the matters set out in Section 37A(1) of the RMA, it is recommended that the Hearing panel accept the late submission S605 as a submission, allowing the matters raised to be addressed through the hearing process because:

- a) The submission was received no more than 24 hours past the closing time/date for further submissions and will not result in unreasonable delay.
- b) The submission made several submission points that are within the scope of the plan variation. It is important that these matters that are within scope are considered, addressed and tested through the schedule 1 process along with all other matters raised in submissions.
- c) There is no prejudice to any person directly affected by the Hearings Panel accepting the late submission.

4. DETERMINATION REQUIRED

In accordance with Section 34A of the RMA, Council staff request that the Hearing Panel Chair, Robert Scott exercises his delegations to determine that the abovementioned submissions listed in Section 2 of this memorandum are not “on” Plan Variation 1 by confirmation in a Panel Minute. If Commissioner Scott agrees these submissions are not within scope, the next steps are:

- a) A Panel Minute is issued with the determination
- b) Relevant submitters will be advised of the outcome
- c) The specific submission points will not be considered further as part of the S42A Reporting or hearings processes for the Proposed District Plan and Proposed Plan Variation 1.

In accordance with 37 and 37A of the RMA Council staff also request that the Hearing Panel Chair exercises his delegations to accept the late submission S605 so that the submission points that are within scope of Plan Variation 1 (being those listed in Attachment 1 but not listed in Section 2 above), can be evaluated as addressed as part of the Schedule 1 process for the Proposed District Plan.



James Witham
Team Leader District Plan
Dated 18 December 2024

Attachment 1 – Summary of Decisions Requested for Plan Variation 1

Summary of Decisions Requested on Plan Variation 1 (Minor Corrections and Other Matters) to the Far North Proposed District Plan



This Summary of Decisions Requested has been notified for further submissions on 26 November 2024. Information on how to make a further submission is available at pdp.fndc.govt.nz. Further submissions must be made in the prescribed format (using Form 6) and must be received by Far North District Council by **10 December 2024**.

Submitter	Submission point	Plan Section	Plan Provision	Position	Reasons	Decision Requested	In scope / out of scope of Plan Variation 1	Late submission?
Kingheim Limited	S601.004	COASTAL HAZARD AREA	COASTAL HAZARD AREA	Oppose	Reference to Coastal Flood Hazard Zones 2 and 3 includes errors in the event horizon (it includes reference to water levels at 2080 including sea level rise, which should be corrected to refer to 2130 including sea level rise), for consistency with the T&T report as the origin document - Coastal Flood Hazard Assessment for Northland Region 2019-2020.	Amend definition of 'Coastal Hazard Area' so that the Coastal Flood Hazard Zone 2 and 3 relate to the 2130 timeline (as opposed to the 2080 timeline) as follows: means areas of coastal erosion hazard and coastal flooding hazard mapped by the Northland Regional Council and included in the District Plan maps as follows: <ol style="list-style-type: none"> Coastal Flood Hazard Zone 1 (CFHZ1) – extent of the 50-year ARI static water level at 2080 including 0.6 m sea level rise (RCP8.5M)). Coastal Flood Hazard Zone 2 (CFHZ2) – extent of the 100-year ARI static water level at 2080 2130 including 1.2 m sea level rise (RCP8.5M). Coastal Flood Hazard Zone 3 (CFHZ3) – extent of the 100-year ARI static water level at 2080 2130 including 1.5 m sea level rise (RCP8.5H+). 	In scope	No
Kingheim Limited	S601.002	Natural hazards	Overview	Support in part	The 'River Flooding Hazards' section of the Natural Hazard Chapter Overview would be more relevantly named 'Flooding Hazards' since its 'definitions' cover both fluvial and coastal flooding. (inferred)	Amend 'River Flooding Hazards' section of the overview of the Natural Hazards Chapter to be more relevantly named ' Flooding Hazards ' in the Natural Hazard Chapter Overview. (inferred)	In scope	No
Kingheim Limited	S601.003	Natural hazards	Overview	Oppose	Reference to Coastal Flood Hazard Zones 2 and 3 includes errors in the event horizon (it includes reference to water levels at 2080 including sea level rise, which should be corrected to refer to 2130 including sea level rise), for consistency with the T&T report as the origin document - Coastal Flood Hazard Assessment for Northland Region 2019-2020.	Amend the 'overview' section of the Natural Hazards chapter so that the Coastal Flood Hazard Zones 2 and 3 to relate to the 2130 timeline (as opposed to the 2080 timeline) as follows: <i>Coastal Hazard Areas (including High Risk Coastal Hazard Area comprising of CFZ1 and CEZ1)</i>	In scope	No

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						<ul style="list-style-type: none"> Coastal Flood Zone 1 (CFHZ1) – extent of the 50-year ARI static water level at 2080 including 0.6 m sea level rise (RCP8.5M). Coastal Flood Zone 2 (CFHZ2) – extent of the 100-year ARI static water level at 2130 2080 including 1.2 m sea level rise (RCP8.5M). Coastal Flood Zone 3 (CFHZ3) – extent of the 100-year ARI static water level at 2130 2080 including 1.5 m sea level rise (RCP8.5H+). 		
WALTER (Wally) HICKS	S588.013	Heritage area overlays	Rule HA-R9	Support	Corrects an Error or Oversight	Retain corrections to Rule HA-R9 as notified in Plan Variation 1	In scope	No
Patricia Stewart	S600.001	Heritage area overlays	Rule HA-R9	Support	The requirement of needing to obtain a resource consent as a Discretionary activity will provide some protection to the Kohukohu Heritage Precinct as new developments will be scrutinised for their compatibility with existing structures.	Retain the inclusion of the Kohukohu Heritage Area in the activity status table for rule HA-R9.	In scope	No
WALTER (Wally) HICKS	S588.014	Heritage area overlays	Rule HA-R11	Support	Corrects an Error or Oversight	Retain corrections to Rule HA-R11 as notified in Plan Variation 1	In scope	No
Mataka Residents' Association Inc	S597.001	Heritage area overlays	Rule HA-R11	Support	Rule HA-R11 inadvertently captures a range of activities that will have no effects on the heritage values of heritage overlay areas.	Delete rule HA-R11 as proposed in Plan Variation 1.	In scope	No
WALTER (Wally) HICKS	S588.015	Notable trees	Rule NT-R8	Support	Corrects an Error or Oversight	Retain correction to Rule NT-R8 as notified in Plan Variation 1	In scope	No

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WALTER (Wally) HICKS	S588.016	Treaty settlement land overlay	Rule TSL-R1	Neutral	Submitter is operating from the list in Public Notices, Northern Advocate 14 Oct 2024, where they state they cannot see Rule TSL-R1 specifically mentioned. Plan Variation 1 proposes to amend the wording of TSL-R1 to ensure the airport protection surface limitations apply in relevant zones, and to ensure that buildings on land surrounding airports are built to a height that they do not penetrate the airport protection surfaces.	Not Stated.	In scope	No
Far North Holdings Limited	S593.011	Treaty settlement land overlay	Rule TSL-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	<p>FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows:</p> <p>new PER-4 provision</p> <p><u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u></p>	In scope	No
Far North Holdings Limited	S593.001	General residential	Rule GRZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	<p>FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows:</p> <p>new PER-4 provision</p>	In scope	No

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						<u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u>		
Far North Holdings Limited	S593.008	Rural production	Rule RPROZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows: new PER-4 provision <u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u>	In scope	No
Sue Teixeira	S596.001	Rural production	Rule RPROZ-R1	Oppose	Seawall in place	favourable	Scope unclear	No
Far North Holdings Limited	S593.009	Rural residential	Rule RRZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of	FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a	In scope	No

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					the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	<p>new provision (PER-4) or an added sentence to include vegetation, as follows:</p> <p>new PER-4 provision</p> <p><u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u></p>		
Far North Holdings Limited	S593.005	Mixed use	Rule MUZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	<p>FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows:</p> <p>new PER-4 provision</p> <p><u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u></p>	In scope	No

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Far North Holdings Limited	S593.003	Light industrial	Rule LIZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	<p>FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows:</p> <p>new PER-4 provision</p> <p><u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u></p>	In scope	No
Far North Holdings Limited	S593.006	Natural open space	Rule NOSZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	<p>FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows:</p> <p>new PER-4 provision</p> <p><u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport</u></p>	In scope	No

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						<u>protection surfaces shown in APP4 Airport protection surfaces.</u>		
Far North Holdings Limited	S593.007	Open space	Rule OSZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows: new PER-4 provision <u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u>	In scope	No
Far North Holdings Limited	S593.010	Sport and active recreation	Rule SARZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows: new PER-4 provision <u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on</u>	In scope	No

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						<u>the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u>		
Far North Holdings Limited	S593.002	Horticulture	Rule HZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows: new PER-4 provision <u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u>	In scope	No
Far North Holdings Limited	S593.004	Māori Purpose	Rule MPZ-R1	Support in part	Trees and other vegetation can create issues for the protection surface area if they are inappropriate species or planted where there is a risk to the operational activities of the airport. Vegetation which exists or deliberately planted should be subject to this restriction as well and maintained accordingly. To limit the protection surface provisions solely to buildings will potentially create problems in the future.	FNHL support the inclusion of this provision but would like to extend this to include vegetation as well. Either a new provision (PER-4) or an added sentence to include vegetation, as follows: new PER-4 provision	In scope	No

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						<u>All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces.</u>		
Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.007	Planning maps	River Flood Hazard Zone (100 Year ARI Event)	Oppose	There are river hazards zones/coastal hazards on Sandhills Road which is sandy country and very close to ninety-mile beach. There are no rivers near or behind high sand dunes.	Delete the river hazards zones and coastal flood hazards from land on Sandhills Road, including land between 700 - 100 Sandhills Road behind 90 Mile Beach, as shown in Map 2 and 2a of the original submission.	Out of scope	Yes, late submission.
Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.008	Planning maps	River Flood Hazard Zone (100 Year ARI Event)	Oppose	Property at Bell Road is zoned incorrectly showing flooding where it doesn't happen. A lot of work has been done on the Awanui river stop banks that does not show on the maps.	Delete the River Flood Hazard layer from land at Bell Road (adjacent to the Awanui River), as shown on Map 3 to the original submission (Inferred)	Out of scope	Yes, late submission.
Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.010	Planning maps	River Flood Hazard Zone (100 Year ARI Event)	Oppose	The Kaitaia Sewerage ponds (Bonnett Road) are also part of the flood zone. Submitter queries why FNDC is requesting a consent for a further 15 years for sewage ponds within a flood zone.	Not Stated	Out of scope	Yes, late submission.

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WALTER (Wally) HICKS	S588.012	Planning maps	Natural Open Space Zone	Support	Corrects an Error or Oversight	Retain corrections to Natural Open Space Zone errors as notified in Plan Variation 1	In scope	No
David Leslie	S587.001	Planning maps	Rural Production Zone	Oppose	<p>The site is on the fringe of the township and has previously been connected to the farm hence submitter suggests that the zoning should be amended from Rural Production to Settlement Zone.</p> <p>Submitter considers it makes no sense to keep rural production for this property as it is no longer connected to the farm and has been on sold to them, and suggests that 25b Tauranga Bay Beach Road may also need to be considered for this change.</p>	Amend zoning of land at 25A and 25B Tauranga Bay Beach Road, Kaeo, from Rural Production Zone to Rural Settlement Zone.	Out of scope	No
WALTER (Wally) HICKS	S588.001	Planning maps	Coastal Flood Hazard - Te Werahi Beach	Support	The Coastal flood hazard mapping (inferred) acknowledges Climate Change, Sea-Level Rise and Weather Event Emergencies	Retain coastal flood hazard mapping layer as notified for Plan Variation 1	In scope	No
WALTER (Wally) HICKS	S588.002	Planning maps	Coastal Flood Hazard - Kokota	Support	The coastal flood hazard mapping acknowledges Climate Change, Sea Level Rise and Weather Event Emergencies	Retain coastal flood hazard mapping layer as notified for Plan Variation 1	In scope	No
WALTER (Wally) HICKS	S588.003	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Support	The coastal flood hazard mapping acknowledges Climate Change, Sea Level Rise and Weather Event Emergencies	Retain coastal flood hazard mapping layer as notified for Plan Variation 1	In scope	No
Tristan Williams	S591.001	Planning maps	Coastal Flood Hazard - Rangaunu	Oppose	Submitter opposes changes because they consider there is no context or explanation of what the change is or why, therefore rejects any changes without prior understanding and agreement. Submitter notes that Council doesn't own	Delete flood hazard mapping layer from land at 3 Matarau Road, Awanui (inferred). Reject all proposed changes in Plan Variation 1 relating to this property without an understanding of the ramifications.	In Scope	No

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			Harbour and surrounding areas		the land and as landowner they provide no authority to unexplained changes.			
David Travers	S594.001	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Oppose	The Coastal Flood layer should be removed from the plan as there is a paper road around the bottom of 23 Ronas Place, therefore flood hazards (inferred) should not affect the property at all.	Delete the Coastal Flood Hazard Layer from the property at 23 Ronas Place, Kaingaroa.	In scope	No
ZOE Maginn	S599.001	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Oppose	<p>These zones have been modelled using 'extremes' and may not be 'likely' effects, as required in New Zealand Law.</p> <p>The hazard maps and zones must remain correct and current. This can only be done by monitoring and reviewing their accuracy in line with real data and events. The models may be shown to be inaccurate when compared to actual data, and therefore irrelevant. Future effects of this plan, and decisions based on it, could be totally wrong if based on old modelling and data.</p> <p>The hazard maps and zones must be accurate for each property, rather than applied in a blanket fashion as they have far reaching consequences for each individual property.</p> <p>We are concerned that these hazard layers are based on predicted and modelled scenarios. We do not believe that these scenarios are backed up by actual evidence of inundation and sea level rise on the ground. Has there been a detailed verification of the modelled scenarios using historical information from the area?</p> <p>The assumptions on which the modelling and the coastal hazard assessments are based must be based on likely effect of climate change (as required by NZ law) and not on unlikely or improbable scenarios.</p>	<p>Delete (or do not update) the Coastal Flood Hazard Zone/Layer and River Flood Hazard Zone/Layers at Rangaunu Harbour</p> <p>To amend the Coastal Flood Hazard Zone/Layer and River Flood Hazard Zone/Layer on land at 409A Rangiputa Road, Karikari Peninsula.</p> <p>To review actual flooding incidences and sea levels (real data), and compare them to the modelled data.</p> <p>To amend models and hazard zones based on actual data and events, in a structured and periodic manner. This may be yearly, for example. So that hazard zones remain relevant and current.</p> <p>To review modelling accuracy to ensure based on likely scenarios (and not extreme or unlikely scenarios) - as required by New Zealand law.</p>	In Scope	No

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					<p>We are aware of the community on the Kapiti Coast that have recently engaged their own Coastal Hazard assessment which has found significant issues in the work done by the Councils consultant (in this instance Jacobs). It found that basing their assumptions on MFE guidelines resulted in improbable and even implausible scenarios.</p> <p>Council must ensure that work done by consultants and the underlying assumptions do not fall significantly short as they have in the case of Kapiti District Council's consultant's work, before new hazard layers are included in the Plan.</p> <p>We are extremely concerned that the Coastal Hazard Layers you are proposing to add will have significant implications on property LIMs, values, uses, ability to insure and to secure loans for properties. This being the case we believe it is absolutely essential that these maps are based on actual and probable scenarios not on extreme or improbable scenarios.</p> <p>The coastal flood hazard and river flood hazard layers cover approximately 90% of our property, which may make it impossible to build on the property. We should have the right to build on our property, and the council may make it impossible to do that by imposing these hazard zones. I don't believe the council should be able to potentially remove that right based on modelling using extreme scenarios that are imposed and not monitored. We have owned the property for over 13 years, and there has been no major flooding that reflects the hazard maps in any way. The previous owner has confirmed there was no flooding in the previous 27 years that his family owned it. That is no flooding that reflects the hazard maps in any way in the last 40 years.</p> <p>We therefore strongly object to these Coastal Hazard Maps being added, unless they are reviewed, corrected</p>			

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					and applied accurately based on real data, that is reviewed and updated.			
Rangiputa Community Incorporated	S604.001	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Oppose	We are concerned about Plan Variation 1 and the addition of the Coastal Flood Hazard layers specifically in relation to Rangaunu Harbour and surrounding areas, particularly Karikari Peninsula. We are concerned that these hazard layers are based on predicted and modelled scenarios and do not believe they are backed up by actual evidence of inundation and seal level rise on the ground. This being the case we believe it is absolutely essential that these maps are based on actual and probable scenarios not on improbable scenarios. We are concerned the Coastal Hazard Layers will have significant implications on people LIMs, their property values and uses and abilities to insure and secure loans for their properties.	Delete or amend coastal flood hazard layer in relation to Rangaunu Harbour until Council has gone through a thorough process including (1) Calibrating scenarios against actual historical evidence of sea level rise in the area (2) Taking the learning from the Kapiti situation and applying these, and (3) Working with the affected community and determining exactly the impacts on individuals affected .	In scope	No
Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.001	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Oppose	Maps are inaccurate, inconsistent and too old. Inundate model only of Rangaunu Harbour and no maps for Taipa or other large rivers. No work has been done on other river catchments to date and only using LIDAR.	Amend mapping and geotech to improve accuracy before labeling peoples properties at risk if they are not (inferred).	In scope	Yes, late submission.
Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.002	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Oppose	Property at 2 Panorama Lane Ahipara is mapped incorrectly and theres no geotech as part of the mapping assessment. A previous geotech report shows the ground is basalt rock and will not erode over the next 100 years and theres no difference in mapping for sand compared to basalt rock. The levels in the mapping at foreshore road/panorama lane are incorrect and dont reflect the 3m high gabion basket works and the earthworks done to increase the ground level. (Inferred)	Delete the erosion layer from the Panorama Lane area at Ahipara.	Out of scope	Yes, late submission.

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Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.003	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Oppose	189 State highway 1 is higher than the Awanui main street which isn't within the flood zone mapping, therefore the property shouldn't be within the flood zone. (Inferred)	Delete the coastal flood hazard layers from 189 State highway 1, Awanui (Inferred).	In scope	Yes, late submission.
Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.004	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Oppose	It appears the coastal hazards were prepared expecting all rivers from the Ranganunu Harbour to rise without consideration for the stopping banking done by NRC recently. The maps are too old and do not take account of the new work completed.	Amend maps to account for new buildings sites, work completed and the stopping banks done by NRC.	In scope	Yes, late submission.
Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.005	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Oppose	The Whangatane spillway - Kumi Road/Pairatahi river that is below state highway 10 does not show flooding in this area, only coastal flood hazard.	Amend the maps at Whangatane spillway to show flooding in this area. (inferred)	In scope	Yes, late submission.
Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.006	Planning maps	Coastal Flood Hazard - Rangaunu Harbour and surrounding areas	Oppose	It appears that no consideration has been given to the Kaitaia drainage scheme channels and drains rated for by FNDC, or the improvements they have had on drainage. Please correct in the modelling.	Amend the flood hazard modelling to reflect the drainage work. (Inferred)	In scope	Yes, late submission.
WALTER (Wally) HICKS	S588.004	Planning maps	Coastal Flood Hazard - Karikari Peninsula	Support	The coastal flood hazard mapping acknowledges Climate Change, Sea Level Rise and Weather Event Emergencies. Supports Future Coastal Retreat provisions.	Retain coastal flood hazard layer as notified for Plan Variation 1	In scope	No

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Kingheim Limited	S601.001	Planning maps	Coastal Flood Hazard - Karikari Peninsula	Oppose	There is an incompatibility between the modelling plans being used (NRC maps) and the written words of the Coastal Hazard policy NH-P7, which considers the 1% Annual Exceedance Probability flood hazard plus 1m of sea level rise. If the intent is for NH-P7 to relate the 1% AEP storm flood level plus the stated 1m, then there is no relevance to defining anything other than the Coastal Flood Hazard Zone 0 in the River Flooding Hazards section, since all other flood elevations cannot be related to the policy requirement. (inferred)	Amend the coastal hazard flood mapping to include Coastal Flood Hazard Zone 0 for design referencing and Coastal Flood Hazard Zone 1 & Coastal Flood Hazard Zone 2 mapping for information only. Coastal Flood Hazard Zone 3 should not be included or referenced in the plan variation or Proposed District Plan (inferred)	In scope	No
Elbury Holdings, LJ King, Fiona King, LJ King LTD, West Coast Farms, Leah Frieling	S605.009	Planning maps	Coastal Flood Hazard - Karikari Peninsula	Oppose	Does the Pukehe hill lakes discharge sometimes under the inland road out to Whatwhiwhi beach in high water table levels. It is not showing on the maps. I believe Coastal inundation of Pukehe will probably cross the road and flow onto Tokerau Beach.	Insert the coastal flood layers for the Whatwhiwhi areas. (inferred)	In scope	Yes, late submission.
WALTER (Wally) HICKS	S588.005	Planning maps	Coastal Flood Hazard - Ngāruai-o-te-Marangai Beach	Support	The coastal flood hazard mapping acknowledges future Climate Change, Sea Level Rise and Weather Event Emergencies	Retain coastal flood hazard layer as notified for Plan Variation 1	In scope	No
WALTER (Wally) HICKS	S588.006	Planning maps	Coastal Flood Hazard - Areas of Te Puna Inlet	Support	Supports future Climate Change, Sea Level Rise and Weather Event Emergencies actions	Retain coastal flood hazard layer as notified for Plan Variation 1	In scope	No
Karen Barrow	S598.001	Planning maps	Coastal Flood Hazard - Areas of Te Puna Inlet	Oppose	Submitter requests that 213 McKenzie Road, Kerikeri is excluded from the Coastal Flood Hazard Layer. The reasons are that I have lived at 213 McKenzie Road, Kerikeri for approximately 50 years. There has been no noticeable change to the high tide mark during this period. The property has never flooded. The submitter notes that the	Delete the Coastal Flood Hazard layer from the land at 213 McKenzie Road, Kerikeri.	In scope	No

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					area of the property identified with the Coastal Hazard layer is minor and they would be able to take steps to mitigate/reduce any affect to the area.			
WALTER (Wally) HICKS	S588.007	Planning maps	Coastal Flood Hazard - Kerikeri Inlet	Support	Supports future actions on Climate Change, Sea Level Rise & Weather Event Emergencies	Retain coastal flood hazard layer as notified for Plan Variation 1	In scope	No
Kathy Davies	S589.001	Planning maps	Coastal Flood Hazard - Kerikeri Inlet	Oppose	<p>The various LINZ and NRC maps used to create the Coastal Hazard maps are not correct for this area of the Hauparua Inlet - possibly why the area is not shown in the Provisions selection.</p> <p>The LINZ maps currently show a lot of our existing property as 'hydro', which is not correct. This has likely been used as a base starting point.</p> <p>The NRC hazard maps (I assume used to generate the updated FNDC maps) are incorrect as very inconsistent with the NZ Searise data and maps - which I assume are a base point for all Councils. If NZ Searise is not the base data set for Coastal Hazard modelling could you please let me know what data has been used?</p> <p>The new maps show all land up to 2m above sea level as being in Coastal Hazard in the 50 year plan. The NZ Searise data shows the median estimate of sea level rise at .39m for this property by 2070 and this includes the vertical land level change estimated. At 100 years (2120) the NZ Searise shows the rise at this property at .82m</p> <p>The 'sea' / water at this end of the estuary is protected by an extremely narrow entry ('the narrows') to the basin of water. Mountains rising steeply to 50m elevation on Wharau Rd surround the basin providing shelter from wind. Hence it is very protected and there is no 'wave action' to be considered. The flood zone should equate to the sea level rise estimates along with vertical land level</p>	Delete the proposed new coastal hazard maps (notified as part of Plan Variation 1) or correct them for the property at 22 Quinces Landing, located at the end of Hauparua Inlet.	In scope	No

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					<p>changes which equal .39m at 2070 and .82m at 2120 on the NZ Searise site.</p> <p>Why then do the maps show hazard zones up to and over 2m? It is obviously very incorrect to map coastal hazard to this level at 50 years and still actually incorrect at the 100 year projection.</p> <p>I note that the current flood zone assessment on the NRC maps shows some existing flooding hazard where the current district plan shows none. I can confirm that during our ownership we have never seen flooding on the land and this includes time during cyclone Gabriel when winds were at a maximum and a tree was downed on our road. Also no flooding during the tsunami warning a few years ago that saw the evacuation of the area and in which social media notes from people on the Kerikeri Inlet that they noticed high water levels. We noticed none as we watched on our cameras from afar.</p> <p>This submission is in relation to Variation 1 of PDP which says changes are minor and insignificant. The proposed changes are not at all insignificant to this property.</p>			
Tim Brandon	S595.001	Planning maps	Coastal Flood Hazard - Kerikeri Inlet	Oppose	<p>To oppose the new plan variation 1 that proposes to zone the Hauparua Lane area as a flood plain, as it clearly is NOT. There are no rivers in the vicinity and having lived here for 21 years and have experienced significant rainfall over short periods of time, there has never been a flood! There has never been a flood, even in severe downpours.</p> <p>I strongly object to this zone proposal. Requests to speak to the local residents and hear all involved, and re think this decision.</p>	Delete the coastal flood hazard layer from the Hauparua Lane area (inferred).	In scope	No
Hamish Starr	S602.001	Planning maps	Coastal Flood Hazard - Kerikeri Inlet	Oppose	<p>There has been no significant increase in the sea level nor has flooding occurred of any significance at 351 Wharau Road. The property is in an inlet and isn't exposed to</p>	Significantly reduce proposed coastal flood hazard layers, including deleting the coastal flood hazard layers from land at 351 Wharau Road, Kerikeri.	In scope	No

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					extreme storm impact. The layers are exaggerated and should be revised (inferred)			
Maria and David Manning	S603.001	Planning maps	Coastal Flood Hazard - Kerikeri Inlet	Support	To provide information of our experience of living on the coast at 427 Wharau Road for 70 years including weather events, at Wharau Beach (explained on Page 3 of original submission)	Support whatever is considered appropriate by council. (inferred)	In scope	No
WALTER (Wally) HICKS	S588.008	Planning maps	Coastal Flood Hazard - East of Cape Brett to Owhai Bay	Support	Supports future actions on Climate Change, Sea Level Rise and Weather Event Emergencies	Retain coastal flood hazard layer as notified for Plan Variation 1	In scope	No
WALTER (Wally) HICKS	S588.009	Planning maps	Coastal Flood Hazard - Rangiora to Motukaraka Point	Support	Supports future actions on Climate Change, Sea Level Rise and Weather Event Emergencies	Retain coastal flood hazard layer as notified for Plan Variation 1	In scope	No
WALTER (Wally) HICKS	S588.010	Planning maps	Coastal Flood Hazard - Rāwene	Support	Supports future actions on Climate Change, Sea Level Rise and Weather Event Emergencies	Retain coastal flood hazard layer as notified for Plan Variation 1	In scope	No
WALTER (Wally) HICKS	S588.011	Planning maps	Coastal Flood Hazard - Waima River and Waipoua River	Support	Supports future actions on Climate Change, Sea Level Rise and Weather Event Emergencies	Retain coastal flood hazard layer as notified for Plan Variation 1	In scope	No