



RECORD OF MEETING OF A HEARINGS PANEL

to hear and consider submissions on

Variation 1: Regional Coastal Environment Plan – Rivermouth Hazard Areas

Date: Wednesday, 23 May 2012

Time: 9:00am

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: C Scott - Chair
E von Dadelszen

In Attendance: G Ide – Team Leader Policy
B Riley – Senior Planner
M Drury – Minute Secretary

Chairman Scott introduced members of the hearing panel to the public and welcomed all present to the hearing. Chairman Scott briefly outlined the scope and purpose of Variation 1: Regional Coastal Environment Plan – Rivermouth Hazard Areas. Chairman Scott outlined the process for the hearing and noted that technical advice sought would be undertaken with Mr Richard Reinin Hamill via a conference call after morning tea at 10.30am.

Chairman Scott noted that the Panel was required to consider a procedural matter in the first instance regarding a late submission lodged by Mrs Margaret Roberts (Submission 25). Ms Riley provided an overview of the timeframes for public notification of Variation 1 and the deadline for lodging submissions. Ms Riley confirmed that Mrs Roberts had not given an explanation for her late submission, her points had been covered in other submissions and recommended that her late submission be declined.

Chairman Scott sought clarification from Ms Riley that Submitter 22 (Mr A Packer) had withdrawn his submission. Ms Riley confirmed that this was correct.

Panel Resolution:

That Council does not waive lateness of the submission by Mrs Margaret Roberts.

The Panel then commenced hearing verbal submissions from submitters.

Mr E M Bruce (Submitter #7)

Mrs M Bruce (Submitter #8)

Mrs M J Duncam (Submitter #12)

Mrs Denise Forbes (Submitter #13)

Presented by Mr Andrew Orm

Mr Orm presented submissions on behalf of the above submitters which included a request that the Esk Rivermouth Hazard area be removed until such time as Council undertakes the necessary analysis to confine the Hazard Area to the area that is realistically at risk from inundation and erosion.

Mr Orm then advised that all submitters now supported the recommendations as contained in the Officer's Report.

David & Wendy Lawson (Submitter #19)

Mr Orm presented submissions on behalf of Submitter #19 and advised Mr & Mrs Lawson supported the reduction of the Moana Drive Rivermouth Hazard as recommended in the Officer's Report.

Mr Orm verbally expanded on submitter 19's written submission and confirmed that Mr & Mrs Lawson were specifically requesting that number 110 Newcastle street be removed from the Moana Drive Rivermouth Hazard Area, and that a further analysis of the area be undertaken before the exact extent of the Moana Drive rivermouth hazard area was determined.

Mr Orm confirmed he was happy with the further investigation undertaken for the Moana Drive Area, and no longer opposed the extent of the rivermouth hazard area.

In response to a question, Mr Orm confirmed that Mr & Mrs Lawson's property is situated at 110 Newcastle Street, and this was the property submitted on. Ms Riley confirmed there were variances between Terraview and Council's rating database, and while the address for the property was showing up as 83 Moana Drive on terraview (and subsequently the maps produced for Variation 1), the correct address was 110 Newcastle Street as stated by the submitter.

Mr Robert McLean (Submitter #21)

Mr McLean gave a verbal submission and expressed his concerns about the Whangaehu Rivermouth Hazard Area and how it might affect the ability to access his family bach.

Mr McLean also tabled evidence of ongoing projects on the property, relating predominately to walkways over his land, which may be inhibited by the proposal.

Responding to a question, Mr Ide confirmed that access to the McLean property in question would not be affected by the Rivermouth Hazard Area. Mr Ide also confirmed that the Coastal Hazard Zone 1 rules relate predominantly to the building/extending of structures in that Zone. Mr Ide noted that if Mr McLean wished to extend the family bach then resource consent would need to be obtained from the Regional Council, prior to these works being undertaken.

Mr Earl Stevens (Submitter #26)

Mr Jacob Scott (Submitter #25)

Mr Stevens presented his submission and advised he supported the recommended changes in the Officer's Report as the boundary of the Tukituki Rivermouth Hazard Area was now placed along the top of the stopbank. This meant the Rivermouth Hazard Area would not encroach on land located on the other side of stopbank which was his original concern.

Mr Stevens expressed concern about the Variation 1 process, in particular how people didn't get to comment on the hazard areas up front and instead were drawn into the process, which takes up people's time and money.

Mr Scott presented his submission, expressed concern about the lack of information and maps available and the possible effects it may have on his property. He supported the reporting officer's recommendation to amend the Tukituki Rivermouth Hazard Area to run along the top of the stop bank. Mr Scott stated that he no longer wished to pursue deletion of the entire Tukituki Rivermouth Hazard Area.

In response to a question, Mr Ide explained the reasons the lines were originally placed in that location, and then went on to explain that the more recently obtained information, including LiDAR data, had led to the revision of the boundary lines for the Tukituki Rivermouth Hazard Areas.

Ms Robyn Brynildsen (Submitted #10)

Ms Riley tabled an email from Ms Brynildsen advising that she was now unable to attend the Hearing but requested that her submission be considered by the Hearing Panel.

John & Marian McKee (Submitter #20)

In support of their submission, Mr and Mrs McKee tabled photos of area dating from the present day back to 1910.

The submitters objected to the proposal to extend the Rivermouth Hazard Area surrounding the river mouth at Blackhead Beach into CHZ1 because the river was a creek with sand banks which did not flow all year round.

The submitters expressed concern that the proposal was based on supposition and not factual data relevant to the site and no requests had been made for historical data to be presented to assist in the determination on the proposed boundary.

Responding to a request from Chairman Scott, Mr Ide explained that Tonkin & Taylor had identified issues in 2004, had visited all relevant sites in the region, had reviewed LiDAR data for the area, used the most up to date information to project historical trends moving forward and also outlined the restrictions imposed in Coastal Hazard Zone 1.

Mr Ide confirmed that beach profiling was undertaken by Council staff on a regular basis and in the event of a severe storm, if considered necessary, additional profiling was undertaken to determine any changes to the profiles.

Chairman Scott invited the reporting officer to respond to presentations made by submitters.

Ms Riley advised that, having heard presentations from submitters, she has no further amendments to her original recommendations in Report Numbers 1 -12.

The Panel asked the reporting officers for further clarification on various matters covered in the s42A hearing report. Questions and responses from reporting officers and Mr Reinin Hamill included the following:

- Q. Are staff confident that the property identified as 83 Moana Drive on Terraview is in fact 110 Newcastle Street?
- A. There are discrepancies between Terraview and HBRC Rates database in the Mahia Area. The Council's rating database is correct and the Lawson's are the owners of 110 Newcastle Street (which is identified 83 Moana Drive on Terraview).
- Q. How accurate was the methodology used in the process, was LiDAR the most accurate method and was local site information, including photographs, taken into consideration?
- A. Photography from the storm event of April 2011, aerial photographs, and information and photographs contained in the submissions were all used by T&T when assessing the Rivermouth Hazard Areas. LiDAR was also taken into account by T&T and is the most accurate information source for large areas, however not as accurate as a site specific survey. If the benchmarks are good LiDAR is an effective information source.
- Q. Tonkin & Taylor made recommendations to extend the rivermouth hazard line in the Taylor's Bay, Blackhead Beach and Te Apiti Stream Rivermouth Hazard Areas and although this was outside the scope of submission, would this pose a hazard in the future and does a plan change need to be undertaken to address this issue?
- A. The recommendations by T&T to extend the Taylors Bay, Blackhead Beach and Te Apiti Stream Rivermouth Hazard Areas will be considered as part of the Council's review of coastal erosion and coastal inundation hazards. That review is scheduled for the 2014-15 period in the 2012-22 Draft Long Term Plan.
- Q. Are coastal protection structures taken into account when determining the location and extent of the Rivermouth Hazard Areas?
- A. No. T&T specifically excludes the presence of coastal protection structures and any associated reduction in erosion risk when determining hazard areas. This is because there are no guarantees such structures remain intact in the long term. For example the structure might not be maintained and fails, or the structure might not be re-consented. Ms Riley advised that coastal protection structures are more appropriately taken into account in the resource consent process.
- Q. There is 'hard fill' at the Esk Rivermouth which means that properties protected by it are not in the hazard zone – what effect does the hard fill have on the Rivermouth Hazard Area?
- A. There is significant hard fill is placed at the back of the beach which prevents the river meandering to the north. The hard fill is not a coastal protection structure like a seawall to prevent erosion. Because the river is unlikely to move north, the Esk Rivermouth Hazard Area can be reduced in size.
- Q. In Taylor's Bay and Wairamama do the rip rap walls placed previously affect landowners outside the rivermouth hazard zones?

- A. The coastal protection structures were not taken into account by T&T when determining the Rivermouth Hazard Areas.

Closure:

There being no further business, the Chairman declared the hearing closed at 11.45am

Consideration of submissions:

Chairman Scott sought comment from fellow Commissioner Eileen von Dadelszen who agreed to consider submissions and make recommendations on variation in a public session.

The Panel then commenced consideration of submissions and the officers' recommendations on submissions to Variation 1: Regional Coastal Environment Plan – Rivermouth Hazard Areas in public session. The Panel considered submissions according to the layout and groupings by like topics presented in the officers' s42A hearing report.

The Panel continued considering submissions and deliberations after the lunch break.

The Panel also sought further clarification from Mr Reinin Hamill in regard to photos tabled at the Hearing by Mr & Mrs McKee (Submitter #20).

The Panel then returned to considering submissions.

Panel Recommendation:

That Council adopt the recommendations and associated reasons for accepting and rejecting submissions on Variation 1: Regional Coastal Environment Plan – Rivermouth Hazard Areas

Signed as a true and correct record.

DATE: 30 May 2012

CHAIRMAN:



ATTACHMENTS

Hearing Panel's recommendations relating to submissions on Variation 1: Regional Coastal Environment Plan – Rivermouth Hazard Areas.