

**SUBMISSION ON APPLICATION CONCERNING RESOURCE CONSENT THAT IS SUBJECT TO
PUBLIC NOTIFICATION BY CONSENT AUTHORITY**

Section 95A, Resource Management Act 1991

To: Gisborne District Council
Email: NotifiedRC@gdc.govt.nz

Submitter: Pine Hollow Family Trust
Property Address:

Address for Service:
Attention:
Email:

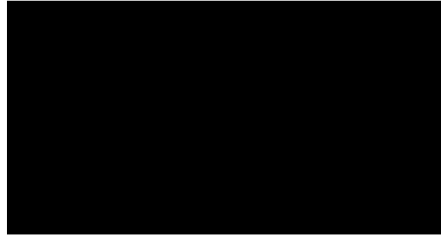


Figure 1: Children enjoying a lesson in the Pine Hollow Riding School Arena

INTRODUCTION

- 1 This is a submission on a publicly notified application by Gisborne District Council (the **Council**) seeking land use and surface water resource consents for the Te Karaka Stopbank Upgrade Project (**Proposed Activities**) at Te Karaka township (the **Application**).¹
- 2 Pine Hollow Family Trust (the **Submitter**) is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (**RMA**).
- 3 This submission relates to the Eastern Alignment of the proposed Stopbank. The Property is identified in the Application as area TK24.
- 4 The Submitter's reasons for its submission are provided below.

SUBMISSION

Background

- 5 The Submitter owns a 12.5-hectare property held in Record of Title GS3B/1054, located at 2424 Matawai Road (the **Property**), shown below. The Property borders the Waipaoa River on its northern boundary. The Property lies within the Gisborne District Plan's (**District Plan**) Rural General Zone.



Figure 2: Submitter's Property at 2424 Matawai Road, Te Karaka

- 6 The Submitter has owned and lived on the Property since 2015 and was granted resource consent LU107252 in 2016 to establish and operate an equestrian centre on the south-east corner of the Property. Attached as **Appendix 1** is a copy of LU107252.
- 7 The Submitter runs the Riverview Treks & Pinehollow Riding School on the Property daily between 8am and 6pm in the summer and 9am to 5pm in the winter (noting of course that

¹ Application No. LR-2026-113441-00, LV-2026-113442-00, LL-2026-113443-00, WS-2026-113444-00.

ongoing care for the ponies and horses and other preparatory and maintenance tasks operate 24/7).

- 8 The Pinehollow Riding School (**Riding School**) provides riding lessons, pony rides and School Holiday Programmes. The Riding School has around 42 ponies and horses. Riders from near and far attend the Riding School. These include groups of neurodiverse children and individuals with disabilities. Therapeutic horse riding and interaction provide comprehensive physical, psychological, and social benefits for neurodiverse children and children with disabilities.



Figure 3: Existing stopbank indicated by arrow, looking north

- 9 The Riverview Horse Treks specialise in families and have a variety of horses and ponies available and tailor treks based on rider ability. The River is utilised for horse treks. If the River is too high, treks occur across the neighbouring property at 2431 Matawai Road where the Submitter leases land.² Horses and riders must cross SH2 to access 2431 Matawai Road as shown in **Figure 4** below.

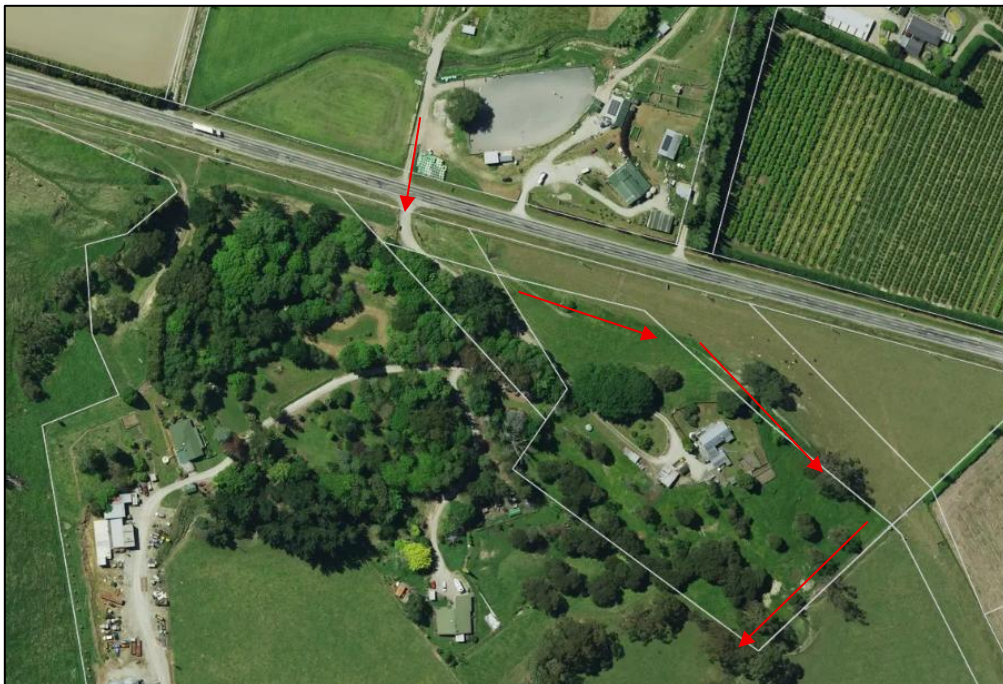


Figure 4: Horse treks on neighbours' land/hill and track used (red arrows)

² 10 year lease.

- 10 The Council's existing stopbank cuts along the northern boundary of the Property, leaving a strip of grazing land between the stopbank and the river. The existing stopbank then runs down the eastern boundary of the Property, before levelling out near the Submitter's yards and stables.

Impact of the proposal

- 11 The Property will be affected by the proposed new stopbank alignment to the north and east, the borrow pit (green), culverts (pink), and the raising of State Highway 2 (Matawai Road) (SH2) as shown in **Figure 5A**³ and **5B**⁴ below.



Figure 5A: Proposed new stopbank alignment (yellow dotted line); borrow pit (green); culverts (pink); raising of SH2 (red)



Figure 5B: Existing stopbank (yellow); Proposed new alignment of stopbank (purple)

³ Figure 2 – Preferred alignment and potential laydown areas, [Appendix 11 Constructability Report](#).

⁴ Figure 19 – Proposed and alternative stopbank alignment, [Application Te Karaka Stopbank Upgrade](#).

- 12 The proposed new alignment will cause more of the Submitter's land into flood prone land.
- 13 Managing and operating a trek and riding school next to the stopbank construction, haul roads, culvert construction and raising of SH2 presents an extremely disruptive environment. Due to the sensitivity of the activities on the Property and the close proximity of the works, the proposed mitigation measures are unlikely to be sufficient.
- 14 Taken together, these effects on access, flood risk, vegetation, noise and vibration, and health and safety represent significant adverse effects on the environment that threaten the continued and safe operation of the Submitter's established business. Having regard to sections 5, 7, 16, and 104(1)(a) of the RMA, the Submitter considers that these adverse effects have not been adequately avoided, remedied, or mitigated by the Application as currently proposed.

Reasons for Submission

- 15 Overall, the Submitter opposes the Application for the following reasons.

Statutory framework

- 15.1 Section 104(1)(a) of the RMA requires the Council, when considering the Application, to have regard to any actual and potential effects on the environment of allowing the Proposed Activities. The matters raised in this submission are actual and potential adverse effects on the environment for the purposes of that section, including:
- (a) access to the Property;
 - (b) flood risk;
 - (c) vegetation and amenity;
 - (d) noise and vibration; and
 - (e) the continued and safe operation of the Submitter's established equestrian business.
- 15.2 Section 5 of the RMA provides that the purpose of the RMA is to promote the sustainable management of natural and physical resources, including enabling people and communities to provide for their social and economic wellbeing while avoiding, remedying, or mitigating adverse effects of activities on the environment. The Submitter operates an established business on the Property, including under resource consent LU107252, and the Proposed Activities, as currently designed, threaten the continued and safe operation of that business.

Raising of State Highway 2 (Matawai Road) – Access Issues

- 15.3 There are two accessways to the Property that will be affected by the raising of SH2 as shown in **Figure 6**⁵ below.

⁵ GRIP map of Property.



Figure 6: Accessways – Main (blue star); Secondary (red star)

- 15.4 A section of SH2 is proposed to be raised by 2 metres.⁶ as shown in **Figure 7⁷** below. As part of the road raising temporary lane diversions will also be required as shown in **Figure 7B⁸** below.



Figure 7A: Section of SH2 in front of the Property that will be raised as part of the Application.

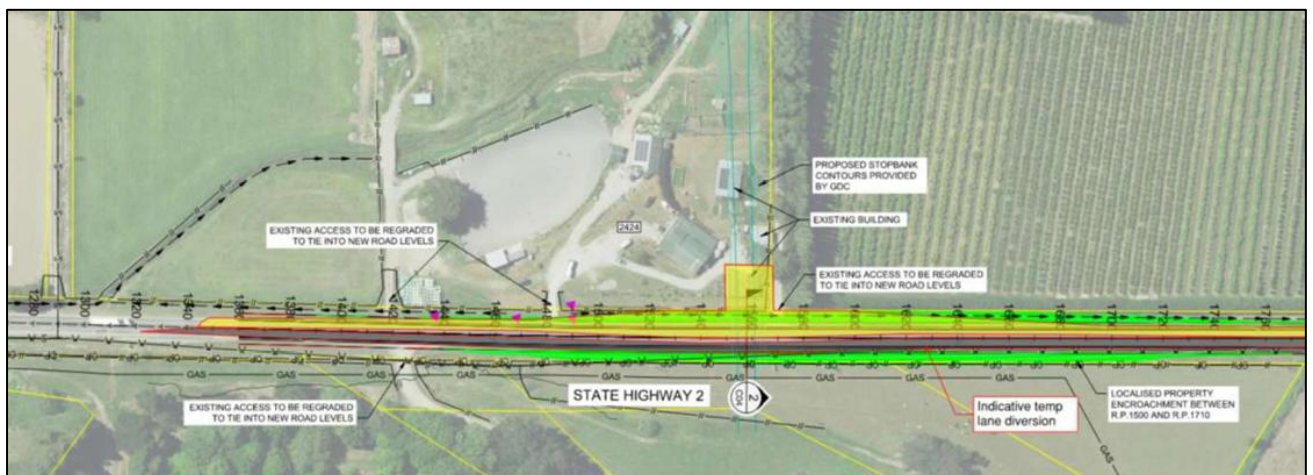


Figure 7B: Indicative alternating temporary lane diversion for the eastern road raising.

⁶ 9 SH2 Road Raising, [Appendix 11 Constructability Report Te Karaka Stopbank Upgrade](#)

⁷ Figure 21: Road raising locations, [Application Te Karaka Stopbank Upgrade](#)

⁸ Figure 30 - - Indicative alternating temporary lane diversion for the eastern road raising, [Appendix 11 Constructability Report Te Karaka Stopbank Upgrade](#)

- 15.1 The speed limit of this section of SH2 is 100km/h with only one side/yellow line, not being allowed to overtake. This particular stretch of SH2 sees frequent heavy vehicle use (eg. logging trucks).
- 15.2 The functionality of the accessways to the Property, given the type of vehicles i.e. horse floats, disability vans that use the Submitter's accessways, have not been assessed.
- 15.3 The camber of the road, together with the limited pull-off area available for floats, vans and trucks turning into the accessways, is of concern. The current configuration does not appear to adequately accommodate the size and turning requirements of these vehicles, raising the risk of unsafe manoeuvring, delays, and potential damage to verges or access points.
- 15.4 The proposed raising of the road level will have further impacts on sightlines when exiting the Property, reducing visibility for vehicles entering SH2 and increasing the risk of conflict with passing traffic. Given these safety concerns, the Submitter seeks that conditions be imposed requiring that no overtaking be permitted along this section of SH2, in order to ensure safe and adequate visibility for vehicles entering and exiting the Property.
- 15.5 These access constraints are actual and potential effects. The safe and functional access to the Property is fundamental to the ongoing operation of the Submitter's business and to the health and safety of the horses, staff, and clients who use the accessways daily.
- 15.6 For safety reasons, the Submitter would seek:
- (a) double yellow lines along this stretch of SH2, on both sides of the to-be raised section;
 - (b) reduction of the speed limit; and
 - (c) a centre flush median to enable turning into the Property.

Ramps on new stopbank

- 15.7 Currently at the corner of the existing stopbank, there is a ramp that is utilised for accessing the River as shown in **Figure 8** below.



Figure 8: Ramp over existing stopbank

- 15.8 We understand there is a ramp (Ramp 2) proposed for the corner of the new stopbank as shown in **Figure 9**⁹ below. However, this is only on the river side. We would seek that a ramp on the farm side is also provided to preserve and continue the Submitter's access to their grazing land and also the River as further discussed in the next section.

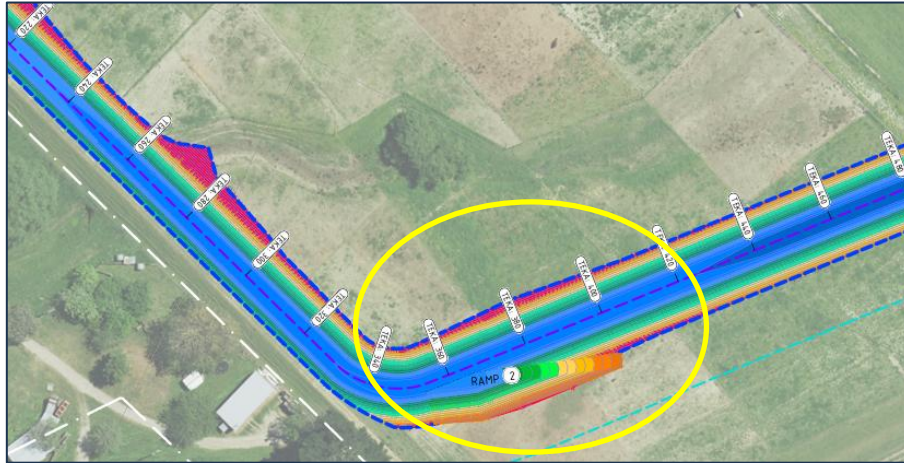


Figure 9: Ramp 2 view of Eastern Alignment of stopbank

Access to River

- 15.9 As part of the Riverview Treks component of the business, access to the River is a requirement. There have been no alternatives proposed to access the River during construction of the stopbank which is an integral part of the Submitter's community business.
- 15.10 The borrow pit, haul roads and new stopbank activities mean that access to the River is problematic. The loss of access to the River, even on a temporary basis during construction, will directly affect the Submitter's ability to continue operating an established and consented business on the Property.

Culverts / Flood gate

Stopbank culverts

- 15.11 The Submitter's experience of previous severe rain events has indicated that the culverts in the existing stopbank do not drain water fast enough, which has exacerbated flooding/ponding that has previously occurred on the Property. Essentially, the culverts are too small to drain adequately, once water backs up on the Submitter's side of the stopbank.
- 15.12 Multiple small culverts are proposed along the stopbank where there are overland flow paths as shown in **Figure 10**¹⁰ below.

⁹ [Appendix 7 Eastern Alignment](#)

¹⁰ Figure 2 – Preferred Alignment and potential laydown areas, [Appendix 11 Constructability Report](#).



Figure 10: Proposed culverts (pink) – circled above

- 15.13 Given that detailed design of the culvert¹¹ and flood gate is yet to be finalised and certified, the actual and potential effects of the Application on flood risk to the Property cannot presently be fully assessed. The Submitter considers that any grant of consent should be conditional on that detailed design being reviewed and approved prior to construction, to ensure that adverse flooding effects on the Property are avoided, remedied, or mitigated.
- 15.14 At the very least, any proposed culverts should be a minimum of 1200mm, in order to better avoid the 'bottleneck' effects that the existing stopbank culverts cause.

SH2 culvert

- 15.15 The existing culvert at the end of the drain which runs along the horse arena on the Property – the Application is unclear on whether this is being upgraded to raise the sides of the culvert so it flows better than it currently does.
- 15.16 20–30 metres on the neighbour's side, being the Burgess' land, has a crossing with a culvert. This culvert causes water to back up onto the Property, resulting in adverse drainage effects. The Submitter seeks that this issue be addressed and remedied as part of the Proposed Activities, to ensure that the raising of SH2 does not exacerbate the adverse effects of the current drainage and culvert arrangements.

Tree removal

- 15.17 We understand that construction of the stopbanks will commence with tree and vegetation removal.¹² The trees on the Property are windbreaks from the southerly, and if removed will increase wind exposure through the Property, generating dust. The trees are mature and have been there for decades.
- 15.18 The removal of mature shelterbelt vegetation, and the resulting increase in wind exposure and dust generation, is an additional adverse effect on amenity values, particularly given the sensitivity of the equestrian activities (for horses, riders and staff) on the Property to dust and wind.
- 15.19 As part of the consent conditions, the Submitter requests that these trees if removed and/or damaged by the Proposed Activities, these will be replaced like for like.

¹¹ [Application Te Karaka Stopbank Upgrade](#), 4.8 Culverts.

¹² [Application Te Karaka Stopbank Upgrade](#), 4.6 Vegetation Removal and Reinstatement

Borrow Pit Area 1 and 2 (Eastern Borrow Pit) / Haul Roads

- 15.20 A significant chunk of the Property to the north is identified as Borrow Pit Area 1 and Area 2 as shown in **Figure 11**¹³ below.

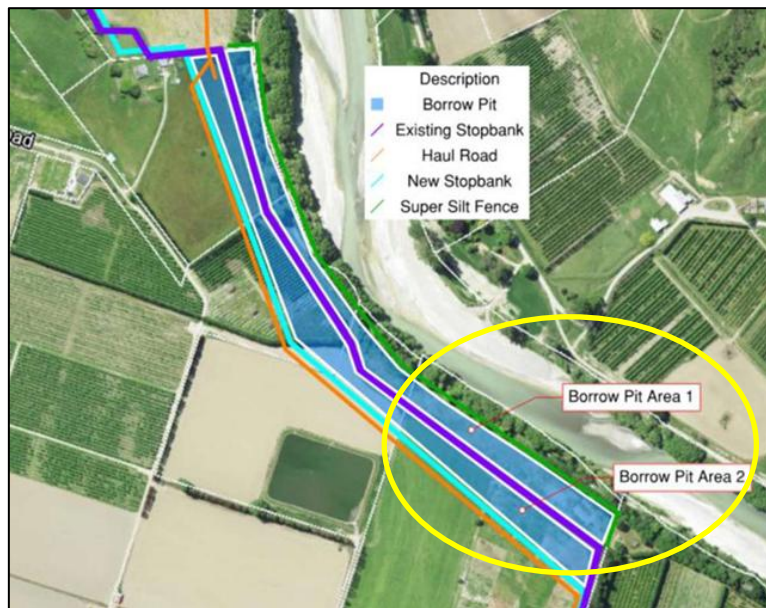


Figure 11: Borrow Pit Area 1 and Area 2 – circled above

- 15.21 As well as the construction of the stopbank, dirt being removed from the Borrow Pit will prevent access to the River which is required for Riverview Treks, discussed in paragraphs 15.9–15.10 above.
- 15.22 It will also prevent the Submitters from grazing any of the ponies and horses in the area until remediation works are completed.
- 15.23 The required material instead be sourced or excavated from an alternative location, this would materially reduce the extent and impact of construction-related activities on the Property and on the members of the community who use it, including the associated disturbance, disruption, and effects on the Submitter's ongoing operations.
- 15.24 As shown in **Figure 12** below, this is a previous Borrow Pit which was used to create the existing stopbank on the Property.



Figure 12: Previous Borrow Pit used for existing stopbank, now a pond

¹³ Figure 39 – Eastern borrow pit, [Appendix 11 Constructability Report](#)

- 15.25 This is the lowest part of the Property and gets flooded when the River rises. The pasture never does well and is frequently unusable due to persistent mud.
- 15.26 As proposed by the Application, the Eastern Borrow Pit may be cut down by 1m.¹⁴ This will be problematic given the current levels of the ground being highly susceptible to flooding when the River rises. The Submitter considers this existing depression is an example of Council having cut down too far.
- 15.27 Haul Roads are also proposed to run parallel to the new stopbank footprint as shown in **Figure 13**¹⁵ below. This will also be problematic for accessing the River for horse treks.

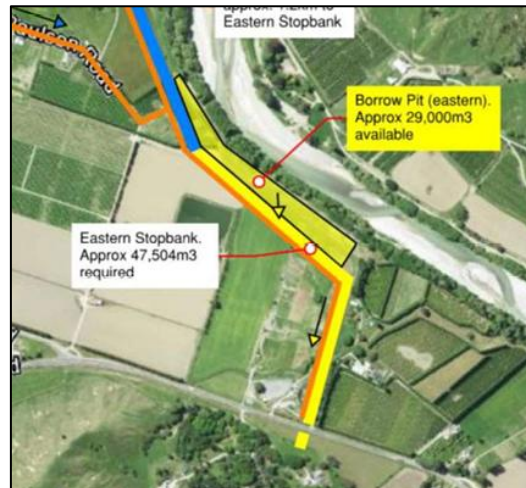


Figure 13: Haul Roads – orange lines above.

- 15.28 The Haul Road runs dangerously close to, if not over the top of, the buildings on the south-east of the Property. This will have a significant impact on the business, horses and ponies, and safety of customers (children and adults) and staff on the Property.
- 15.29 The compaction of ground for the Haul Road alters surface hydrology and increases local runoff. It also restricts natural revegetation after the haul road is abandoned. What essentially happens is the prior areas used as a haul road become unusable for pasture. Adequate remedial action – including ensuring the areas are uncompacted – should be part of the consent conditions.
- 15.30 The proximity of the haul road to the Property's buildings is a significant actual and potential effect on the environment, and raises serious health and safety concerns for the people and animals on the Property. Relocating the haul road to the other side of the stopbank would be materially safer and more appropriate option.

Internal Fences / Gates – removal and reconstruction

- 15.31 There are a number of internal fences/gates located on the Property which will undoubtedly need to be removed. Because the fencing is paramount to both the safety of the horse and ponies while grazing, but also to the children and adults who ride, the Submitters therefore seek:
- (a) any fences and gates needing to be removed or altered because of the works will be first relocated with an equivalent fence, and
 - (b) the detailed location and design of replacement fences/gates will be agreed with the affected landowner prior to construction.

¹⁴ 12.2 Eastern Borrow Pit, [Appendix 11 Constructability Report](#)

¹⁵ Figure 40 - Example of Off-road haul road layout with Kanakanaia Road crossing, [Appendix 11 Constructability Report](#)

Water supply

- 15.32 The Submitter's water supply for their dwelling and to the troughs and business is drawn from a well located in the north-western most corner of the Property. The pump shed is shown in **Figure 14** below.



Figure 14: Pump shed.

- 15.33 This entire area is due to be excavated as part of the Borrow Pit works.
- 15.34 The Submitter cannot be without water supply to their dwelling or to their ponies and horses. The Council must provide for drilling of a new well and relocation of the pump shed equipment, including pipelines and electricity supply, before commencing works. The relocated water supply must be relocated so it sits south of the new stopbank and a minimum of 50m from the existing effluent pond on the Council's land to the west.¹⁶

Existing Stopbank

- 15.35 As mentioned in paragraph 6 above, the Property was granted resource consent LU107252 to establish and operate an equestrian centre on the south-east corner of the Property.
- 15.36 Condition 8 of the consent requires the consent holder to maintain the height of the existing stopbank, located between the main vehicle crossing and the stock yards, at a height of between RL 39.19 and RL 39.45. The Submitter seeks that, once the new stopbank has been constructed, the enforcement of this condition cease accordingly, on the basis that it will no longer serve any practical purpose once the new stopbank is in place and performing the relevant flood protection function.

Noise and Vibration

- 15.37 We understand that noise and vibration effects have been assessed and proposed to avoid the Te Karaka Area School which is a key sensitive noise and vibration receptor. However, we note the Property has not been identified as one.
- 15.38 Given the acknowledged sensitivity of the Te Karaka Area School to noise and vibration, the Submitter considers that the Property should equally be recognised as a

¹⁶ Land taken for sanitary works, owned by Gisborne District Council

sensitive receptor requiring specific assessment and mitigation. The Property regularly hosts many primary school children, including children from classrooms catering for neurodivergence or disabilities.

- 15.39 There is minimal research into the impact of noise and/or vibration on horses. We note Technical Advice by WSP on an acoustic review of potential equine noise impacts at Fraser Aurret Racing in 2021¹⁷ (**WSP Report**) discussed the topic briefly.
- 15.40 However, a more comprehensive study has been done in the UK by Morgan and Morecambe Offshore Wind Farms on managing construction noise at equestrian receptors in 2025¹⁸ (**Morgan and Morecambe Report**).
- 15.41 Unpredictable sounds and vibrations trigger horses' natural "fight or flight" instincts, frequently causing severe welfare and behavioural issues. The Morgan and Morecambe Report states that "*Sudden noises can trigger horses to respond and therefore risk adverse impacts at equestrian receptors*".
- 15.42 According to the guidance published by the British Horse Society, horses can be startled and flee from noises.¹⁹
- 15.43 At paragraph 1.2.1.4 of the Morgan and Morecambe Report it states:

When considering the risk of construction noise impact on equestrian receptors from individual construction activities and how this should be mitigated, understanding the hearing range of horses is an important factor. Research has identified that a horse's hearing can range from 55 Hz to 33.3 kHz, with a region of best sensitivity from 1kHz to 16 kHz (Heffner and Heffner, 1983). In comparison, the frequency range audible to humans is typically from 20 Hz to 20 kHz.

- 15.44 At paragraph 1.2.1.6 it discusses setbacks from construction activities:

The guidance also provides specific advice on how such reactions from horses can be managed by contractors, based on the following distances from construction activities:

20 metres:

Machinery or activity should not resume until horses are at least twenty metres past. If it is not possible for activity to be halted, staff should be at the location to warn approaching equestrians as appropriate. Such 'sentries' should be obvious on approach, not hidden behind a tree or equipment as suddenly appearing could be an additional stress factor causing a horse to react.

50 metres:

If a horse appears distressed—freezes, jerks sideways, prances about, takes flight, spins round or shies away or acts in any way other than a calm forward motion—or an equestrian appears to be struggling for control, or shouts, all movement and noise should cease immediately to avoid escalating the situation. Activity should not resume unless the equestrian indicates that it is safe to do so or is out of sight or more than fifty metres away.

- 15.45 The horse arena and buildings associated with the Riding School on the Property are located to the south-east of the Property. This will be affected and within the proximity of the road raising proposed for SH2 as well as the construction of the proposed new stopbank and haul road to the east of the Property.
- 15.46 There will be major noise and vibration from:

¹⁷ WSP Technical Advice, [Acoustic review of potential equine noise impacts at Fraser Aurret Racing](#), 10 August 2021.

¹⁸ Morgan and Morecambe Technical Note, [Managing Construction Noise at Equestrian Receptors](#), 22 October 2025.

¹⁹ British Horse Society 2025.

- (a) Road construction works for road raising at the east section of SH2 where it intersects with the new stopbanks;
 - (b) Large numbers of truck and trailer movements delivering aggregate for road raising (around 60 movements per day for 2-3 months), plus 80-120 six-wheeler truck movements per day on haul roads transporting aggregate to the road-raising sites.²⁰
- 15.47 We understand that the Construction Noise and Vibration Management Plan (**CNVMP**) will be prepared and will set out best practicable options, limits, setback distances, use of temporary noise barriers, and procedures for monitoring and managing exceedances.
- 15.48 It is our submission that the mitigation measures in the Morgan and Morecambe Report be incorporated into the CNVMP.
- 15.49 The proposed construction period of 1 October to 30 June, and construction hours of 7:30 am to 6:00 pm Monday to Saturday²¹ conflict with the running of the business on the Property. This is detrimental to the business and to the services it provides for kids in the community. The Submitter therefore seeks construction activities occur only between Monday to Friday only.
- 15.50 The Proposed Activities' noise limits of 70 dB LAeq and 85 dB LAmax are proposed,²² however, we do not consider these will be acceptable given the sensitivity of the horses on the Property.
- 15.51 Construction works on the site must be designed and conducted to ensure that vibration does not exceed 5 mm/s PPV within any occupied building outside the subject site. Where vibration is expected to exceed 2 mm/s PPV within an occupied building outside the site, the consent holder must provide the following information in writing to the occupants.²³ This may need to also apply to the Property, specifically from the horse arena and stable.

Health and Safety

- 15.52 As discussed in the previous section, there are serious health and safety concerns if horses are startled, not just for the horse but for the rider and/or coach, staff and volunteers.
- 15.53 Managing a riding school next to the stopbank construction presents an extreme safety and welfare risk because earthmoving machinery, vibratory rollers, and heavy sheet piling generate sudden airborne cracks and low-frequency ground vibrations that trigger a horse's flight response. This environment threatens the safety of beginner riders, trainers, and the horses themselves.
- 15.54 A number of mitigation measures were put forward in the Morgan and Morecambe Report, which include:
- (a) *the use of plant fitted with measures to reduce the noise emitted from them, the shutting down of plant when not in use and the use of site hoardings/temporary noise barriers, including at temporary construction compounds;*
 - (b) *a particular focus on minimising the impact of sudden noise events. Such activities which may give rise to such events include but are not limited to:*

²⁰ 2.0 The proposed stopbank realignment, [Appendix 12 Noise and Vibration Assessment Report](#)

²¹ Construction Season and Hours of Operation, [Proposed Consent Conditions – s92 RMA response 'Clean' Version](#).

²² Construction Noise Limits, [Proposed Consent Conditions – s92 RMA response 'Clean' Version](#)

²³ Construction vibration amenity limits, [Proposed Consent Conditions – s92 RMA response 'Clean' Version](#)

- (i) *setting up and decommissioning of temporary construction compounds;*
 - (ii) *deliveries to operational construction compounds;*
 - (iii) *installation of sheet piling to support trenchless techniques entry and exit pits;*
 - (iv) *drilling associated with trenchless techniques; and*
 - (v) *reversing alarms on vehicles.*
- (c) *additional measures are available to control the impact of such events, which include the following:*
- (i) *timing such activities, as far as reasonably practicable, to days and times when horses not likely to be near them, or arrangements can be made to remove horses from land while activities are being undertaken;*
 - (ii) *handling deliveries and materials in a manner which minimises noise and vibration;*
 - (iii) *selection of low vibration equipment or operate equipment in low vibration modes where practicable;*
 - (iv) *consider if non vibratory methods can be used for compacting haul roads and backfill material;*
 - (v) *consider enhancing sound insulation measures to any affected internal facilities; and*
 - (vi) *applying British Horse Society (BHS) guidance to shut down machinery or stop movement and noise, as far as reasonably practicable, where horses are within 20 m / 50 m of construction activities. The application of any measures set out in this guidance will be informed by the bespoke Communications Plan between the equestrian receptor and their appointed Agricultural Liaison Officer (ALO) and Principal Contractor.*

15.55 We would encourage that the recommendations in the Morgan and Morecambe Report be incorporated into the proposed conditions of the consent, however, we have reservations on the practicability of the proposed measures on the Property given the sensitivity of the activities and the very close proximity of the works to the sensitive activities on the Property.

15.56 For the reasons set out above, the Submitter considers that the proposed noise and vibration limits, setback distances, and hours of operation do not adequately avoid, remedy, or mitigate the adverse effects of the Proposed Activities on the Property, contrary to sections 5, 7(c), 7(f), and 16 of the RMA.

Other Submitter's concerns

15.57 For completeness, the Submitter notes that it supports the reasons stated and the relief sought in Submission made by Wendy and Murray Burgess, to the extent that the relief does not undermine or conflict with the matters raised in this Submission.

Summary

15.58 The Submitter considers that the proposed alignment of the replacement stopbank would:

- (a) have adverse effects, including on the Submitter, that are more than minor and that cannot be adequately avoided, mitigated or remedied;
- (b) be inconsistent with the relevant objectives and policies in the relevant planning provisions, including, but not limited to, the Tairāwhiti Resource Management Plan, National Environmental Standard for Freshwater, National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, National Policy Statement for Natural Hazards, National Policy Statement for Infrastructure 2025, which apply to the Proposed Activity; and
- (c) would be contrary to the purposes and principles of the RMA, as set out in Part 2 of the RMA.

15.59 It is the Submitter's view that these matters are directly relevant to the Council's consideration of the Application and this Submission.

Decision Sought

- 16 The Submitter seeks that the Application be declined.
- 17 In the event that the Application is not declined, the Submitter seeks that the design and construction of the stopbank be amended to avoid, remedy, or mitigate all matters of concern raised in this submission.
- 18 The Submitter would be willing to meet with the Council to discuss this submission.

Wish to be Heard

- 19 The Submitter wishes to be heard in support of this submission.
- 20 If others are making a similar submission the Submitter would consider presenting a joint case with them at the hearing.
- 21 The Submitter invites the Commissioner to undertake a site visit at the Property should they consider it would assist in determining the Application.
- 22 The Submitter requests, pursuant to section 100A of the RMA, that the Council delegate its functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the Council.

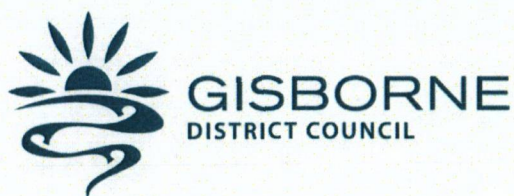


Pine Hollow Family Trust

By their solicitors and authorised agents
Tavendale and Partners Limited: J King

Date: 07 August 2026

Appendix 1: Copy of Land Use Consent LU107252



Combined Notification and Section 104 Decision Report

Section 95, 104 and 104B
of the Resource Management Act 1991

Date:	8 November 2016	Property Ref:	P/4595/2424
Reporting Planner:	Joshua Hovell	Application Numbers:	WI-2016-107257-00 LU-2016-107252-00

Related Applications:	Nil
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Applicant:	Pine Hollow Equestrian Centre c/- Insight Resource Management Gisborne
Property Address:	2424 Matawai Road, Te Karaka
Legal Description:	Karaka 8 Block comprised in Computer Freehold Register GS3B/1054
Site Area:	12.5453ha
District Plan:	Part Operative Gisborne District Council Combined Regional Land and District Plan (District Plan)
Regional Plan:	Proposed Gisborne Regional Freshwater Plan 2015 (Freshwater Plan)
Activity Status:	Discretionary Activity (District Plan Rule: 21.9.4.4)
Zoning:	General Rural Zone
Other Restrictions:	Flood Hazard Overlay 3 (F3), Flood Hazard Overlay 1 (F1), Riparian Management Area Overlay, Heritage Alert Overlay
Proposal:	Establish and operate an existing Equestrian Centre in the Rural General Zone including earthworks within Flood Hazard Overlay F3.

1.0 INTRODUCTION

1.1 Proposal

The applicant wishes to obtain a resource consent to operate an Equestrian Centre located at 2424 Matawai Road, Te Karaka. The application also seeks consent for earthworks that have been undertaken within the Flood Hazard Overlay F3.

The proposed Equestrian Centre provides riding lessons for beginners through to competition riders. Riders also learn about horse care and riding equipment. The Equestrian Centre operates between Monday and Sunday (excluding Fridays). The opening hours are from 8am to 6pm during the summer months and the school holidays. Hours are reduced to 9am to 5pm during the winter months. Riding lessons are arranged by appointment, however no bookings are required on Saturdays. The centre caters to school groups, singles and birthday groups. Holiday programmes including overnight camping are also provided during the school holidays.

The subject site contains two existing accessory buildings which are used in association with the Equestrian Centre. These includes a barn style shed that is used for storing saddles and bridles and a small sized club room/shelter for riders.

The applicant proposes to construct 10 on-site customer parking areas which will be finished with a metaled surface. Landscaping of trees will be planted between the parking area and Matawai Road. The subject site has an existing vehicle crossing and accessway which will undergo further upgrading.

The subject site is within the Rural General Zone. The proposal is also subject to the rules under chapter 8 (Works, Infrastructure and Services) and the chapter 5 (Flood Hazard Overlay F3) of the District Plan. Resource consent is required for the following reasons:

- a) Equestrian Centres (including associated accessory buildings) are not provided for as a permitted activity within Rural Zones;
- b) Earthworks undertaken within the F3 Flood Hazard Overlay to construct the riding arena require ground levelling which is not a permitted activity within the District Plan;
- c) All parking areas and associated turning areas are required to be to be sealed. The proposed parking area and existing accessway will be finished with a metalled surface.
- d) The proposed landscaping between the carpark and Matawai Road will in some areas encroach the 20m setback from the centreline of the road as required by the District Plan.

Overall the status of the resource consent is a **Discretionary Activity**. Further information is provided in the application.

1.2 Description of the Site

The subject site is located along Matawai Road (State Highway 2) and is approximately 250m east of the Te Karaka turn-off. The subject site is within the Rural General Zone and is characterised by rural activities. The site comprises of 12.5453ha. The topography is flat and covered in pasture. The site is also landscaped with trees located along the south-eastern boundary and along the northern boundary.

The northern boundary of the subject site abuts to Waipaoa River. A stormwater drain also runs from the south-western corner across the mid-section of the property towards the northern boundary. A flood stop bank which is part of the Te Karaka Flood Control Scheme is positioned between the proposed parking area and riding arena on which the accessway is formed. The stop bank is also located along the northern boundary of the site, following the alignment of the Waipaoa River.

The subject site contains two sheds and a riding arena that are used in association with the Equestrian Centre. A small clubroom/shelter is adjacent to the riding arena located within the south of the subject site. The barn shed is located to the south east of the riding area, near to the proposed parking area. Other buildings at the site include a relocated building and various

farm sheds. These buildings are not used in association with the proposal. The remainder of the site is grassed and is currently used for grazing.

The site gains access off Matawai Road (State Highway 2). The site has a main accessway and secondary accessway. The main accessway serves the site for all vehicle types and purposes, the secondary accessway is not used for site access. Both vehicle crossings are formed and surfaced with metal and are centrally located along sites road frontage.

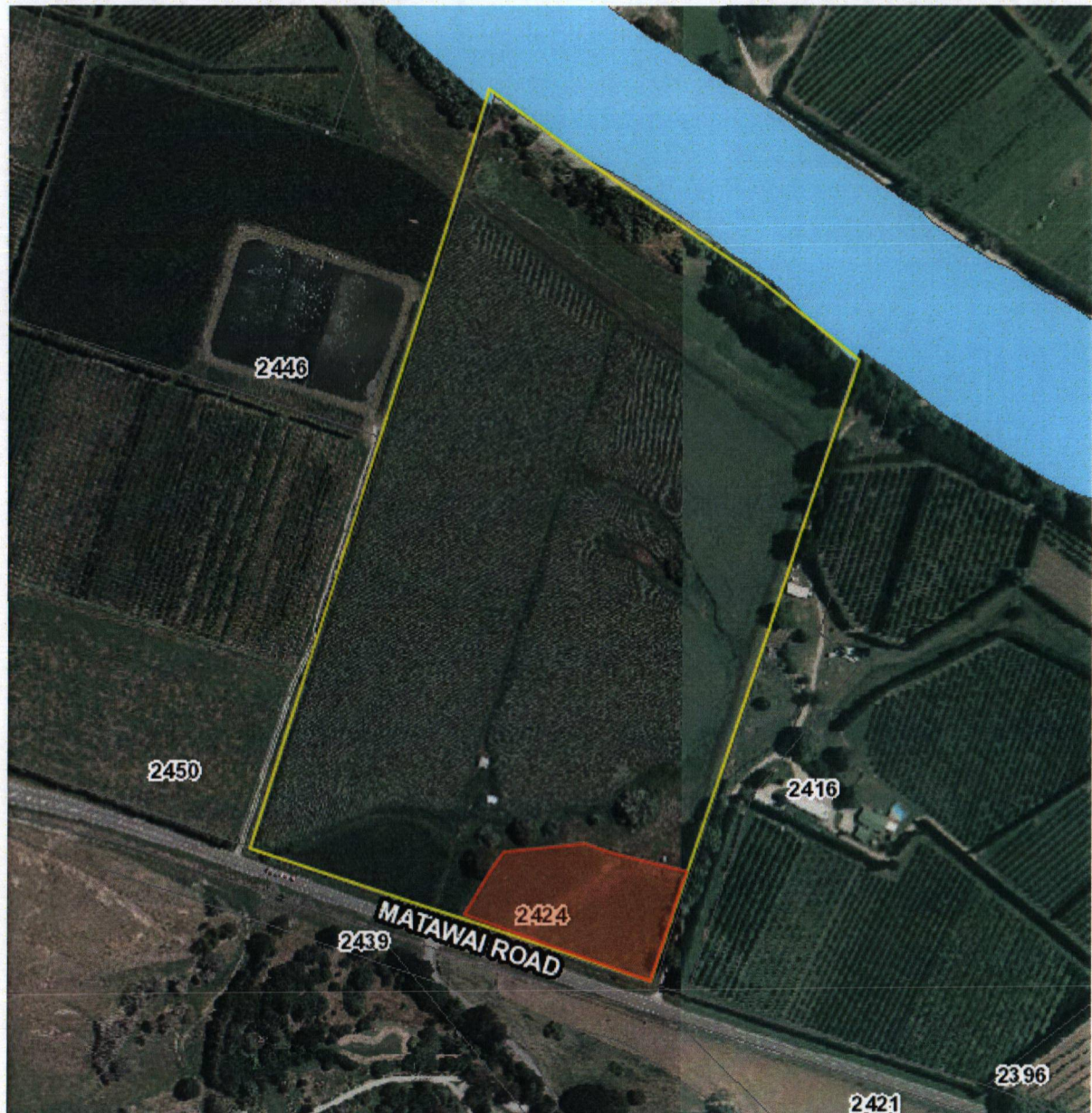


Image 1 – Aerial photograph of site (identified in yellow) and the area used for the Equestrian Centre (identified in orange).



Image 2 – Aerial photograph showing the location of the stop bank (Identified with a white line).



Image 3 – Aerial photograph showing the location and direction of the Stormwater drain (identified with a blue line).

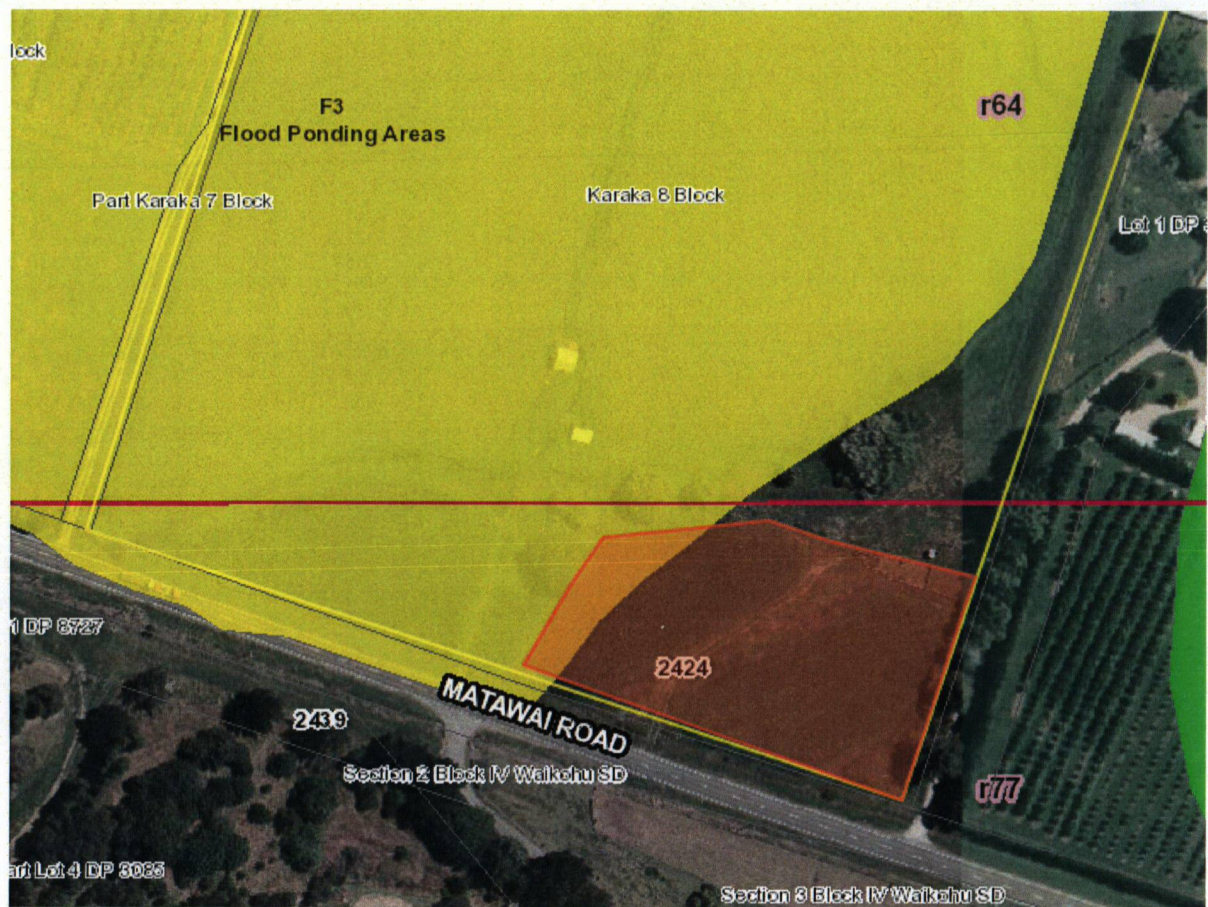


Image 4 – Aerial photograph showing an area of the Equestrian Centre (orange) entering into the Flood Hazard Overlay (yellow).



Image 5 – Photograph showing the barn shed. The proposed parking area to be located within the grassed area to the right.



Image 6 – Photograph showing the established riding arena and the associated visitor/riders shelter.



Image 7 – Photograph showing the existing access onto Matawai Road (SH2)

2.0 REASON FOR THE APPLICATION

An assessment of the proposal's compliance with the relevant rules of the Gisborne Part Operative Combined Regional Land and District Plan. The following rules are relevant:

Rule Number	Rule Name	Status of Activity	Comment
5.20.3.4	Any earthworks that alter the ground level in the Flood Hazard Overlay 3 (F3) Area	Restricted Discretionary	The development of the riding arena for the Equestrian Centre includes earthworks which altered the ground level within the F3 area.
8.13.9.4	Surfaces b) In Rural Zones all vehicle crossings between the road carriageway and the road reserve boundary shall be: i) finished with a sealed	Permitted	The existing vehicle crossing is formed and finished with a metaled surface however, the applicant proposes to upgrade the crossing to comply with the District Plan. Therefore the proposal will comply with this rule.
8.13.10.1	Provision for Parking	Permitted	The District Plan does not specifically provide for the proposal in terms of the amount of parking spaces required. The applicant will provide up to 10 on-site formed parking spaces.
8.13.10.7	Design and construction of Parking spaces d) All car parks and associated turning areas for activities other than residential activities shall be sealed and drained.	Discretionary	The proposed parking and associated turning areas will be finished with a metaled surface. Therefore the proposal does not comply with this rule.
21.11.1.3	Planting of vegetation b) No vegetation shall be allowed to grow in a position which will shade any part of the carriageway of any sealed public road between the hours of 10am and 2pm on the shortest day of the year unless topography is already preventing direct access of sunlight onto that part of the carriageway. c) No vegetation (excluding shelterbelts) shall be planted closer than 20m to the centreline of the carriageway of any formed public road.	Discretionary	In some areas the proposed landscaping along the boundary fronting Matawai Road will be planted closer than 20m to the centreline of the road. Therefore the proposal will not comply with this requirement.

21.9.1.3	Accessory buildings (excluding residential buildings) to any permitted activity	Discretionary	Two existing buildings located within the subject site are in association with the Equestrian Centre which is not provided for as a permitted activity.
21.9.4.4	Activities which are not provided for as Restricted Discretionary or Prohibited activities	Discretionary	The proposed Equestrian Centre is not an activity provided for the Rural Zone. Therefore the application is deemed a discretionary activity.

Table 1 – District Plan Rules Assessment.

As outlined in the table above, the application is considered to be a **Discretionary Activity** under the Operative Combined Regional Land and District Plan.

3.0 SECTION 95A ASSESSMENT FOR THE PURPOSE OF PUBLIC NOTIFICATION

3.1 Notification at Applicant's Request or Rule in the Plan That You Must Notify – s.95A(2)(b) & (c)

The applicant did not request that the application be notified. There are no rules in the District Plan relevant to this proposal that require that the application must be notified.

3.2 Rule in the Plan that Precludes Public Notification – s. 95A(3)

There are no rules in the District Plan relevant to this proposal that preclude public notification.

3.3 Effects that May or Must be Disregarded – s. 95D(a), (b), (d) and (e)

Pursuant to section 95D, if a rule or national environmental standard permits an activity with an effect the adverse effect of that activity **may** be disregarded. This is commonly referred to as the 'permitted baseline'.

The permitted baseline is not appropriate in this instance.

Effects on owners and occupiers of the subject site and adjacent sites, persons who have given written approval and the effects of trade competition **must** be disregarded.

No written approvals have been obtained with regard to this proposal.

3.4 Assessment of Adverse Effects – s.95A(2)(a)

The effects considered relevant to this proposed are addressed as follows:

Effects on Rural Amenities

The land is mainly used for farming activities including cropping which equates to 8.8ha of the site. The property contains a stockyard and several implement farm sheds located about the site. The property also has 22 horses located about the property. The site has a relocated

classroom located next to the barn shed which will be used as a future dwelling for the applicant. The rural activities undertaken at the site and the rural style buildings gives the property a typical rural character.

The surrounding area is made up of agricultural and horticultural activities. The appearance of the Equestrian Centre (including: riding arena, horses and buildings) will not distract from the surrounding amenities, as the proposed activity is what you would expect in a rural environment. The Equestrian Centre will only occupy a small area of the site. The land area of the subject site is 12.5452 hectares and the area of Equestrian Centre including its associated buildings, riding arena, parking area will occupy 0.8 of a hectare which is a fraction of the total land area. The only considered aspect the equestrian activity located outside of this area are the 22 horses which graze freely about the property and this can be expected in a rural area. Horse riding and associated riding activities are also expected within a rural environment.

The proposed parking area will comprise of 10 parking sites which will be located next to the front boundary. The parking area will include landscaping consisting of trees along the front boundary which will provide a level of screening between the proposed activity and Matawai Road. In terms of the traffic generated by the activity, vehicle movements are unlikely to result in any detrimental effect to rural amenity due to the relatively low numbers. The site is located next to Matawai Road (State Highway 2) and 250m east of Te Karaka Township. Therefore the area already experiences a higher frequency of traffic than other rural areas. Any traffic generated by the proposal is not expected to adversely affect the rural amenity of the site.

Given the relatively small size of the Equestrian Centre compared to the overall area of the subject site, as well as the existing residential and rural activities on the site and/or in the surrounding area, proposed screening and site location, adverse effects to rural amenity will be less than minor.

Effects of Landscaping

The proposal includes landscaping in the form of trees along the road boundary between the Equestrian Centre and Matawai Road (SH2). The landscaping will provide a level of screening of the Equestrian Centre activities and buildings when viewed from the road and enhance rural amenity of the area.

For traffic safety and shading purposes the District Plan requires a landscaping setback of 20m from the road centreline. The proposed landscaping will infringe this distance in areas along the boundary with the road. NZTA has recommended a condition of consent requiring that vegetation planted along road frontage of the subject site be trimmed on an on-going basis to maintain a height of not more than 2m. This will ensure that the landscaping will not result in shading of the road and therefore result in less than minor effects.

Effects of Traffic

The subject site is located within a 100km speed area and access to the site is obtained directly off State Highway 2. The vehicle crossing is located 416m to the east of the Te Karaka Township turn-off. There is excellent visibility in both directions with sightlines exceeding 300m. On-site traffic movements are expected to vary between colder and warmer months and school holidays. An on-site traffic movement survey recorded during the month of September 2016

showed that the site can generate 14 vehicle movements per day. The survey also recognised that a portion of traffic movements were generated from the sites existing residential and farming activities which also share the access with the Equestrian Centre. Generally the Equestrian Centre will generate higher frequencies of traffic during the school holidays, events days and on Saturdays. The site has capacity and space to manage traffic during peak times. As sufficient parking spaces are available on-site. The site also has excess space should the parking areas be all in use.

The vehicle crossing is existing and will be upgraded to the design and construction standards in accordance with the NZTA Planning Policy Manual, Diagram C and the District Plan. The key criteria for the Diagram C design is that the traffic volumes using the highway are less than 10,000 vehicle per day. Data provided by NZTA shows that an average of 2400 vehicles use this section of the road per day, well below the 10,000 vehicle threshold. NZTA have recommended a condition requiring that the existing vehicle crossing be upgraded in accordance with their Diagram C standard. Therefore, as assessed above adverse effects will be less than minor.

Effects of Parking

While the District Plan includes parking requirements for some outdoor recreation activities, it does not specifically provide for the proposal in terms of the amount of parking spaces. The applicant will provide 10 on-site formed parking spaces. The District Plan requires that the proposed parking area and associated turning area be sealed and drained. The applicant has requested a dispensation to not seal the parking area and turning areas. It is expected that the site will not have more than 4 vehicles on-site at any one time expect during the peak periods. Furthermore a show day which is only held once per year would generate about 30 vehicle movements during the event. The subject site has sufficient onsite space to accommodate the extra demand for parking during these times. Therefore the provision of 10 on-site parking spaces is considered sufficient. The parking and turning areas will be finished with a metal surface which may generate dust. However, given the low level of traffic movement, level of screening and the distance to neighbouring properties effects will be less than minor.

Effects on the restriction or diversion of the passage of flood waters

During flood events, floodwaters are generally slow moving or stationary in the F3 Overlays. The infilling of land within the F3 Overlay can potentially divert and raise the level of floodwaters, which could result in endangering of lives and property in the event of a flood. Most of the earthworks involved to construct the riding arena are outside of the F3 Overlay. However, there has been some levelling works to the area of the arena within the F3 Overlay. The ground level of the arena land that is covered by the Overlay is generally at a similar level to the surrounding land that is also within the Overlay. In this regard, the earthworks undertaken within the Overlay will not result in any significant change to the overall level of land within the F3 Overlay. Therefore the works undertaken within the F3 Overlay will not result in any adverse effects in terms of restricting or diverting the passage of flood water. The effects of this activity are therefore less than minor.

Effects on the aggradation of the bed or berms of the rivers

The riding arena is located at a minimum distance of 1m to the adjacent water way. Given the arena's close proximity to the water way there is the potential for arena material to wash into the stream and build up or contribute towards a culvert blockage, or furthermore, aggrade the bed or berms of the stream. The consent holder will be required to create and maintain vegetative cover to avoid aggradation and sediment build-up in culverts. Furthermore, the creation a vegetative sediment filter will help minimize sediments from discharging into the waterway. The implementation of this will provide sufficient mitigation measures against adverse effects of sediment to critical infrastructure. A condition is recommended that the applicant shall maintain a grassed strip along the stream bank (before the edge of the berm) adjacent to the riding arena. The filter shall also remain un-grazed and at a minimum width of 1m. Given the above assessment adverse effects are considered to be less than minor.

Effects on the existing flood controls

As mentioned in section 1.2 of the report, a flood stop bank exists on the property which the accessway is formed on top of. Rivers and Land Drainage (RULD) has reviewed the application and have identified areas potentially affected by the activity. The continued use of the accessway may result in the height of the stop bank being reduced. In order to maintain the stop bank to an acceptable flood protection level, RULD have recommended a consent condition which requires the applicant to maintain the stop bank at its surveyed height between the main vehicle crossing and the existing stockyard. Provided that the height will be maintained effects will be less than minor.

3.5 Special Circumstances – s.95A(4)

There are no special circumstances that warrant public notification.

4.0 SECTION 95B ASSESSMENT FOR THE PURPOSE OF LIMITED NOTIFICATION

4.1 Rule in the Plan That Precludes Limited Notification – s. 95B

There are no rules in the plan that preclude limited notification.

4.2 Effects that may be Disregarded – s. 95E(2)(c)

Pursuant to section 95E, if a rule or national environmental standard permits an activity with an effect, the adverse effect of the activity on the person may be disregarded. The permitted baseline described in section 3.3 is also relevant to effects on people and will therefore not be re-addressed here.

4.3 Statutory Acknowledgement Area – s. 95E(2)(c)

The application is not within a statutory acknowledgement area.

4.4 Assessment of Adversely Affected Persons Under Section 95E

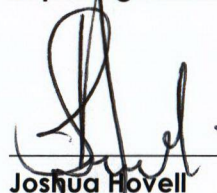
An assessment of effects was carried out under section 3.4 of this report, which concluded that any adverse effects from this proposal are less than minor on the adjoining area. It is considered that this assessment also applies to the person owning or occupying the adjacent properties. No persons have been identified as being adversely affected as a result of this assessment.

5.0 SECTION 95 NOTIFICATION RECOMMENDATION AND DECISION

UNDER DELEGATED AUTHORITY

Pursuant to section 95A and 95B, application LU-2016-107252-00 and WI-2016-107257-00 for a discretionary activity shall proceed on a **non-notified** basis for the reasons given above.

Reporting Planner:



Joshua Hovell
Resource Consents Planner

Date: 10/11/2016

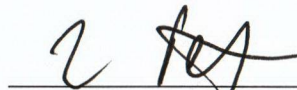
Reporting Officer:



Alex Reid
Water and Coastal Resources Officer

Date: 10/11/2016

Approved By:



Reginald Proffit
Consents Manager

Date: 10/11/16

SECTION 104

A decision was made under section 95 of the Resource Management Act to process the application on a non-notified basis. An assessment of the application under section 104 of the Act is provided below.

6.0 SECTION 104(1)A – ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT

6.1 Effects Disregarded

Pursuant to section 104(2), when forming an opinion for the purposes of section 104 (1)(a), a Council may disregard an adverse effect of the activity on the environment if a plan or national environmental standard permits an activity with that effect (i.e. the Council may consider the 'permitted baseline').

The 'permitted baseline' was discussed in section 3.3 of the approved notification report. This discussion and conclusion is also considered relevant for the purposes of the assessment under section 104(1)(a).

Pursuant to section 104(3)(a), when forming an opinion for the purposes of section 104(1)(a), a Council must not have regard to any effect on a person who has given written approval to the proposal, nor any trade competition or effects of trade competition.

6.2 Actual and Potential Effects Relevant to This Proposal

The assessment of adverse effects in the approved notification report is also relevant for the purposes of the assessment required under section 104(1)(a) and therefore will not be repeated here.

7.0 SECTION 104(1)(B) – RELEVANT PROVISIONS

7.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) was introduced in January 2012. The NES seeks to manage actual and potential adverse effects of contamination in soil on human health from particular activities that have occurred on the site. The NES includes a Hazardous Activities and Industries List (HAIL) that sets out which activities may have potentially contaminated the soil.

The subject site is used for cropping and farming activities. The applicant obtained a Search of Council's Records for the site. Based on the information provided in the report, there was no indication of a HAIL activity being undertaken on the site. Furthermore, the applicant confirmed that it is more likely than not that a HAIL activity has not been undertaken on the site. Therefore, the NES is not considered to apply to this proposal.

7.2 Gisborne Regional Policy Statement

Flooding is a significant hazard in the Gisborne Region, due to the rugged terrain, extensive river systems, large floodplains which support human settlement and intensive farming, and regular heavy rainfall events.

The Poverty Bay Flats including parts of Gisborne City is the area most intensively settled and developed, and at risk from flooding. The rivers concerned are the Waipaoa River and its tributaries and the Waimata/Taruheru systems. Other significant areas at risk are the Tolaga Bay Flats and the Waipuu River Valley. Flood risk exists in many other flat or low-lying areas.

The effect of flooding relevant to this application include:

- *Damage or destruction of crops, stock, fences, and other productive assets, by water damage and sedimentation;*
- *Aggradation of river beds, reducing their capacities to carry floodwaters and increasing the impact of flooding.*

The following objectives of the Regional Policy Statement are considered relevant to the proposal:

Objective 1 - The quality and quantity of the Region's freshwater bodies and their catchments is managed so that ecosystems are able to continue to function, including supporting habitat and feeding, breeding, migratory and other requirements of indigenous species, and that the life supporting capacity of freshwater is maintained.

Objective 2 – The water quality of the regions freshwater bodies is maintained and is improved in degraded waterbodies or where there are freshwater values to be protected.

Comment

The objectives and Policies of the Regional Policy Statement for Freshwater have been taken into account in regards to this application. The assessment of adverse effects on flooding, endangerment to lives and property and the passage of flood waters have been considered as having a less than minor effect on the receiving environment. It is therefore considered that the proposal is keeping with the above policies and objectives.

7.3 Gisborne Combined Regional Land and District Plan

7.3.1 Objectives and Policies

The following objectives and policies of the Combined Regional Land and District Plan are considered relevant to the proposal:

5.4 General Policies

2. In all hazard prone areas, any new subdivision, use and development should avoid or minimise any risk of loss of life or injury or other environmental damage due to natural hazard.
4. Patterns of human settlement, development and activities should not induce or accelerate the risk of natural hazards. When assessing an application for a resource consent the effects of that application on any hazard risk shall be considered. This includes but is not limited to the following:
 - the likelihood and effect of unrestrained material escaping and increasing potential hazard damage;
 - the likelihood and effect of unrestrained material escaping and increasing potential hazard damage;
 - any diversion of overland flows of floodwaters or stormwater
 - the safety of any occupants of buildings and evacuation procedures;
 - potential flood conditions, including silt deposition, at the site;
 - site topography and location of the building;
 - likelihood of increased erosion elsewhere;
 - other measures in place to reduce the potential effects of the proposed buildings or site development on the movement of floodwater;

8.3 Objectives (Infrastructure)

1. Infrastructure that enables people and communities to provide for, and enhance their environmental, social, cultural and economic wellbeing.
2. Infrastructure that is designed, located, constructed, operated and maintained to ensure:
 - A safe and healthy environment.
 - The efficient use of energy and resources.
 - Adverse effects are avoided, remedied or mitigated.

8.8 Policies (Works and Services)

1. The road reserve provides a range of environmental and community functions that shall be recognised and provided for in an integrated manner, including:
 - The safe and efficient movement of people, goods and services.
 - A corridor for network utility operators and their operations.
 - A space for community interaction and recreation.
 - Amenity, streetscape and character values.
2. To ensure that property access occurs in a manner that does not adversely affect the wider functions of the road reserve.
3. To encourage roads and accessways to be designed according to their environment context and surrounding land uses.

21.3 General Objectives (All rural zones)

1. *Enable subdivision, use and development in all rural zones provided that adverse environmental effects can be avoided, remedied or mitigated.*
2. *Maintain rural amenity values.*
3. *Sustainable management of the life supporting capacity of the soils on the Poverty Bay Flats.*
4. *Enable peri-urban living in appropriate areas, and at densities where the adverse effects of this activity can be avoided, remedied or mitigated.*
5. *Locate structures and plant trees in such a manner as not to cause adverse environmental effects across property boundaries.*

21.4 General Policies (All rural zones)

1. When preparing plans or considering applications for plan changes, resource consents or designations in all rural zones regard shall be given to the following general policy as well as any specific policy relating to the zone:
 - *effect of the activity on the natural landform characteristics;*
 - *the location, scale and nature of the proposed activity and its effect on the balance of the land and on adjoining properties;*
 - *alternative methods and locations available to carry out the works or activities;*
 - *any adverse effect that the activity may have on existing rural activities;*
 - *the shape, size and location of lots to be subdivided and any adverse effects they may have on amenity values.*
2. *To manage the effects of landuse in rural zones which may not be of a rural nature by ensuring that the amenity values of the rural environment and surrounding properties are maintained with particular regard to:*
 - *traffic generation whereby:*
 - *the level of traffic generated by the activity must be able to be accommodated without compromising the safety of traffic and residents on the District's roads;*
 - *given the nature of adjacent roads that all entry, exit and manoeuvring of vehicles onto a public road can be conducted safely;*
 - *adequate on-site vehicle parking and manoeuvring areas are provided for all developments.*
 - *visual impact ensuring that:*
 - *to manage the effects of landuse in rural zones which may not be of a rural nature the scale of the structure is appropriate for the use and the environment in which it is located;*
 - *activities are of an appropriate scale and intensity for the area in which they are located;*
 - *structures, areas and activities visible from public places are screened;*
 - *the type of construction materials are not inappropriate to the environment in which they are located.*

3. Tall vegetation and structures should retain, where possible, the adverse environmental effects they generate within the property boundaries.

Comment

The proposal will result in less than minor effects to flooding, rural amenity and traffic safety as discussed in section 3.4. The proposed landscaping will enhance visual appearance of the site and provide a level of screening without causing a shading effect on the road. The assessment of adverse effects on adjacent properties and to the wider area have been considered as having a less than minor effect on the receiving environment. It is therefore considered that the proposal is keeping with the above policies and objectives.

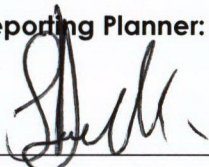
PART 2 MATTERS

Having regard to the above assessment, it is concluded that the proposal is consistent with the principles (section 6 – 8) of the Resource Management Act 1991. Overall, the application is considered to meet the relevant provisions of Part 2 of the RMA as the proposal achieves the purpose (section 5) of the RMA, being sustainable management of natural and physical resources.

22 RECOMMENDATION

The above assessment has concluded that any actual and potential effects of the proposal are acceptable and the proposal is consistent with the relevant objectives and policies of the Gisborne Combined Regional Land and District Plan, as well as consistent with the Gisborne Regional Policy Statement and all other matters. The proposed activity meets the purpose and principles of Part 2 of the Resource Management Act. Therefore, subject to the conditions listed within the decision to be served under section 113 of the RMA, resource consent for the proposal can be **granted**.

Reporting Planner:

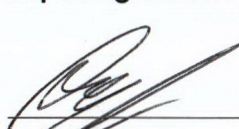


Joshua Hovell

Resource Consents Planner

Date: 10/11/2016

Reporting Officer:



Alex Reid

Water and Coastal Resources Officer

Date: 10/11/2016

Approved By:



PP Reginald Proffit
Consents Manager

Date: 10/11/16

Resource Consent

DECISION ON APPLICATION LU-2016-107252-00 AND WI-2016-107257-00

Pursuant to sections 34A(1), Section 104, 104B and 108 of the Resource Management Act 1991, the Gisborne District Council, under delegated authority, grants Land Use Consent for a restricted discretionary activity to:

Activity: Establish and operate an existing Equestrian Centre in the Rural General Zone including earthworks within Flood Hazard Overlay F3.

Applicant: Pine Hollow Equestrian Centre.

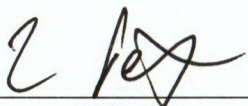
Consent Holder: Pine Hollow Equestrian Centre.

Location Address: 2424 Matawai Road, Te Karaka.

Legal Description: Karaka 8 Block comprised in Computer Freehold Register GS3B/1054.

This consent is subject to the conditions and advice notes detailed in the attached Schedule 1.

The reasons for this decision are detailed in the attached Schedule 2.



Under Delegated Authority

Date: 10/11/16

Conditions of Consent

Resource Consent No: LU-2016-107252-00 AND WI-2016-107257-00

General Conditions

1. The proposal shall proceed in accordance with the information and plans submitted by the consent holder in support of application number LU-2016-107252-00 and WI-2016-107257-00 and officially received by the Council on 7 September 2016. This condition applies except as amended by the conditions below. Copies of the following approved plans are attached:
 - Proposed Overall Site Plan, Dated: January 2016, Job Number: 313116, Sheet Number: 103.
 - Part Existing Site Plan, Dated: January 2016, Job Number: 313116, Sheet Number: 101.
 - Proposed Part Site Plan, Dated: January 2016, Job Number: 313116, Sheet Number: 104.
2. Pursuant to Section 36 of the Resource Management Act 1991, the consent holder shall pay the actual and reasonable costs incurred by the Gisborne District Council when monitoring the conditions of this consent.
3. The consent holder shall notify the Gisborne District Council Compliance and Monitoring Team in writing two weeks prior to the commencement of activities associated with this consent.
4. The proposed landscaping as shown in the approved site plans shall be permanently maintained to a height of no more than 2 metres along the road boundary of Matawai Road.
5. The consent holder shall maintain on an on-going basis all proposed landscaping to ensure the good health of plants. Any dead, dying or diseased plants shall be replaced in the subsequent planting season.
6. The consent holder shall maintain a vegetative grassed strip along the stream bank (before the edge of the berm) adjacent to the riding arena. The filter shall remain un-grazed and at a minimum width of 1m.
7. The consent holder shall upgrade the existing vehicle crossing (in the location shown on the approved plans) in accordance with the New Zealand Transport Agency Diagram C standard (Diagrams are attached).
8. The consent holder shall maintain the height of the existing stop bank located between the main vehicle crossing and stock yard. These heights shall be maintained between RL 39.19 to 39.45 (in terms of GPD 26) as showed in the attached stop bank height survey.

9. The consent holder shall provide a minimum of 10 on-site car parking spaces. The car parking and manoeuvring area as shown in the approved plans shall be located formed and finished to a hard metal surface and be located in accordance with the approved plans.

ADVICE NOTES

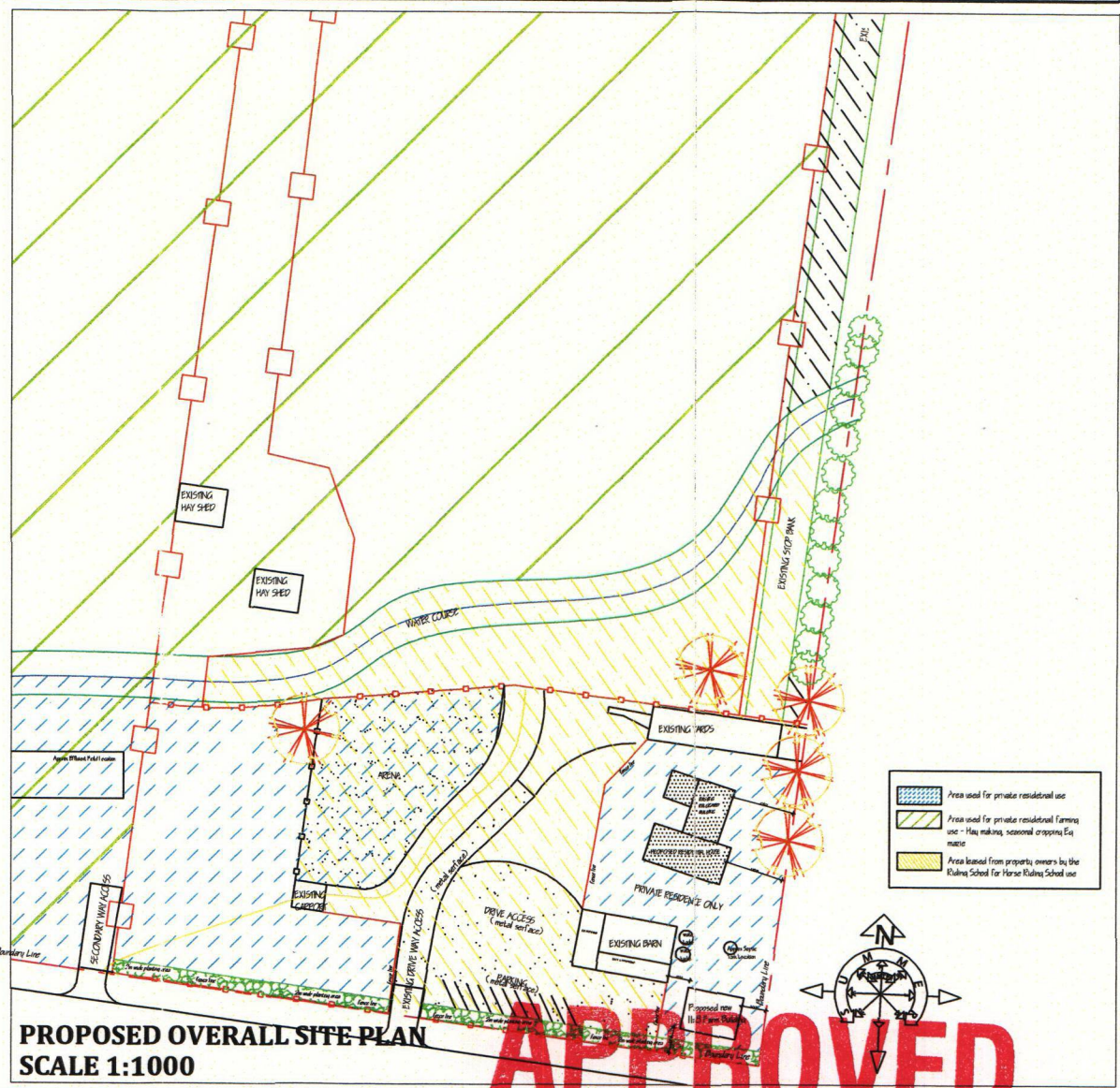
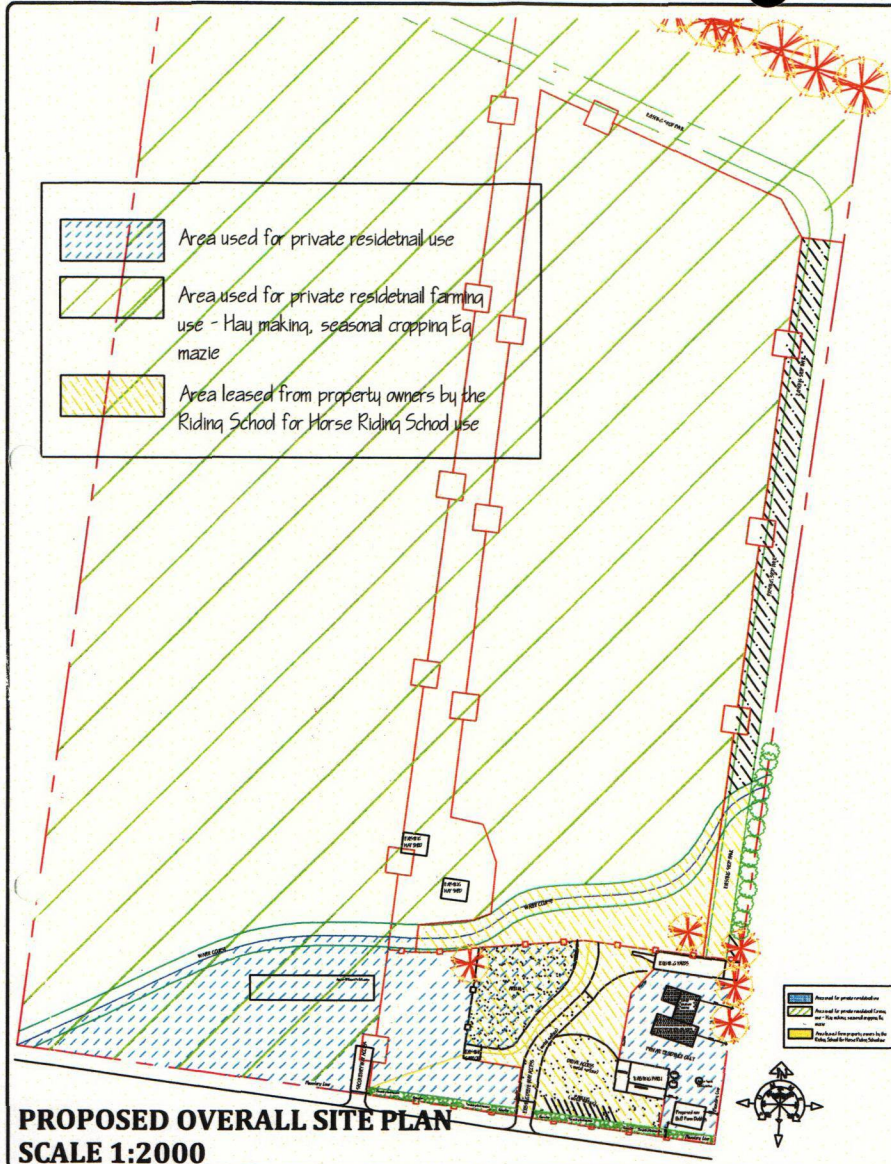
- a) The consent holder is advised that activities undertaken in or near a waterway must be conducted in a manner which complies with the Proposed Freshwater Management Plan. If compliance with its permitted rules cannot be achieved a resource consent will be required. Please contact the Water and Coastal Resource section at Council for more information.

Schedule 2

Reasons for Decision

Resource Consent No: LU-2016-107252-00 and WI-2016-107257-00

1. The actual and potential effects created by the proposal are considered acceptable because the proposed activity is appropriate for the site, and conditions have been imposed to effectively manage identified actual and potential adverse effects to a level that is less than minor.
2. The proposal is consistent with the Operative Gisborne Regional Policy Statement and all other relevant matters.
3. Overall the proposal meets the purpose (section 5) and principles (sections 6-8) of the Resource Management Act 1991.

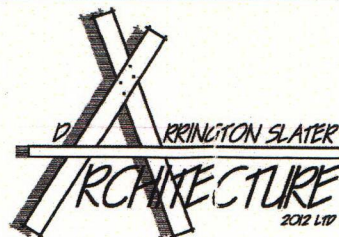


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gisborne
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email: hellie@darringtonslater.co.nz



JOB TITLE:

PINE HOLLOW RIDING SCHOOL
2424 MATAWAI ROAD
TE KARAKA

SHEET TITLE:

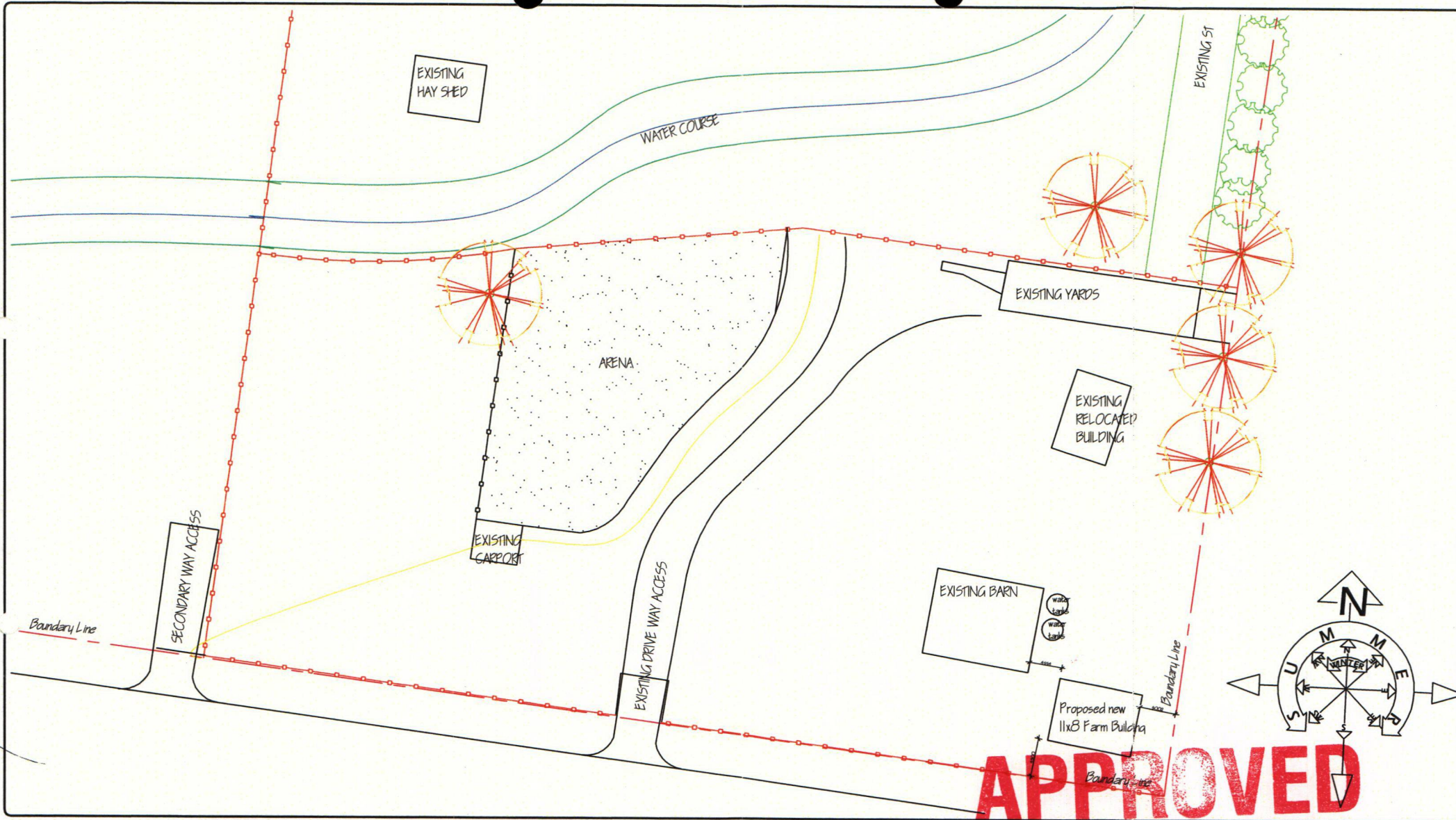
PROPOSED OVERALL SITE PLAN

DATE: JAN 16 JOB NO: 313116

DRAWN: KMH SCALE: AT A3: AS SHOWN

SHEET NO: 103 REV:

Consent No: LU-2016-107 252



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JOB TITLE:
PINE HOLLOW RIDING SCHOOL
2424 MATAWAI ROAD
TE KARAKA

Consent No: LU-2016-107252

SHEET TITLE:
PART EXISTING SITE PLAN

DATE: **JUNE 16** JOB NO: **313116**

DRAWN: **KMH** SCALE
AT A3:
1:500

SHEET
NO: **101** REV:
A

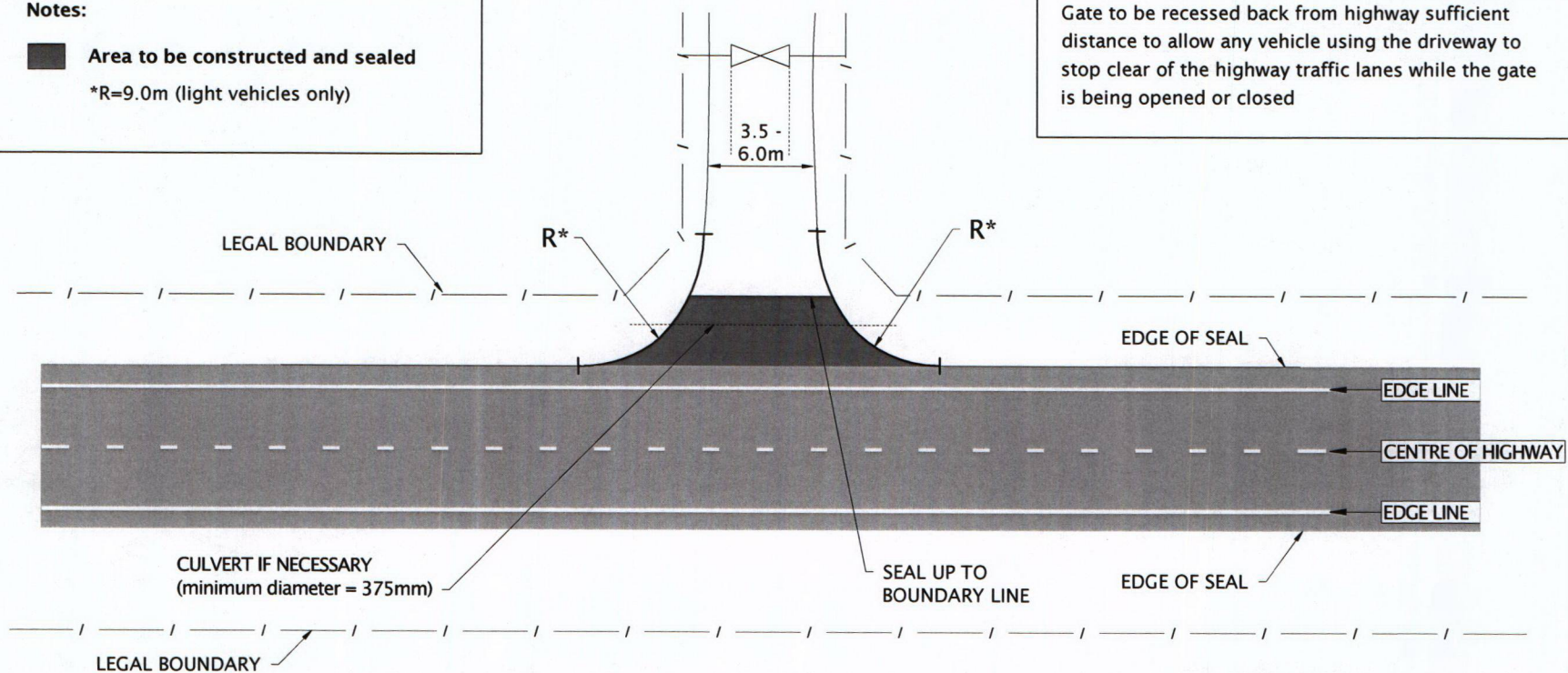
Notes:



Area to be constructed and sealed

*R=9.0m (light vehicles only)

Gate to be recessed back from highway sufficient distance to allow any vehicle using the driveway to stop clear of the highway traffic lanes while the gate is being opened or closed



NZ TRANSPORT AGENCY
WAKA KOTAHU

DIAGRAM C

NOT TO SCALE

Gate to be recessed back from highway sufficient distance to allow any vehicle using the driveway to stop clear of the highway traffic lanes while the gate is being opened or closed.

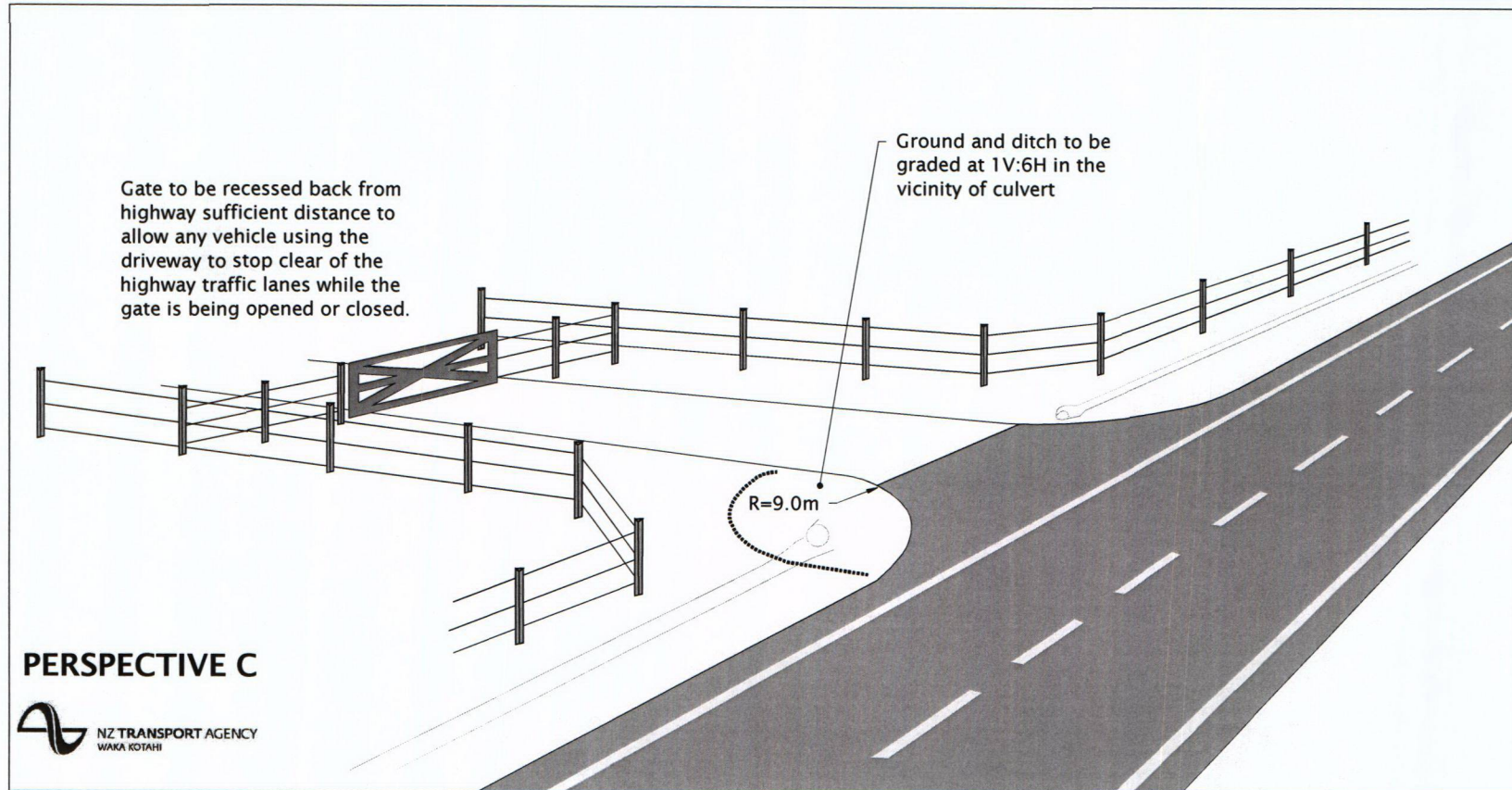
Ground and ditch to be graded at 1V:6H in the vicinity of culvert

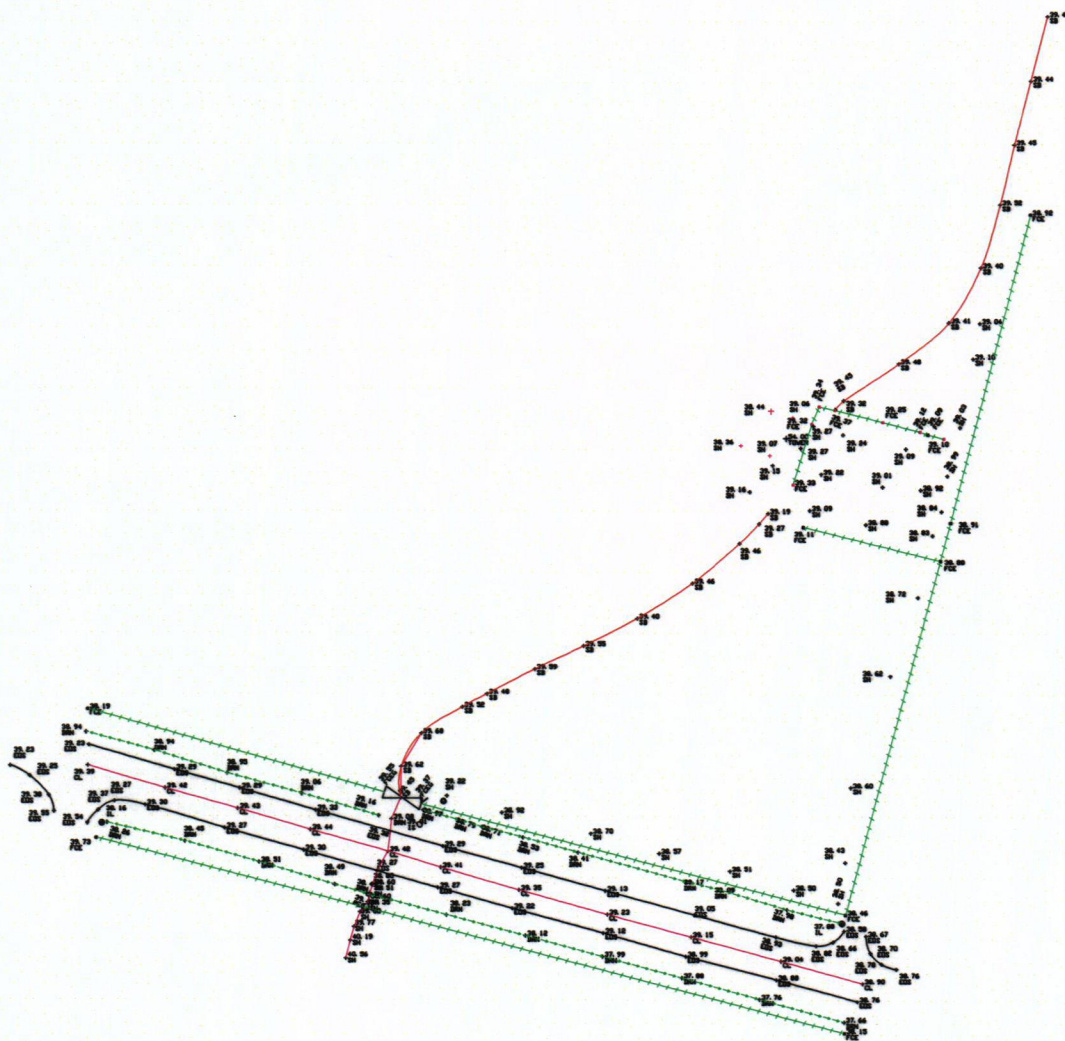
R=9.0m

PERSPECTIVE C



NZ TRANSPORT AGENCY
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Origin 716666.793 N 299218.696 E
Scale 1:500 Rotation 0°

TE KARAKA SAND BAGGING (D41)

Surveyed by: IAN HUGHES
Reference: SURVEYED 24 JUNE 2014

Computed by: IAN HUGHES
Description: GEO 1949/ ECCB HEIGHT DATUM