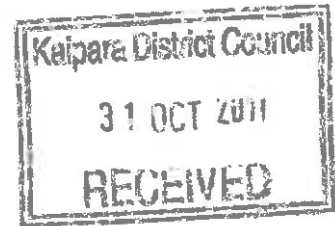


Mangawhai Ratepayers and Residents Association Inc
P.O. Box 225
Mangawhai 0540

28 October 2011

Kaipara District Council
Dargaville



Re : Appeal Proposed Kaipara District Plan 2011

From:

Mangawhai Ratepayers and Residents Association Inc

We attach:

- 1. Form 7**
- 2. Our original submission - 18 December 2009**
- 3. Our subsequent submission for the Hearing - 4 August 2010**
- 4. A list of submitters to relevant sections of the plan**

We have yet to receive addresses from Council and will notify them as soon as we can.

We note our confusion re lodgement period and that the plan was notified after the Implementation of the Simplifying and Streamlining Act 2009?


Thanks Helen Curreen
094315447



*Please can we
have addresses
urgently
thanks*

Form 7
Notice of appeal to Environment Court against decision
on proposed policy statement or plan

Clause 14(1) of First Schedule, Resource Management Act 1991

To The Registrar
Environment Court
Auckland.

We,

The Mangawhai Ratepayers and Residents Association Inc,

appeal against a decision (*or part of a decision*) of **Kaipara District Council** on the following plan:

Proposed Kaipara District Plan 2011

We made a submission on that plan

We received notice of the decision on 7 October 2011

The decision was made by Kaipara District Council

The decision (*or part of the decision*) that we are appealing is:

- We do not challenge the intent or fundamental content of the plan
- We seek further refinement to the provisions and standards that the council is proposing, in particular to the rules for subdivision to ensure consistency and also the addition of assessment criteria for subdivision and development proposals being assessed as a discretionary activity.

The reasons for the appeal are as follows:

We seek amendments to the rules and the addition of assessment criteria relating to Residential Subdivision and Development in Chapter 13.

We seek the following relief:

- Amend rules for Subdivision to state that any proposal not meeting the rules and performance standards will be assessed as a discretionary activity.
- Add detailed assessment criteria for assessing subdivision and development proposals for dwelling density being assessed as a discretionary activity. These assessment criteria should provide one comprehensive set of criteria relating to the residential amenity outcomes sought, the fair and equitable provision of infrastructure, overlay area outcomes sought, and clear criteria to the effect that any proposal not achieving the relevant objectives and policies of the Plan should be refused consent.

We attach the following documents* to this notice:

- (a) a copy of our original submission and a copy of our subsequent submission
- (b) a copy of the relevant plan is not attached
- (c) any other documents necessary for an adequate understanding of the appeal:
- (d) a list of names and addresses of persons to be served with a copy of this notice.

* These documents must be attached and lodged with the notice in the Environment Court. The appellant does not need to attach a copy of a regional or district plan or policy statement. In addition, the appellant does not need to attach copies of the submission and decision to the copies of the notice served on other persons if the copy served lists these documents and states that copies may be obtained, on request, from the appellant.

Given the nature of our appeal we would seek a mediation process with council.



Signature of appellant
(or person authorised to sign
on behalf of appellant)

28 10 2011

Date

Address for service of
appellant:

Helen Curreen for Mangawhai
Ratepayers and Residents
Assoc Inc

64 Cheviot St,
Mangawhai Heads

Telephone: 09 -4315447

Fax/email:
helen@fourwinds.org.nz

Contact person: Helen
Marjorie Curreen (Committee
Member)

Note to appellant

You must lodge the original and 1 copy of this notice with the Environment Court within 30 working days of being served with notice of the decision to be appealed. The notice must be signed by you or

on your behalf. You must pay the filing fee required by regulation 35 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

You must serve a copy of this notice on the local authority that made the decision and on the Minister of Conservation (if the appeal is on a regional coastal plan), within 30 working days of being served with a notice of the decision.

You must also serve a copy of this notice on every person who made a submission to which the appeal relates within 5 working days after the notice is lodged with the Environment Court.

Within 10 working days after lodging this notice, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see* Form 38).

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in Form 33) with the Environment Court within 30 working days after this notice was lodged with the Environment Court.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (*see* Form 38).

** How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not attach a copy of the appellant's submission and (or or) the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

- * Delete if these documents are attached to copies of the notice of appeal served on other persons.

Advice

If you have any questions about this notice, contact the Environment Court Unit of the Department for Courts in Auckland, Wellington, or Christchurch.

Names and Address of other parties to be served with a copy of this appeal.

<u>Submitter number</u>	<u>Submitter Name</u>
25/2	Stephen Martin
FS511/2	Farmers of New Zealand, Kaipara Citizens and Ratepayers Association, Pouto Topu A Trust
28/1	Douglas Eric Bone
85/3	Harbour View Investments Ltd
448/2	Gael Emily McConachy
439/2	Ian Lindsey Milestone
447/6	Buckton Consultants

Kaipara District Plan 2009

Submission from the Mangawhai Ratepayers and Residents Association

The Association has some 88 financial members plus a number of irregular attenders and contributors.

An association meeting of November 29 2009 attended by around 25 members of the association was focussed on the District Plan. Councillor Tom Smith answered a number of questions and gave information about the plan process. Tom and the committee encouraged all to make their own personal submissions as well as that to be prepared by the MRRRA. The meeting discussed aspects of the plan by way of small groups discussions lead by committee members. The results were posted on the Association website and there have been ongoing discussions, phone calls and email exchanges.

The submission below encompasses concerns and ideals; it makes general recommendations for amendments. It is difficult to gain consensus with such a large group on specifics and the committee felt that to place the discussion on record in our submission would be the most useful contribution we could make.

Land Use

3.3.3 Water reticulation. The membership wants to continue with self sufficient household water supply and all building consents must take this into account.

Mangawhai Growth Areas.

3B Many of the points on this section of the plan are very positive but at odds with a map showing a very large area designated as potential growth area. This should be significantly reduced.

Please confirm that this growth area is limited to that shown for the Mangawhai Structure Plan

See comments below regarding Estuary estates, proposals in it are at odds with many of the statements and values inherent in this section of the plan.

Overlays

4. We like the overlay concept and the additional protections in significant areas.

The waterway overlay should continue around all water edge property at Mangawhai and we request clarity about the discrepancy in planning maps on the waterway overlay on the steep land to the north of the Heads. ie the Heads subdivision and Bream Tail Farm subdivision which should be rural.

Ecological areas.

6. General. The objectives outlined in the Plan are laudable and can hardly be argued with in addressing the issues around habitat protection and enhancement, biodiversity, and water quality. The main concern is whether these ideals will in fact be applied on the ground as a priority when development proposals are put up. The community will want to see the Council "put its money where its mouth is" in the protection and enhancement of areas of high ecological value. The enabling philosophy of the Plan dictates effective monitoring to ensure required actions are in fact undertaken. The Council must commit specific resources to this activity.

Response. The lack of any mapping and data collection on valuable ecological areas is seen as a major deficiency of the Plan. The proposed response of developing methods, objectives, and policies for ecological areas is seen to lack any actions on the ground to identify and prioritise valuable areas on which incentives can be focused to ensure their protection. The response should also include the

development of resources to assist landowners in the protection and enhancement of ecological areas, e.g. recommended species planting strategies, fencing and pest control design etc.

Specific actions. The Council is urged to implement specific incentives to encourage landowners to protect ecological areas, such as rates relief, and assistance with fencing.

The Council should take a special interest in stream edge retirement, its fencing and planting with indigenous species. Such an initiative contributes to improved water quality, reduced sedimentation, and down-stream benefits to harbours.

Waitakere City Council's "A Guide For Planting And Restoring The Nature Of Waitakere City"

Is a good example of requirements for appropriate planting. If KDC was to research and produce such a tool it would be extremely valuable for ever more. The NRC has a booklet, but it isn't specific to localities. Landowners will continue to make planting mistakes and those subdividing are put to enormous expense providing multiple landscape reports and assessment which would then become unnecessary.

District Plan Rural

12.10.2 Vegetation clearance There was general support for the widely circulated submission from the Hawley's

12.10.5 Height restrictions agree with 10m for utility buildings, but dwelling should adhere to 7.5m

12.10.22 Lighting This should be consistent with our submission in the residential section below.

12.10.23 Signage Should be limited to one 2m² sign per site rather than 2. We are not clear about the status of signs erected on private land that is not connected to the business????? These should be banned or capped

12.12.1 Subdivision

The proposal of 50 acres would be as bad as the current plan of 10 acres as 50 acres is no more viable than 10 acres unless one pursues a very intensive operation. Preference for the present option. The result is a lot of blocks with a few stock which are farmed inadequately.

District Plan Residential

General comments

13.2.

How can confidence in the "discretion" of council be developed? Our experience with council is poor and we would prefer to see some absolute limits rather than creating the potential for modifications.

13.3

This expectation of residential growth doesn't match with predictions of limited population growth. Growth area is totally unnecessary and risks severely stretching already inadequate infrastructure.

13.6.1

There should be an absolute ban on anything that approximates "infill" housing. Kaipara is a rural area and given inadequate infrastructure and lack of community resources, small lot sizes and extra dwellings in existing areas are unacceptable. The MRRA has a long history of concern for the "ambience" of the earlier settled areas of the village and the heads (east of Molesworth Drive and Moir Point Road as evidenced in the intent of the previous District Plan. The treed open spaces and lawns of the larger lots are part of this "ambience".

13.6.4 Perhaps developers should also pay the costs of repairing or providing previously not provided storm water infrastructure.

13.6.6 Great as an aim, but at odds with the quite extensive Growth area.

13.6.8 Great, really important to have linkages – doesn't match with Estuary estate plan however, nor detail how you might resolve past planning failures. Perhaps developers could be required to

buy land outside their own piece so that linkages are enabled. It is important that developments are not just looked at in terms of their internal linkages.

13.6.11 Industrial and indeed bulk commercial is not at all appropriate in a seaside village like Mangawhai.

13.8.1 Really important. We need those who are examining applications to have a clear idea of the built form at Mangawhai (or the previous built form before some disasters like the "Hub")

13.8.3 Little opportunity for the proposals for the Mangawhai Structure plan to be developed as all the land is already subdivided. Perhaps the plan needs to actively encourage amalgamation of titles to enable some of these proposals.

13.8.8 Everywhere needs small localised parks. Mangawhai in particular. Playgrounds, or just a few trees and a seat. When all the current small lots are developed it will become even more apparent how few reserves there are. Very strong membership comment.

Residential Rules

13.10.2 Vegetation Clearance. Please read in conjunction with submission re Ecological/ Vegetation Comments. There is a need for areas of tree vegetation to be mapped.

13.10.2 -2) b. The size of areas potentially cleared is too large. Could this be reduced in size to 60sqm in the Harbour overlay and 150m from water.

13.10.3 Dwellings

Fully support 1000sqm as section minimum size for harbour overlay; it is important that it also includes the Estuary Estates land. There is already an oversupply of very small lots.

13.10.4 Commercial and Industrial Buildings

Why allow any bulk or large format commercial or industrial building in a residential zone? This should be extremely limited to small and very modest and neighbour friendly activities. Too loose.

13.10.5 Maximum Height

These heights have the potential for serious consequences in Mangawhai, the current limit is 7.5 and raising it to 8 makes the potential for 3 stories and is that unacceptable. The community has consistently stated they want to preserve the seaside village type ambience east of Molesworth Drive. Exceptions to this in overlay areas should not be tolerated.

13.10.7 Setbacks

1) b Side yards - an improvement over the old plan –great!

1) e. What about 50 m setback from water.

13.10.8 Separation distances

Group felt that existing activities should be allowed to continue, but that if a new activity. – 400 m would be better.

13.10.11 Private Open Space

Not at all clear on what a private open space is – no definition or example????

13.10.12 Permeable surface.

Areas not built on need to be greater in overlay areas, particularly Mangawhai, where flooding is a potential problem and surface water needs to be filtered by sand absorption rather than direct runoff into the Harbour.

13.10.14 Sound

Perhaps this needs to be rewritten so that it is clearer that less sound is acceptable at night. What equipment does the council have for reading noise?? 35 dBA is the night time level at Whangarei. We should not be more.

13.10.21 and 13.10.23 Hazardous Substances and Plant or Animal effluent storage.

Kaipara is a large and significantly rural area, there should be no need for such activity in a residential zone.

13.10.24 Lighting

MRRRA has a significant number of older members who like street lighting, but conversely are concerned re wastage of energy. Very strongly felt that the standard was inadequate. Motion

triggered lighting of more economical to run forms were suggested. It is time for a more sophisticated discussion and expectation of lighting provision in new developments.

13.10.25 Signage

Signage should be limited to the actual site for all activities. There should be no discretion. This an unacceptable form of pollution. Meeting was concerned that the plethora of advertising signage at intersections actually confused visitors who failed to see the direction signage.

13.10.29 Loading

The ideal would be to limit commercial activity in a residential area. However, standards must include no reversing of trucks. Apart from the danger, this is a noisy activity. All trucks should be able to drive through the site.

13.11.1 Subdivision

1/ 600 sqm is too small minimum of 800sqm suggested.

Re iv) All power should be underground and council work towards underground reticulation.

13.11.2 Boundary Adjustments. Should be incentives to amalgamate small titles. (Rate reduction and removal of EcoCare charges)

13.1.3 Preservation of Natural and Cultural Heritage This section needs significant development.

13.12.1 Integrated Development An average of 1000sqm should be requirement.

13.13.7 Energy Supply

Does this provide suitable flexibility for off grid developments? How can council support such development by education, resources, design advice.

13.13.9 Esplanade Reserves

ii) Present use of land should be irrelevant as should any structure thereon!!!!!!

xv) Council must think about the future and take all opportunities for land acquisition..

13.13.10 20 m should be the minimum. Access strips are unacceptable and based on a premise of no erosion.

16.1 Estuary Estates

This section does not seem to be consistent with nor integrated into the plan. This area should be required to comply with Harbour and waterway overlay expectations. There was particular concern about the inappropriateness of very large buildings of a bulk commercial nature. Height restrictions as for harbour overlay should apply, but more importantly quality design could soften the impact of such buildings.

Does this section need to exist? The Mangawhai Structure plan allows for integrated development.

18 Outstanding Landscapes

This needs to be completed.

Again there is general support for the submission prepared by the Hawley's.

19 Trees

There are no notable trees at Mangawhai, can we request some form of survey of large native trees
The objectives of the notable trees section are supported, but once again there will need to be incentives for landowners to propose trees for registration. The Council should implement the policy as a landowner on all reserves, parks and other public land.

20.5 Reserve Management

Addition please " Continuous walkway around the Mangawhai Harbour to be established in the future."

**Kaipara District Council District Plan Hearings.
Mangawhai Residents and Ratepayers Association
– further comment post Review Reports Wednesday 4 August 2010**

We would like to begin by saying we fully support the development of a new district plan, it is long overdue. Also, we were very impressed by the development process led by Beca. We support the concepts of overlays as giving potential for significant environmental protections. We give qualified support to the notion of an “effects” and “enabling” plan.

Ecological

We are delighted our main recommendation has been so fully accepted. We would suggest that actual plants lists are extremely helpful to landowners and this could include a plug for eco sourcing. (p 35)

Chapter 3 We would like the plan to encourage future home builders to install water tanks even in areas with reticulation. Whilst this may not be necessarily for drinking water, it encourages self sufficiency, gardening and emergency supply.

Overlays

We fully support these concepts and are pleased that our request that such be applied to Estuary Estates appears to have been accepted by the review team.

It is not clear to us why our request for a waterway overlay round the harbour margins has been rejected. (P 54). Possibly because mapping is not yet clear, but probably because the area (Moir Point to surf beach) which is not given the waterway overlay status includes built up areas. Nevertheless, while there may be practical implementation problems, these areas are those that contribute most to water degradation.

(P 35 not our submission). A significant problem is water runoff from driveways and roadways as there is no storm water detention. We note heavy rainfall results in large quantities of water running down driveways and roads and going straight into the harbour. If there has been any soil or sand disturbance, let alone anything that could be called development then considerable quantities of sand and lime rock flow as well. This inevitably clogs the drains leaving sand covering the road to a depth of 10-15cm in places and flooding occurs. The occurrence of lead and zinc in such run off is well documented.

These areas already have the protection of the harbour overlay and we feel that additional protections particularly to inhibit future “development” would be useful. It would be worth teasing out the difference between harbour and waterway overlays in terms of additional benefits and how these might apply in an already developed area. We are pleased to note our requests re soil permeability have been accepted by the reviewer. (Rules 3 p 28)

There was and is enormous criticism of the housing appearing on the land north of the surf beach, we are not sure what overlays apply?

Residential

This is the section which gained most membership comment. Poorly planned subdivisions particularly with small section sizes at Mangawhai would be the most consistent and long standing member complaint. There is, in particular, concern from residents that the ambience and large section sizes of the area east of Molesworth Drive be protected. This was recognised in the old District Plan. Any notion of “infill” housing is abhorrent to residents. Residents feel strongly about this in terms of space to host families over the summer, tents, boats and water toys. Many of our roads are narrow and have no footpath. Parking on the road becomes a serious problem as does

walking along the road. Members also feel strongly about having views and a green aspect from the harbour or sea. Trees in the area are much valued for shade and wind break. These homes generally also have water tanks, this requiring space. The provision of a sewerage system is only a very small part of infrastructure and residents are understandably anxious about council trying to increase the number of sewage connections without adding to the EcoCare infrastructure.

The permanent population is significantly older and desires a quiet living environment enabled by lower housing density.

Whilst we support the enabling and effects based notions inherent in this plan, as a community we have experienced very poor decision making and total failure to understand potential to mitigate effects on the part of council officers.

Examples.

Signage at the Hub

Beach House and the failure to mitigate

Kaizen and the failure to notify

Fothergill monitoring and the house closer than 30m from Foreshore

So ideally, a simple, blanket no subdivision less than 1000sq in at Mangawhai would increase confidence in the overlays and the plan as there is no clarity about how any subdivision might occur nor indeed where- there was confusion about growth areas and a mismatch between expectation of growth and predictions of limited population growth. We are concerned that neither the Mangawhai Structure Plan nor Estuary Estates have been integrated into the plan. We requested incentives to amalgamate lots Rules 7 p 36 (believing that they are too small and lead to poorly sited buildings) However, the Structure Plan would enable "subdivision" to occur by the amalgamation of lots to then put forward an "integrated" proposal with shared driveways etc. We would suggest that this needs considerably more thought. (chapter 13 . P 11)

Other solutions: Use of an urban design panel to examine house designed for sensitive spots, use of town planners.

13.6.8 This is about requiring linkages external to a subdivision and was rejected by the reviewer on the basis of the financial contributions required of the developer which presumably could pay for such. While this might seem perfectly reasonable in an environment where a councils would normally encourage such linkages, it is simply not our experience of the KDC. We are concerned that Estuary Estates has no linkages. Accordingly we think it should be built more firmly into the plan as a mandatory and developer responsibility. Estuary Estates for instance suffered from NIMBY from Old Waipu Road residents which were not overcome. (chapter 13 P 12)

Rules 7 p 29 . Underground power. Reviewer suggest that rules already provide adequate aims where practical. We have a serious problem with the notion of "where practical". A new suburban house with overhead power adding to existing overhead power right next door to another new house which happened to be in a subdivision with underground power and that new house has all it's wiring underground. We are not sure how it could be "practical" on one lot, but not on the next.

Rules 7 p35 13.1.3 Generally disappointed that submissions of a natural and cultural heritage nature have been so negatively dealt with by the reviewer. Mangawhai sites are poorly (ie not) represented in the plan. Some historical inequity.

Chapter 19. There are few Mangawhai/ East Coast notable trees. We think the plan has benefitted from earlier work favouring Dargaville and the Kaipara. This results in some inequity as clearly no

such work has happened at Mangawhai and we consider the reviewer comments unhelpful. Such work needs to be done.

We would like to present a statement by a member of our Association, Dr Gordon Hosking who is a tree professional. The reviewers declined our request for a tree survey of "Mangawhai Park". They failed to realise that DOC and Council reserves protection do not apply to this land as it has no reserve status.

Part B Zone Rules We are disappointed that the reviewer didn't support a stronger stand on the acquisition of foreshore reserves. We note recently where the North Shore City Council spent \$4+m to acquire one house to then remove the dwelling and thus contribute to foreshore reserves at Mairangi Bay. We think the council behaviour to date has been very short sighted and hoped for a plan that would be future thinking. (P 17)

Rules 8 p.14 Re Power Supply. We suggested that there needed to be flexibility for off grid developments. The reviewers consider that the plan is broad enough. We think future proofing this plan is important and the positive and negative outcomes of alternatives types of energy production need to be thought about. Are there other Rural District Plan models that may be helpful?

Subdivision

Generally opposed to small lot subdivision where a 600sqm is the District wide standard minimum, whilst appreciating that Mangawhai is protected from much of this by overlays. We think 800sqm should be the minimum. This is a rural district. There has already been lots of small subdivision in the district and if there are special cases then the enabling process and notion of integrated developments proposed by the Mangawhai Structure plan and other such plans should cope. We have some small lot subdivisions at Mangawhai and they looked ok initially, but have deteriorated significantly in living appeal as all the lots are built on, neighbours lose privacy and tree cover is removed.

Rules 3 p.12 Height restrictions

This is a rural community. We strongly oppose the 10 m limit proposed. Such buildings are totally inappropriate in our urban setting and a blot on the landscape in the rural.

We appreciate that the reviewers support our submission to lower the height restriction in residential areas from 10m to 8m, but note that that could potentially enable three stories and we think two are should be maximum and we are concerned to retain our rural seaside character. 7.5m is still our request.

13.10.7 Setbacks.(Foreshore) Larger setbacks have probably been requested by membership as a result of the carelessness with which council has monitored and applied such. We are also conscious of global warming, possible pollution, and the need for a green aspect from the sea. We would also ask the council to be mindful that public walking access in the future might clash with the environmental concerns relevant to the coastal marine habitat and council might need to provide for both.

Rules 3 p38,42 Signage. Disappointed by reviewer . This would be the second largest area of consistent ongoing complaint from membership. Either that signs are not consented and don't comply or there are simply too many.

The number, size and location needs to be reduced. We guess what is most apparent is that monitoring is very poor and that many people put up signs and then subsequently get resource consent in a process not perhaps as rigorous as it would have been if the installation had commenced legally.

These are just some recent examples of planning decisions that have greatly concerned the Mangawhai community.

Kaizen/Gracefields

"the Kaipara District Council acknowledges that as the application is for a Discretionary Activity and the adverse effects of the proposal will be no more than minor, the application need not be notified. The Council is satisfied that after taking into due consideration the requirements of Section 95(E) that no persons are considered adversely affected by the proposal. Council is also satisfied that no special circumstances exist that require notification of the consent application in accordance with Section 95(A)(4) of the Resource Management Act 1991.

Pursuant to Section 104, 104C and 108 of the Resource Management Act 1991, the Kaipara District Council grants land use consent to the application by Gracefields & Co Limited, to establish a resort facility encompassing 80 units, a restaurant/bar, health and beauty spa and recreational facilities in the Rural-Residential (Landscape and Ecological Enhancement) Zone on the property legally described as Lots 1 – 5 DP 202178 and Allot 93 Suburbs of Molesworth and Lot 4 DP 99103 (CFR's NA130D/4-8 and NA56A763) at Estuary Drive, Mangawhai subject to compliance with the following conditions:"

This development was considerably opposed, with 50 residents attending the earliest Judicial Committee Hearings and a number of individuals and community organizations including the MRRRA pursuing this for a number of years in the Environment Court! Yet this subsequent consent was granted, considerably extending the number of units and facilities.

Beach House



The house was not sited on its approved site. It hangs above the surf beach to the east and this photo was taken from 4km to the south. It is visible from the whole harbour area and sits on the ridge line

There were thus opportunities for the council to request mitigation. Changing the colour of the garage door and spoutings would have assisted considerably as would the planting of a few trees on either end of the house.

The Hub

The wall in front of the "Hub" at Mangawhai Village has a "sculpture" on it. It is probably the only piece of "public" art in Mangawhai .

How did somebody get consent to put a sign (for fish and chips) within mm of the sculpture and right in front of it and within mm of the footpath?



Fothergill

A 20 m foreshore reserve is a national standard, as is a further 10m setback for a dwelling. How, particularly in the context of a site the MRRA pursued to the Environment Court re foreshore reserve, was this building allowed to breach the rule?

3) Building setback - the building administrator confirmed on Wednesday 26 May 2010, that the building does encroach on the 30m setback from the MHWS. David Hughes via George Lewis

