

**Resource Management Act 1991**

**Western Bay of Plenty District Plan - First Review  
Withdrawal of Part of Plan Change 76  
Floodable Areas & Coastal Inundation Areas - Various  
(March 2017)**

Pursuant to Clause 8D of the First Schedule of the Resource Management Act, Council withdraws that part of Plan Change 76 which sought to amend Rule 8.3.1 (c) to allow earthworks, closed boarded fences, retaining walls, raised gardens and concrete and block walls to be permitted activities where floodable areas are proven to be inaccurate or where these activities are proven not to be affected by the floodable area. Note: Rule 8.3.1 (c) currently applies only to buildings/structures.

The reason is:

- Existing Rule 8.3.1 (c) is not well defined and does not allow plan users to determine whether an activity is permitted or not without assessment or exercise of judgment. The drafting of this rule needs reconsidering before seeking to allow for any new activities.

Miriam Taris  
**Chief Executive Officer**