

Resolution to Approve

Hawke's Bay Municipal Plan 1994 – 2004, Amendment #1

Under the authority of Sections 16, 17, 18 of the Urban and Rural Planning Act 2000, the Town Council of Hawke's Bay:

- a) adopted Amendment #1 to the Municipal Plan on the 27th day of January, 2016.
- b) Gave notice of the adoption of said document by advertisement inserted on the 8th day and the 15th day of February, 2016 in the Northern Pen newspaper.
- c) Set the 22nd day of February at 7:00 p.m. at the Town Hall for the holding of a public hearing to consider objections and submissions.

Now under Section 23 of the Urban and Rural Planning Act 2000, the Town Council of Hawke's Bay approves Amendment #1 to the Hawke's Bay Municipal Plan as adopted.

Signed and sealed this 23rd day of February, 2016

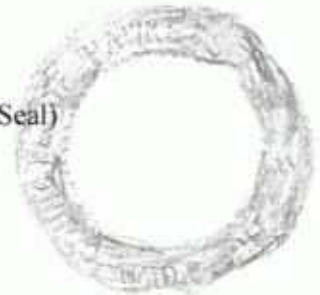
Mayor:

[Signature]

(Council Seal)

Clerk:

Nina Dredge



Municipal Plan/Amendment	
REGISTERED	
Number	<u>2205-2016-001</u>
Date	<u>March 21, 2016</u>
Signature	<u>[Signature]</u>

Town of Hawke's Bay Municipal Plan 1994-2004
Amendment #1

Council Resolution to Adopt

Under the authority of Sections 16, 17 and 18 of the Urban and Rural Planning Act 2000, the Town Council of Hawke's Bay hereby adopts Amendment #1 to the Hawke's Bay Municipal Plan.

Adopted by the Town Council of Hawke's Bay on the 27th day of January, 2016

Signed and sealed this 27th day of January, 2016

Mayor: [Signature]

(Council Seal)

Clerk: Nena Dudge



Canadian Institute of Planners Certification

I hereby certify that this document has been prepared under the provisions of the Urban and Rural Planning Act, 2000

[Signature]

Dennis Knight, MCIP

Dated: 22nd of February, 2016



TOWN OF HAWKE'S BAY

Municipal Plan 1994-2004

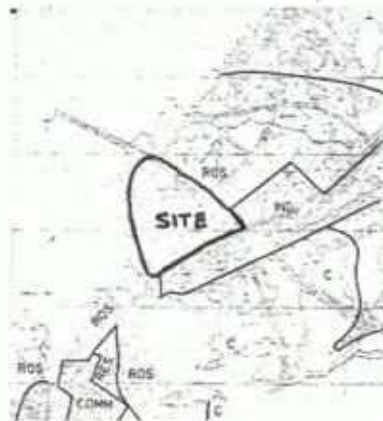
Amendment #1

Background

This amendment has been prepared to accommodate industrial uses on land currently designated Recreational Open Space that includes the former fish plant. The immediate use proposed for the site is a construction work camp for the Muskrat Falls transmission line project.

The site was part of a larger area designated Recreational Open Space when the Municipal Plan was prepared in 1994. At that time, the area northwest of Torrent River (including this site) had been proposed as a large-scale recreation and tourism site: "to serve the needs of the tourism industry and those of the municipality" (Section 3.3.6 Recreation). The Torrent River is well-known for its salmon run and scenic beauty. It also supplies the Town with drinking water (further upstream). Since the Plan was prepared, the Torrent River Salmon Interpretation Centre and the Torrent River Nature Park have been established, northeast of the proposed amendment site.

It is understood that the site is not required by the Town for recreational open space purposes. It was formerly used for a food processing operation. It also includes a rock and gravel 'spit' that was constructed as part of an ore handling/shipping operation for zinc ore from the Daniel's Harbour Mine in the 1970s and 1980s. The remainder of the site is unused and primarily in its natural state except for some grubbing of land carried out by the Town.



Section of Zoning Map 1, Hawke's Bay Development Regulations 1995-2005, showing land use zoning surrounding the proposed amendment site

The image above shows the land use zoning surrounding the site (which mirrors the land use designations in the Municipal Plan). The land immediately to the north is designated Recreational Open Space. In the past, it was used for industrial purposes, including the storage and shipping of zinc ore and logs, and sawmilling. Part of the site was also used as an ice rink

and as the location of the Rufus Guinchard Music Festival. The Festival has since been moved elsewhere.

The land abutting Highway 430 to the north and east of the site is designated Industrial. Its uses include a garage, Hydro plant and formerly, a general retail store and a convenience store. The latter is proposed to be used as an office for the construction work camp. The land immediately south of the site is designated Recreational Open Space.

Municipal water service is available to the site but not municipal sewage service. The proponent of the construction camp is proposing to route treated sewage into the ocean by means of a pipe laid on the rock/gravel spit and buried under 1 – 2 feet of gravel. The proponent has discussed this proposed arrangement with representatives of both Service NL and the Department of Environment and Conservation. It is the objective of the Municipal Plan to "preserve the quality of remaining developable land by requiring full servicing before development occurs" (Section 3.3.7 Health and Community Services). Considering that this is a temporary use, and providing the requirements of Service NL and the Department of Environment and Conservation are satisfied, the proposed arrangement re sewage disposal is seen as acceptable for the short term.

An existing road provides access from the site onto Highway 430. The proponent has discussed the access with a representative of the Department of Transportation and Works and is prepared to provide any required upgrading.

The proponent has also provided the following information about the proposed operation:

- The camp would be built to accommodate 191 persons (actual operating numbers are expected to be a maximum of around 145 persons),*
- The operation will last between 12 and 24 months, and*
- At decommissioning, all materials and equipment will be removed and the site restored to its condition before setup.*

Conclusion

It is understood that the site is not required by the Town for recreational open space purposes and that since 1994 when the Municipal Plan was prepared, the Torrent River Interpretation Centre and Nature Park have been developed as tourist attractions, north of the site. The site was formerly used for a food processing operation and industrial uses have occupied the land immediately to the north. Municipal water is available to the site.

Provided the appropriate permits/approvals are granted, including from the Town and the Departments of Environment and Conservation, Transportation and Works, Health and Community Services and Service NL, the proposed amendment is seen as acceptable from a land use planning perspective. Care should be taken in preserving the maximum amount of tree cover. A shoreline buffer zone a minimum of 15 metres in width must be preserved for the purposes of environmental conservation and other public use. Finally, site restoration should be completed to the satisfaction of Council at the time of decommissioning.

Hawke's Bay Municipal Plan 1994-2004 Amendment #1

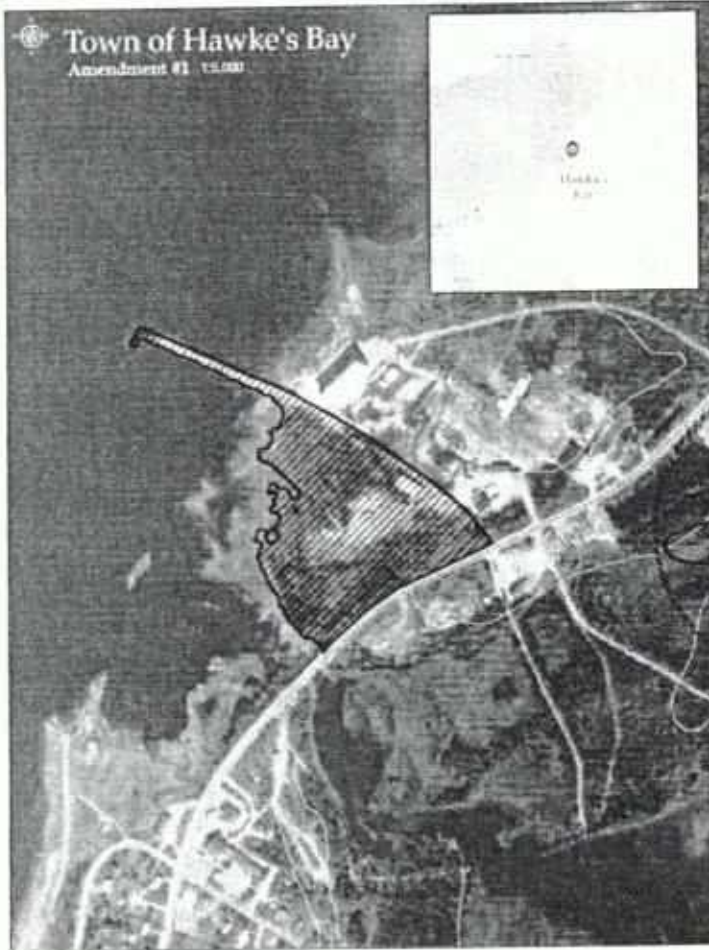
The Council of the Town of Hawke's Bay hereby amends the Hawke's Bay Municipal Plan to permit industrial uses on the site shown on the map attached. The land outlined is changed from Recreational Open Space to Industrial, subject to the following conditions:

- 1) In assessing new uses for the site, Council will ensure that there is adequate vehicular access onto Highway 430 and that buildings conform with the National Building Code and meet safety standards. Council shall also be satisfied that water, storm water and sewage services are adequately provided for.
- 2) Prior to development, appropriate permits/approvals shall be granted, including the following:
 - a. Sewage disposal,
 - b. Food preparation and service, and
 - c. Access onto Highway 430.
- 3) It is the priority of Council that the maximum amount of tree cover is preserved on site.
- 4) A shoreline buffer zone a minimum of 15 metres in width shall be preserved for the purposes of environmental conservation and other public use.
- 5) Site restoration shall be completed to the satisfaction of Council at the time of site decommissioning.
- 6) All other provisions of the Hawke's Bay Municipal Plan shall apply.

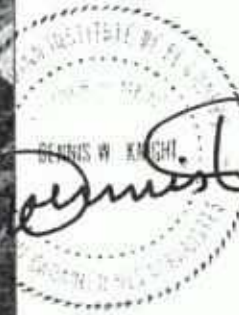
TOWN OF HAWKE'S BAY

Municipal Plan 1994-2004

Amendment #1



Area to be re-designated
from Recreation/Open
Space to Industrial



[Handwritten signature]

Signed and Sealed
this 23rd day of February, 2016.
Mayor [Signature]
Clerk Arena Oudge
I hereby certify that this document has been prepared under the provisions of the Urban and Rural Planning Act 2000.
MCIP _____
Dated _____ of _____, 20



Municipal Plan/Amendment
REGISTERED
Number 2205-2016-001
Date March 21, 2016
Signature [Signature]