



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

**REPORT OF HEARING
PANEL**

Independent Hearing Commissioners:

Robert Schofield (Chair)
Loretta Lovell
Tim Aitken
Kate Taylor
Pip Burne

TOPIC 6A

Maps and Rezoning Requests

REPORT DATED

4 May 2023

DATE OF HEARING

15 and 17 November 2022

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List of Submitters and Further Submitters addressed in this Report

Submitter Name	Submission Number(s)
Alan Delugar	S20
Central Hawkes Bay District Council (CHBDC)	S114
Centralines Limited (Centralines)	S90
David Bishop	S54
David Tilyard	S10
Francis Holdings Ltd	S14
GR Smith Children's Trust & DG Smith Tournaham Trust	S100
Hatuma Lime Co Ltd (Hatuma Lime)	S98
Heretaunga Tamatea Settlement Trust (HTST)	S120
James Bridge	S105
Karl Tipene	S59
Kāinga Ora - Homes and Communities (Kāinga Ora)	S129
Livingston Properties Limited (Livingston Properties)	S127
Peter Watson	S67
Powerco Limited (Powerco)	S56
Robert Malcolm	S93
Sandy Hill Farms Limited (Sandy Hill)	S103
Surveying the Bay Ltd (Survey the Bay)	S94
Te Mata Mushrooms Land Company Limited (Te Mata Mushrooms)	S102
The Surveying Company (HB) Ltd (The Surveying Company)	S50
Tony Robson	S46
Waipukurau Jockey Club inc.	S62

Further Submitter Name	Further Submission Number(s)
Horticulture New Zealand (Hort NZ)	FS17
Jill Fraser	FS2
Kāinga Ora	FS23
Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest & Bird)	FS9
Silver Fern Farms Limited (Silver Fern Farms)	FS8

PART A – PRELIMINARY MATTERS

1 Introduction

1.1 Scope of this report

- 1.1.1 This document details the evaluation and recommended decisions of the Proposed Central Hawke’s Bay District Plan Hearings Panel on the submissions and evidence relating to the planning maps considered at the Mapping and Miscellaneous topic hearing, held on 15 and 17 November 2022 at the CHBDC Chambers, Waipawa.
- 1.1.2 This topic covers submissions received on the PDP Planning Maps and, in particular, requesting amendments to the area-specific zones applying to certain land parcels or areas.
- 1.1.3 This Panel Report addresses general mapping submissions and rezoning requests 1 to 26. This report is in a single volume, addressing matters covered in Volume 1 and Volume 2 of the s42A report.
- 1.1.4 The recommendations in this report, together with all of the other recommendations of the Hearing Panel (“the Panel”) on submissions on the PDP, will all go before the full Council following the end of the hearings, who will make the formal decisions.
- 1.1.5 Our report focuses on the key issues in contention. Where there is no contention, such as submitter support for certain provisions, or minor matters where proposed changes are recommended in response to submissions, we have adopted the s42A report’s recommendations and the underlying evaluation behind such changes.

1.2 Statutory considerations

- 1.2.1 The Panel’s Report on Preliminary Matters and Statutory Requirements sets out the statutory framework and requirements for preparing a District Plan, as well as case law guidance for our consideration and recommendations. This framework is not repeated in this report. This report should be read in conjunction with the Report on Preliminary Matters and Statutory Requirements.
- 1.2.2 This report will refer to the Section 42A report ‘Officer’s Report: Maps & Rezoning Requests Volume 1 and Volume 2 prepared by Ms Rowena Macdonald and Ms Janeen Kydd-Smith.
- 1.2.3 As submissions on particular aspects of the PDP are considered through hearing reports, officers are required to consider any alternative provisions put forward in the context of what s 32 requires, and when changes are recommended, a further assessment under s 32AA will be provided if the change is a material departure from what was notified. That same obligation to make a further assessment under s 32AA also applies to the Panel if it decides to recommend changes as a result of submissions which materially depart from the notified version.
- 1.2.4 Through Minute #5, the Panel urged submitters to provide the hearings with a further assessment under s 32AA for any changes to the PDP they were seeking.
- 1.2.5 Where the Panel has made amendments to the Plan that are consistent with the recommendations contained within Council officers' s42A and / or right-of-reply reports (and where there are relevant joint witness statements) we have adopted the s32AA analysis contained within those reports (unless expressly stated otherwise). Those reports are part of the public record and are available on the CHBDC website.

- 1.2.6 Where the Panel has made amendments to the PDP that are not contained within Council officers' recommendations, we have undertaken the required s32AA analysis and have incorporated it into the body of our report. We are satisfied that the required substantive assessment has been undertaken.
- 1.2.7 During the time period between the notification of the PDP and the Hearing Stream 6 hearing, the National Policy Statement for Highly Productive Land (NPS-HPL) was introduced. The NPS-HPL took effect from 17 October 2022. It directs regional councils to map highly productive land, and until an operative Regional Policy Statement (RPS) contains maps of highly productive land, 'highly productive land' in the region must be taken to have the meaning in clause 3.5(7):
- (7) Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:*
- (a) is*
- (i) zoned general rural or rural production; and*
- (ii) LUC 1, 2, or 3 land; but*
- (b) is not:*
- (i) identified for future urban development; or*
- (ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.*
- 1.2.8 A legal submission for CHBDC in relation to the NPS-HPL was prepared by Asher Davidson, dated 9 November 2022. This advice was provided at the commencement of Hearing Stream 6. The NPS-HPL was considered by the reporting planner in the preparation of the s42A report.

1.3 Submissions

- 1.3.1 There were 70 submission points made by 22 submitters addressing mapping and rezoning requests, and 15 further submission points made by 5 further submitters.
- 1.3.2 In total, 26 requests for rezoning were made through submissions on the PDP. This report groups the requests as follows:
- General Rural / Rural Production Zone boundaries (Requests 1 – 3);
 - Additional Rural Lifestyle Zone areas (Requests 4 – 10);
 - Post-Treaty settlement land zoning (Requests 11 – 13);
 - Large Lot Residential Zone areas (coastal settlements) (Requests 14 – 17);
 - Settlement Zone areas (Requests 18 & 19);
 - Deferred Residential/Rural Lifestyle zoning (Request 20);
 - Additional Residential areas (Requests 21 – 23); and
 - Commercial / Industrial (or similar) areas (Requests 24 – 26).
- 1.3.3 Where more than one submitter requested amendments over the same (or part of the same) land, these have been grouped and considered together within the same section in this report.

- 1.3.4 Similarly, where there are multiple submission points relating to a single request, these have been grouped and assessed collectively.

1.4 Procedural matters

- 1.4.1 There were no pre-hearing meetings or meetings undertaken in accordance with cl8AA of Schedule 1, undertaken on the submissions relating to mapping and rezoning requests prior to the finalisation of the s42A report. Following circulation of the s42A report a meeting was held on 27 October 2022 between Mr Nick Aitken for CHBDC and reporting planner Ms Janeen Kydd-Smith to discuss the provisions for the Waipukurau South Precinct (Rezoning Request 23).
- 1.4.2 No matters of trade competition were raised.

1.5 Hearing

- 1.5.1 The hearings were held on 15 and 17 November 2022 at the CHBDC Chambers, Waipawa. The hearing was adjourned at 4.45pm on 17 November 2022.
- 1.5.2 Submitters who appeared at the hearing in relation to mapping and rezoning matters are shown below in Table 1. All evidence can be found on the PDP Hearing Schedule webpage under the relevant Hearing Topic [<https://www.chbdc.govt.nz/services/district-plan/proposed-district-plan/hearings/hearing-stream-6/>].

Table 1. Submitters who appeared at Hearing Stream 6: Mapping and Miscellaneous in relation to Mapping and Rezoning matters

Submitter (Submitter Number)	Represented by/ experts called	Nature of evidence	Rezoning request
Hort NZ (S81, FS17)	Jordyn Landers (planning)	Submitter evidence	Rezoning Request 26
Livingston Properties (S127, FS27)	Martin Williams (legal) Bill Livingston (director) Phil McKay (planning) Andrew Taylor (surveyor) Aaron Campion (traffic) Greg Morice (soils) Cam Wylie (Geotech) Shannon Bray (Landscape)	Legal submission Submitter statements and evidence	Rezoning Request 22
Silver Fern Farms (S116, FS8)	Steven Tuck	Submitter evidence	Rezoning Request 26
James Bridge (S105, FS4)	Josh Marshall (legal) Steve Goodman Angela McFlynn (planning)	Legal submission Submitter evidence	Rezoning Request 16
HTST (S120, FS13)	Stephen Daysh (planning)	Written statement	Rezoning Requests 11, 12 and 13
The Surveying Company (S50)	Nick Wakefield	Submitter evidence	Rezoning Requests 2, 4, 5, 6, 7, 8, 9, 10, 18
CHBDC	Nicholas Aiken (planning)	Submitter evidence	Rezoning Request 23

- 1.5.3 Ms Rowena Macdonald and Ms Janeen Kydd-Smith appeared as reporting planners for CHBDC.
- 1.5.4 Evidence provided by Ms Macdonald and Ms Kydd-Smith included:
- Officer’s Report: Maps & Rezoning Requests, Volume 1 and Volume 2 (“the s42A report”); and
 - verbal opening statements.
- 1.5.5 Ms Asher Davidson presented an overview of her legal submission for CHBDC regarding the NPS-HPL.
- 1.5.6 Following the adjournment of the hearing on 17 November, Minute 19, the nineteenth memorandum and direction of the Panel was issued on 28 November 2022. No particular matters were raised in relation to this topic.
- 1.5.7 A written right-of-reply from the Council’s reporting planners was received and circulated on 9 December 2022.

1.6 Structure of this report

- 1.6.1 Given the number, nature and extent of the submissions and further submissions received, we have structured this report according to the grouping of requests identified in the s42A report. While the s42A report is split into two volumes, this Panel Report addresses all rezoning requests in a single volume. The report addresses the requests as follows:
- Mapping – General; and
 - Rezoning requests 1 to 26.
- 1.6.2 The Panel’s recommendations for each submission point are listed in the table in Appendix B.

1.7 Process for assessing rezoning/spatial overlay requests

- 1.7.1 The approach taken to the assessment of the rezoning/spatial overlay submissions by the reporting planners in the s42A report is set out in that report. The guiding principles were attached as Appendix C to the s42A report. We have reviewed this approach and have adopted it for the purpose of our evaluation.
- 1.7.2 Further, the overarching expectation by the reporting planners was that the submitter would provide sufficient documentation in support of their request(s) with the onus on the submitter to provide the evidential foundation to support a change to the PDP. To this end, we acknowledge that the majority of submitters seeking rezonings did provide information to the hearing to support their requests, which was generally in proportion to the scale and implications of the proposed rezoning.
- 1.7.3 A key consideration to the Panel’s evaluation of requests to rezone land was whether the land included any classified as LUC 1,2 or 3 and therefore defined as highly productive land under the NPS-HPL. Many of the rezoning requests to change the zoning of land from RPROZ to GRUZ would have implications for managing the subdivision, use and development of land classified as LUC 1, 2 or 3, as, in general terms, the GRUZ has less restrictive controls over the subdivision and use of land than under the RPROZ. For example, the GRUZ enables the potential for a limited amount of rural lifestyle subdivision. The Panel was aware that the NPS-HPL anticipates a process to be undertaken by the Regional Council for determining when and where such pockets should be excluded or included as mapped areas of highly productive land. As a general principle, the Panel did not want to predetermine that process.

PART B – EVALUATION

2 Mapping - General

2.1 Proposed Plan provisions

2.1.1 This section addresses various submissions relating to mapping.

2.2 Submissions

2.2.1 There were 8 original submission points addressing various mapping matters with 1 further submission point.

2.2.2 The submissions related to the following matters:

- S56.030 Powerco– amend the legend description on the Planning Maps (opposed by Forest and Bird FS9.283);
- S103.003 Sandy Hill Farms– amend the boundary line on the planning maps for 1046 Blackhead Road;
- S94.001 Surveying the Bay– improve the methodology of selection of parcels with online maps;
- S90.051 Centralines– retain proposed zoning of Centralines landholdings;
- S46.001 Tony Robson – changes sought to Rural Lifestyle Zone application;
- S98.001 Hatuma Lime – retain proposed zoning of Hatuma Lime’s sites;
- S102.001 Te Mata Mushrooms – retain proposed zoning of Te Mata Mushrooms’ Mt Herbert Rd properties; and
- S54.003 David Bishop – add similar provision for structure plans to support large subdivisions in Waipawa and Waipukurau.

2.3 Reporting planner’s recommendations (s42A report)

S56.030 Powerco

2.3.1 The reporting planner agreed with Powerco that the legend description on the Planning Maps required correcting as follows:

Legend – Gas ~~Transmission~~ Distribution Network (Takapau Pipeline – Low Intermediate Pressure)

S103.003 Sandy Hill Farms

2.3.2 The reporting planner expected that once the ePlan maps were updated with the latest LINZ property data the boundaries of 1046 Blackhead Road would be corrected. In the meantime, the reporting planner considered the lack of property boundary accuracy did not negate the application of PDP zoning and other overlays applied to the land concerned.

S94.001 Surveying the Bay Ltd

- 2.3.3 The reporting planner advised that the current ePlan maps met the mandatory requirements of the National Planning Standards and that, while they would likely improve over time, the level of functionality sought by the submitter was not currently available.

S90.051 Centralines Ltd, S98.001 Hatuma Lime, S102.001 Te Mata Mushrooms

- 2.3.4 These submissions were in support of the proposed zonings and the s42A report recommended accepting the submissions.

S46.001 Tony Robson

- 2.3.5 The reporting planner recommended rejecting this submission for the reasons given in the Section 32 'Urban Environment' and 'Rural Environment' reports as to the application of the Rural Lifestyle Zone and the minimum lot size.

S54.003 David Bishop

- 2.3.6 The reporting planner considered that the expectation around the provisions of Structure Plans in support of rezoning is already contained in UFD-P4 and UFD-M3 and it would be inappropriate to require a structure plan in all cases.

2.4 Evidence to the hearing

- 2.4.1 No evidence was presented on these submissions.

2.5 Post hearing information

- 2.5.1 The reporting planner's right-of-reply did not address any matters relating to these submissions, and no additional information was provided.

2.6 Evaluation and findings

S56.030 Powerco Ltd

- 2.6.1 The Panel agrees with the reporting planner and Powerco that it is appropriate to correct the legend description on the Planning Maps as recommended by the reporting planner.

S103.003 Sandy Hill Farms Ltd

- 2.6.2 The Panel agrees with the reporting planner, the lack of property boundary accuracy does not negate the application of District Plan zoning and other overlays applying to the land concerned and notes the boundaries are expected to be corrected once updated with latest LINZ property data. Therefore, we recommend accepting this submission in part.

S94.001 Surveying the Bay

- 2.6.3 The Panel notes the reporting planner's advice that the current ePlan maps meet the mandatory requirements of the National Planning Standards and that, while they will likely improve over time, the level of functionality sought by the submitter is not currently available. Therefore, we do not recommend any changes and recommend accepting this submission in part.

S46.001 Tony Robson

- 2.6.4 The Panel agrees with the reporting planner's recommendation to reject this submission for the reasons given in the Section 32 'Urban Environment' and 'Rural Environment' reports as to the application of the Rural Lifestyle Zone and the minimum lot size.

S54.003 David Bishop

- 2.6.5 The Panel agrees with the reporting planner that the expectation around the provisions of Structure Plans in support of rezoning is already contained in UFD-P4 and UFD-M3 and that it would be inappropriate to require a structure plan in all cases. Therefore, we do not recommend any changes and recommend accepting this submission in part.

3 Rezoning Request 1 – State Highway 2, Northern Boundary of the District (various parcels)

3.1 Submissions

- 3.1.1 Surveying the Bay (S94.002) sought to change the zoning of Lot 2 DP 385756 (RT 343469), Lot 1 DP 6305 (RT HBM4/39) & Lots 1 & 2 DP 436815 (RT 536808) from 'Rural Production Zone' to 'General Rural Zone'. The submitter also sought 'an option for landowners to request land obviously in the incorrect Zone to be reclassified or provide relief through the resource consent process'.

3.2 Reporting planner's recommendations (s42A report)

- 3.2.1 The reporting planner considered the proposed Rural Production Zone is the most appropriate zoning for the land and recommended rejecting the submission. The reporting planner noted the land is predominantly LUC 3 (highly productive land), the State Highway provides a clear legal and defensible zone boundary, and the rezoning sought would create tiny, isolated pockets of Rural Production Zone land that fall outside the requested rezoning.

3.3 Evidence to the hearing

- 3.3.1 No evidence was presented on this rezoning request.

3.4 Post hearing information

- 3.4.1 This matter was not addressed in the 9 December 2022 right-of-reply.

3.5 Evaluation and findings

- 3.5.1 The Panel agrees with the reporting planner, for the reasons given, that the zoning of the land as Rural Production Zone is the most appropriate and recommends rejecting the submission. The Panel notes the land is predominantly LUC 3, which is highly productive land under the NPS-HPL, the State Highway is a clear defensible zone boundary and it is not desirable to create isolated pockets of Rural Production Zoned land. Finally, the Panel notes that the submitter did not engage or consult with the affected landowners prior to submitting this proposed zoning change.

4 Rezoning Request 2 – Pourerere Road / Racecourse Road / Evan Road, Waipawa

4.1 Submissions

- 4.1.1 The Surveying Company (S50.023) sought to zone land between Pourerere Road, Racecourse Road, and Evan Road, to the east of Waipawa, from 'Rural Production Zone' to 'General Rural Zone'.

4.2 Reporting planner's recommendations (s42A report)

- 4.2.1 The reporting planner considered the proposed Rural Production Zone is the most appropriate zoning for the land because more than 50% of the site is LUC 3, the land exhibits similar land use pattern and physical attributes to adjoining land within the Rural Production Zone, and there was no evidence provided of consultation with the owners. She therefore recommended rejecting this request.

4.3 Evidence to the hearing

- 4.3.1 Mr Wakefield presented evidence for the Surveying Company at the hearing. Having reviewed the s42A report, Mr Wakefield accepted that a good portion of the land zoned rural production was LUC 3 and was appropriate for highly productive use. Mr Wakefield, however, requested the Panel consider revising the zone boundaries to zone the areas that have a LUC 4 or greater classification to General Rural Zone.

4.4 Post hearing information

- 4.4.1 The reporting planners considered this matter in their 9 December 2022 right-of-reply. The reporting planners did not consider that the alternative boundaries offered by Mr Wakefield circumvent the application of the NPS-HPL and did not change their position from the s42A report to reject the submission.

4.5 Evaluation and findings

- 4.5.1 The Panel agrees with the reporting planner, for the reasons given, that the zoning of the land as Rural Production Zone is the most appropriate and recommends rejecting the submission. The Panel notes that around half the area is LUC 3. The Panel also notes that no engagement has been undertaken with the owners of the land, affected parties or the community.

5 Rezoning Request 3 – State Highway 2, South of Waipawa

5.1 Submissions

- 5.1.1 Two similar adjacent rezonings were requested for part of the land between Waipawa and Waipukurau.
- 5.1.2 Robert Malcolm (S93.001) sought that the zoning of the land located north of Waipukurau and south of Waipawa, between State Highway 2 and the rail corridor, starting at Kaimotu Road and extending to Tapairu Road (or thereabouts), be changed from 'Rural Production Zone' to 'General Rural Zone'.
- 5.1.3 The Smith Trusts (S100.001) sought that the zoning of 47 Limpus Road, Waipawa (Lot 2 DP 520793 Secs 28 29 SO3154 Pt Sec 2 Blk XV Waipukurau SD – 67.97ha), situated between State Highway 2 and the rail corridor, be changed from 'Rural Production Zone' to 'General Rural Zone'.

5.2 Reporting planner's recommendations (s42A report)

- 5.2.1 Given the LUC classification of the land subject to this rezoning request is predominantly LUC 4, and the land use pattern and the physical attributes appear more akin to adjacent land on the western side of State Highway 2, the reporting planner considered the requested rezoning offers a more efficient and effective method of achieving the strategic objectives of the PDP. However, the reporting planner considered that, unless the written approvals of the owners of the land not held in the submitters' ownership could be provided, the submissions should be rejected.

5.3 Evidence to the hearing

- 5.3.1 Mr Graeme Smith presented at the hearing for the Smiths Trust. Mr Smith did not consider the State Highway to be an appropriate zone boundary and suggested the land more akin to the land on the west (on the opposite side of the State Highway). Mr Smith advised that he had spoken to some of the other affected landowners. He advised that those neighbours were happy with the notified zoning (Rural Production Zone) as it stands.

5.4 Post hearing information

- 5.4.1 The reporting planners addressed this site in the right-of-reply dated 9 December 2022. The reporting planners considered the difference in development potential under the General Rural Zone and the Rural Production Zone. The difference between the two zones across the rezoning area is a maximum of five RPROZ lots versus a maximum of six GRUZ lots, and the fact that three of the six GRUZ lots could be non-productive Lifestyle Sites. As the land is predominantly LUC 4, such Lifestyle Sites could be easily positioned outside the LUC 3 / 'Highly Productive Land' areas. The reporting planners considered rezoning the land to General Rural Zone would have a minimal adverse effect on the protection of highly productive land in the District for land-based primary production, and is therefore not inconsistent with the NPS-HPL. They did not have a strong preference for retaining the current Rural Production Zone or rezoning to General Rural Zone in this instance, and therefore considered rezoning the land as requested is reasonable and appropriate. Accordingly, the reporting planners changed their recommendation to instead recommend the submissions of Mr Malcolm and the Smith Trusts to rezone the subject land to General Rural Zone be accepted.
- 5.4.2 The reporting planners recommended, if the land is rezoned, the boundary of the General Rural Zone be extended from the State Highway to the western edge of the designated railway corridor (to the east), between the river (to the north) and where the rail corridor meets SH2 (to the

south), incorporating all the land between and across to Maulder Road (to the west), as a logical and defensible boundary.



5.5 Evaluation and findings

- 5.5.1 The Panel agrees with the reporting planner’s recommendation that the land described in paragraph 5.4.2 be rezoned to General Rural Zone and that submissions S93.001 and S100.001 be accepted. The rezoning would still provide a defensible boundary, with the river to the north, the railway corridor to the east and State Highway 2 to the west. As noted by the reporting planner, only one of the land parcels within the subject area would be able to be subdivided under either the General Rural Zone or Rural Production Zone minimum lot size standards in the PDP as a controlled activity and that site belongs to the Smith Trusts. The Panel found that rezoning the land to General Rural Zone would have a minimal adverse effect on the protection of highly productive land in the District for land-based primary production, and is therefore not inconsistent with the NPS-HPL. It would also not have significant implications for the non-submitter landowners who have not submitted on the rezoning requests, given the small size of lot holdings.

6 Rezoning Request 4 – West of Ōtāne

6.1 Submissions

- 6.1.1 The Surveying Company (S50.020) sought to zone additional land to the west and south of Ōtāne as Rural Lifestyle Zone.

6.2 Reporting planner's recommendations (s42A report)

- 6.2.1 The reporting planner considered that, as the area requested to be rezoned is all LUC 3 land, the rezoning request is prima facie contrary to the NPS-HPL and would not be efficient or effective in achieving the strategic objectives of the PDP which focus on protecting the large and geographically cohesive area identified as 'highly productive land'. For this reason, the reporting planner recommended the submission be rejected.

6.3 Evidence to the hearing

- 6.3.1 Mr Wakefield presented evidence for the Surveying Company at the hearing. Having reviewed the s42A report, Mr Wakefield noted significant further subdivision in this area has taken place since the drafting of the PDP maps and considered the existing subdivision and the proposed zoning are incompatible. Mr Wakefield requested the Panel considered rezoning of the area around the existing lifestyle subdivisions, with the other areas remaining as rural production.

6.4 Post hearing information

- 6.4.1 The reporting planners considered this matter in the 9 December 2022 right-of-reply but did not change their position from that set out in the s42A report. They considered there was a high bar to overcome and robust evidence would be needed to support a rezoning of highly productive land to Rural Lifestyle which had not been provided. The reporting planners therefore considered the rezoning request should be rejected.

6.5 Evaluation and findings

- 6.5.1 The Panel agrees with the reporting planners that the submission requesting rezoning should be rejected. The area is all LUC 3 land and sufficient evidence has not been provided that would suggest that the area would fall within an exemption in the NPS-HPL. Further, no evidence of consultation with the affected landowners has been provided. The Panel also took into account that the NPS-HPL clause 3.10(4) directs that the size of a landholding in which the highly productive land occurs is not of itself a determinant of a permanent or long-term constraint, sufficient to exempt the land from the restrictions on subdivision under the NPS-HPL.

7 Rezoning Request 5 – East of Ōtāne / Elsthorpe Road

7.1 Submissions

- 7.1.1 The Surveying Company (S50.021) sought to zone additional land to the east of Ōtāne as Rural Lifestyle Zone. This was supported by Jill Fraser (FS2.2).

7.2 Reporting planners' recommendations (s42A report)

- 7.2.1 The reporting planners considered the proposed Rural Production Zone is the most appropriate zoning for the site and recommended rejecting the submission. The reporting planners

considered the rezoning request would not be efficient or effective in achieving the strategic objectives of the PDP which focus on protecting the large and geographically cohesive area identified as 'highly productive land' in Central Hawke's Bay, being the Rural Production Zone. Further, the rezoning request would be contrary to the NPS-HPL in relation to the portion of the area that is LUC 3 land.

7.3 Evidence to the hearing

- 7.3.1 Mr Wakefield presented evidence for the Surveying Company at the hearing and sought the land be re-zoned Rural Lifestyle as the existing land use is one of a rural lifestyle environment. Mr Wakefield noted only a small portion of the land is LUC Class 3, the rest being of a lesser productive capacity. Mr Wakefield noted concerns around the potential for a Rural Production Zoning to create reverse sensitivity issues around the existing uses.

7.4 Post hearing information

- 7.4.1 The reporting planners considered this matter in the 9 December 2022 right-of-reply but did not change their position from that set out in the s42A report. They considered there is a high bar to overcome and robust evidence would be needed to support a rezoning of Highly Productive Land to Rural Lifestyle which has not been provided. The reporting planners therefore considered the rezoning request should be rejected.

7.5 Evaluation and findings

- 7.5.1 The Panel agrees with the reporting planners that the submission seeking rezoning should be rejected. The submitter has not provided evidence that justifies the need for rural lifestyle development in this area and the Central Hawke's Bay Three Towns' Integrated Spatial Plan (ISP) did not identify a need for future rural residential growth areas in the vicinity of Ōtāne. The area contains LUC 3 land and sufficient evidence has not been provided that would suggest that the area would fall within an exemption in the NPS-HPL. Further, no evidence of consultation with the affected landowners had been provided.
- 7.5.2 The Panel also took into account that clause 3.10(4) of the NPS-HPL directs that the size of a landholding in which the highly productive land occurs is not of itself a determinant of a permanent or long-term constraint, sufficient to exempt the land from the restrictions on subdivision under the NPS-HPL.

8 Rezoning Request 6 – River Road, Pātangata

8.1 Submissions

- 8.1.1 The Surveying Company (S50.022) sought to zone additional land to the north and south of the Pātangata tavern, east of Ōtāne, as Rural Lifestyle Zone.

8.2 Reporting planners' recommendations (s42A report)

- 8.2.1 The reporting planners recommended the proposed General Rural Zoning of this area should remain and the submission be rejected. The reporting planners noted the potential for reverse sensitivity issues and that the rezoning of the portion of LUC 2 and 3 land would be contrary to the NPS-HPL. However, the reporting planners considered that, if this area is not ultimately mapped by the Regional Council as highly productive land, there could be some potential for future rezoning.

8.3 Evidence to the hearing

- 8.3.1 Mr Wakefield presented evidence for the Surveying Company at the hearing. Mr Wakefield considered it appropriate to create a lifestyle area in and around the existing amenity feature – the Pātangata Tavern.

8.4 Post hearing information

- 8.4.1 The reporting planners considered this matter in the 9 December 2022 right-of-reply but did not change their position from that set out in the s42A report. They considered there was a high bar to overcome and robust evidence would be needed to support a rezoning of Highly Productive Land to Rural Lifestyle which has not been provided. The reporting planners therefore considered the rezoning request should be rejected.

8.5 Evaluation and findings

- 8.5.1 The Panel agrees with the reporting planners that the submission seeking rezoning should be rejected. The Panel agrees there is not a clear western boundary to the requested rezoning and there is potential for reverse sensitivity issues to arise with existing primary production. The proposed zoning of the land as General Rural Zone is considered to be the most appropriate. The area contains LUC 2 and 3 land and sufficient evidence has not been provided that would suggest that the area would fall within an exemption in the NPS-HPL. Further, no evidence of consultation with the affected landowners has been provided.

9 Rezoning Request 7 – North of Waipawa

9.1 Submissions

- 9.1.1 The Surveying Company (S50.018) sought to zone additional land to the north-east of Waipawa as Rural Lifestyle Zone.

9.2 Reporting planners' recommendations (s42A report)

- 9.2.1 The reporting planners considered the proposed zoning of the land as General Rural Zone and Rural Production Zone is the most appropriate and recommended rejecting the submission. The reporting planners considered the rezoning request would be contrary to the NPS-HPL in relation to that portion of the area that is LUC 3 land, and would not be efficient or effective in achieving the objectives of the strategic objectives of the PDP which focus on providing for a sustainable supply of land to meet current and future urban development demands (Objective UFD-O1) and retaining and protecting the 'highly productive land' in CHB (Objectives UFD-O2, RLR-O3 & RLR-O4).

9.3 Evidence to the hearing

- 9.3.1 Mr Wakefield presented evidence for the Surveying Company at the hearing. Mr Wakefield considered the area has an existing landform of subdivision and rural lifestyle living, and zoning this General Rural and Rural Production could result in reverse sensitivity issues. Mr Wakefield also noted potential inconsistency with the adjacent area being zoned Rural Lifestyle.

9.4 Post hearing information

- 9.4.1 The reporting planners considered this matter in the 9 December 2022 right-of-reply but did not change their position from that set out in the s42A report. They considered there was a high bar to overcome and robust evidence would be needed to support a rezoning of Highly Productive Land to Rural Lifestyle which has not been provided. The reporting planners therefore considered the rezoning request should be rejected.

9.5 Evaluation and findings

- 9.5.1 The Panel agrees with the reporting planners that the submission seeking rezoning should be rejected. There is already 184ha of land to the north of Waipawa, in this general location, zoned Rural Lifestyle in the PDP and the submitter has not provided evidence that justifies the need for additional rural lifestyle development. The ISP identifies two areas for future residential growth in the area and rezoning these areas to Rural Lifestyle Zone could restrict the ability to expand the General Residential Zone in the future, and would be a less efficient use of the land resource. The area contains LUC 3 land and sufficient evidence has not been provided that would suggest that the area would fall within an exemption in the NPS-HPL. Further, no evidence of consultation with the affected landowners has been provided.

10 Rezoning Request 8 – East of Ireland Road / Homewood Road, Waipawa

10.1 Submissions

- 10.1.1 The Surveying Company (S50.019) sought to zone additional land to the east of Waipawa as Rural Lifestyle Zone.

10.2 Reporting planners' recommendations (s42A report)

- 10.2.1 The reporting planners considered the proposed zoning of the land as General Rural Zone and Rural Production Zone is the most appropriate and recommended rejecting the submission. The reporting planners considered the rezoning request would be contrary to the NPS-HPL in relation to that portion of the area that is LUC 3 land, and would not be efficient or effective in achieving the objectives of the strategic objectives of the PDP which focus on providing for a sustainable supply of land to meet current and future urban development demands (Objective UFD-O1) and retaining and protecting the 'highly productive land' in Central Hawke's Bay (Objectives UFD-O2, RLR-O3 & RLR-O4).

10.3 Evidence to the hearing

- 10.3.1 Mr Wakefield presented evidence for the Surveying Company at the hearing. Mr Wakefield considered there are multiple lifestyle lots in the area and a Rural Lifestyle zoning would be consistent with existing land use.

10.4 Post hearing information

- 10.4.1 The reporting planners considered this matter in the 9 December 2022 right-of-reply but did not change their position from that set out in the s42A report. They considered there was a high bar to overcome and robust evidence would be needed to support a rezoning of Highly Productive Land to Rural Lifestyle which had not been provided. The reporting planners therefore considered the rezoning request should be rejected.

10.5 Evaluation and findings

- 10.5.1 The Panel agrees with the reporting planners that the submission seeking rezoning should be rejected. There is already 184ha of land to the north of Waipawa, in this general location, zoned Rural Lifestyle in the PDP and the submitter has not provided evidence that justifies the need for additional rural lifestyle development. The UFD – Urban Form and Development chapter of the PDP already identifies potential direction for new areas of residential and rural residential growth, if required over the life of this District Plan (via a formal plan change). Further, the ISP does not identify a need for future rural residential growth areas in the vicinity of Waipawa. With significant rezoning of land on the boundaries of the townships for rural lifestyle development, there would be considerable disincentive to consolidate residential growth within existing urban areas.
- 10.5.2 The area contains LUC 3 land and sufficient evidence has not been provided that would suggest that the area would fall within an exemption in the NPS-HPL. Further, no evidence of consultation with the affected landowners had been provided.
- 10.5.3 The Panel also took into account that clause 3.10(4) of the NPS-HPL directs that the size of a landholding in which the highly productive land occurs is not of itself a determinant of a

permanent or long-term constraint, sufficient to exempt the land from the restrictions on subdivision under the NPS-HPL.

11 Rezoning Request 9 – Kyle Road, Waipukurau

11.1 Submissions

- 11.1.1 Two submissions sought rezonings on Kyle Road, west of Waipukurau.
- 11.1.2 David Tilyard (S10.001) sought inclusion of 110 Kyle Road, Waipukurau (approximately 3.5ha), in the adjoining Rural Lifestyle Zone, on the basis that “it would be in keeping with the rest of the properties on Kyle Road (all zoned as Rural Lifestyle in the proposed District Plan)”.
- 11.1.3 The Surveying Company (S50.025) sought to zone additional land at the western end of Kyle Road (including 110 Kyle Road), Waipukurau, as Rural Lifestyle Zone.

11.2 Reporting planners’ recommendations (s42A report)

- 11.2.1 The reporting planners considered that the proposed zoning of the land as General Rural Zone should remain and recommended rejecting the submissions. The reporting planners considered, as the land is all LUC 3 land, the rezoning would be contrary to the NPS-HPL. However, the reporting planners noted that, if the Regional Council does not ultimately map the area as highly productive land, the area may offer some potential for a future rezoning to Rural Lifestyle Zone, as the area is relatively small and discrete, and contiguous with the existing Rural Lifestyle Zone to the west of Waipukurau township, and that Pukeora Scenic Road likely presents a suitable, logical and defensible boundary. This would need to occur by way of a Schedule 1 RMA plan change process.

11.3 Evidence to the hearing

- 11.3.1 Mr Wakefield presented evidence for the Surveying Company at the hearing. Mr Wakefield considered a Rural Lifestyle zoning would be consistent with existing land use.

11.4 Post hearing information

- 11.4.1 The reporting planners considered this matter in the 9 December 2022 right-of-reply but did not change their position from that set out in the s42A report. They considered there was a high bar to overcome and robust evidence would be needed to support a rezoning of Highly Productive Land to Rural Lifestyle which has not been provided. The reporting planners therefore considered the rezoning request should be rejected.

11.5 Evaluation and findings

- 11.5.1 The Panel agrees with the reporting planners that the submissions seeking rezoning should be rejected. The area has not been identified in the ISP as suitable for rural residential development. The area is all LUC 3 land and sufficient evidence has not been provided that would suggest that the area would fall within an exemption in the NPS-HPL. The Panel concurs with the reporting planner that if the land is not ultimately mapped by the HBRC as highly productive land, the area may offer some potential for future rezoning to Rural Lifestyle Zone.

12 Rezoning Request 10 – Racecourse Road, Lake Whatumā

12.1 Submissions

- 12.1.1 Two submissions sought rezoning on or near the Waipukurau racecourse.

- 12.1.2 The Waipukurau Jockey Club (S62.001) sought one of two options – (1) either zone 3.13ha of land at 218 Racecourse Road, Waipukurau, to ‘Residential’, or (2) zone the entire racecourse site (51.36ha) as a ‘Special Purpose – Equine Centre’ or apply a ‘Scheduled Activity’ overlay.
- 12.1.3 The Surveying Company (S50.024 & S50.026) sought to zone the racecourse adjacent to Lake Whatumā to either ‘Residential’ or ‘Deferred Residential Zone’, and also to zone the land between Racecourse Road and Lake Whatumā to ‘Rural Lifestyle Zone’.

12.2 Reporting planners’ recommendations (s42A report)

- 12.2.1 In relation to the request to rezone Waipukurau Racecourse, the reporting planners considered the proposed zoning as Rural Production Zone the most appropriate. The reporting planners considered the rezoning of the racecourse site for residential or other non-land-based primary production activities (e.g. community facility/equine centre) was contrary to the NPS-HPL and the RPS, and did not achieve the strategic objectives of the PDP which were to provide for a sustainable supply of land to meet current and future urban development demands (Objective UFD-O1), to retain and protect valuable highly productive land in the District from urban development (Objective UFD-O2), and to ensure that new urban development was planned for and undertaken in a manner that is consistent with the matters outlined in the RPS (Objective UFD-O3).
- 12.2.2 In relation to the request to rezone the western side of Racecourse Road to Rural Lifestyle Zone, the reporting planners considered rezoning the portion containing LUC 3 land would be contrary to the NPS-HPL and would not be efficient or effective in achieving the strategic objectives of the PDP which focus on protecting the large and geographically cohesive area identified as ‘highly productive land’ in CHB (being the Rural Production Zone) as notified, and future development of this area may increase flooding potential through additional loading to Lake Whatumā. The reporting planners recommended the proposed Rural Production Zone should be retained as the most appropriate zoning.
- 12.2.3 For these reasons, the reporting planners recommended submissions S50.024, S50.026, and S62.001 be rejected.

12.3 Evidence to the hearing

- 12.3.1 Mr Wakefield presented evidence for the Surveying Company at the hearing. Mr Wakefield considered a Rural Lifestyle zoning would be more compatible with the cleaning up and regeneration of Lake Whatumā, with the land not being used for highly productive purposes currently due to issues with nitrate leaching and impacts on the lake.

12.4 Post hearing information

- 12.4.1 The reporting planners considered this matter in the 9 December 2022 right-of-reply but did not change their position from that set out in the s42A report. The reporting planners did not consider that the alternative boundaries offered by Mr Wakefield circumvented the application of the NPS-HPL. The reporting planners therefore considered the rezoning request should be rejected.

12.5 Evaluation and findings

- 12.5.1 In relation to the request by the Waipukurau Jockey Club to rezone Waipukurau Racecourse, the Panel agrees with the reporting planner that the rezoning request should be rejected.

- 12.5.2 The area contains LUC 3 land and the rezoning of the racecourse site for residential or other non-land-based primary production activities (e.g., community facility/equine centre) is prima facie contrary to the NPS-HPL. The Panel noted the ISP identifies the racecourse site as a 'potential urban growth area for focused investigation' in the medium term (3-10 years) but the area is not currently identified as a potential direction for future greenfield growth for Waipukurau in the UFD – Urban Form & Development chapter of the PDP. No further information on investigation was provided as part of the rezoning request.
- 12.5.3 In addition, with respect to the Club's Option 2, the Panel considers that the creation of a Special Purpose zone or overlay would require the creation of a whole new set of provisions in the District Plan and this has not been provided by the submitter nor has a s32 evaluation. The Panel notes the existing use rights of the facility and the potential consenting pathway for an equine centre as a community facility in the Rural Production Zone as options for the Club to consider in any future development.
- 12.5.4 The Panel agrees with the reporting planner that, once the regional council has mapped the highly productive land in the district (which it is required to notify under RMA Schedule 1 no later than October 2025)¹, it may be appropriate to reconsider the potential rezoning of this site depending on the identified extent of highly productive land.
- 12.5.5 In relation to the request by The Surveying Company to rezone the western side of Racecourse Road to Rural Lifestyle Zone, the Panel agrees with the reporting planners that the rezoning request should be rejected. The submitter has not provided evidence that justifies the need for rural lifestyle development in this area and there is no justification provided in the ISP for rezoning land to the south of Waipukurau for rural lifestyle purposes in addition to what is already proposed. Significant rezoning of land on the boundary of Waipukurau for rural lifestyle development may act as a disincentive to the consolidation of residential growth within the existing urban boundaries. It also effectively would limit any urbanisation of the land once developed for rural lifestyle.
- 12.5.6 There are also environmental and infrastructure constraints affecting the area associated with the discharge of stormwater in this area draining to Lake Whatumā.
- 12.5.7 As already noted above, the area contains LUC 3 land and sufficient evidence has not been provided that would suggest that the area would fall within an exemption in the NPS-HPL. Further, no evidence of consultation with all affected landowners has been provided.

¹ NPS-HPL clause 3.5(1)

13 Rezoning Request 11 – Margins of Lake Whatumā

13.1 Submissions

13.1.1 To include provision for the opportunity for Tangata Whenua to live on the margins of the Lake Whatumā and to enable the development of an environmental education facility, HTST (S120.001 & S120.002) sought to:

1. Amend the zoning of Section 7 Block II Motuotaraia Survey District to include part of the site to be zoned Rural Lifestyle as shown in Appendix 2.
2. Amend the zoning of Lot 1 DP 7057 to include the Community Facility (CF) notation over the site to enable the use of the site for environmental education purposes and associated facilities.

13.2 Reporting planners' recommendations (s42A report)

13.2.1 In relation to the Rural Lifestyle Zone rezoning request, the reporting planners considered the proposed zoning of the land as Rural Production Zone should be retained as the most appropriate zoning for the land. The reporting planners noted in particular the flood risk in the area.

13.2.2 In relation to the request for rezoning to include a Community Facility notation, the reporting planners noted the National Planning Standards does not have a Community Facility zone. The creation of a Special Purpose Zone or Māori Purpose Zone would require drafting of a new chapter which would not be appropriate at this stage in the process. The reporting planners noted the Rural Production Zone allows for community facilities up to 100m² as a permitted activity but noted the potential constraints of the NPS-HPL and flooding constraints. The reporting planners considered the proposed zoning of the land as Rural Production Zone should be retained as the most appropriate zoning for the land.

13.2.3 The reporting planners recommended S120.001 and S120.002 be rejected.

13.3 Evidence to the hearing

13.3.1 Stephen Daysh provided a written statement for HTST generally supporting the recommendations in the s42A report.

13.4 Post hearing information

13.4.1 This rezoning request was not addressed in the right-of-reply and no additional information has been received.

13.5 Evaluation and findings

13.5.1 The Panel agrees with the reporting planners' recommendation that the rezoning requests be rejected, noting that Stephen Daysh provided a written statement for HTST generally supporting the recommendations in the s42A report. For the reasons outlined in the s42A report the Panel agrees that the proposed zoning of the land as Rural Production Zone is the most appropriate and should be retained.

14 Rezoning Request 12 – Pukeora Scenic Road / State Highway 2, West of Waipukurau

14.1 Submissions

14.1.1 To include provision for the opportunity for Tangata Whenua to live on their land on Pukeora Scenic Drive, HTST (S120.003 & S120.004) sought to:

1. Amend the zoning of Part Lot 1 DP 25272 to rezone this parcel of land Rural Lifestyle Zone in line with the indicative Structure Plan attached as Appendix 2 to enable the development of lots with an average size of 4000m² and a minimum lot size of 2500m².
2. Amend the zoning on Lot 4 DP 25272 to include:
 - Approximately 39 hectares of Lot 4 DP 25272 is to be rezoned Rural Lifestyle Zone with an average lot size of 4000m² and a minimum lot size of 2500m²; and
 - Approximately 11 hectares of Lot 4 DP 25272 to be rezoned Residential Zone to provide for a maximum of 150 dwellings.

14.2 Reporting planners' recommendations (s42A report)

14.2.1 In relation to the request to rezone Pt Lot 1 DP 25272 to Rural Lifestyle Zone, the reporting planners considered that the land should remain General Rural Zone as proposed, noting in particular the flood risk and the LUC 1 classification of the area which would make the rezoning contrary to the NPS-HPL. The reporting planners recommended S120.003 be rejected.

14.2.2 In relation to the request to rezone Lot 4 DP 25272 to a mix of Rural Lifestyle Zone and General Residential Zone, the reporting planners did not consider it appropriate to rezone part of the area for General Residential but did support amending the proposed zoning from General Rural Zone to Rural Lifestyle Zone. The reporting planners considered the rezoning would fall into the exemption in clause 3.10(1) & (2) of the NPS-HPL and therefore would not be inconsistent with the NPS-HPL. The reporting planners considered the Rural Lifestyle Zone would be the most appropriate zone to achieve the strategic objectives of the PDP, in particular Objective TW-O4. The reporting planners considered applying Rural Lifestyle Zone to the entire parcel to be within the scope of the submission and recommended that S120.004 be accepted in part. The reporting planners provided a s32AA evaluation of the change.

14.3 Evidence to the hearing

14.3.1 Stephen Daysh provided a written statement for HTST generally supporting the recommendations in the s42A report, in particular the zoning of the land at Pukerora to Rural Lifestyle Zone.

14.4 Post hearing information

14.4.1 This rezoning request was not addressed in the right-of-reply and no additional information has been received.

14.5 Evaluation and findings

14.5.1 The Panel agrees with the reporting planners' recommendation that the submission (S120.003) requesting rezoning of Part Lot 1 DP 25272 to Rural Lifestyle Zone be rejected and the submission (S120.004) requesting rezoning of Lot 4 DP 25272 to Rural Lifestyle Zone be accepted in part.

- 14.5.2 In relation to Part Lot 1 DP 25272, the Panel notes this area is zoned General Rural and is all LUC 1 land. The rezoning would therefore be contrary to the NPS-HPL. In addition, the site is within an identified flood risk area which presents significant constraints to development for rural residential purposes. The Panel considers the proposed zoning as General Rural Zone is most appropriate.
- 14.5.3 In relation to Lot 4 DP 25272, the Panel considers that, although there is a small area of LUC 3 land, this would fall within the exemption under clause 3.10(1) and (2) of the NPS-HPL as outlined in the s42A report. Therefore, rezoning to Rural Lifestyle Zone would not be inconsistent with the NPS-HPL. The Panel agrees with the reporting planner however that applying a General Residential zoning to 11ha as sought by the submitter would be inconsistent with the approach in the PDP of only using this zone within the urban boundaries of Waipawa and Waipukurau. In addition, sufficient detail has not been provided by way of a Structure Plan to enable consideration of all constraints. For these reasons, the Panel considers that it would be appropriate to apply the Rural Lifestyle Zone to the parcel. This would provide logical and defensible Rural Lifestyle Zone boundaries, as the parcel boundary comprises roads (State Highway 2 & Pukeora Scenic Road) for the most part. Further, a Rural Lifestyle zoning of this parcel of Treaty Settlement land provides greater opportunity for Māori to live on their ancestral land in this location, allowing recognition and provision for the relationship of Māori and their culture and traditions with their ancestral lands, which is a matter of national importance under s6(e) of the RMA.
- 14.5.4 The Panel recommends the Planning Maps be amended to rezone Lot 4 DP25727 (identified below) from General Rural Zone to Rural Lifestyle Zone.



15 Rezoning Request 13 – Te Aute College, Te Aute

15.1 Submissions

- 15.1.1 HTST (S120.005) sought to amend the Planning Maps to include a 'Community Facility (CF)' notation over the area of Te Aute College, Pt Lot 29 DP 4416 (as shown in Appendix 2 of the full submission).

15.2 Reporting planners' recommendations (s42A report)

- 15.2.1 Given the HTST submission states they support the zoning of Te Aute College as General Rural Zone and support the Ministry of Education's designation of the college for 'education purposes' (Designation MEDU-13), the reporting planners interpreted the submission to be seeking to identify the site as a 'Community Facility' on the Planning Maps. Given Te Aute College is similarly identified in the Operative District Plan, the reporting planners recommended the submission be

accepted and the Planning Maps be amended to include a Community Facility notation over Te Aute College and that SCHED8 be amended as follows:

Unique Identifier	Site Identifier	Location	Map Reference
...
CF-65	Te Aute College	State Highway 2, Pukehou	XX

15.3 Evidence to the hearing

- 15.3.1 Stephen Daysh provided a written statement for HTST generally supporting the recommendations in the s42A report, in particular identifying the Te Aute College site as a “Community Facility”.

15.4 Post hearing information

- 15.4.1 This request was not addressed in the right-of-reply and no additional information has been received.

15.5 Evaluation and findings

- 15.5.1 For the reasons given by the reporting planners, the Panel agrees with their recommendation to include a Community Facility notation over Te Aute College and amend SCHED8. This is considered to be a minor editorial amendment that would improve the effectiveness of provisions without changing the policy approach.

16 Rezoning Request 14 – Māori Land at Te Paerahi, and Pah Road / Cooks Tooth Road, Pōrangahau

16.1 Submissions

- 16.1.1 Karl Tipene (S59.001) sought the rezoning of Māori owned land around the coastal settlement and Pah/Cooks Tooth Road areas on the basis that ‘it would be better zoned as a mix of General Residential, Rural Lifestyle, Residential Coastal and Papakāinga’.

16.2 Reporting planners’ recommendations (s42A report)

- 16.2.1 The reporting planners considered that there is merit in providing opportunity for Māori to live on their ancestral lands in this location, and that this would allow recognition and provision for the relationship of Māori and their culture and traditions with their ancestral lands, which is a matter of national importance under s6(e) of the RMA. However, the reporting planners considered there was insufficient detail in the submission to determine what extent of rezoning the submitter was seeking and, specifically, to what land it would apply. The reporting planners therefore recommended the submission be rejected.

16.3 Evidence to the hearing

- 16.3.1 No evidence was presented at the hearing in relation to this matter.

16.4 Post hearing information

- 16.4.1 This request was not addressed in the right-of-reply and no additional information has been received.

16.5 Evaluation and findings

- 16.5.1 The Panel agrees that the opportunity for Māori to live on their ancestral lands in this location has merit. However, the current submission provided an insufficient level of detail to enable the Panel to determine the extent of rezoning sought. Given this, and as covered in Panel Report 4A: Tangata Whenua, the development of a future 'Māori Purpose Zone' could be appropriate for the district and could provide a way of facilitating the types of development the submitter anticipated in and around Pōrangahau and Te Paerahi. However, this would need to occur by way of a future plan change and would also enable matters relating to flood risk and productive soils to be appropriately considered. The Panel therefore agrees with the reporting planners that the submission should be rejected.

17 Rezoning Request 15 – Pōrangahau Country Club, Te Paerahi

17.1 Submissions

- 17.1.1 The Surveying Company (S50.028) sought to zone land currently owned by the Pōrangahau Country Club from 'General Rural Zone' to 'Large Lot Residential Zone'.

17.2 Reporting planners' recommendations (s42A report)

- 17.2.1 The reporting planners were of the view that the proposed zoning of the land as General Rural Zone should remain and recommended the submission be rejected. The reporting planners noted the land is within the 'Tsunami Hazard (Near Source Inundation Extent)' overlay and other constraints may also apply to the land. The submitter has not established that there is additional demand for coastal residential development in Te Paerahi, nor has the submitter considered the implications for the Country Club as a significant social and recreational resource for the local community.

17.3 Evidence to the hearing

- 17.3.1 No evidence was presented at the hearing in relation to this matter.

17.4 Post hearing information

- 17.4.1 This request was not addressed in the right-of-reply and no additional information has been received.

17.5 Evaluation and findings

- 17.5.1 The Panel agrees with the reporting planners that the submission should be rejected and the proposed General Rural zoning should remain. The land is within the 'Tsunami Hazard (Near Source Inundation Extent)' overlay and there may also be other constraints that apply to the land which have not been addressed in the submission. The submitter has not established that there is additional demand for coastal residential development in Te Paerahi, nor has the submitter considered the implications for the Country Club as a significant social and recreational resource for the local community. Further, the submitter has requested this change in zoning without reference to, or evidence of consultation with, the owners of the land concerned.

18 Rezoning Request 16 – North of Pourerere

18.1 Submissions

- 18.1.1 James Bridge (S105.024) sought to zone the land identified on the map in Figure 1 of their submission from 'General Rural Zone' to 'Large Lot Residential Zone'.

18.2 Reporting planners' recommendations (s42A report)

- 18.2.1 The reporting planners considered the proposed zoning of the land as General Rural Zone is the most appropriate and recommended the submission be rejected. The reporting planners noted several factors including the presence of LUC 3 land and inconsistency with the NPS-HPL, the presence of the 'Tsunami Hazard (Near Source Inundation Extent)' overlay, the sensitivity of the coastal environment and coastal hazards, and the lack of a logical and clearly defensible boundary.

18.3 Evidence to the hearing

- 18.3.1 Mr Joshua Marshall provided legal submissions and spoke at the hearing for James Bridge. Mr Marshall suggested that the land requested to be rezoned can be divided into three categories:
- Existing Subdivision Land (20 residential lots each around 5,000m² plus a communal lot) – Consent no RM180160/RM180160A;
 - Proposed Subdivision Land (48 residential allotments subject to an application for resource consent); and
 - The remainder of the land not currently subdivided or subject to a consent application for subdivision.
- 18.3.2 Mr Marshall submitted that the Existing Subdivision Land is already residential in nature and the zoning should reflect the consented subdivision. Written statements were provided by Mr Steve Goodman and Ms Angela McFlynn in relation to this area.
- 18.3.3 Steve Goodman (Goodman Rural) gave evidence for James Bridge that lots 1-21 DP 571994 adjoining Pourerere are individually too small for agricultural or horticultural production and combined (6ha) would be uneconomic for pastoral farming because of the small scale. Mr Goodman also provided reasons as to why horticultural production would not be viable.
- 18.3.4 Angela McFlynn gave planning evidence for James Bridge that if the land comprising lots 1-21 DP 571994 were zoned Large Lot Residential instead of General Rural there would be no difference in the range of activities that would be permitted on the land, noting development rights are restricted by covenants on the titles. Ms McFlynn provided a comparison of building setback rules and a copy of the covenant and registered society rules.

18.4 Post hearing information

- 18.4.1 The reporting planners considered this matter in the right-of-reply of 9 December 2022. The reporting planners noted several factors, including:
- Reducing setback distances for future buildings from boundaries could result in reverse sensitivity effects which have not been addressed;
 - Applying the Large Lot Residential Zone could allow for further subdivision of the lots;
 - Spot zoning of this nature does not represent good planning practice;

- The rezoning request does not overcome the identification of the land as LUC 3 and classification as highly productive land under the NPS-HPL;
- The submitter has not provided an assessment against the NZCPS, and
- A Structure Plan has not been provided in accordance with Policy UD10.2 of the RPS.

18.4.2 The reporting planners did not change their recommendation to reject the rezoning request across all three categories of Mr Bridge's land.

18.5 Evaluation and findings

- 18.5.1 The Panel agrees with the reporting planners that the proposed zoning of the land as General Rural Zone is the most appropriate and recommends the submission be rejected. The Panel agrees with the reasons given by the reporting planners, noting in particular the presence of LUC 3 land and inconsistency with the NPS-HPL, the presence of the 'Tsunami Hazard (Near Source Inundation Extent)' overlay, the sensitivity of the coastal environment and coastal hazards, and the potential for further subdivision of existing lots if the land was rezoned. The Panel agrees that the existence of smaller lots, as approved by the subdivision consent, should not be used as a driver for rezoning the land to Large Lot Residential Zone.
- 18.5.2 The Panel also took into account that clause 3.10(4) of the NPS-HPL directs that the size of a landholding in which the highly productive land occurs is not of itself a determinant of a permanent or long-term constraint, sufficient to exempt the land from the restrictions on subdivision under the NPS-HPL.

19 Rezoning Request 17 – Extension of Large Lot Residential Zone Areas

19.1 Submissions

- 19.1.1 James Bridge (S105.026) sought to ‘Extend zoning for coastal settlements to LLRZ [Large Lot Residential Zone] and account for future growth’.

19.2 Reporting planners’ recommendations (s42A report)

- 19.2.1 The reporting planners recommended the submission be rejected, noting several factors including the unclear nature of the physical extent of the extension sought, an absence of demonstrated demand, and the need to consider the NPS-HPL. The reporting planners did not consider the existence of approved coastal residential subdivisions necessarily acts as justification for rezoning land to Large Lot Residential Zone.

19.3 Evidence to the hearing

- 19.3.1 Mr Joshua Marshall provided legal submissions and spoke at the hearing for James Bridge. Mr Marshall submitted that the territorial authority has a duty to plan for the future when allocating zoning and the district plan as currently proposed for coastal settlements does not meet Council’s legal obligations.

19.4 Post hearing information

- 19.4.1 This request was not addressed in the right-of-reply and no additional information has been received.

19.5 Evaluation and findings

- 19.5.1 The Panel agrees with the reporting planners that this submission should be rejected. The extent of the requested rezoning is unclear from the submission and evidence has not been provided to establish what demand (if any) exists for additional housing in the coastal areas in the short to medium term. No justification in terms of the NZCPS policies for the coastal environment was provided. The Panel agrees that the presence of coastal residential subdivisions within the General Rural Zone does not necessarily act as justification for rezoning land to Large Lot Residential Zone.

20 Rezoning Request 18 - Tikokino

20.1 Submissions

- 20.1.1 The Surveying Company (S50.027) sought to zone land on the outskirts of Tikokino from 'General Rural Zone' to 'Settlement Zone'.

20.2 Reporting planners' recommendations (s42A report)

- 20.2.1 The reporting planners considered the proposed zoning of the land as Rural Production Zone to be the most appropriate zoning, as the land is identified as LUC 2 and 3 land and the requested rezoning would be contrary to the NPS-HPL and not efficient or effective in achieving the strategic objectives of the PDP, which focus on protecting the large and geographically cohesive area identified as 'highly productive land' in CHB (being the Rural Production Zone). For these reasons, the reporting planners recommended the submission be rejected.

20.3 Evidence to the hearing

- 20.3.1 Mr Wakefield presented evidence for the Surveying Company at the hearing. Mr Wakefield accepted that the land is categorized as LUC 3, but much of the potential land use and existing land use in these areas is of a residential nature due to the current cadastral framework.

20.4 Post hearing information

- 20.4.1 The reporting planners considered this matter in their 9 December 2022 right-of-reply. The reporting planners did not consider that the alternative boundaries offered by Mr Wakefield circumvent the application of the NPS-HPL and did not change their position from the s42A report to recommend rejecting the submission.

20.5 Evaluation and findings

- 20.5.1 The Panel agrees with the reporting planners' recommendation that the submission be rejected. The Panel notes the land is all LUC 2 and 3 land and considers the requested rezoning would be prima facie contrary to the NPS-HPL and would not achieve the strategic objectives of the PDP to maintain the productive capacity of the District's rural land resource. The ISP did not determine there is a need for substantial greenfield residential growth over the short to medium term and the submitter has not established there is a demand for household growth in the Tikokino area over the short to medium term that would justify extending the Settlement Zone by a further 42ha. The Panel also notes that no engagement has been undertaken with the owners of the land, affected parties or the community with respect to this submission.

21 Rezoning Request 19 – Ōtāne

21.1 Submissions

- 21.1.1 The Surveying Company (S50.005) sought to rezone Ōtāne from Settlement Zone to General Residential Zone. This submission was supported by Jill Fraser (FS2.1).

21.2 Reporting planners' recommendations (s42A report)

- 21.2.1 The reporting planners considered the proposed Settlement Zoning of Ōtāne (and the currently proposed minimum net site area applying therein) to be the most appropriate zoning. The

reporting planners noted the different mix and scale of activities provided for in the Settlement Zone compared to the General Residential Zone and considered that, if Ōtāne was rezoned General Residential, some consideration would need to be given to amending the zone provisions to provide for the same range of activities that currently characterise the township, or consideration for inclusion of a Commercial Zone/General Industrial Zone within the town boundaries. This would require considerable amendments to the PDP that have not been consulted on or made available as part of the notified PDP process. The reporting planners also noted that the density of development provided under the Settlement Zone was generally supported during consultation on the ISP. For these reasons, the reporting planners recommended the submission be rejected.

21.3 Evidence to the hearing

21.3.1 No evidence was presented at the hearing in relation to this matter.

21.4 Post hearing information

21.4.1 This rezoning request was not addressed in the reporting planners' right-of-reply and no additional information has been received.

21.5 Evaluation and findings

21.5.1 The Panel agrees with the reporting planners that the submission should be rejected. The Panel agrees that the activities permitted under the Settlement Zone provide for a different mix and scale of activities than that provided under the General Residential Zone, reflecting the unique village character. If the zoning was to change there would need to be consideration to what provisions would be appropriate to apply to Ōtāne which may require substantial amendment to the General Residential Zone provisions beyond the scope of what is appropriate to make at this stage in the process without further community consultation and engagement. The Panel therefore agrees that the zoning of the land as Settlement Zone (with the proposed minimum lot size of 600m² for the serviced towns in the Settlement Zone) is the most appropriate.

22 Rezoning Request 20 – Deferred Zonings

22.1 Submissions

22.1.1 The Surveying Company (S50.006) sought to 'zone for deferred Residential and deferred Rural Lifestyle adjacent to areas already with these zonings'.

22.2 Reporting planners' recommendations (s42A report)

22.2.1 The reporting planners recommended rejecting the submission, noting it does not identify a specific location or extent of areas where a deferred zoning was sought, and there was insufficient information provided to assess the request. The planners also considered there is no assessed demand for additional greenfield residential and rural lifestyle zone areas at this time, and the required structure planning and infrastructure enabling work to support such rezonings has not been initiated.

22.3 Evidence to the hearing

22.3.1 No evidence was presented at the hearing in relation to this matter.

22.4 Post hearing information

- 22.4.1 This request was not addressed in the right-of-reply and no additional information has been received.

22.5 Evaluation and findings

- 22.5.1 The Panel agrees with the reporting planners that the submission should be rejected for the reasons outlined in the s42A report. The Panel notes that work undertaken by Council in preparation of the District's ISP did not demonstrate demand for additional greenfield residential and rural lifestyle zone areas at this time. Further, required structure planning and infrastructure investigations to support such rezonings has not been undertaken.

23 Rezoning Request 21 – 24 Rathbone Street, Waipawa

23.1 Submissions

- 23.1.1 Alan Delugar (S20.002) sought ‘that our property in 20-24 Rathbone St (33ha) be included into the Borough [sic] of Waipawa’.

23.2 Reporting planners’ recommendations (s42A report)

- 23.2.1 The reporting planners advised that the subject land is classified as LUC 3 and that the extension of the General Residential Zone over highly productive land is contrary to the NPS-HPL. The reporting planners noted the submitter had not established that there was a demand for household growth in Waipawa over the short to medium term to justify the extension, and there are stormwater runoff issues in the area. For these reasons, the reporting planners recommended rejecting the submission.

23.3 Evidence to the hearing

- 23.3.1 No evidence was presented at the hearing in relation to this matter.

23.4 Post hearing information

- 23.4.1 This request was not addressed in the right-of-reply and no additional information has been received.

23.5 Evaluation and findings

- 23.5.1 The Panel agrees with the reporting planners and recommends that the submission be rejected. The subject area is LUC 3 land and rezoning to General Residential Zone would be contrary to the NPS-HPL. Furthermore, the location has not been identified in the ISP for residential development. The Panel therefore considers the proposed zoning of the land as General Rural Zone is most appropriate.

24 Rezoning Request 22 – Mt Herbert Road, Waipukurau

24.1 Submissions

24.1.1 Livingston Properties Ltd (S127.002) sought to have parts of the property at 96 Herbert Road, Waipukurau rezoned from 'General Rural Zone' to be the following:

- 18.7ha to General Residential Zone;
- 0.5ha to Commercial Zone;
- 39.1ha to Rural Lifestyle Zone, and
- The balance area of 84.5ha to remain as General Rural Zone.

24.1.2 The areas requested to be rezoned were defined in the map attached as Appendix A to the submission. This map is in turn based on the concept development plan in the 'Golden Hills Concept Booklet' submitted as part of the information to support the submission.

24.1.3 Submission S127.001 sought an amendment to the Waipukurau Growth Map to reflect the requested rezoning.

24.2 Reporting planners' recommendations (s42A report)

24.2.1 In the analysis of the site, the reporting planners identified the ISP identifies the area adjoining the existing General Residential Zone as 'Potential growth area for focused investigation – Medium Term', and the adjoining area to the east as 'Proposed Rural Residential Growth Area'.

24.2.2 The reporting planners noted the affected land contains LUC 3 land in the west, LUC 4 through the middle, and LUC 6 in the east.

24.2.3 For the reasons outlined in the s42A report, the reporting planners recommended submissions S127.001 and S127.002 be rejected. The reporting planners considered the proposed zoning of the land as General Rural Zone is the most appropriate at this point in time but that rezoning to Rural Lifestyle Zone could be reconsidered at a later date if the land is not ultimately mapped as 'highly productive land' in the RPS (in giving effect to the NPS-HPL). However, the reporting planners considered it unlikely that the rezoning would meet the criteria under clause 3.6(4) & (5) of the NPS-HPL that would allow Council to rezone this area of highly productive land for General Residential Zone or Commercial Zone purposes. The reporting planners also considered that the Concept Plan as submitted did not sufficiently constitute a Structure Plan for inclusion in the PDP.

24.3 Evidence to the hearing

24.3.1 Martin Williams presented legal submissions for Livingston Properties. The following people gave evidence for Livingston Properties on the rezoning being sought:

- Bill Livingston (company director)
- Phil McKay (planning)
- Andrew Taylor (surveyor)
- Aaron Campion (traffic)
- Greg Morice (soils)
- Cam Wylie (Geotech)
- Shannon Bray (Landscape)

- 24.3.2 Mr McKay, in planning evidence, disagreed with the s42A report recommendation to reject the submissions and set out his view on the planning merits of the rezoning request. Mr McKay considered that the request could meet the criteria under clause 3.6(4) and (5) of the NPS-HPL which would enable LUC 3 land to be rezoned for urban development.

24.4 Post hearing information

- 24.4.1 Following the hearing, a revised precinct plan was provided as supplementary evidence. The revised plan showed the middle development node as General Residential with a 2,500m² minimum site size rather than Rural Lifestyle Zone as shown in the submission so that the proposal could be considered under clause 3.6(4) of the NPS-HPL which applies to 'urban rezoning'.
- 24.4.2 The reporting planners considered this rezoning request in their 9 December 2022 right-of-reply. Having considered the legal submissions and evidence presented by the submitter as well as the legal submissions by Asher Davidson for the Council, the reporting planners advised, in summary:
- a. Until the RPS contains maps of highly productive land in the region and these are operative, the land within this rezoning request contains LUC 3 land that falls within the definition of 'highly productive land' in the NPS-HPL, because the land has not been identified for future urban development (i.e. has not been identified in the ISP (being a Council 'strategic planning document') as suitable for commencing urban development in the next 10 years. The ISP only identifies it as a possible area for growth subject to more detailed investigation.
 - b. The western development node of the rezoning request would be considered 'urban rezoning' under the NPS-HPL (i.e., changing from a general rural or rural production zone to an urban zone, where 'urban' is defined in the NPS-HPL as including 'General Residential Zone'), while the middle and eastern development nodes would be considered 'Rural Lifestyle Rezoning' ('Rural Lifestyle Zone' is not defined as 'urban' in the NPS-HPL).
 - c. The 'urban rezoning' component does not satisfy the cumulative criteria in clause 3.6 of the NPS-HPL, and is therefore contrary to Policy 5 of the NPS-HPL, as:
 - i. the land is not required to provide sufficient development capacity to meet expected demand for housing in the District in the short to medium term, based on the assessed projected household growth (refer 'Household Growth Report'); and
 - ii. there are other practicable and feasible options for providing the required development capacity (e.g. infill development within existing urban zones).
 - d. The 'rural lifestyle' rezoning component does not satisfy clause 3.7 of the NPS-HPL, which is to avoid such rezonings except for limited exemptions outlined in clause 3.10, and is therefore contrary to Policy 6 of the NPS-HPL, as it has not been demonstrated that there are permanent or long term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years.
 - e. Even if the requested rezoning was not captured by the NPS-HPL (and the reporting planners consider that it is):
 - i. the capacity of Council's reticulated 3-waters infrastructure network is not known;
 - ii. no mechanisms have been proposed for inclusion in the PDP to apply to the requested Commercial rezoning area to ensure the type of suburban commercial activities anticipated by the submitter;

- iii. no mechanisms have been proposed for inclusion in the PDP for avoiding or mitigating potential reverse sensitivity effects on adjoining General Rural Zone activities on the balance land within the proposed 'Precinct'; and
 - iv. there is no certainty that the development of the land would or could occur in a way that is consistent with the Preliminary Concept Plan, in terms of being able to assess the potential benefits of the rezoning, at this point in time.
 - f. The replacement proposed 'Mt Herbert Road Precinct Plan' and accompanying set of provisions provided following the hearing still rely heavily on an assumption that the infrastructure components of the draft Structure/Precinct Plan have been sufficiently investigated and agreed, but these have not been tested and confirmed.
- 24.4.3 In light of this, the reporting planners did not change their recommendation to reject the Livingston Properties' rezoning request.

24.5 Evaluation and findings

- 24.5.1 While the Panel does consider there to be some merit in the original proposal provided with the submission, we agree with the reporting planners' evaluation and recommend the submission be rejected.
- 24.5.2 The Panel agrees with the reporting planners' view that the proposal is contrary to the NPS-HPL. Part of the land is LUC 3 and, for the reasons given by the reporting planners in the s42A report and right-of-reply, the Panel does not consider that the rezoning falls within the exemptions of the NPS-HPL (clause 3.6 for the urban rezoning component and clause 3.10 for the rural lifestyle component) and is therefore contrary to Policy 5 (the urban rezoning component) and Policy 6 (the rural lifestyle component) of the NPS-HPL.
- 24.5.3 While the Panel was uncertain about whether the supplementary evidence was within scope for it to consider, in any event, the Panel does not consider that the changes proposed to the precinct plan as provided in the supplementary evidence would result in the proposal being considered to be consistent with the NPS-HPL. As outlined in Ms Davidson's legal submission, the exemption from being considered HPL in clause 3.5(7)(b)(i) is only for future 'urban' development, and the Panel agrees with the reporting planners in their right-of-reply that the ISP identified the land as 'proposed rural residential' which is not 'urban'. Therefore, the area identified as LUC 3 is considered highly productive land (at least currently, before the Regional Council undertakes its mapping) and the exemption in clause 3.6 does not apply.
- 24.5.4 Finally, the Panel notes the concerns of the reporting planners that a full Structure Plan and associated PDP provisions were not provided by the submitter as part of the original submission. The submitter's supplementary evidence included PDP provisions but these relied upon assumptions around infrastructure that have not been tested and confirmed.

25 Rezoning Request 23 – Waipukurau South Precinct, Waipukurau

25.1 Submissions

- 25.1.1 The Waipukurau South Precinct is an area of undeveloped greenfield land between Pōrangahau and Tavistock Roads land, comprising approximately 34ha, currently zoned 'Residential' in the ODP. In the notified PDP, the subject land is zoned 'General Residential', with Fault Hazard overlays over part of the site. The north western portion of the subject land encompasses the former Waipukurau Hospital site, which has since been largely demolished. This area has particular issues and constraints that has impacted on development of the land, particularly in relation to the need to provide infrastructure across multiple landholdings, and issues around the ability to manage stormwater within the development area.
- 25.1.2 Several submission points related to the zoning of the approximately 34ha area within Waipukurau township to General Residential. The CHBDC (S114) made several submission points to amend the provisions relating to this area, requesting it be recognised as the Waipukurau South Precinct, accompanied by associated provisions to guide the development of this land: in particular, the roading layout and the provision of the necessary infrastructure and stormwater management. Kāinga Ora lodged a further submission in opposition (in part and in whole) to CHBDC's submission. Two other submitters were generally in support of the rezoning (P Watson S67 and D Bishop S54), although Watson sought compensation from the Council for stormwater runoff on his Trust's land at 84 Pōrangahau Road.

25.2 Reporting planners' recommendations (s42A report)

S114 CHBDC

- 25.2.1 The reporting planners supported the inclusion of the requested Waipukurau South Precinct (WSP) overlay but considered that some amendments should be made to the WSP and to the provisions of the Subdivision and General Residential Zone chapters, to clarify the provisions and align them more closely with the PDP format/approach and the National Planning Standards.
- 25.2.2 The reporting planners recommended a number of specific amendments to the Subdivision and General Residential Zone chapters and the insertion of a Waipukurau South Precinct Plan to GRZ-APP1, which are attached to the s42A report.
- 25.2.3 The reporting planners provided a s32AA evaluation for the recommended changes.

S54 David Bishop

- 25.2.4 The reporting planners recommended David Bishop's submission S54.001 supporting the inclusion of the 'proposed Structure Plan for Pōrangahau Road' be accepted in part given the recommendation to accept CHBDC's submission with amendments.

S67 Peter Watson

- 25.2.5 The reporting planners recommended rejecting S67.001, noting any use of the Trust's land *would* require the consent of the Trust and any agreements in relation to stormwater servicing would sit outside the PDP.

25.3 Evidence to the hearing

25.3.1 Nick Aitken presented evidence for CHBDC. Mr Aitken was largely in agreement with the recommendations in the s42A report. Mr Aitken reported that he held a meeting with the reporting planner Ms Kydd-Smith, and summarised a set of further changes relating to:

- Stormwater standard SUB-S7(3) (S114.003);
- WSP-SPO1 and WSP-SPO5, and
- Labelling on the Plan in GRZ-APP1.

25.3.2 These amendments were set out in appendices A and B to Mr Aitken's evidence.

25.4 Post hearing information

25.4.1 In their 9 December 2022 right-of-reply, the reporting planners confirmed that the amendments sought by CHBDC as set out in the statement from Nick Aiken, are appropriate. The reporting planners provided recommended amendments in Appendix 2 to the right-of-reply to Standard SUB-S7, WSP Plan Outcome WSP01 (including Structure Plan Map in Figure X – Waipukurau South Precinct Plan) and Outcome WSP05 Open Space Linkages and Neighbourhood Character.

25.5 Evaluation and findings

25.5.1 The Panel agrees with the reporting planners' recommendations on the CHBDC submissions as set out in the right-of-reply, including the recommended amendments as set out in Appendix 2. The Panel considers the inclusion of the Waipukurau South Precinct with associated area-specific provisions relating to the development of the area would be effective methods for ensuring this land is appropriately developed for urban use, particularly in the provision of infrastructure and enabling innovative sustainable low impact approaches to the management of stormwater within subdivision development.

25.5.2 In relation to the submission by Peter Watson (S67.001) the Panel recommends rejecting this submission, noting the matters raised are outside the scope of the PDP to address.

25.5.3 The Panel recommends accepting in part David Bishop's submission (S54.001) supporting GRZ-P5 and the Structure Plan for Pōrangahau Road, to the extent the policy is retained (refer Key Issue 1 of Panel Report 2A – Urban Environment) and the structure plan is retained with amendment.

26 Rezoning Request 24 – Extent of Commercial Zones in Waipukurau and Waipawa

26.1 Submissions

26.1.1 Kāinga Ora (S129.236) sought the expansion of the Commercial Zone shown on the PDP Planning Maps.

26.2 Reporting planners' recommendations (s42A report)

26.2.1 The reporting planners recommended the submission be rejected. The reporting planners noted the submission point does not identify a specific location and extent to which the Commercial Zones are requested to be extended. The reporting planners did not consider rezoning more Commercial Zone land an efficient way of addressing the issues around the presence of fault lines in the Commercial Zone and the rules relating to development around them in the PDP.

26.3 Evidence to the hearing

- 26.3.1 No evidence was presented at the hearing on this matter.

26.4 Post hearing information

- 26.4.1 This request was not addressed in the right-of-reply and no additional information has been received.

26.5 Evaluation and findings

- 26.5.1 The Panel agrees with the reporting planners that the submission is vague, with insufficient information provided to be able to give the point detailed consideration. The Panel agrees with the reporting planners that rezoning more Commercial Zoned land would not be an efficient way of addressing the issues around the presence of fault lines in the Commercial Zone.
- 26.5.2 Note, this recommendation has to be read in conjunction with Panel Report 2A, in which we are recommending the Commercial Zone be renamed 'Town Centre Zone' to more appropriately recognise the nature and function of these parts of Waipawa and Waipukurau (refer to Section 12, Key Issue 8).

27 Rezoning Request 25 – 17 Lindsay Road, Waipukurau

27.1 Submissions

- 27.1.1 Francis Holdings Ltd (S14.001) sought to change the zoning of the land at 17 Lindsay Road, Waipukurau, from Rural to Industrial. In addition, Francis Holdings Ltd (S14.002) sought inclusion of ‘a site-specific rule ensuring that all buildings have a minimum floor level above the 100-year flood level’.

27.2 Reporting planners’ recommendations (s42A report)

- 27.2.1 The reporting planners considered the proposed zoning of the land as General Rural Zone is the most appropriate, given the location of the site outside the urban area of Waipukurau. The reporting planners noted the current industrial activity on the site has existing use rights but rezoning the site to General Industrial Zone could potentially allow intensification or a change in type or scale of activity that is not appropriate. Allowing for a small, isolated pocket of General Industrial Zone in the rural area, on the other side of the river, would be a significant deviation from the approach to the General Industrial Zoning in the PDP which only provides for General Industrial zoning within the urban boundaries of Waipawa and Waipukurau. For these reasons, the reporting planners recommended rejecting this submission.

27.3 Evidence to the hearing

- 27.3.1 No evidence was presented at the hearing on this matter.

27.4 Post hearing information

- 27.4.1 This request was not addressed in the right-of-reply and no additional information has been received.

27.5 Evaluation and findings

- 27.5.1 The Panel agrees with the reporting planners’ recommendation that the submissions be rejected. The Panel agrees an isolated area of General Industrial Zone in the rural area would not be consistent with the zoning approach in the PDP and concur with the reporting planners’ concerns that rezoning could potentially allow for intensification or a change in activity. The Panel also considers the site is not suitable for urban development given its location within a Flood Hazard area. If the site is not rezoned the Panel agrees a specific rule for minimum floor level is not necessary.

28 Rezoning Request 26 – Future Development Area, East of Takapau

28.1 Submissions

- 28.1.1 Te Mata Mushrooms (S102.004) sought to incorporate a Future Development Area as an overlay on land to the east of Takapau (identified below), with consequential changes to introduce a new chapter to provide for a Structure Plan and specific provisions for the Future Development Area. The Structure Planning exercise would determine the extent of the area. Alternatively, Te Mata Mushrooms sought that the land identified below be zoned 'General Industrial'.
- 28.1.2 Hort NZ (FS17.122) opposed Te Mata Mushrooms' proposed amendment of Objective RPROZ-O2 on the basis that 'the additional wording sought is not an objective'.
- 28.1.3 Silver Fern Farms (FS8.002, FS8.003, FS8.004, FS8.006, FS8.007, FS8.008, FS8.015, FS8.016) opposed the proposed 'Future Development Area' and associated provisions proposed by Te Mata Mushrooms.

28.2 Reporting planners' recommendations (s42A report)

- 28.2.1 The reporting planners considered the zoning of the land as Rural Production Zone to be the most appropriate because the area concerned is zoned Rural Production and the majority of the area is LUC 3 land, which the NPS-HPL defines as 'highly productive land' at this point in time. The reporting planners considered the creation of a Future Development Area overlay or rezoning to General Industrial over highly productive land as sought by the submitter would be contrary to the NPS-HPL, would not meet the expectations of the RPS, and would not achieve the strategic objectives of the PDP. The reporting planners also agreed with Silver Fern Farms that the request inherently contradicts the objectives of the Rural Production Zone of the PDP.
- 28.2.2 The reporting planner also noted the submitter has requested this change in zoning without reference to, or evidence of consultation with, all the affected owners of the land concerned, and there is a further submission from a substantial existing rural industrial operator within this area (Silver Fern Farms), opposing the request.

28.3 Evidence to the hearing

- 28.3.1 In her evidence for Hort NZ, Ms Jordyn Landers supported the s42A recommendation to reject S102.061 and accept FS17.122.
- 28.3.2 Steven Tuck gave evidence for Silver Fern Farms, agreeing with the reporting planner's recommendations in the s42A report.

28.4 Post hearing information

- 28.4.1 This request was not addressed in the right-of-reply and no additional information has been received.

28.5 Evaluation and findings

- 28.5.1 The Panel agrees with the reporting planners' recommendation to reject the submission seeking rezoning. The Panel agrees the rezoning, either through imposing a Future Development Area overlay or by a straight rezoning to General Industrial, would be contrary to the NPS-HPL, would not meet the expectations of the RPS, and would not achieve the strategic objectives of the PDP.

PART C – SUMMARY OF RECOMMENDATIONS

29 Summary of recommendations

- 29.1.1 A tracked changes version of recommended amendments is included as Appendix A to this Panel Report 6A.
- 29.1.2 A summary table of recommended decisions for each submission point is included as Appendix B.

30 Consequential amendments and minor errors

- 30.1.1 Schedule 1, cl16(2), allows minor and inconsequential amendments to be made to the Plan. No cl16 amendments are recommended for this topic.

Appendix A – Chapters as amended

SUBDIVISION

SUB – Subdivision

Introduction

The RMA identifies subdivision as a category of activity distinct from land use activities. It is a process of dividing a parcel of land or a building into one or more further parcels or changing an existing boundary location. The definition of the subdivision of land in section 218 of the RMA includes cross-leases, company lease and unit title developments, and long-term leases (35 years or more). It produces a framework of land ownership which assists land use development, activity and conservation.

Subdivision provides an important framework for managing land development, including the provision of roading, water supply, sewage disposal, energy, telecommunication, stormwater and trade waste services, which can be achieved through conditions of subdivision consent. Council also invokes various bylaws covering connections to its reticulated water supply, stormwater and wastewater networks etc.

While subdivision itself does not alter the way land is used, the creation of new parcels of land is almost always accompanied by expectations of associated land development (e.g. a dwelling on a new residential or rural lot). Subdivision is, therefore, one of the primary mechanisms for facilitating new development and growth in the District, and if managed appropriately, it can contribute positively to the wellbeing of the District. Subdivision facilitates the provision of housing, social and community facilities, industry, commerce and primary production by enabling ownership of and investment in land and buildings.

However, potential adverse effects of subdivision can include:

- the inefficient use of finite resources, including the loss of highly productive land through urbanisation and inappropriate rural development;
- the consequential physical effects of earthworks and vegetation clearance associated with the construction of building platforms, recontouring and provision of infrastructure, including roads, driveways and footpaths, and associated changes to stormwater runoff patterns, water quality and potential adverse effects on visual amenity, natural features and landscapes, and ecological values;
- increased demand for infrastructure and services;
- damaging or destroying sites of cultural and heritage value;
- degrading amenity values that people enjoy;
- increasing risks posed by natural hazards;
- adversely affecting people's health and safety;
- degrading the natural character of the coastal environment, wetlands, lakes and rivers and their margins;
- degrading the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga;

- adversely affecting the integrated, safe, responsive, and sustainable operation of the land transport network, including the state highway network;
- reverse sensitivity, where new sensitive activities established through subdivision could potentially constrain existing uses nearby; and
- increased risk of the operation of infrastructure being unreasonably compromised.

If the adverse effects are avoided or mitigated and the subdivision is carried out in a sustainable way the overall effects are likely to be beneficial.

Issues

SUB-I1 Lot Size and Dimension

~~The need for lots of a sufficient size and dimension to accommodate activities allowed by the area-specific and district-wide rules. Where not appropriately managed, subdivision can result in establishment of new lots which are of a size and dimension unable to accommodate land use activities anticipated within the zone.~~

Explanation

Subdivision of land needs to create lots that are of an appropriate size to accommodate the variety of land use activities ~~that are allowed by provided for within~~ the zones ~~and district-wide rules~~ in the District Plan. They also need to be of a size and shape that enable ~~land development to the avoidance, remediation or mitigation of~~ potential adverse effects of development on natural, physical, cultural and heritage resources; ~~and that is compatible with the anticipated character maintain or enhance landscape and amenity values of each zone; and avoid or mitigate any potential reverse sensitivity effects in the area where they are located.~~

Commented [A1]: S129.064 Kainga Ora – Subdivision Report 5D, Key Issue 4

SUB-I2 Servicing

~~Subdivision usually requires. The ability to accommodate proposed or anticipated land development may be limited and could result in adverse effects on the environment where the necessary access to roading, telecommunication, electricity, water, sewage wastewater and stormwater services is not provided through subdivision to enable future owners of the land to carry out their planned activities.~~

Explanation

Subdivisions usually result in intensified land use, involving a full range of services. Good subdivision design includes roading and access routes that work efficiently and safely for both vehicles and pedestrians.

Water supply and sewage/stormwater disposal services may connect to existing reticulation networks or be developed as self-contained services for each subdivision by the subdivider, or alternatively be developed at a later date by owners of each individual site within a subdivision.

Commented [A2]: S129.065 Kāinga Ora – Subdivision Report 5D, Key Issue 4

The proliferation of individual water supply, effluent disposal and stormwater systems can result in water contamination, flooding, or land instability in certain terrain. Subdivisions, where possible, should connect to existing reticulation systems.

SUB-I3 Natural Hazards

Establishment of new lots in areas of natural hazards can directly or indirectly increase and/or exacerbate risk to people and property. The potential effects of natural hazards on lots created by subdivision.

Explanation

Section 106 of the RMA enables the Council to refuse subdivision applications, or to grant subdivision consent subject to conditions, where the Council considers that there is a significant risk from natural hazards (considering likelihood of the natural hazard occurring, the material damage that would result, and any likely subsequent use of the land that would accelerate, worsen, or result in material damage). The RMA states that the Council must not grant a subdivision consent unless those adverse effects can be avoided, remedied, or mitigated.

The limitations of land and the possible effects of natural hazards, including geotechnical constraints, need to be taken into account in the design and implementation of subdivisions.

Objectives

SUB-O1 Subdivision of land ~~that~~ is consistent with the objectives and policies of the relevant zones and district-wide matters in the District Plan, including those relating to:

1. safeguarding the rural land resource of Central Hawke's Bay District from inappropriate subdivision (RLR – Rural Land Resource provisions in the District Plan);
2. the protection of areas identified as Outstanding Natural Landscapes and Features, Significant Natural Areas, areas of significant indigenous vegetation and significant habitats of indigenous fauna, and High Natural Character Areas from the adverse effects of inappropriate subdivision (NFL – Natural Features and Landscapes, ECO – Ecosystems and Indigenous Biodiversity, CE – Coastal Environment provisions in the District Plan);
3. the protection of historic heritage from the adverse effects of inappropriate subdivision, including historic heritage items, and sites and areas of significance to Māori (HH – Historic Heritage and SASM – Sites and Areas of Significance to Māori provisions in the District Plan);
4. managing adverse effects of inappropriate subdivision on Significant Amenity Features that contribute to the character

Commented [A3]: S129.066 Kāinga Ora – Subdivision Report 5D, Key Issue 4

Commented [A4]: S129.067 Kāinga Ora – Subdivision Report 5D, Key Issue 5

- and amenity values of the areas (NFL – Natural Features and Landscapes provisions in the District Plan);
5. managing adverse effects of inappropriate subdivision on the maintenance and enhancement of public access to and along the coast and the margins of lakes and rivers (CE – Coastal Environment and PA – Public Access provisions in the District Plan); and
 6. promoting sustainable subdivision and building (SSB – Sustainable Subdivision and Building provisions in the District Plan).

SUB-O2 ~~Lots created by subdivision are physically suitable for a range of land use activities the types of development intended and anticipated~~ allowed by the relevant ~~zone provisions~~ rules of the District Plan.

Commented [A5]: S105.012 James Bridge, S129.068 Kāinga Ora – Subdivision Report 5D, Key Issue 5

SUB-O3 ~~The provision of a~~Appropriate services and network utilities are provided to subdivided lots, in anticipation of the likely effects of land use activities on those lots, so as to ensure that are compatible with the anticipated purpose, character and amenity of each zone, and provide for the health and safety of people and communities, and the maintenance or enhancement of amenity values.

Commented [A6]: S117.058 Chorus, S118.058 Spark, S119.058 Vodafone, FS15.001, FS15.002, FS15.003 FENZ and S129.069 Kāinga Ora – Subdivision Report 5D, Key Issue 5

SUB-O4 Reverse sensitivity effects of subdivision ~~and its resulting future land use activities~~ on existing lawfully established activities (including network utilities) are avoided where practicable, or mitigated where avoidance is not practicable.

Commented [A7]: S117.059 Chorus, S118.059 Spark, S119.059 Vodafone Subdivision Report 5D, Key Issue 5

Commented [A8]: S129.070 Kāinga Ora – Subdivision Report 5D, Key Issue 5

SUB-O5 Avoidance of subdivision in localities where there is a significant risk of material damage from natural hazards on land or structures, including in relation to any likely subsequent use of the land, unless these can that cannot be remedied or mitigated without significant adverse effects on the environment.

Commented [A9]: Clause 16(2) of the First Schedule of the RMA. - Subdivision Key Issue 5

Policies

SUB-P1 To establish standards for minimum lot sizes for each zone in the District ~~to deliver lots that are of an appropriate size and shape to accommodate those activities reasonably anticipated within the zone, and to provide for a range of lot sizes.~~

Commented [A10]: Kāinga Ora (S129.072) Subdivision Report 5D Key Issue 6

SUB-P2 ~~To provide for~~allow the subdivision of land to create additional in-situ Lifestyle Sites ~~where it is~~ in conjunction with the legal and physical protection in perpetuity of areas of significant indigenous vegetation and/or significant habitats of indigenous fauna (including Significant Natural Areas identified in ECO-SCHED5), sites and areas of significance to Māori (identified in SASM-SCHED3), and historic heritage items (identified in HH-SCHED2).

Commented [A11]: Clause 16(2) of the First Schedule of the RMA - Subdivision Report 5D Key Issue 6

SUB-P3

To ~~proviude for allow~~ the creation of lots of ~~variousany~~ sizes and ~~dimensions for special purposes~~ for public works, network utility operations, renewable electricity generation, reserves and access.

Commented [A12]: Kāinga Ora (S129.074) Subdivision Report 5D Key Issue 6

SUB-P4

To integrate subdivision with the existing land transport network in an efficient manner ~~which reflects expected traffic levels and the safe and convenient management of vehicles and pedestrians that provides for the safety and convenience of vehilces, cyclists and pedestrians.~~

Commented [A13]: S129.075 Kāinga Ora – Subdivision Report 5D, Key Issue 6

SUB-P5

To encourage in the General Residential Zone, subdivision design that develops or uses subsidiary roads ~~or accessways~~, in order to avoid an increase in the number of direct access crossings onto ~~arterial roads classified Urban Connectors, Main Streets, Civic Spaces, or Activity Streets,~~ for traffic safety purposes.

Commented [A14]: S129.076 Kāinga Ora – Subdivision Report 5D, Key Issue 6

Commented [A15]: S104.015 CHBDC, Report 7C Transport, Key Issue 2

SUB-P6

To ensure upon subdivision or development, that all new lots or buildings are provided with a connection to a reticulated water supply, reticulated public sewerage system, and a reticulated stormwater system, where such adequate reticulated systems are available.

SUB-P7

To ensure ~~an alternative method of water supply wastewater disposal and stormwater disposal is provided for each new lot, where they are unable to connect to reticulated supplies or disposal systems, that where sites are not connected to a reticulated public water supply, wastewater disposal or stormwater disposal system, suitable provision can be made on each lot for an alternative method of water supply, or method of wastewater disposal and/or stormwater disposal is provided for each lot with sufficient capacity to support development reasonably anticipated within the zone, and which can protects the health and safety of residents and avoids or mitigates adverse effects on the environment.~~

Commented [A16]: S129.078 Kāinga Ora, FS15.004 FENZ – Subdivision Report 5D, Key Issue 6

SUB-P8

To encourage ~~inneovative~~ subdivision design consistent with the ~~maintenance of purpose, character and amenity values of the zone provisions.~~

Commented [A17]: S129.079 Kāinga Ora, FS15.004 FENZ – Subdivision Report 5D, Key Issue 6

SUB-P9

To encourage the incorporation of public open space and plantings ~~(particularly natives)~~ within subdivision design for amenity purposes.

Commented [A18]: S11.025 HBRC - Subdivision Report 5D, Key Issue 6

SUB-P10

To provide ~~or further develop~~ pedestrian, cycling and amenity linkages ~~between subdivisions and their surrounding areas where it is consistent with the objectives and policies of the zone, and where opportunities existuseful linkages can be achieved or further developed.~~

Commented [A19]: S11.026 HBRC, S129.081 Kāinga Ora - Subdivision Report 5D, Key Issue 6

SUB-P11 To ensure that roads and any vehicle access to lots provided within a subdivision are appropriately designed and constructed to allow for safe and efficient traffic movements likely to be generated from development of the lots sites are suitable for the activities likely to establish within the subdivision and are compatible with the design and construction standards of roads in the District which the site is required to be connected to.

Commented [A20]: S129.082 Kāinga Ora – Subdivision Report 5D, Key Issue 6

SUB-P12 To avoid or mitigate any adverse visual and physical effects of subdivision and development on the environment, including the appropriate underground reticulation of energy and telecommunication lines in order to protect the visual amenities of the area.

Commented [A21]: Chorus (S117.062), Spark (S118.062) and Vodafone (S119.02), S90.034 Centralines, S129.083 Kāinga Ora – Subdivision Report 5D, Key Issue 6, and clause 16(2) of the First Schedule of the RMA.

SUB-P13 To ensure that land being subdivided, including any potential structure on that land, is not subject to significant risk of material damage by the effects of natural hazards, including flooding, inundation, erosion, subsidence or slippage and earthquake faults.

SUB-P14 To ensure that any mitigation measures used to manage significant risk from natural hazards (including coastal hazards such as storm surge, tsunami and coastal inundation) do not have significant adverse effects on the environment.

Commented [A22]: S129.085 Kāinga Ora – Subdivision Report 5D, Key Issue 6

SUB-P15 To ensure that earthworks associated with constructing vehicle access, building platforms or services on land being subdivided will not detract from the visual amenities of the area, or have significant adverse environmental effects, such as dust, or result in the modification, damage or destruction of heritage items, archaeological sites or sites and areas of significance to Māori, cause natural hazards, or increase the risk of natural hazards occurring.

Commented [A23]: S129.086 Kāinga Ora – Subdivision Report 5D, Key Issue 6: Objectives, and clause 16(2) of the First Schedule of the RMA.

SUB-P16 To avoid where practicable, or otherwise mitigate, potential reverse sensitivity effects of sensitive activities (particularly residential and lifestyle development) establishing near existing primary production activities, including intensive primary production activities, rural industry, or industrial activities and/or existing public works network utilities.

Commented [A24]: S116.022 Silver Fern Farms, S42.023 NZ Pork – Subdivision Report 5D, Key Issue 6

SUB-P17 To ensure, to the extent practicable reasonably possible, subdivisions are designed to that takes into account the location of avoid reverse sensitivity effects of future land use activities on regionally significant infrastructure, network utilities, renewable electricity generation sites and other lawfully established activities, and ensures that the operation, maintenance and upgrading of regionally significant infrastructure and other network utilities is not compromised that future land use activities will not result in reverse sensitivity effects.

SUB-P18 To ensure, to the extent practicable, subdivision design that ensures that resulting land use activities (including building platforms) will not affect the operation, maintenance and upgrading of regionally significant infrastructure and other network utilities.

Commented [A25]: S79.074 and S79.075 Transpower – Subdivision Report 5D, Key Issue 1

Note: Refer to the objectives and policies in PA – Public Access relating to the establishment of esplanade reserves, esplanade strips or access strips when subdividing land along the margins of rivers, lakes and along the coast.

Rule Overview Table

Use/activity	Rule Number
Subdivision not otherwise provided for	SUB-R1
Subdivision to create freehold title from existing cross-lease title	SUB-R2
Subdivision for special purposes	SUB-R3
Boundary adjustments	SUB-R4
Subdivision to create a Lifestyle Site(s)	SUB-R5
Subdivision to create a Conservation Lot	SUB-R6
Subdivision to create a Lifestyle Site(s) in association with the creation of a Conservation Lot	SUB-R7

Rules

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for certain subdivisions, including TRAN – Transport, HH – Historic Heritage, ECO – Ecosystems & Indigenous Biodiversity, and PA – Public Access.

In particular, earthworks facilitating provision of access and building platforms have the potential to result in adverse effects and are to be managed. Provisions relating to earthworks are contained in the EW – Earthworks chapter and may generate a requirement for land use consent.

SUB-R1 Subdivision not otherwise provided for

All Zones

1. Activity Status: CON

Where the following conditions are met:

- a. Compliance with SUB-S1.
- b. The land being subdivided does not contain any part (or all) of the sites or areas identified in the following:
 - i. HH-SCHED2.
 - ii. SASM-SCHED3.
 - iii. ECO-SCHED5.
 - iv. ONL or ONF within NFL-SCHED6.
 - v. CE-SCHED7.
- c. Compliance with:
 - i. SUB-S4(1);
 - ii. SUB-S5;
 - iii. SUB-S6;
 - iv. SUB-S7(1) and SUB-S7(2);
 - v. SUB-S8; and
 - vi. SUB-S9.
- d. Compliance with:
 - i. SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor; and
 - ii. SUB-S4(4) and SUB-S4(5) Gas Transmission Network.
- e. The land being subdivided is not located within a Natural Hazard area identified on the Planning Maps.
- e.f. Compliance with SUB-S7(3)

2. Activity status where compliance with conditions SUB-R1(1)(c) and/or SUB-R1(1)(e) is not achieved: RDIS

Matters over which discretion is restricted:

- a. SUB-AM1.
- b. SUB-AM2.
- c. SUB-AM3.
- d. SUB-AM4.
- e. SUB-AM5.
- f. SUB-AM6.
- g. SUB-AM7.
- h. SUB-AM8.
- i. SUB-AM9.
- j. SUB-AM10.
- j.k. SUB-AM19.

3. Activity status where compliance with condition SUB-R1(1)(b) is not achieved: RDIS

Matters over which discretion is restricted:

- a. SUB-AM1.
- b. SUB-AM2.
- c. SUB-AM3.
- d. SUB-AM4.
- e. SUB-AM5.
- f. SUB-AM6.
- g. SUB-AM7.
- h. SUB-AM8.
- i. SUB-AM9.
- j. SUB-AM10.
- k. SUB-AM16.
- l. SUB-AM19.
- m. SUB-AM22XX.

34. Activity status where compliance with conditions SUB-R1(1)(a) and/or SUB-

Commented [A30]: S129.090 Kainga Ora – Subdivision Report 5D, Key Issue 7

Commented [A31]: Consequential amendment - S114.001, S114.003 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A26]: S114.001 CHBDC, Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A32]: Consequential amendment - S129.123 Kainga Ora – Subdivision Report 5D, Key Issue 7

Commented [A33]: Consequential amendment - S114.004, S114.005, S114.006, S114.007 CHBDC, Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A34]: S129.090 Kainga Ora – Subdivision Report 5D, Key Issue 7

Commented [A35]: Consequential amendment - S129.123 Kainga Ora – Subdivision Report 5D, Key Issue 7

Commented [A27]: S129.090 Kainga Ora – Subdivision Report 5D, Key Issue 7

Commented [A28]: S114.001 CHBDC, Report 6A Mapping & Rezoning, Rezoning Request 23

	<p>Matters over which control is reserved:</p> <p>f.g. SUB-AM1. g.h. SUB-AM2. h.i. SUB-AM3. i.j. SUB-AM4. j.k. SUB-AM5. k.l. SUB-AM6. l.m. SUB-AM7. m.n. SUB-AM8. n.o. SUB-AM9 o.p. SUB-AM10. p.q. SUB-AM19.</p>	<p>R1(1)(f) and/or SUB-R1(1)(b) is not achieved: DIS</p> <p>45. Activity status where compliance with condition SUB-R1(1)(d) is not achieved: NC</p>
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- Commented [A36]:** S114.003 CHBDC, Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A37]: S129.090 Kāinga Ora and S105.014 James Bridge, and S129.090 Kāinga Ora – Subdivision Report 5D, Key Issue 7

Commented [A38]: Kainga Ora S129.097 - Subdivision Report 5D Key Issue 7
- Commented [A29]:** S114.001, S114.003 CHBDC, Report 6A Mapping & Rezoning, Rezoning Request 23

SUB-R2 Subdivision to create freehold title from existing cross-lease title		
General Residential Zone	<p>1. Activity Status: CON</p> <p>Where the following conditions are met: N/A</p> <p>Matters over which control is reserved:</p> <p>a. Whether the proposed lot boundaries align with exclusive use area boundaries on the cross-lease plan.</p> <p>b. Where no exclusive use areas are shown on the cross-lease plan, whether the proposed lot boundaries align with the exclusive and established pattern of occupation associated with the existing underlying development.</p> <p>c. Whether easements are required to protect services.</p>	<p>2. Activity status where compliance not achieved: N/A</p>

	<i>Note: The standards in SUB-S1 to SUB-S9 do not apply.</i>	
All Other Zones		3. SUB-R1 applies
SUB-R3 Subdivision for special purposes		
All Zones	1. Activity Status: CON	2. Where compliance with condition SUB-R3(1)(a) is not achieved: SUB-R1 applies
	Where the following conditions are met:	
	<ul style="list-style-type: none"> a. Limited to creation of lots of any size for public works, network utilities, renewable electricity generation activities, reserves, roads, and access. b. Compliance with: <ul style="list-style-type: none"> i. SUB-S4(1); ii. SUB-S5; iii. SUB-S6; iv. SUB-S7; v. SUB-S8; and vi. SUB-S9. c. Compliance with: <ul style="list-style-type: none"> i. SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor; and ii. SUB-S4(4) and SUB-S4(5) Gas Transmission Network. 	3. Activity status where compliance with condition SUB-R3(1)(b) is not achieved: RDIS Matters over which discretion is restricted: <ul style="list-style-type: none"> a. SUB-AM1. b. SUB-AM2. c. SUB-AM3. d. SUB-AM4. e. SUB-AM5. f. SUB-AM6. g. SUB-AM7. h. SUB-AM8. i. SUB-AM9. j. SUB-AM10. k. SUB-AM14.
	Matters over which control is reserved:	
	<ul style="list-style-type: none"> d. Whether the lot is of sufficient area and dimensions to facilitate the intended use of the site. e. A Consent Notice may be registered on the Certificate of Title to 	4. Activity status where compliance with condition SUB-R3(1)(c) is not achieved: NC

	any special purpose site, pursuant to section 221 of the RMA, requiring enforcement of a condition that, in the event that the site is no longer required for a special purpose, the site be amalgamated with an adjoining site, unless it is a fully complying lot for the respective zone.	
SUB-R4 Boundary adjustments		
All Zones	1. Activity Status: CON	2. Where compliance with condition SUB-R4(1)(a) is not achieved: SUB-R1 applies
	Where the following conditions are met:	
	a. Limited to:	
	i. No site area is changed by more than 10% of its original area. ii. <u>No existing complying site that complies with the relevant subdivision standards is rendered non-complying with the standards, and no existing site not complying with the relevant subdivision standards is rendered more non-complying with the standards, by the</u>	3. Activity status where compliance with condition SUB-R4(1)(c) is not achieved: RDIS Matters over which discretion is restricted: <ol style="list-style-type: none"> SUB-AM1. SUB-AM2. SUB-AM3. SUB-AM4. SUB-AM5. SUB-AM6. SUB-AM7. SUB-AM8. SUB-AM9. SUB-AM10.
		4. Activity status where compliance with condition SUB-R4(1)(b) is not achieved: RDIS Matters over which discretion is restricted:

	<p><u>boundary adjustment.</u></p> <p>iii. No dwelling is severed from its existing site.</p> <p>b. The land being subdivided does not contain any part (or all) of the sites or areas identified in the following:</p> <p>i. HH-SCHED2.</p> <p>ii. SASM-SCHED3.</p> <p>iii. ECO-SCHED5.</p> <p>iv. ONL or ONF in NFL-SCHED6.</p> <p>v. CE-SCHED7.</p> <p>c. Compliance with:</p> <p>i. SUB-S4(1);</p> <p>ii. SUB-S5;</p> <p>iii. SUB-S6;</p> <p>iv. SUB-S7;</p> <p>v. SUB-S8; and</p> <p>vi. SUB-S9.</p> <p>d. Compliance with:</p> <p>i. SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor; and</p> <p>ii. SUB-S4(4) and SUB-S4(5) Gas Transmission Network.</p> <p>Matters over which control is reserved:</p> <p>e. Legal and physical access to and from lots affected by the boundary adjustment.</p> <p>f. Whether each lot has connections to services.</p> <p>g. Whether the lots are of sufficient size, design, and layout to</p>	<p>a. SUB-AM16.</p> <p>b. SUB-AM22XX.</p> <p>5. Activity status where compliance with condition SUB-R4(1)(d) is not achieved: NC</p>
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Commented [A39]: S129.093 Kāinga Ora – Subdivision Report 5D Key Issue 7

Commented [A41]: S129.093 Kāinga Ora – Subdivision Report 5D, Key Issue 7

	<p>provide for the existing or permitted activity development potential resulting from the reconfigured layout.</p> <p>h. Protection, maintenance or enhancement of natural features and landforms, significant natural area (ECO-SCHED5), historic heritage item (HH-SCHED2), or any identified wāhi tapu, wāhi taonga or site of significance (SASM-SCHED3).</p> <p>i.h. The relationship of the proposed lots within the site and their compatibility with the pattern of adjoining subdivision or land use activities.</p>	
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Commented [A40]: S129.093 Kāinga Ora – Subdivision Report 5D, Key Issue 7

SUB-R5 Subdivision to create a Lifestyle Site(s) (not in association with the creation of a Conservation Lot)

General Rural Zone (outside of the Coastal Environment Area)	<p>1. Activity Status: CON</p> <p>Where the following conditions are met:</p> <p>a. Limited to:</p> <p>i. Only one lifestyle site can be created.</p> <p>ii. A site is only eligible to be subdivided to create a lifestyle site 3 years after the subject title was created, and then once every 3 years after</p>	<p>2. Activity status where compliance with conditions SUB-R5(1)(f) and/or SUB-R5(1)(d) and/or SUB-R5(1)(f) is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>a. SUB-AM1.</p> <p>b. SUB-AM2</p> <p>c. SUB-AM3.</p> <p>d. SUB-AM4.</p> <p>e. SUB-AM5.</p> <p>f. SUB-AM6.</p> <p>g. SUB-AM7.</p> <p>h. SUB-AM8.</p> <p>i. SUB-AM9.</p>

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that once every 3 years, and at least 3 years has elapsed from the date the subject title was created.

- j. SUB-AM10.
- k. SUB-AM11.
- l. SUB-AM12.
- m. SUB-AM13.

iii. The minimum site area for the balance lot is 20 hectares.

b. Compliance with SUB-S2(1) and SUB-S2(2).

c. The land being subdivided does not contain any part (or all) of the sites or areas identified in the following:

- i. HH-SCHED2.
- ii. SASM-SCHED3.
- iii. ECO-SCHED5.
- iv. ONL or ONF in NFL-SCHED6.
- v. CE-SCHED7.

d. Compliance with:

- i. SUB-S4(1);
- ii. SUB-S5;
- iii. SUB-S6;
- iv. SUB-S7;
- v. SUB-S8; and
- vi. SUB-S9.

e. Compliance with:

- i. SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor; and
- ii. SUB-S4(4) and SUB-S4(5) Gas Transmission Network.

f. The land being subdivided is not located within a Natural Hazard area

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	<p><u>identified on the Planning Maps.</u></p> <p>Matters over which control is reserved:</p> <ul style="list-style-type: none"> g. SUB-AM1. h. SUB-AM2 i. SUB-AM3. j. SUB-AM4. k. SUB-AM5. l. SUB-AM6. m. SUB-AM7. n. SUB-AM8. o. SUB-AM9. p. SUB-AM10. q. SUB-AM11. r. SUB-AM13. 	
		<p><u>3. Activity status where compliance with condition SUB-R5(1)(c) is not achieved: RDIS</u></p> <p><u>Matters over which discretion is restricted:</u></p> <ul style="list-style-type: none"> a. SUB-AM16. b. SUB-AM22XX.
		<p><u>34. Activity status where compliance with conditions SUB-R5(1)(a), and/or SUB-R5(1)(b) and/or SUB-R5(1)(e) is not achieved: DIS</u></p>
		<p><u>45. Activity status where compliance with condition SUB-R5(1)(e) is not achieved: NC</u></p>
Rural Production Zone	<p><u>56. Activity Status: CON</u></p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Limited to: <ul style="list-style-type: none"> i. The lifestyle site is based around an existing 	<p><u>67. Activity status where compliance with conditions SUB-R5(56)(d) and/or SUB-R5(6)(f) is not achieved: RDIS</u></p> <p>Matters over which discretion is restricted:</p>

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	residential unit on a site that has a net site area less than 12 hectares.	a. SUB-AM1 b. SUB-AM2 c. SUB-AM3. d. SUB-AM4. e. SUB-AM5.
ii.	No additional sites are created (amalgamation of the balance lot is required).	f. SUB-AM6. g. SUB-AM7. h. SUB-AM8. i. SUB-AM9. j. SUB-AM10.
iii.	The newly amalgamated sites are adjoining and combine to a net site area greater than 12 hectares.	k. SUB-AM11. l. SUB-AM12. m. SUB-AM13.
iv.	The newly amalgamated lot contains no more than two residential units.	8. Activity status where compliance with condition SUB-R5(56)(c) is not achieved: RDIS
b.	Compliance with:	Matters over which discretion is restricted:
i.	SUB-S2(3) and SUB-S2(4).	a. SUB-AM16. b. SUB-AM22XX.
c.	The land being subdivided does not contain any part (or all) of the sites or areas identified in the following:	97. Activity status where compliance with conditions SUB-R5(5)(a) and/or SUB-R5(5)(c) is not achieved: DIS
i.	HH-SCHED2.	9. Activity status where compliance with conditions SUB-R5(56)(a) and/or SUB-R5(56)(b) and/or SUB-R5(56)(e) is not achieved: NC
ii.	SASM-SCHED3.	
iii.	ECO-SCHED5.	
iv.	ONL or ONF in NFL-SCHED6.	
v.	CE-SCHED7.	
d.	Compliance with:	
i.	SUB-S4(1);	
ii.	SUB-S5;	
iii.	SUB-S6;	
iv.	SUB-S7;	
v.	SUB-S8; and	
vi.	SUB-S9.	
e.	Compliance with:	
i.	SUB-S4(2) and SUB-S4(3)	

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Commented [A51]: S116.023 Silver Fern Farms, Report 3B, Rural, Key Issue 11

Commented [A52]: S129.094 Kāinga Ora – Report 5D Subdivision, Key Issue 7

Commented [A53]: S116.023 Silver Fern Farms, Report 3B, Rural, Key Issue 11

	<p>National Grid Subdivision Corridor; and</p> <p>ii. SUB-S4(4) and SUB-S4(5) Gas Transmission Network.</p> <p>f. <u>The land being subdivided is not located within a Natural Hazard area identified on the Planning Maps.</u></p> <p>Matters over which control is reserved:</p> <p>g. SUB-AM1.</p> <p>h. SUB-AM2</p> <p>i. SUB-AM3.</p> <p>j. SUB-AM4.</p> <p>k. SUB-AM5.</p> <p>l. SUB-AM6.</p> <p>m. SUB-AM7.</p> <p>n. SUB-AM8.</p> <p>o. SUB-AM9.</p> <p>p. SUB-AM10.</p> <p>q. SUB-AM11.</p> <p>r. SUB-AM12.</p> <p>s. SUB-AM13.</p>	
General Rural Zone (Coastal Environment Area)	<p>10. Activity Status: DIS</p> <p>Where the following conditions are met:</p> <p>a. Compliance with:</p> <p>i. SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor; and</p> <p>ii. SUB-S4(4) and SUB-S4(5) Gas Transmission Network.</p>	<p>11. Activity status where compliance with condition SUB-R5(910)(a) is not achieved: NC</p>
SUB-R6 Subdivision to create Conservation Lots in association with the protection of:		

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- an area of significant indigenous vegetation and/or significant habitats of indigenous fauna (including sites listed in ECO-SCHED5).
- historic heritage items listed in HH-SCHED2.
- wāhi tapu, wāhi taonga or site or area of significance listed in SASM-SCHED3.

All Zones	<p>1. Activity Status: CON</p> <p>Where the following conditions are met:</p> <p>a. Compliance with:</p> <ul style="list-style-type: none"> i. SUB-S4(1); ii. SUB-S5; iii. SUB-S6; iv. SUB-S7; v. SUB-S8; and vi. SUB-S9. <p>b. Compliance with:</p> <ul style="list-style-type: none"> i. SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor; and ii. SUB-S4(4) and SUB-S4(5) Gas Transmission Network. <p>Matters over which control is reserved:</p> <ul style="list-style-type: none"> c. SUB-AM1. d. SUB-AM2 e. SUB-AM3. f. SUB-AM4. g. SUB-AM5. h. SUB-AM6. i. SUB-AM7. j. SUB-AM8. k. SUB-AM9. l. SUB-AM10. m. SUB-AM15. 	<p>2. Activity status where compliance with condition SUB-R6(1)(a) is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. SUB-AM1. b. SUB-AM2 c. SUB-AM3. d. SUB-AM4. e. SUB-AM5. f. SUB-AM6. g. SUB-AM7. h. SUB-AM8. i. SUB-AM9. j. SUB-AM10. k. SUB-AM15. <p>3. Activity status where compliance with condition SUB-R6(1)(b) is not achieved: NC</p>
SUB-R7 Subdivision to create a Lifestyle Site(s) in association with the creation of a Conservation Lot		
General Rural Zone	<p>1. Activity Status: CON</p>	<p>2. Activity status where compliance with conditions SUB-R7(1)(a) and/or SUB-</p>

Rural Production Zone	<p>Where the following conditions are met:</p> <p>a. One lifestyle lot can be created, where the Conservation Lot is associated with the protection of:</p> <ul style="list-style-type: none"> i. minimum 5000m² of an area of significant indigenous vegetation and/or significant habitats of indigenous fauna (including sites listed in ECO-SCHED5), or ii. historic heritage items listed in HH-SCHED2 that cannot, or is not intended to be used for, a residential activity, or iii. wāhi tapu, wāhi taonga or site or area of significance listed in SASM-SCHED3, and iv. the whole of the feature within the Conservation Lot will be physically and legally protected in perpetuity. <p>b. A second lifestyle lot can be created where:</p> <ul style="list-style-type: none"> i. the total area of the feature to be protected is 9 hectares or more, and 	<p>R7(1)(b) is not achieved: SUB-R5 applies</p> <p>3. Activity status where compliance with conditions SUB-R7(1)(d) and/or SUB-R7(1)(f) is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. SUB-AM1. b. SUB-AM2. c. SUB-AM3. d. SUB-AM4. e. SUB-AM5. f. SUB-AM6. g. SUB-AM7. h. SUB-AM8. i. SUB-AM9. j. SUB-AM10. k. SUB-AM11. l. SUB-AM12. m. SUB-AM13. <p>4. Activity status where compliance with condition SUB-R7(1)(c) is not achieved: DIS</p> <p>5. Activity status where compliance with condition SUB-R7(1)(e) is not achieved: NC</p>
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- ii. the whole of the feature within the Conservation Lot will be physically and legally protected in perpetuity.
- c. Compliance with SUB-S3.
- d. Compliance with:
 - i. SUB-S4(1);
 - ii. SUB-S5;
 - iii. SUB-S6;
 - iv. SUB-S7;
 - v. SUB-S8; and
 - vi. SUB-S9.
- e. Compliance with:
 - i. SUB-S4(2) and SUB-S4(3) National Grid Subdivision Corridor; and
 - ii. SUB-S4(4) and SUB-S4(5) Gas Transmission Network.
- f. That land being subdivided is not located within a Natural Hazard area identified on the Planning Maps.

Matters over which control is reserved:

- g. SUB-AM1.
- h. SUB-AM2
- i. SUB-AM3.
- j. SUB-AM4.
- k. SUB-AM5.
- l. SUB-AM6.
- m. SUB-AM7.
- n. SUB-AM8.
- o. SUB-AM9.
- p. SUB-AM10.
- q. SUB-AM15.

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Standards

SUB-S1 Minimum Net Site Area (excluding Lifestyle Sites and Conservation Lots)

General Residential Zone	<p>1. Where public sewerage reticulation is available:</p> <p>a. 350m² (except within the Waipukurau South Precinct).</p> <p>a.b. 500m² within the Waipukurau South Precinct.</p> <p>2. Where public sewerage reticulation is not available – 1000m².</p>
Commercial Town Centre Zone	3. No minimum net site area applies.
General Industrial Zone	
Settlement Zone	<p>4. Where public sewerage reticulation is available – 600m².</p> <p>5. Where public sewerage reticulation is not available – 1000m².</p>
Large Lot Residential Zone (Coastal)	<p>6. Where public sewerage reticulation is available – 800m².</p> <p>7. Where public sewerage reticulation is not available:</p> <p>a. Mangakuri – 1500m².</p> <p>b. Other coastal settlements – 1000m².</p>
Rural Lifestyle Zone	8. 2500m ² , with a minimum 4000m ² average.
General Rural Zone	<p>9. 20 hectares</p> <p><i>Note: standards for subdivisions involving the creation of Lifestyle Sites in the General Rural Zone are in found in SUB-S2 below.</i></p>
Rural Production Zone	<p>10. 12 hectares</p> <p><i>Note: standards for subdivisions involving the creation of Lifestyle Sites in the Rural Production Zone are in found in SUB-S2 below.</i></p>
Conservation Lot (All Zones)	11. No minimum net site area applies.
Special Purpose Lot (All Zones)	12. No minimum net site area applies.

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Increasing the area of existing non-complying sites	13. No minimum net site area applies, provided no existing complying site is rendered non-complying by the subdivision.
SUB-S2 Minimum Net Site Area for Lifestyles Sites in General Rural Zone and Rural Production Zone (not in association with the creation of a Conservation Lot)	
General Rural Zone	1. Minimum net site area for Lifestyle Lot – 25004000m ² . 2. Maximum net site area for Lifestyle Lot – 2.5 hectares.
Rural Production Zone	3. Minimum net site area for Lifestyle Lot – 2500m ² . 4. Maximum net site area for Lifestyle Lot – 1 hectare4000m ² .
All Other Zones	5. N/A
SUB-S3 Minimum Net Site Area for Lifestyle Sites in association with the creation of a Conservation Lot	
General Rural Zone	1. Minimum net site area for Lifestyle Lot (exclusive of the area being protected) – 2500m ² .
Rural Production Zone	2. Maximum net site area for Lifestyle Lot (exclusive of the area being protected) – 4000m ² . 3. Minimum balance area: a. None, if the balance area is the Conservation Lot. b. If there is balance area exclusive of the Conservation Lot and Lifestyle Lot, the relevant minimum net site area in SUB-S1 applies.
SUB-S4 Building Platform	
General Rural Zone	1. For each lot capable of containing a residential dwelling, at least one stable building platform of 30 metres by 30 metres must be identified which is capable of (but is not limited to) containing a dwelling, a vehicle manoeuvring area and any accessory buildings, in compliance with the performance standards and performance criteria for the zone where it is located (including dwelling setbacks applicable to that zone).
Rural Production Zone	
Rural Lifestyle Zone	
Subdivision of land within the National Grid Subdivision Corridor	2. The subdivision of land in any zone within the National Grid Subdivision Corridor must be able to demonstrate that all resulting allotments are

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Commented [A62]: S50.013 The Surveying Co - Report 3B, Rural, Key Issue 11

Commented [A63]: Minor amendment pursuant to clause 16(2) of the First Schedule to the RMA

	<p>capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity outside of the National Grid Yard, other than where the allotments are for roads, access ways or network utilities.</p> <p>3. The layout of allotments and any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area.</p>
Subdivision of land containing the Gas Transmission Network	<p>4. The subdivision of land in any zone containing the Gas Transmission Network must be able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity that is at least 20m from the Gas Transmission Pipeline and 30m from above-ground equipment forming part of the Gas Transmission Network.</p> <p>5. The layout of allotments and any enabling earthworks must ensure that physical access is maintained to the Gas Transmission Network where it is located on the allotments, including any balance area.</p>
SUB-S5 Water Supply	
All Zones	<p>1. All new lots for any activity that will require a water supply must be connected to a public reticulated water supply, where one is available.</p> <p>2. Where the new lots will not be connected to a public reticulated water supply, or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the subdivider must demonstrate how an alternative and satisfactory water supply can be provided to each lot.</p> <p><i>Note: The above does not replace regional rules which control the taking and use of groundwater and surface water. These rules must be complied with prior to the activity proceeding.</i></p> <p><u>Further advice and information about how an alternative and satisfactory firefighting water supply can be provided to each lot can be obtained from Fire</u></p>

and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.

Any lot created for a special purpose, as provided for in SUB-R3, is exempt from this standard where the lot is created for a purpose that does not require the provision of a water supply, including a firefighting water supply.

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SUB-S6 Wastewater Disposal

All Zones

1. All new lots for any activity that will create wastewater must be connected to a public reticulated wastewater disposal system, where one is available.
2. Where the new lots will not be connected to a public reticulated wastewater disposal system, or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the subdivider must demonstrate how an alternative and satisfactory method of wastewater disposal can be provided for each site.

Note: The above does not replace regional rules which control the collection, treatment and disposal of wastewater to land or water. These rules must be complied with prior to the activity proceeding.

SUB-S7 Stormwater Disposal

All Zones

1. All new lots for any activity that will create stormwater must be connected to a public reticulated stormwater disposal system, where one is available.
2. Where the new lots will not be connected to a public reticulated stormwater disposal system, or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the subdivider must demonstrate how an alternative and satisfactory method of stormwater disposal can be provided for each site.

3. For new lots within the Waipukurau South Precinct (WSP):

- a. Any land within the subdivision site that is within the 'Proposed Stormwater Detention Pond' area identified in Figure 10 of Appendix GRZ-APP1 - Waipukurau South Precinct (WSP) Plan, and/or any other contiguous stormwater detention pond area of a similar size and extent provided in lieu, shall be vested in the Central Hawke's Bay District Council; and
- b. All stormwater peak flows up to and including a 1 in 5 year Annual Recurrent Interval (ARI) rainfall event shall be contained within a reticulated network; and
- c. Overland flow paths for flows up to a 1 in 50 year Annual Recurrent Interval (ARI) rainfall (or greater) event shall be provided; and
- d. Stormwater discharges from the site shall achieve hydraulic neutrality at the WSP boundary for critical storm durations up to and including the 1 in 100 year Annual Recurrent Interval (ARI) peak flow; and
- a.e. All public stormwater management infrastructure and facilities, including but not limited to, pipes, wetlands, drains, streams and/or access lots/areas shall be vested in the Central Hawke's Bay District Council and/or all necessary easements created.

Notes:

- 1. ~~c~~Clause 2. of this standard does not replace regional rules which control the collection, treatment, and disposal of stormwater to land or water. These rules must be complied with prior to the activity proceeding.
- 2. In relation to clause 3(b) of this standard:
 - (i) hydraulic neutrality should be achieved through a range of measures, including a mix of individual onsite controls and community-based, larger communal attenuation devices, having regard to the principles of low impact design and supported by hydraulic modelling.

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	<u>(ii) It is anticipated that critical storm durations would be 2 and 6 hours, however, this will need to be confirmed by an appropriate engineering assessment.</u>
SUB-S8 Property Access	
All Zones	1. All new lots for any activity must have vehicular access to an existing, legal road that complies with the relevant provisions of the TRAN – Transport chapter.
SUB-S9 Road Widening	
All Zones	<ol style="list-style-type: none"> Where the existing road frontage is subject to a road widening designation, provision must be made to enable the Council to acquire such land by separately defining the parcels of land subject to the road widening designation. Where the Council does not, for whatever reason, intend to immediately acquire the parcel, the parcel must be held in conjunction with adjoining land. This will be achieved with a Consent Notice registered which ensures that the parcel of land intended for road widening purposes remains held with the adjoining land until such time as the Council requires that parcel of land.

Commented [A66]: Consequential amendment in relation to S114.003 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

SUB-AM1 Lot Size and Dimensions

- Whether the area and dimensions of the lot(s) are sufficient to effectively fulfil the intended purpose or land use, having regard to the rules for the relevant zone.
- Whether the proposed lot sizes and dimensions are sufficient for operational and maintenance requirements and in particular the disposal of effluent on the site, where necessary.
- The relationship of the proposed lots and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.

4. The effects of the proposed lot sizes and dimensions on the existing character and amenity of the area, including any cumulative effects of an increase in the density of development.

SUB-AM2 Subdivision Design

1. The size and orientation of the lots in terms of their ability to maximise the amount of sunlight dwellings will receive.
2. The layout and design of streets and the provision for and practicality of creating direct connections between roads, footpaths, walkways, cycleways, reserves (existing or proposed) and public open spaces.
3. The design, location, extent, and construction of any earthworks associated with the subdivision and development of the land.

SUB-AM3 Building Platforms

1. The local ground conditions and suitability of the site for a building, and whether development on the site should be restricted to parts of the site.
2. ~~Where a parcel of land may be subject to inundation, whether there is a need to establish minimum floor heights for buildings in order to mitigate potential damage to them.~~
- 3.2. The positioning and scale of the building platform to facilitate meeting the setback standards applying in the respective zone for buildings.

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SUB-AM4 Natural Hazards

1. Whether the land, or any potential structure on that land, will be subject to material damage by erosion, falling debris, subsidence, slippage or inundation or other natural hazard event from any source.
2. Whether there are any methods/measures available to overcome or reduce the risk of any hazard(s), and whether these methods/measures may have adverse effects on the environment.
3. Adequacy of access during and after natural hazard events.
4. In assessing the above matters, the Council will have regard to the following:
 - a. Any information held on the Council's Natural Hazard registers and the Hawke's Bay Hazards Information Portal;
 - b. Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications; and
 - c. The objectives, policies, and methods in the NH – Natural Hazards chapter of the District Plan.

SUB-AM5 Water Supply, Wastewater Disposal, Stormwater Disposal

1. The location and capacity of reticulation facilities to allow suitable servicing of the lot(s) and reasonable access for the maintenance of the facilities.
2. ~~The need for Whether a local purpose reserve is needed~~ to be set aside and vested in the Council as a site for a public utility.

Commented [A68]: S129.112 Kainga Ora – Subdivision Report 5D, Key Issue 2

3. Where the lot(s) is/are not proposed to be connected to a public water supply, the ability to effectively and efficiently meet firefighting requirements and the ability to show how the lot(s) will be serviced by a water supply, for which consent has been obtained from the Hawke's Bay Regional Council (if required).
4. The provisions of the NZ Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.
5. Where the lot(s) is/are not proposed to be connected to a public wastewater system or public stormwater system, how the lot(s) will be serviced by an on-site wastewater and stormwater treatment and disposal system causing no environmental contamination on or beyond the subdivision site.
6. The objectives, policies, and methods in the SSB – Sustainable Subdivision and Building chapter of the District Plan.
7. The provisions of the Code of Practice for Urban Land Development and Subdivision Infrastructure (New Zealand Standard NZS 4404: 201004).
8. The provisions of the current Hastings District Council Engineering Code of Practice for the design and construction of water supply, wastewater disposal and stormwater disposal servicing.
- 9.8. The protection of any historic heritage items or notable trees (listed in HH-SCHED2 and TREE-SCHED4), wāhi tapu, wāhi taonga, and sites of significance (listed in SASM-SCHED3), or risk to archaeological sites.

Note: The Hastings District Council Engineering Code of Practice provides detailed technical standards on the design and construction of water supply, wastewater disposal and stormwater disposal servicing which may provide an acceptable means of compliance.

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Commented [A71]: CHBDC and HBRC in relation to submission points S89.002 and S11.033 - Subdivision Report 5D- Key Issue 10

Commented [A72]: S129.112 Kainga Ora – Subdivision Report 5D, Key Issue 7

Commented [A73]: S89.003 CHBDC - Subdivision Report 5D, Key Issue 2

SUB-AM6 Property Access

1. The provision, location, design, and construction of access for vehicles, pedestrians and cyclists.
2. Whether the road frontage is of sufficient width to cater for the expected traffic generated by the possible land uses that will be established on the lots being created, and whether there is any need to widen and/or upgrade the frontage road.
3. Where any proposed subdivision in any zone has frontage to any existing road(s) that is/are not constructed to the relevant vehicle access standards set out in the TRAN – Transport chapter of the District Plan and/or where road widening is required, whether the land uses that will be established on the proposed lots will increase the use of that road(s) to the degree that forming or upgrading the existing road(s) is required.
4. Any impact of roading and access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties, and the need for tree planting in the open space of the road to enhance the character and identity of the neighbourhood.
5. The effect of any new intersections or accesses created by the subdivision on traffic safety and efficiency, including the availability of adequate, unobstructed sight distances from intersections and adequate spacing between intersections.

6. The provisions of the Code of Practice for Urban Land Development and Subdivision Infrastructure (New Zealand Standard NZS 4404: 201004) for the design and construction of roads.
7. The provisions of the NZ Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 with respect to Whether-whether the width of the legal road, right of way, vehicle access lot or vehicle access leg is sufficientis sufficient for fire appliances to access the lot(s).
8. The provisions of the current Hastings District Council Engineering Code of Practice for the design and construction of roading
- 9.8. The requirements of New Zealand Transport Agency and Part IV of the Government Rooding Powers Act 1989 with regard to vehicle entrances onto state highways.
- 10.9. The need to provide alternative access for car-parking and vehicle loading in the COMZ-TCZ- CommercialTown Centre Zone and GIZ – General Industrial Zone by way of vested service lanes at the rear of properties having regard to alternative means of access and performance standards for activities within such zones.
- 11.10. Any need to require provision to be made in a subdivision for the vesting of road reserves for the purpose of facilitating connections to future roading extensions to serve surrounding land, or planned road links that may need to pass through the subdivision and the practicality of creating such easements at the time of subdivision application in order to facilitate later development.
- 12.11. Any need to require subdividers to enter into agreements that will enable the Council to require the future owners to form and vest roads when other land becomes available.
- 13.12. The need to provide for appropriate standards of street lighting or private vehicular access lighting.
- 14.13. The need to provide distinctive names for private vehicular accesses – the name to be agreed to by the Council.
- 15.14. The protection of any historic heritage items or notable trees (listed in HH-SCHED2 and TREE-SCHED4), wāhi tapu, wāhi taonga and sites of significance (listed in SASM-SCHED3), or risk to archaeological sites.

Note: The Hastings District Council Engineering Code of Practice provides detailed technical standards on the design and construction of water supply, wastewater disposal and stormwater disposal servicing which may provide an acceptable means of compliance.

SUB-AM7 Subdivision resulting in the creation of new sites-lots within:
 - 50m of the State Highway Network with a speed limit of less than 70km/h; or
 - 100m of the State Highway Network with a speed limit pf 70km/h or more (measured from the nearest painted edge of the carriageway)

1. The potential adverse effects of noise generated from the road network.
2. The potential adverse effects of site-lot development on the efficient use and operation of the State Highway network and the suitability of any mitigation

Commented [A74]: S89.003 Central Hawke's Bay District Council - Subdivision Report 5D- Key Issue 10

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Commented [A77]: S129.113 Kainga Ora – Subdivision Report 5D, Key Issue 7

Commented [A78]: S89.006 CHBDC - Subdivision Report 5D, Key Issue 2

measures relating to noise and vibration to enable the continued operation of the network.

3. Whether any consultation with the NZ Transport Agency has occurred and the outcome of that consultation.
4. Whether a consent notice with regard to reverse sensitivity effects on the State Highway network is proposed.
5. Whether any proposed building platform or development should be restricted to parts of the site/lot(s).
6. Whether there are any special topographical features or ground conditions which may mitigate effects on the operation of the State Highway network.

Commented [A79]: Clause 16(2) of the First Schedule of the RMA and consequential amendments in relation to the Reporting Officer's recommendations on Hearing Stream 2 on S129.140, FS23.177 Kainga Ora, and FS16.38 Waka Kotahi

SUB-AM8 General

1. Any potential cumulative effects that may occur as a result of the subdivision.
2. Potential constraints to the development of the site, such as the National Grid Subdivision Corridor or stormwater drains, and the ability for any resulting adverse effects to be avoided, remedied, or mitigated.
3. The potential effects from a proposed subdivision or development of land on the safe and efficient operation of network utilities.
4. The provision of electricity to the site boundary for any urban zone (GRZ – General Residential Zone, COMZTCZ – Commercial Town Centre Zone, GIZ – General Industrial Zone), to be confirmed by the electricity network utility as a condition of consent.

4.5. The alternative options for the provision of telecommunications to each site.

Commented [A80]: Chorus (S117.065), Spark (S118.065) and Vodafone (S119.065) – Subdivision Report 5D, Key Issue 9

SUB-AM9 Esplanade Reserves, Esplanade Strips and Access Strips

1. The purposes for the creation of esplanade reserves and/or esplanade strips set out in section 229 of the RMA.
2. Whether an esplanade reserve or esplanade strip of up to 20 metres wide is needed to be created or vested:
 - a. when a lot is created along any priority waterbody shown on the District Planning Maps;
 - b. when a lot is created along the bank of any other waterbody/river or lake identified on the District Planning Maps, or along the coast;(including consideration of the adverse effects of not providing the full potential width and the benefits of providing the full width).

Note: This does not apply to subdivisions that are required for a boundary adjustment.
3. Whether any waiver or reduction in size or width of an esplanade reserve or esplanade strip will adversely affect:
 - a. The ecological characteristics of the land that contribute to the maintenance and enhancement of the natural functioning of the adjacent river, lake or sea;
 - b. The water quality of the adjoining river, lake or sea;
 - c. The land and water-based habitats present on or adjoining the subject land area;
 - d. The public's ability to gain access to and along the lake, river or sea;

Commented [A81]: S121.049 Federated Farmers - Report 1D Open Space and Recreation, Public Access, Activities on the Surface of Water, Key Issue 2

- e. The recreational use of the land and adjacent water;
 - f. The natural character and visual amenity of the river, lake, or coast; and
 - g. The ability of the Central Hawke's Bay District Council and/or the Hawke's Bay Regional Council to gain access to and along the margins of the river, lake, or sea for maintenance purposes.
4. Whether any waiver or reduction in size or width of the esplanade reserve or esplanade strip will:
- a. Ensure the security of private property or the safety of people;
 - b. Maintain or enhance the protection of wāhi taonga, including wāhi tapu and mahinga kai as well as the provision of access to areas of importance to Māori;
5. Whether the land is within a natural hazard area or in an area where there is an identified risk from one or more natural hazards.
6. Whether there is another protection mechanism, such as QEII Trust Covenant, that will be more appropriate than an esplanade reserve or esplanade strip.
7. Whether an access strip will provide enhanced public access to existing esplanade reserves which are currently landlocked and which have significant natural, cultural or recreational value.

SUB-AM10 Easements

1. Whether there is a need for easements:
- a. where a service or access is required by the Council;
 - b. for stormwater passing through esplanade reserves where drainage will run to the river;
 - c. to meet network operator requirements;
 - d. in respect of other parties in favour of nominated lots or adjoining Certificates of Title;
 - e. for private ways;
 - f. for stormwater, sanitary sewer, water supply, electric power, gas reticulation, telecommunications;
 - g. party walls and floors/ceilings;
 - h. for servicing with sufficient width to permit maintenance, repair, or replacement.

SUB-AM11 Sites-Lots in the Rural Lifestyle Zone, and Lifestyle Sites in the General Rural Zone and Rural Production Zone, which adjoin any site used for existing horticultural or primary production activities, including intensive primary production activities, rural industry and industrial activities

1. The design of the subdivision to ensure that, as a consequence of the development it will accommodate, reverse sensitivity effects will not be created or exacerbated. In particular, in assessing the development, the following factors will be considered:
- a. The scale, design, and location of the development such that the number of sites and potential house sites adjoining the above activities is minimised.

Commented [A82]: S116.024 Silver Fern Farms, Report 3B, Rural, Key Issue 11

Commented [A83]: Consequential amendments in relation to amendments to Policy SUB-P16 in response to submission points S116.022 Silver Fern Farms, S42.023 NZ Pork

- b. The location of the house sites which will avoid where practicable, or otherwise mitigate, any potential for reverse sensitivity effects.
- c. The ability of the development to include methods which will mitigate against reverse sensitivity effects being created or exacerbated/experienced.
- d. The registration of restrictive covenants and/or consent notices (where they are offered by the applicant) against the certificate of title(s) for any site where reverse sensitivity effects are likely to result from activities operated in compliance with the provisions of the District Plan, which cannot otherwise be adequately avoided or mitigated by other conditions of consent, and which are necessary to achieve the relevant objectives, policies and anticipated environmental outcomes for the zone, particularly those relating to reverse sensitivity effects.

Commented [A84]: S129.118 Kainga Ora – Subdivision Report 5D, Key Issue 9: Assessment Matters

Commented [A85]: S116.024 Silver Fern Farms - Report 3B, Rural, Key Issue 11

Commented [A86]: Clause 16(2) of the First Schedule of the RMA.

SUB-AM12 Lifestyle Sites in the Rural Production Zone

1. Maximum area exceeded
The Council will have regard to whether one or more of the following factors apply in deciding whether the use of an area of land greater than 4000m² for a lifestyle site is appropriate:
 - a. Enabling minimum yard requirements for Rural Production Zone lifestyle sites to be met.
 - b. Position of topographical features, such as rivers, drains, hills, terraces, or roads forming physical boundaries for the lifestyle site(s).
 - c. Site configuration, where due to the shape of the site before subdivision the excess land incorporated within the lifestyle site(s) could not be effectively utilised as part of the amalgamated balance.
 - d. Provision of the continued utilisation of existing accessory buildings, gardens, and other facilities such as effluent fields, water supply points or accessways relating to the house.
 - e. Soil quality, where the soil of the land incorporated within the lifestyle site is not identified as Class 1 or 2 (as defined in the New Zealand Land Inventory Worksheets) and is of a lesser quality than the soil of the amalgamated balance.
 - f. Provision for buffer areas (greater than the minimum yard requirements) to avoid or mitigate reverse sensitivity where specific site characteristics and the nature of adjoining land uses are likely to generate the potential for complaints about adjoining primary production or rural industry activities.
2. Balance area smaller than 12 hectares
In deciding whether a Rural Production Zone lifestyle site subdivision creating an amalgamated balance area of less than 12ha is appropriate, the Council will have regard to whether any of the following factors apply:
 - a. The amalgamated site has a greater potential for sustained independent production in accordance with the Rural Production Zone policies than either of the sites involved in the amalgamation had prior to the subdivision.

Commented [A87]: S116.025 Silver Fern Farms - Report 3B, Rural, Key Issue 11

- b. An amalgamated site of less than 6ha will not generally be considered to have any potential under (a) above unless it contains existing capital improvements for an intensive horticultural land use.
3. Amalgamated sites not adjoining
In deciding whether a Rural Production Zone lifestyle site subdivision creating an amalgamation of titles not adjoining, the Council will have regard to whether any of the following factors apply:
 - a. The titles are positioned in a manner that allows them to be effectively used together for sustained independent production in accordance with Rural Production Zone policy.
 - b. The likelihood of a successful application being made to subdivide the titles in the future on the basis that they cannot effectively be used together is low.

SUB-AM13 Subdivisions within the General Rural Zone and Rural Production Zone – Lifestyle Sites

1. That the location and shape of the lifestyle site enables the balance site to be farmed efficiently and effectively. The Council will also take into account the ability to avoid, mitigate or manage any potential reverse sensitivity effects generated from the lifestyle site, within the subject site itself, the balance area of the property and with adjoining properties.
2. The ability to avoid or mitigate any actual or potential reverse sensitivity effects where specific site characteristics and/or the nature of surrounding or existing land uses are likely to generate the potential for complaints about lawfully established activities. The Council will take into account the following factors (but is not restricted to these):
 - a. Railway lines and whether access to a lifestyle site or rural site is sought via a private level crossing (Note: this requires the formal approval of Kiwirail Holdings Ltd);
 - b. Any new access, upgraded access, or additional sites accessing a state highway (Note: this requires the formal approval of the New Zealand Transport Agency);
 - c. Any lifestyle site proposed within 400 metres of an existing rural industry or primary production activity including intensive primary production;
 - d. Any rural airstrip; and
 - e. Any other nearby lawfully established activity, which a residential use of a lifestyle site is likely to be sensitive to, or incompatible with.
3. Methods to mitigate any potential reverse sensitivity effects. Landowner(s) associated with a lifestyle site subdivision application may offer the use of a 'No-Complaints Covenant' as a condition of consent, to help mitigate potential reverse sensitivity effects. This method is only available if the landowner(s) offers it; such covenants cannot be required by the Council.
Note: 'No Complaints Covenants' of themselves will generally not be considered sufficient to deal with reverse sensitivity effects.
4. The location and shape of any rural site enables it to be farmed efficiently and effectively, with particular regard to boundary shape.

Commented [A88]: S116.026 Silver Fern Farms - Report 3B Rural, Key Issue 11

Commented [A89]: S116.026 Silver Fern Farms - Report 3B Rural, Key Issue 11

Commented [A90]: S81.085 Hort NZ - Report 3B, Rural, Key Issue 11

Commented [A91]: S42.027 Pork Industry - Report 3B, Rural, Key Issue 11

5. That the subdivision does not result in any more than one lifestyle site being created from the title subject to the subdivision application.
6. Whether the proposed lifestyle site in the General Rural Zone is being created within 3 years of any prior lifestyle sites being created from the subject title, or any previous title that has become part of the subject title. If more than one lifestyle site is created within the 3-year period, the application may be declined on this basis.
7. Where multiple sites greater than 20 hectares are being created in one subdivision or over successive applications, site configuration, shape and timing will be given particular consideration with regard to appropriateness for primary production activities. Such subdivisions should not be undertaken with the intention of 'setting up' future lifestyle site subdivisions. If this is found to be the case, the application may be declined on this basis.
8. Whether the design of the subdivision and the development it will accommodate, is designed to avoid, remedy, or mitigate any adverse effects on any wāhi tapu, wāhi taonga, archaeological site, or any other area of historic or cultural significance.

SUB-AM14 Sites for Special Purposes

1. Whether the lot is of sufficient area and dimensions to facilitate the intended use of the site.
2. A Consent Notice may be registered on the Certificate of Title to any special purpose site, pursuant to section 221 of the RMA, requiring enforcement of a condition that, in the event that the site is no longer required for a special purpose, the site be amalgamated with an adjoining site, unless it is a fully complying lot for the respective zone.

SUB-AM15 Conservation Lots

To assess the significance of the feature being protected, and whether it can be protected successfully, the following criteria will be used as a guide:

1. Significant Natural Areas (ECO-SCHED5), Areas of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna
 - a. The extent to which the size of the proposed Conservation Lot(s) might adversely affect the usability of the balance area.
 - b. The design of the subdivision and the development it will accommodate, to ensure that it will not have adverse effects on the values of any Conservation Lots. Reference will be made to the proposed nature and location of building platforms, roads and accessways and earthworks.
 - c. The provision of an appropriate legal protection for the Conservation Lot, in perpetuity, on the title of the land. All applications must outline how the conservation feature will be protected, including: an agreement regarding an encumbrance, bond, consent notice or covenant that must be entered into before the issue of the section 224 Certificate under the RMA. The covenant, bond, consent notice or encumbrance will as a minimum require that the stand of native vegetation or other feature of significance be fenced with a stock-proof fence where appropriate, kept free of livestock, be

subject to any specified protective or enhancement measures to maintain or enhance its value or physical security, and must include monitoring and enforcement provisions.

2. Heritage Items (HH-SCHED2) and Wāhi Tapu, Wāhi Taonga and Sites of Significance to Tangata Whenua (SASM-SCHED3)
 - a. The ability to effectively protect the item or site with an appropriate legal protection for the Conservation Lot, in perpetuity, on the title of the land.
 - b. Whether sufficient area is provided to enable the item or site to be sensitively integrated into the Conservation Lot, particularly where the land contributes significantly to the value of the item or site.
 - c. Where an additional residential dwelling is proposed to be co-located with a heritage item (where not identified on HH-SCHED2 as 'Wāhi Tapu'), the extent of setback of that dwelling from the heritage item will be considered with a view to protecting the item's heritage values.

SUB-AM16 Subdivision of land, including Lifestyle Sites, within Outstanding Natural Landscapes and Features, Significant Amenity Features, and the Coastal Environment (including identified areas of High Natural Character)

1. The design of the subdivision and the development it will accommodate, to ensure that it will not have adverse visual or landscape effects on the values of the feature, landscape or area (identified in ECO-SCHED5, NFL-SCHED6, and CE-SCHED7 of the District Plan) and will not detract from the natural character of the coastal environment. Reference will be made to the proposed nature and location of building platforms, roads and accessways, earthworks, landscaping, and planting. In particular, the development subdivision will be assessed in terms of its ability to achieve the following:
 - a. Be of a scale, design and location that is sympathetic to the visual form of the coastal environment or the natural character area, landscape, or feature, and will not dominate the landscape.
 - b. Avoid large scale earthworks on rural ridgelines, hill faces and spurs.
 - c. Be sympathetic to the local character, to the underlying landform and to surrounding visual landscape patterns.
 - d. Be designed to minimise cuttings across hill faces and through spurs, and to locate boundaries so the fencing is kept away from visually exposed faces and ridges.
 - e. Where planting is proposed, its scale, pattern and location is sympathetic to the underlying landform and the visual and landscape patterns of surrounding activities.
 - f. Where necessary, for the avoidance or mitigation of adverse effects, any proposals to ensure the successful establishment of plantings.
 - g. Be sympathetic to the natural science, perceptual and associational values (including for tangata whenua) associated with the natural character area, landscape, or feature.

Commented [A92]: Correction under Schedule 1, cl16(2) of the RMA

Commented [A93]: S129.120 Kāinga Ora – Subdivision Report 5D, Key Issue 9: Assessment Matters

SUB-AM22XX Subdivision of land partly or wholly containing an identified heritage item (identified in HH-SCHED2), notable tree (identified in TREE-SCHED4), Significant Natural Area (identified in ECO-SCHED5), archaeological site, or wāhi tapu, wāhi taonga, and site or area of significance to Māori (identified in SASM-SCHED3)

1. Whether subdivision will enable the establishment of land use activities likely to result in adverse effects on the heritage item, notable tree, significant natural area, archaeological sites, wāhi tapu, wāhi taonga or site of significance to Māori that would not otherwise be enabled without subdivision
2. Any potential adverse effects on each item, tree, area, or site, including but not limited to:
 - a. Whether sufficient land is provided around the item, tree, area or site to retain and protect its values;
 - b. Whether the subdivision will fragment the item, area, or site; and
 - c. whether the subdivision will involve land disturbance that may have adverse effects on the item, tree, area, or site, including building platforms and vehicle accessways.
3. Findings and/or recommendations of investigations from any impact assessment undertaken on the effects of the subdivision on the item, tree, area, or site that are is supplied with the application.
4. Any relevant consultation and/or engagement with tangata whenua and/or Heritage New Zealand Pouhere Taonga, where appropriate.
5. Measures to avoid or mitigate any adverse effects on the cultural, spiritual, indigenous biodiversity, and/or heritage values of the item, tree, area, or site associated with the land being subdivided, including the provision of any protective covenants.

Commented [A94]: S129.123 Kāinga Ora – Subdivision Report 5D, Key Issue 7

SUB-AM17 Subdivisions with building platforms and/or vehicle access within the National Grid Subdivision Corridor

1. The extent to which the design and construction of any subdivision allows for earthworks, buildings and structures to comply within the safe separate separation distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001.
2. The ability for continued access to existing National Grid transmission lines for maintenance, inspections and upgrading.
3. The ability to provide a complying building platform outside of the National Grid Yard.
4. The extent to which the design and construction of the subdivision allows for activities to be set back from National Grid transmission lines to ensure adverse effects on and from the National Grid Transmission Network and on public safety are appropriately avoided, remedied or mitigated e.g. through the location of roads and reserves under the route of the line.
5. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid transmission lines, and how such landscaping will impact on the

Commented [A95]: Clause 16(2) of the First Schedule of the RMA.

operation, maintenance, upgrade and development (including access) of the National Grid.

6. The provision for the ongoing efficient operation, maintenance, and planned upgrade of the National Grid transmission lines.
7. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and nuisance effects on the transmission asset.
8. The outcome of any technical advice provided by Transpower.
9. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
- 9-10. The extent to which the subdivision design and consequential development are consistent with the objectives and policies of the NU – Network Utilities chapter.

Commented [A96]: S79.085 Transpower – Subdivision Report 5D, Key Issue 1

SUB-AM18 Subdivisions with building platforms and/or vehicle access within proximity of the Gas Transmission Network

1. Any effects on the safe, effective, and efficient operation, maintenance, and upgrade of the Gas Transmission Network.
2. Any effects on the ability for vehicles to access the Gas Transmission Network.
3. Risks relating to health or public safety and the risk of property damage.
4. Reverse sensitivity effects.
5. Technical advice provided by First Gas Ltd.

SUB-AM19 Subdivision of Land within the Waipukurau South Precinct (WSP)

1. The degree to which the subdivision may impact on the ability to service other existing or future sites in the WSP area that are compliant with SUB-S1.
2. Where the subdivision is located within or partly within the WSP area, the cumulative effects of the subdivision on the environment, taking into account:
 - a. Any subdivision consents already granted; and
 - b. The extent of development that could occur as a controlled activity under Rule-SUB-R1.
3. The extent to which the design and construction of the subdivision achieves the Precinct Plan Outcomes in Appendix GRZ-APP1 - Waipukurau South Precinct (WSP) Plan.

Commented [A97]: S114.004, S114.005, S114.006, S114.007 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

SUB-AM20 Subdivision of Land subject to an approved land use consent in the General Residential Zone, Commercial Town Centre Zone, General Industrial Zone and/or Large Lot Residential Zone

1. The effect of the design and layout of the proposed sites created;
2. Whether the design and layout of the proposed site will result in new or increased non-compliance with District-wide and zone rules;
3. Whether there is appropriate provision made for infrastructure; and
4. Whether there is appropriate creation of common areas over parts of the parent site that require access by more than one site within the subdivision.

Commented [A98]: Kainga Ora S129.097 - Subdivision Report 5D Key Issue 7

SUB-AM21XX Subdivision within building platforms and/or vehicle access within proximity of Hatuma Lime Maharakeke Road quarry.

1. **Any actual and potential reverse sensitivity effects on the effective, and efficient operations of the Hatuma Lime quarry.**

Commented [A99]: Hatuma Lime (S98.022) - subdivision Report 5D- Key Issue 9

Methods

Methods, other than the above rules, for implementing the policies:

SUB-M1 Other Provisions in the District Plan

Implementation of objectives and policies of the relevant zones and district-wide activities in the District Plan, including those set out in the following sections of the District Plan:

1. SSB – Sustainable Subdivision & Building
2. TW – Ngā Tangata Whenua o Tamatea
3. UFD – Urban Form and Development
4. TRAN – Transport
5. NH – Natural Hazards
6. HH – Historic Heritage
7. SASM – Sites and Areas of Significance to Māori
8. ECO – Ecosystems and Indigenous Biodiversity
9. NFL – Natural Landscapes and Features
10. CE – Coastal Environment
11. EW – Earthworks

SUB-M2 Codes of Practice

1. The current Hastings District Council Engineering Code of Practice (used by Central Hawke's Bay District Council) includes standards for the design and construction of roading and service infrastructure, which may be used as a means of compliance with the objectives, policies, rules, and standards of the District Plan (subject to minor amendments).
2. [Code of Practice for Urban Land Development and Subdivision Infrastructure](#) (New Zealand Standard NZS 4404:20042010).
3. The New Zealand Fire Service Fire-Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 applies to all new subdivision and development in all areas, for both reticulated and non-reticulated water supplies.

Commented [A100]: S89.009 CHBDC – Subdivision Report 5D, Key Issue 2

SUB-M3 Council Bylaws

Central Hawke's Bay District Council's Water Supply (Part 07), Stormwater (Part 21) and Wastewater (Part 22) Bylaws.

SUB-M4 National Policy Statements and National Environmental Standards

1. Resource Management (National Policy Statement on Electricity Transmission) 2010.
2. Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

SUB-M5 Natural Hazard Information

Natural hazard information, such as the Council's natural hazard database on the GIS system, the natural hazards historical database and ongoing consultation and information sharing with the Hawke's Bay Regional Council, including via the Hawke's Bay Hazard Information Portal (<http://www.hbemergency.govt.nz/hazards/portal>).

SUB-M6 Covenants and Consent Notices

Covenants and Consent Notices issued under section 221 of the RMA and registered on Certificates of Title.

SUB-M7 s222 RMA Completion Certificates

Completion Certificates issued under section 222 of the RMA for the completion of works (e.g. works to provide or upgrade service facilities).

SUB-M8 Heritage New Zealand *Pouhere Taonga* Act

The Heritage New Zealand *Pouhere Taonga* Act makes it an offence to destroy or modify an archaeological site without first obtaining an 'archaeological authority' (applies to both recorded and unrecorded archaeological sites). Contact with Heritage New Zealand *Pouhere Taonga* is advised if the subdivision involves any activity may modify, damage or destroy any archaeological site (e.g. such as earthworks, fencing or landscaping).

Principal Reasons

The principal reasons for adopting the policies and methods:

It is important that subdivision is undertaken in a way that achieves the objectives and policies of the various zones and district-wide activity provisions of the District Plan.

The District Plan includes minimum lot size standards that provide landowners with sufficient flexibility and certainty to create sites which are of an appropriate size to achieve the scale, density and type of development provided for by the objectives, policies and methods for each zone and district-wide activity.

Consistent with the objectives and policies of the ECO – Ecosystems and Indigenous Biodiversity chapter, the HH – Historic Heritage chapter, and SASM – Sites of Significance to Māori chapter in the District Plan, includes subdivision rules that allow the creation of a separate in-situ Lifestyle Site (and an associated house site) in return for legally and physically protecting in perpetuity: nominated significant indigenous vegetation and/or significant habitats of indigenous fauna (including Significant Natural Areas identified in ECO-

SCHED5 of the District Plan), Heritage Items identified in HH-SCHED2, or Wāhi Tapu, Wāhi Taonga and Sites of Significance identified in SASM-SCHED3 of the District Plan located on the land being subdivided.

Given the highly variable nature of circumstances and public needs associated with the creation of sites for special purposes (including public works, network utility operations and renewable electricity generation activities), it is impractical to specify what size or dimension these sites should be. The subdivision rules therefore provide flexibility to allow the creation of sites of various sizes and dimensions for special purposes.

Subdivision is often followed by intensification or changes in land use that increase the demand for reticulated water supply, wastewater disposal and stormwater disposal services. However, unless the provision of such services is proposed and identified as works in the Council's Long Term Plan or Annual Plan, and are necessary to protect the environment, the Council will not provide services. Subdividers will be required to ensure that independent provision can be made for an on-site water supply, and for the disposal of wastewater and stormwater on the site, sufficient to meet the likely needs of subsequent development.

Where a method, other than connection to a public reticulated system will be used to provide new lots with a water supply or means of disposing of wastewater or stormwater from lots, subdividers will be required to demonstrate how the method can achieve the protection of the health and safety of residents and avoid any significant adverse effects on the environment.

Vehicular and pedestrian access to lots created must be practicable, safe, and convenient for users, and should avoid adverse effects on the environment, including adjoining activities. Where new roads are required to connect a subdivision to the District road network, it is important that they are designed and constructed to be compatible with the roads they are connecting to.

It will be the subdividers, or subsequent lot owners', responsibility to ensure that telecommunication or electricity reticulation is available, where needed. Electricity requires the provision of power lines and associated structures. New underground reticulation is considered more visually appropriate.

The Council uses the [Code of Practice for Urban Land Development and Subdivision Infrastructure \(NZS 4404: 2010\)](#) and the [Hastings District Council Engineering Code of Practice](#) (and any future amendments) as methods to assess detailed engineering requirements for subdivision consent applications, along with the Hastings District Council Engineering Code of Practice. These Codes of Practice are therefore referred to in the [Methods assessment matters for resource consents](#)—although the Code of Practice itself is but are not part of the District Plan.

Commented [A101]: minor change pursuant to clause 16(2) of the Schedule 1 of the RMA

Commented [A102]: S89.007 CHBDC, S129.125 Kāinga Ora – Subdivision Report 5D, Key Issue 2

There are areas within the District which, because of risk from natural hazards, are unsuitable for development, or require specific measures to be undertaken to overcome these hazards (refer to the NH – Natural Hazards chapter of the District Plan).

The Council has the ability under section 106 of the RMA to decline consent to any subdivision in areas where there is a significant risk from natural hazards. It is also necessary to consider the effects of the mitigation measures (as part of a risk management approach) which may also create adverse environmental effects.

Earthworks associated with construction of access, building platforms or services on land being subdivided may potentially have an adverse impact on the amenity of the area, including dust and visual amenity, and may result in the modification, damage or destruction of historic heritage and sites and places of significance to tangata whenua; or accelerate or worsen the risk and effects of natural hazards in the area. The Council may impose conditions on subdivision consents regarding the design, location, construction, and extent of earthworks associated with the subdivision or development of the land.

Inappropriately designed or located subdivision has potential to create reverse sensitivity effects, particularly when it provides for the establishment of sensitive activities (e.g. residential and lifestyle development) close to existing primary production activities, rural industry, industrial activities, public works, network utility operations and renewable electricity generation sites. Such effects can significantly affect the ability of the existing activities to continue to legally operate, upgrade or expand (e.g. through complaints about noise and odour). Therefore, recognising and avoiding reverse sensitivity effects when planning for subdivision and land use development will provide for the continued efficient and effective operation of existing activities.

While the Waipukurau South Precinct (WSP) area has been residentially zoned for a number of years, the ability to develop the land within it has been significantly hindered by servicing constraints, particularly in relation to 3-waters infrastructure (most notably stormwater and wastewater) and through land parcels being held in multiple ownership. Active faultlines also exist within the area. Subdivision proposals within the WSP will be assessed with respect to their ability to achieve the Structure Precinct Plan Outcomes in Appendix GRZ-APP1 – Waipukurau South Precinct (WSP) Structure Plan.

Commented [A103]: S116.027 Silver Fern Farms – Subdivision Report 5D, Key Issue 10

Commented [A104]: S114.008 CHBDC, Report 6A Mapping & Rezoning, Rezoning Request 23

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

SUB-AER1	Achievement of the objectives and policies of the various zones and district-wide activity provisions.
SUB-AER2	Creation of sites which are of a sufficient size and shape to accommodate the variety of activities allowed by the zones and district-wide activity rules.
SUB-AER3	Appropriate flexibility in the size of lots that can be created and the means of achieving the servicing of lots.
SUB-AER4	Sites which are of a size and shape that enable the maintenance or enhancement of the character or amenity of the environment,

including landscape values, and avoid any potential reverse sensitivity issues in the area where they are located.

- SUB-AER5** Sites of a size and shape suitable for current and future requirements of public works, network utilities, renewable electricity generation, and other special purposes.
- SUB-AER6** A safe and efficient roading network.
- SUB-AER7** Safe, efficient and convenient vehicular and pedestrian access to and from subdivided lots.
- SUB-AER8** Water supplies that are sufficient in volume and of potable (drinkable) quality to meet reasonable needs and expectations over time.
- SUB-AER9** Adequate treatment and disposal of stormwater and wastewater.
- SUB-AER10** Adequate provision for electricity/energy and telecommunications services.
- SUB-AER11** Maintenance and enhancement of public health and safety.
- SUB-AER12** Cost effective provision of services for redevelopment and growth without additional financial burdens on District rate payers.
- SUB-AER13** A pattern of subdivision complementary and appropriate to the character of the land uses in the area concerned.
- SUB-AER14** A pattern of subdivision consistent with planned density, roading patterns and open space requirements appropriate in residential environments.
- SUB-AER15** Avoidance or mitigation of potential significant risk from natural hazards, including flooding, erosion or subsidence.

GRZ – General Residential Zone

Introduction

The General Residential Zone covers the residential areas of Waipukurau and Waipawa, representing the most significant concentration of residential settlement in Central Hawke's Bay, with approximately 50% of the District's population living within them. The zone provides principally for low/medium density development and low height permanent living accommodation that is one to two storeys high in a variety of forms and sizes, as the predominant residential character.

Commented [A1]: S129.145 Kāinga Ora – Urban Topic 2A, Key Issue 1

Waipukurau (named after a nearby Māori pā) is the largest of the two towns. The area was first settled by Māori who prized the eeling at Lake Whatuma. In the 1850's, a large block of land (known as the Waipukurau Block) was purchased from local Māori for European settlement, which included the land the town is situated on. The town's development was initially restricted by the presence of large surrounding pastoral stations (including Mt Herbert Station) but grew as a thriving rural service centre.

Waipawa (originally named Abbotsford) is the oldest of the two towns, being one of the first inland towns to be established in New Zealand and taking a leading part in the history of the province of Central Hawke's Bay. It's central role continues in it being the location of the Council offices for Central Hawke's Bay District.

Housing is a fundamental human need. Access to quality housing and a healthy living environment contributes strongly to people's well-being. Housing in the District is typical of that found in rural districts nationally, including the average number of persons per household unit, which is becoming smaller over time.

Issues

GRZ-11 Diversity of Living Environments

Satisfying demand for diversity in living environments.

Explanation

The residential areas of Waipukurau and Waipawa are generally characterised by generous yards, contributing to an open low-density environment, with some consolidation and infill having taken place over time. A greater mixture of building ages and styles has developed.

People's needs and lifestyle preferences for housing differ in terms of cost, location, design, size, and style. Housing may include detached land/or attached dwellings, rental accommodation, and senior citizens' housing. The District Plan recognises and provides for diversity in living environment sought by residents, while still maintaining an environmental quality appropriate to residential areas.

Commented [A2]: S129.145 Kainga Ora – Urban Environment Report 2A – Key Issue 1

GRZ-I2 Residential Amenity

Without appropriate management, the location, nature and design of buildings and activities within residential areas can may result in adverse effects on the amenity values of those areas.

Explanation

Well-being is enhanced by a pleasant living environment. This often depends on the character of existing residential areas. This character includes the location and scale of open space, density and predominant style of residential development, and heights of buildings.

Residential areas have always contained a range of complementary non-residential activities catering for the educational, spiritual, social, recreational, and day-to-day economic needs of the residents. Many of these activities require a residential location, as they provide a local service for residents, such as doctors' surgeries and pre-schools. These activities often generate traffic and can result in on-street parking, or cause noise and glare, particularly from outdoor activities, which can cause a nuisance for neighbours.

Compatibility between residential and non-residential activities is desirable if the standard of amenity in these areas is to be maintained at an acceptable level. Home-based business activities (known as 'home businesses') may employ local residents and bring many social and economic benefits but can also cause problems in residential areas. The range of home businesses and their character and scale vary considerably. Like other non-residential activities, the potential of these activities to generate traffic and noise can become a problem. The likely rate at which traffic is drawn to a site often relates to the scale of service provided and the extent of retailing that may be involved. Measures, such as placing limitations on the scale of activities, including floor areas and the number of persons employed in the activity who are not living on the site, are commonly adopted to mitigate these potential adverse effects.

Objectives

GRZ-O1 To enable existing and future residential needs to be metEnable a variety of housing types and sizes to meet residential needs now and in the future.

GRZ-O2 To provide for the location of appropriate and complementary non-residential activities within residential areas which benefit local communities, but do not detract from the amenity of the area.

GRZ-O3 Enabling individual and community expression in building design and architecture, while managing some elements of development in order to maintain and enhance the character and amenity values of the residential environment.

Commented [A3]: S129.146 Kāinga Ora – Urban Topic 2A, Key Issue 1

Commented [A4]: S129.147 Kāinga Ora – Report 2A Urban Environment, Key Issue 1

Commented [A5]: S129.148 Kāinga Ora – Urban Topic 2A, Key Issue 1

Policies

GRZ-P1 To enable a mixture of housing and lifestyles in the General Residential Zone by avoiding the distinction between, and restrictions on, various residential housing types.

GRZ-P2 To enable higher density development associated with senior citizens' housing, as an alternative to medium-density living environments.

Commented [A6]: S129.151 Kainga Ora – Urban Environment Report 2A – Key Issue 1

GRZ-P3 To enable the establishment of certain compatible and complementary non-residential uses activities, such as home businesses, educational facilities and emergency service activities and primary production activities, as an integral component of the General Residential Zone, to enable people to provide for their social, economic and cultural wellbeing, and for their health and safety, while maintaining and enhancing the character and amenity values of the zone, ensuring that their scale does not detract from the primary function of the zone and adverse effects on surrounding residential activities can be appropriately avoided, remedied or mitigated.

Commented [A7]: S57.118 FENZ - Urban Environment 2A, Key Issue 2

GRZ-P4 To promote medium density development in a variety of forms and sizes as the predominant residential character.

Commented [A8]: S129.152 Kāinga Ora – Urban Topic 2A, Key Issue 1

GRZ-P5 To confine the General Residential Zone within Waipukurau and Waipawa to those areas of the towns which are, or are likely to be, provided with infrastructural services of formed and sealed roading, footpaths, reticulated water supply, stormwater and sewage treatment and disposal.

Commented [A9]: S129.153 Kainga Ora – Urban Environment Report 2A – Key Issue 1

GRZ-P6 To allow limited primary production activities in the General Residential Zone which maintain the character and amenity values of the residential environment.

Commented [A10]: S129.155 Kāinga Ora – Urban Topic 2A, Key Issue 1

GRZ-P7 To ensure manage the design and siting of development, such as through the use of standards relating to building height, building coverage, height in relation to boundaries and setbacks, provision of and outdoor living and service areas, is such to ensure that:

1. development will not unreasonably deny neighbouring properties of outlook, sunlight or daylight;
2. ample on-site outdoor living and service spaces is are provided, including for residential units above ground level;
3. the development supports and contributes to an attractive streetscape is maintained; and

4. the character and scale of buildings and open space are compatible-consistent with the anticipated residential environment.

Commented [A11]: S129.156 Kāinga Ora – Urban Topic 2A, Key Issue 1

GRZ-P8 To ensure appropriate on-site parking and manoeuvring areas for vehicles are provided, and on-site heavy vehicle storage is restricted for the convenience and safety of residents and visitors, and to maintain the amenity of residential streets.

Commented [A12]: S129.157 Kāinga Ora – Urban Topic 2A, Key Issue 1

GRZ-P9 To encourage the incorporation of open space and plantings landscaping within residential developments for amenity purposes that contribute positively to the amenity values of the site and surrounding area.

Commented [A13]: S129.158 Kāinga Ora – Urban Topic 2A, Key Issue 1

GRZ-P10 Ensure all land use activities and developments are connected to the public reticulated wastewater, stormwater and water supply network unless an appropriate, alternative system is available.

Commented [A14]: S57.119 FENZ - Urban Environment 2A, Key Issue 2

Rule Overview Table

Use/activity	Rule Number
Residential activities and showhomes	GRZ-R1
Home businesses	GRZ-R2
Visitor accommodation	GRZ-R3
<u>Day care facilities</u>	<u>GRZ-R4</u>
Educational facilities	GRZ-R5
Community facilities	GRZ-R6
Emergency service activities and emergency aviation movements	GRZ-R7
Community corrections activities	GRZ-R8
Relocated buildings	GRZ-R9
Commercial activities not otherwise provided for	GRZ-R10
Retirement villages and rest homes	GRZ-R11
Relocatable building depots	GRZ-R12

Commented [A15]: S81.012 Horticulture New Zealand, Miscellaneous Topic 6C, Key Issue 3

Any other activity not otherwise provided for	GRZ-R13
Intensive primary production activities	GRZ-R14
Industrial activities	GRZ-R15
Service activities	GRZ-R16

Rules

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the General Residential Zone.

Also, check to see if consents are required from Hawke's Bay Regional Council, for instance in relation to:

- discharges of contaminants to land or water (e.g. waste disposal, on-site disposal of effluent).

GRZ-R1 Residential activities and showhomes

1. Activity Status: PER

Where the following conditions are met:

a. Compliance with:

- i. GRZ-S1;
- ii. GRZ-S2;
- iii. GRZ-S3;
- iv. GRZ-S4;
- v. GRZ-S5;
- vi. GRZ-S6;
- vii. GRZ-S7;
- viii. GRZ-S8;
- ix. GRZ-S9;
- x. GRZ-S10;
- xi. GRZ-S11;
- xii. GRZ-S12;
- xiii. GRZ-S13; and
- xiv. GRZ-S14.

b. Compliance with:

- i. GRZ-S16.

2. Activity status where compliance with condition GRZ-R1(1)(a) and/or GRZ-R1(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringing standard(s)):

a. Assessment matters:

- i. GRZ-AM1.
- ii. GRZ-AM2.
- iii. GRZ-AM3.
- iv. GRZ-AM4.
- v. GRZ-AM5.
- vi. GRZ-AM11.

b. Assessment matters in the following chapters:

- i. TRAN – Transport.
- ii. LIGHT – Light.
- iii. NOISE – Noise.

Notification Exclusion:

Where a development does not comply with Residential Density Standard GRZ-S1(1) but it

Commented [A17]: S114.009 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A18]: S114.023 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A16]: S114.009 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

complies with the minimum net site area for each residential unit under Standard GRZ-S1(2)(a) and complies with all other applicable standards under GRZ-R1(1)(a), the application will be considered without public notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95(A) of the Act.

Note: This rule does not include retirement villages and rest homes.

Commented [A19]: S129.239 Kainga Ora – Urban Environment Report, 2A Key Issue 1

Commented [A20]: S129.159 Kāinga Ora – Urban Topic 2A, Key Issue 1

GRZ-R2 Home businesses

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. Home businesses must occupy no more than 50m² of the gross floor area of the buildings on the site.
 - ii. Goods, materials or equipment associated with the home business must be stored within a building.
 - iii. Manufacturing, altering, repairing, dismantling, or processing of any goods or articles associated with the home business must be carried out within a building.
 - iv. Home businesses must be undertaken by a person(s) residing on the site and employ no more than one full-time equivalent person who does not reside on the site.
- b. Compliance with:
 - i. GRZ-S1;
 - ii. GRZ-S2;
 - iii. GRZ-S3;
 - iv. GRZ-S4;
 - v. GRZ-S5;
 - vi. GRZ-S6;
 - vii. GRZ-S7;
 - viii. GRZ-S8;
 - ix. GRZ-S9;

2. Activity status where compliance with condition GRZ-R2(1)(b) and/or GRZ-R2(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

a. Assessment matters:

- i. GRZ-AM1.
- ii. GRZ-AM2.
- iii. GRZ-AM3.
- iv. GRZ-AM4.
- v. GRZ-AM5.
- vi. GRZ-AM6.
- vii. GRZ-AM7.
- viii. GRZ-AM11.

b. Assessment matters in the following chapters:

- i. TRAN – Transport.
- ii. LIGHT – Light.
- iii. NOISE – Noise.

Commented [A22]: S114.013 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A23]: S129.160 Kāinga Ora – Urban Topic 2A, Key Issue 1

Commented [A24]: S114.023 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

3. Activity status where compliance with condition GRZ-R2(1)(a) is not achieved: DIS

- x. GRZ-S10;
- xi. GRZ-S11;
- xii. GRZ-S12;
- xiii. GRZ-S13; and
- xiv. GRZ-S14.

c. Compliance with:

- i. GRZ-S16.

Commented [A21]: S114.013 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

GRZ-R3 Visitor accommodation

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. Accommodating no more than 5 guests at any one time.
 - ii. Length of stay for any one homestay guest must be no greater than 3 months in any 12-month period.

Note: activities involving longer term tenancy within a residential unit are assessed as a 'Residential Activity'.

b. Compliance with:

- i. GRZ-S1;
- ii. GRZ-S2;
- iii. GRZ-S3;
- iv. GRZ-S4;
- v. GRZ-S5;
- vi. GRZ-S6;
- vii. GRZ-S7;
- viii. GRZ-S8;
- ix. GRZ-S9;
- x. GRZ-S10;
- xi. GRZ-S11;
- xii. GRZ-S12;
- xiii. GRZ-S13; and
- xiv. GRZ-S14.

c. Compliance with:

- i. GRZ-S16.

2. Activity status where compliance with condition GRZ-R3(1)(b) and/or GRZ-R3(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

a. Assessment matters:

- i. GRZ-AM1.
- ii. GRZ-AM2.
- iii. GRZ-AM3.
- iv. GRZ-AM4.
- v. GRZ-AM5.
- vi. GRZ-AM8.
- vii. GRZ-AM11.

b. Assessment matters in the following chapters:

- i. TRAN – Transport.
- ii. LIGHT – Light.
- iii. NOISE – Noise.

Commented [A26]: S114.015 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A27]: S129.161 Kāinga Ora – Urban Topic 2A, Key Issue 1

Commented [A28]: S114.023 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

3. Activity status where compliance with condition GRZ-R3(1)(a) is not achieved: DIS

Commented [A25]: S114.015 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

GRZ-R4 Day care facilities

1. Activity Status: PER

Where the following conditions are met:

2. Activity status where compliance with condition GRZ-R4(1)(b) and/or GRZ-R4(1)(c) is not achieved: RDIS

Commented [A29]: S81.012 Horticulture New Zealand, Miscellaneous Topic 6C, Key Issue 3

a. The maximum number of persons catered for at the facility at any one time must not exceed 10 persons.

b. Compliance with:

- i. GRZ-S2;
- ii. GRZ-S3;
- iii. GRZ-S4;
- iv. GRZ-S5;
- v. GRZ-S6;
- vi. GRZ-S7;
- vii. GRZ-S8;
- viii. GRZ-S9;
- ix. GRZ-S10;
- x. GRZ-S11;
- xi. GRZ-S12;
- xii. GRZ-S13; and
- xiii. GRZ-S14.

Compliance with:

- i. GRZ-S16.

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

a. Assessment matters:

- i. GRZ-AM1.
- ii. GRZ-AM2.
- iii. GRZ-AM3.
- iv. GRZ-AM4.
- v. GRZ-AM5.
- vi. GRZ-AM9.
- vii. GRZ-AM11.

b. Assessment matters in the following chapters:

- i. TRAN – Transport.
- ii. LIGHT – Light.
- iii. NOISE – Noise.

3. Activity status where compliance with condition GRZ-R4(1)(a) is not achieved: DIS

GRZ-R5 Educational facilities

1. Activity Status: PER

Where the following conditions are met:

a. Limited to 100200m² gross floor area.

b. Compliance with:

- i. GRZ-S2;
- ii. GRZ-S3;
- iii. GRZ-S4;
- iv. GRZ-S5;
- v. GRZ-S6;
- vi. GRZ-S7;
- vii. GRZ-S8;
- viii. GRZ-S9;
- ix. GRZ-S10;
- x. GRZ-S11;
- xi. GRZ-S12;
- xii. GRZ-S13; and
- xiii. GRZ-S14.

c. Compliance with:

- i. GRZ-S16.

2. Activity status where gross floor area is 200m² – 400m² and/or compliance with conditions GRZ-R5(1)(b) and/or GRZ-R5(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

a. Assessment matters:

- i. GRZ-AM1.
- ii. GRZ-AM2.
- iii. GRZ-AM3.
- iv. GRZ-AM4.
- v. GRZ-AM5.
- vi. GRZ-AM11.

b. Assessment matters in the following chapters:

- i. TRAN – Transport.
- ii. LIGHT – Light.
- iii. NOISE – Noise.

Commented [A31]: Consequential amendment in relation to S114 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A32]: S114.023 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A30]: Consequential amendment in relation to S114 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A33]: S73.017 Ministry of Education – Urban Environment 2A, Key Issue 7

3. Activity status where gross floor area is over 400m² compliance with condition GRZ-R 5(1)(a) is not achieved: DIS

GRZ-R6 Community facilities (excluding day care facilities)

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area.
- b. Compliance with:
 - i. GRZ-S2;
 - ii. GRZ-S3;
 - iii. GRZ-S4;
 - iv. GRZ-S5;
 - v. GRZ-S6;
 - vi. GRZ-S7;
 - vii. GRZ-S8;
 - viii. GRZ-S9;
 - ix. GRZ-S10;
 - x. GRZ-S11;
 - xi. GRZ-S12;
 - xii. GRZ-S13; and
 - xiii. GRZ-S14.
- c. Compliance with:
 - i. GRZ-S16.

2. Activity status where compliance with condition GRZ-R6(1)(b) and/or GRZ-R6(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. GRZ-AM1.
 - ii. GRZ-AM2.
 - iii. GRZ-AM3.
 - iv. GRZ-AM4.
 - v. GRZ-AM5.
 - vi. GRZ-AM11.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with condition GRZ-R6(1)(a) is not achieved: DIS

Commented [A34]: Hort NZ (S81.012), Miscellaneous Topic 6C, Key Issue 3

Commented [A36]: S114.023 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A37]: S114.023 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A35]: Consequential amendment in relation to S114 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

GRZ-R7 Emergency service activities and emergency aviation movements

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area.
- b. Compliance with:
 - i. GRZ-S2;
 - ii. GRZ-S3;
 - iii. GRZ-S4;
 - iv. GRZ-S5;
 - v. GRZ-S6;
 - vi. GRZ-S7;
 - vii. GRZ-S8;
 - viii. GRZ-S9;

2. Activity status where compliance with condition GRZ-R7(1)(b) and/or GRZ-R7(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. GRZ-AM1.
 - ii. GRZ-AM2.
 - iii. GRZ-AM3.
 - iv. GRZ-AM4.

Commented [A38]: S57.126 FENZ - Urban Topic 2A, Key Issue 2

Commented [A40]: Consequential amendment in response to S114 CHBDC - Report 6A Mapping & Rezoning, Rezoning Request 23

<ul style="list-style-type: none"> ix. GRZ-S10; x. GRZ-S11; xi. GRZ-S12; xii. GRZ-S13; and xiii. GRZ-S14. 	<ul style="list-style-type: none"> v. GRZ-AM5. vi. <u>GRZ-AM11.</u>
<ul style="list-style-type: none"> c. <u>Compliance with:</u> i. <u>GRZ-S16.</u> 	<ul style="list-style-type: none"> b. Assessment matters in the following chapters: <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
3. Activity status where compliance with condition GRZ-R7(1)(a) is not achieved: DIS	

Commented [A41]: S114.023 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A39]: Consequential amendment in response to S114 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

GRZ-R8 Community corrections activities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area.
- b. Compliance with:
 - i. ~~GRZ-S2;~~
 - ii. ~~GRZ-S3;~~
 - iii. ~~GRZ-S4;~~
 - iv. ~~GRZ-S5;~~
 - v. ~~GRZ-S6;~~
 - vi. ~~GRZ-S7;~~
 - vii. ~~GRZ-S8;~~
 - viii. ~~GRZ-S9;~~
 - ix. ~~GRZ-S10;~~
 - x. ~~GRZ-S11;~~
 - xi. ~~GRZ-S12;~~
 - xii. ~~GRZ-S13; and~~
 - xiii. i. GRZ-S14.

2. Activity status where compliance with condition GRZ-8(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. ~~GRZ-AM1.~~
 - ii. ~~GRZ-AM2.~~
 - iii. ~~GRZ-AM3.~~
 - iv. ~~GRZ-AM4.~~
 - v. ~~GRZ-AM5.~~
- b. Assessment matters in the following chapters:
 - i. ~~TRAN – Transport.~~
 - ii. ~~LIGHT – Light.~~
 - iii. i. NOISE – Noise.

3. Activity status where compliance with condition GRZ-R8(1)(a) is not achieved: DIS

Commented [A42]: S97.011 Dept of Corrections - Urban Environment 2A, Key Issue 6

GRZ-R9 Relocated buildings

1. Activity Status: PER

Where the following conditions are met:

- a. The building must be for the purpose of accommodating a permitted or consented activity on the site.
- b. Compliance with GRZ-S15.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted:

- a. Whether the building is structurally sound, the condition of the building and the works needed to bring the

exterior of the building up to an external visual appearance that is tidy, of appropriate standard, and compatible with other buildings in the vicinity.

- b. The bulk and location of the building in relation to the requirements of the zone.
- c. The need for structural repairs and reinstatement of the building and the length of time for completion of that work.
- d. The imposition of a performance bond to ensure compliance with the consent conditions.

Note: this rule applies to the building only. Any activities occurring within the building are subject to the District Plan rules relating to the activity itself.

GRZ-R10 Commercial activities

1. Activity Status: CON

Where the following conditions are met:

- a. Limited to:
 - i. The retail sale of goods in a building of no more than 75m² gross floor area (including storage).
- b. Compliance with:
 - i. GRZ-S2;
 - ii. GRZ-S3;
 - iii. GRZ-S4;
 - iv. GRZ-S5;
 - v. GRZ-S6;
 - vi. GRZ-S7;
 - vii. GRZ-S8;
 - viii. GRZ-S9;
 - ix. GRZ-S10;
 - x. GRZ-S11;
 - xi. GRZ-S12;
 - xii. GRZ-S13; and

2. Activity status where compliance with condition GRZ-R10(1)(b) and/or GRZ-R10(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. GRZ-AM1.
 - ii. GRZ-AM2.
 - iii. GRZ-AM3.
 - iv. GRZ-AM4.
 - v. GRZ-AM5.
 - vi. GRZ-AM11.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

Commented [A44]: Consequential amendment in response to S114 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

Commented [A45]: S114.023 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

<p>xiii. GRZ-S14.</p> <p>c. <u>Compliance with:</u></p> <p>i. <u>GRZ-S16.</u></p> <p>Matters over which control is reserved:</p> <p><u>e.d.</u> Building setback from boundaries, landscaping, and screening to ensure that:</p> <ul style="list-style-type: none"> i. the activity is compatible with the character and amenity values of the surrounding area. ii. the privacy of neighbours is maintained. iii. the openness and attractiveness of the street scene is maintained. iv. access to daylight and sunlight on adjoining sites is maintained. <p><u>d.e.</u> On-site carparking, vehicle access, manoeuvring and loading design to mitigate adverse effects on the safety and efficiency of the roading network from traffic associated with the activity.</p>	<p>3. Activity status where compliance with condition GRZ-R10(1)(a) is not achieved: NC</p>
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Commented [A43]: Consequential amendment in response to S114 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

GRZ-R11 Retirement villages and rest homes

1. Activity Status: DIS

Where the following conditions are met: N/A

2. Activity status where

compliance not achieved: N/A

GRZ-R12 Relocatable building depots

1. Activity Status: DIS

Where the following conditions are met: N/A

2. Activity status where

compliance not achieved: N/A

GRZ-R13 Any other activity not otherwise provided for

1. Activity Status: DIS

Where the following conditions are met: N/A

2. Activity status where

compliance not achieved: N/A

GRZ-R14 Intensive primary production activities

1. Activity Status: NC

Where the following conditions are met: N/A

2. Activity status where

compliance not achieved: N/A

GRZ-R15 Industrial activities

1. Activity Status: NC

Where the following conditions are met: N/A

2. Activity status where

compliance not achieved: N/A

GRZ-R16 Service activities

1. Activity Status: NC

Where the following conditions are met: N/A

2. Activity status where compliance not achieved: N/A

Standards

GRZ-S1 Residential Density

All

1. There must be no more than two residential units (including minor residential units) on any site.
2. Minimum net site area for any site (except within the Waipukurau South Precinct) connected to a reticulated sewerage system is:
 - a. 350m² for each residential unit contained within the site, except that:
 - b. for each residential unit with a gross floor area less than 60m², the minimum net site area for any site is 150m².
3. Minimum net site area for any site within the Waipukurau South Precinct connected to a reticulated sewerage system is:
 - a. 500m² for each residential unit contained within the site.
- 3.4. Minimum net site area for any site is 1000m² for each residential unit where it is not connected to a reticulated sewerage system.

Commented [A46]: S114.021 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

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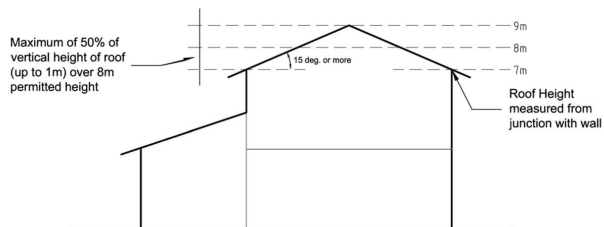
GRZ-S2 Height of Buildings

All

1. Maximum height of any building(s) is 8m except that 50 percent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as follows: -

Figure 9 – Partial Height Exemption

Commented [A48]: S129.173 Kainga Ora - Urban Environment 2A



Note: in all instances, height is measured from the natural ground level.

GRZ-S3 Height in Relation to Boundary

All

1. No part of a building must exceed a height of 23 metres plus the shortest horizontal distance between that part of the building and the nearest side and rear site boundary, except for the following:
 - a. chimneys, ventilation shafts, lift and stair shafts and spires, poles and masts that meet the maximum height standard for the relevant zone, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m;
 - b. domestic water storage tanks, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m;
 - c. solar panels or solar hot water systems (and associated hardware), provided that the panels do not protrude more than 500mm from the surface of the roof.
2. Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site, or has a registered right-of-way over it in favour of that site, the height in relation to boundary is measured from the far side of the access.

Commented [A49]: 129.173 Kainga Ora - Urban Environment 2A

GRZ-S4 Setback from Roads and Rail Network

From road boundaries

1. Minimum setback of any building(s) is 3m.
2. Where the vehicle access to garage faces a road boundary, the garage building must be setback at least 5m from the road boundary.

From the Rail Network Boundary	3. Minimum setback of any building(s) is 1.5m.
GRZ-S5 Setback from Neighbours	
All	1. Minimum setback of buildings for an activity from internal boundaries is 1m. Domestic water storage tanks up to 2m in height are exempt from this standard.
GRZ-S6 Outdoor Living Space	
Residential Activities	<p>1. For each residential unit <u>at ground level</u>, there must be a minimum continuous area for outdoor living space, contained in one area within the net site area of the site, of 80m² with a minimum dimension of 5m, except that:</p> <ol style="list-style-type: none"> For any residential unit with a gross floor area less than 65m², the minimum area may be reduced to 30m² with a minimum dimension of 3.5m. <p>2. <u>For utilities residential units located entirely above ground level, the outdoor living space requirement may be satisfied in the form of a balcony or a deck that:</u></p> <ol style="list-style-type: none"> <u>Has a minimum area of 6m² for studio and one-bedroom residential units and a minimum dimension of 1.85m in any direction; or</u> <u>Has a minimum area of 10m² for two or more bedroom units and a minimum dimension of 1.85m in any direction.</u> <p><u>2.3.</u> The required minimum area of outdoor living space must be readily accessible from a living area of the residential unit, and may take the form of a deck, terrace, or verandah, but must be kept free of buildings (other than cantilevered decks), access areas (including driveways and manoeuvring areas), parking spaces and dedicated outdoor service space.</p>
GRZ-S7 Outdoor Service Space	
Residential Activities	1. In addition to provision of outdoor living space, for each residential unit, there must be a minimum continuous area for outdoor service space, contained in one area within the net site area of the site, of 15m ² with a minimum dimension of 3m.
GRZ-S8 Hours of Operation	
All (except for Residential Activities, <u>Emergency Service</u>)	<p>1. Limited to the following hours of operation:</p> <ol style="list-style-type: none"> 0700 – 2200 hours, seven days a week; except where: <ol style="list-style-type: none"> the entire activity is located within a building; and

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Activities, or Visitor Accommodation)	<ul style="list-style-type: none"> ii. each person engaged in the activity outside the above hours resides permanently on the site; and iii. there are no visitors, customers, or deliveries to the activity outside the above hours.
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Commented [A51]: S57.133 FENZ - Urban Environment 2A, Key Issue 2

GRZ-S9 Heavy Vehicle Storage

All	1. There must be no more than one heavy vehicle stored on a site.
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GRZ-S10 Screening of Outdoor Storage and Service Areas

Non-Residential Activities	<ul style="list-style-type: none"> 1. Any outdoor storage (including waste) or service area associated with non-residential activities must be fully screened from adjoining sites and from the street by fencing to a maximum height of 2 metres, and/or by landscaping. 2. If using landscaping to achieve the above rule, trees must have a minimum height of 2 metres at the time of planting (PB95) and shrubs must have a minimum height of 1 metre at the time of planting and be able to grow to 2 metres in height. 3. <u>Screening shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u>
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Commented [A52]: S57.134 FENZ - Urban Environment 2A, Key Issue 2

GRZ-S11 Electricity Safety Distances

All	1. <u>Any activity, including the establishment of buildings and structures within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZCEP 34:2001).</u>
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Commented [A53]: S129.181 Kāinga Ora – Urban Environment 2A, Key Issue 5

GRZ-S12 Transport (Access, Parking, Loading)

All	1. Activities must comply with the provisions of the TRAN – Transport chapter.
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GRZ-S13 Light

All	1. Activities must comply with the provisions of the LIGHT – Light chapter.
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GRZ-S14 Noise

All	1. Activities must comply with the provisions of the NOISE – Noise chapter.
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GRZ-S15 Relocated Buildings

All

1. Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built and used as a dwelling or for visitor accommodation.
2. The relocated building must comply with all other relevant performance standards for the zone.
3. A Building Pre-Inspection Report must be submitted to the Council with each application to relocate a building. The report must:
 - a. state whether the building is structurally sound;
 - b. describe the condition of the building and identify all reinstatement works needed to bring the exterior of the building up to an external visual appearance that is tidy, workmanlike and compatible with other buildings in the vicinity;
 - c. state the proposed timetable to complete the external reinstatement works (including connections to all infrastructure services and closing in and ventilation to the foundations) within 12 months from the date the building is moved to the site;
 - d. provide clear photographs of the building in its current state; and
 - e. provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of the reinstatement work.
4. The Building Pre-Inspection Report must be prepared by:
 - a. A Member of Engineering New Zealand (the Institute of Engineering Professionals) (Structural and Civil); or
 - b. A member of the New Zealand Institute of Building Surveyors; or
 - c. An independent person, persons or company as approved by Central Hawke's Bay District Council Building Control Authority; or
 - d. A Building Control Officer (or equivalent) from the Territorial Local Authority where the building is being relocated from outside of the District; or
 - e. A Licensed Building Practitioner.
5. The Council must be notified of the intended delivery date at least 48 hours before the building is relocated. Relocation must not be undertaken until the site is visited by Council officers to inspect the standard of the site, footpath, vehicle entrance and road. This standard will be met provided that the building is relocated within 5 days of the notified date.
6. The building must be placed on permanent foundations no later than two four weeks from the date the building is moved to the site.

Commented [A54]: S106.008 Heavy Haulage Assoc - Miscellaneous Topic 6C, Key Issue 4

Commented [A55]: Heavy Haulage Assoc (S106.010), Miscellaneous Topic 6C, Key Issue 4

	<p>7. All external reinstatement works identified in the Building Pre-Inspection Report, including connections to all infrastructure services and closing in and ventilation to the foundations, must be completed within 12 months from the date the building is moved to the site.</p> <p>8. The owner of the site on which the relocated building is placed must certify to the Council that the reinstatement work identified in the Building Pre-Inspection Report will be completed within the 12-month period. The site owner will be responsible for ensuring this work is completed.</p> <p><i>Note: All necessary building consents under the Building Act 2004 (including consent to place the building on permanent foundations) must be obtained prior to the relocated building being placed on the destination site, unless otherwise agreed in writing by the Council.</i></p>
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GRZ-S16 Impervious Surfaces

All

1. Within the Waipukurau South Precinct, there must be no more than 65% of the site occupied by impervious surfaces, such as (but not restricted to) buildings and/or driveways.

Commented [A56]: S114.022 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

GRZ-AM1 Residential Density, Height of Buildings, Height in Relation to Boundary, Setback from Roads and Rail Network, Setback from Neighbours

1. The degree to which the proposed buildings may:
 - a. will be compatible with the character and amenity of the area zone, including the nature and scale of other buildings in the surrounding area;
 - b. will may overshadow adjoining sites and result in reduced sunlight and daylight;
 - c. will may cause a loss of privacy through being over-looked from neighbouring buildings;
 - d. will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
 - e. will diminish or contribute to the openness and attractiveness of the streetscape scene;
 - f. will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building; and

Commented [A57]: minor amendment pursuant to clause 16(2) of Schedule 1 RMA

- g. ~~will~~ adversely affect the safe and efficient operation of the land transport network.
2. The ability of the applicant to:
 - a. provide adequate opportunity for garden and tree planting around buildings;
 - b. provide adequate vehicle parking and manoeuvring space on the site;
 - c. provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site; and
 - d. mitigate any adverse effects of increased height or exceedance of the height in relation to boundary, such as through increased separation distances between the building and adjoining sites or the provision of screening; and
 - e. ~~mitigate any adverse effects on people affected by the proposal.~~
3. Where sewerage reticulation is not available to the site, the ability of the applicant to adequately dispose of effluent, which avoids:
 - a. any potential contamination of groundwater;
 - b. any potential slope instability problems;
 - c. any potential odour, noise and vibration nuisance to neighbours; and
 - d. any potential seepage of effluent at ground surface.
4. The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
5. The degree to which alternative practical locations are available for the building.

Commented [A58]: S129.186 Kāinga Ora – Urban
Topic 2A, Key Issue 1

Commented [A59]: S129.186 Kāinga Ora – Urban
Topic 2A, Key Issue 1

GRZ-AM2 Outdoor Living and Service Space

1. The degree to which the reduction in outdoor living or service space and/or its location will adversely affect the ability of the site to provide for the outdoor living or service needs of likely future residents of the site.
2. Any alternative provision on, or in close proximity to, the site for outdoor living or service space to meet the needs of likely future residents of the site.
3. The degree to which access to alternative outdoor living or service space (e.g. balconies or communal open space) is provided.

GRZ-AM3 Hours of Operation

1. The degree to which additional visitors, employees, customers, or suppliers to the site will result in traffic generation and pedestrian activity that is incompatible with the character of the surrounding area.
2. Any adverse effects of the extended hours in terms of noise, vibration, glare, loss of privacy, traffic and/or parking congestion.

GRZ-AM4 Heavy Vehicle Storage

1. The degree to which the vehicles being stored can be viewed from adjoining sections, the road and public places and the degree to which screening (either by fences, buildings, or landscaping) may mitigate any adverse visual impact.
2. The degree of noise that may be generated from the starting, manoeuvring and mechanical repair of vehicles on site and the degree to which this will contrast with the existing noise environment.

3. Where a heavy vehicle to be stored has been used for the cartage of animals the procedures to be adopted for the washing down of the vehicles and the disposal of the waste and wash water.

GRZ-AM5 Screening of Outdoor Service Areas

1. The degree to which the visual characteristics of the activity to be established are compatible with the character and amenity of the surrounding area and the degree to which screening or landscaping can mitigate any adverse impact.

GRZ-AM6 Home Businesses

1. The degree to which the character of the site will retain open space or tree and garden plantings rather than become dominated by buildings and areas of hard surfacing.
2. The degree to which the activities on the site remain dominated by residential activities, rather than by activities which are not associated with or incidental to residential activities on the site.
3. The degree to which additional employment is an integral and necessary part of other activities being undertaken on the site and contributes towards alternative home-based employment and income-generating opportunities for residents or occupiers of the site.
4. The degree to which the activity fulfils a function at a local level by meeting the needs of residents principally within the surrounding environment.
5. Any adverse effects of the home business in terms of noise, vibration, glare, odour, dust, loss of privacy, traffic and/or parking congestion.

GRZ-AM7 Outdoor Storage

1. The degree to which materials or equipment associated with the activity need to be stored outside the building, taking account of:
 - a. the nature, coverage area and height of materials or equipment; and
 - b. the time period over which materials or equipment are intended to be outside a building.
2. The degree to which provisions would be needed for:
 - a. security;
 - b. control of litter and vermin; and
 - c. prevention or containment of fire hazard.
3. Where goods are not stored to the rear of a building or not screened from public view, the degree to which the outdoor storage will be compatible with the appearance, layout and functioning of other sites in the adjoining area, and the degree to which it will detract from the attractiveness of the site, as viewed from adjoining roads and sites.

GRZ-AM8 Visitor Accommodation

1. Any adverse effects of the likely traffic and pedestrian generation from the proposed visitor accommodation in terms of:

- a. Noise, vibration and glare from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a medium-density residential environment;
 - b. Loss of privacy;
 - c. Levels of traffic congestion, reduction in levels of traffic safety, or reduction in availability of on-street parking, which are inconsistent with the classification of the adjoining road; and
 - d. Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
2. The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening. (Other factors may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur).

GRZ-AM9 Community Facilities, ~~Day Care Facilities~~ and Educational Facilities

Commented [A60]: S81.012 Horticulture New Zealand, Miscellaneous Topic 6C, Key Issue 3

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk, location and scale of buildings.
2. Any adverse effects from the proposed activity in terms of:
 - a. loss of privacy to neighbours, including being over-looked by buildings;
 - b. loss of openness and attractiveness of the street scene;
 - c. noise, vibration, and glare; and
 - d. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design.
4. Whether the amenity of the residential environment will be adversely affected by the scale and/or intensity of the activity. The following matters will be considered:
 - a. the number of patrons and/or staff on the site at any one time;
 - b. the hours of operation to maintain the residential amenity of the area;
 - c. the proximity of the activity to adjacent residential activities;
 - d. the anticipated number of transportation movements (including pedestrians and vehicular traffic); and
 - e. whether the proposed activity is located in an area where there are already one or more non-residential activities in close proximity and the resultant cumulative effect on residential amenity.
5. Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.

GRZ-AM10 Commercial Activities

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk, location, and scale of buildings.

2. Any adverse effects from the proposed activity in terms of:
 - a. loss of privacy to neighbours, including being over-looked by buildings;
 - b. loss of openness and attractiveness of the street scene;
 - c. noise, vibration, and glare; and
 - d. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design, as well as any necessary landscaping.

GRZ-AM11 Development within the Waipukurau South Precinct

1. The degree to which the activity or development will achieve the relevant Precinct Plan Outcomes in Appendix GRZ-APP1 - Waipukurau South Precinct (WSP) Plan.

Commented [A61]: S114.023 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

Methods

Methods, other than the above rules, for implementing the policies:

GRZ-M1 Other Provisions in the District Plan

Other sections of the District Plan contain additional rules and standards applying to activities in the General Residential Zone:

1. NU – Network Utilities – includes rules and standards relating to network utility operations.
2. TRAN – Transport – includes rules and standards relating to access, parking, and loading.
3. HAZS – Hazardous Substances – includes rules relating to the storage, handling and use of hazardous substances, and rules applying to major hazardous facilities.
4. NH – Natural Hazards – includes rules applying in areas specifically identified as subject to natural hazards.
5. HH – Historic Heritage – includes rules applying specifically to identified heritage buildings.
6. TREE – Notable Trees – includes rules applying specifically to identified notable trees.
7. SASM – Sites and Areas of Significance to Māori – includes rules applying specifically to identified sites of significance.
8. SUB – Subdivision – includes rules and standards applying to subdivision.
9. EW – Earthworks – includes rules and standards relating to earthworks and land disturbance, mining, quarrying and mineral prospecting and exploration.
10. NOISE – Noise – includes rules and standards relating to the emission of noise.
11. LIGHT – Light – includes rules and standards relating to light and glare.
12. PKH – Papakāinga and Kaumātua Housing, and associated Marae-based Development – includes rules and standards relating to papakāinga and kaumātua housing and marae-based developments on Māori land.

13. SIGN – Signs – includes rules and standards relating to the design and installation of signs.
14. TEMP – Temporary Activities – includes rules and standards relating to temporary activities, temporary buildings, and temporary events.

Principal Reasons

The principal reasons for adopting the policies and methods:

Housing needs and lifestyle preferences of people in the District differ according to age and income. Family homes constitute the predominant form of residential dwellings in Waipukurau and Waipawa but are not necessarily representative of the needs of the community, particularly the elderly, retired, disabled, or single. The Plan recognises and provides for diversity in living environments.

These objectives and policies are designed to allow activities appropriate to a residential environment. Residential activities are the predominant land use permitted as of right, and certain non-residential activities, such as home businesses and primary production activities, are also provided for, recognising their contribution to the social, economic, and cultural well-being of the District. The Council does not want to unnecessarily constrain individual building design and architecture but will enforce some development standards in order to maintain and enhance the character and amenity values of residential areas.

The Residential Zone performance standards cover such matters as building setback, height and coverage, residential density, outdoor living and service spaces, parking, and access, and noxious or nuisance elements, including noise, glare, traffic generation. They have been set at a level that reflects the existing residential amenity. Persons undertaking activities that do not meet these standards will need to obtain a resource consent from the Council, at which time the merits and consequences of such use in a residential neighbourhood will be assessed.

Within the Waipukurau South Precinct, there are existing constraints on the ability to service development in the area, particularly with regard to stormwater. The performance standards impose limitations on the density of development and the extent of impervious surfaces that can be developed on each site, to optimise the development potential of the residentially zoned land and ensure there is access to infrastructure to service all sites within the Precinct.

Commented [A62]: S114.024 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- | | |
|-----------------|--|
| GRZ-AER1 | A variety of housing options to meet the diversity of needs of Waipukurau and Waipawa residents. |
| GRZ-AER2 | Retention of the predominant character and scale of development within the District's residential settlements of Waipukurau and |

Waipawa, that is one to two storeys high in a variety of form and sizes.

GRZ-AER3

Compact and coherent residential areas which achieve:

1. residential accommodation close to employment and social services; and
2. diversity in housing and lifestyle types, to meet a range of community needs.

GRZ-AER4

A high degree of residential amenity expressed by way of:

1. dominance of open space and plantings over buildings; The use of open space and planting to contribute to amenity values;
2. dominance of medium density housing;
3. limited high density housing; and
4. compatibility between activities, with residential use the predominant activity.

Commented [A63]: S129.194 Kāinga Ora – Urban Environment 2A

Commented [A64]: S129.192 Kāinga Ora – Urban Environment Report 2A – Key Issue 1

GRZ-AER5

Diversity in building architecture, providing for individual and community expression.

GRZ-AER6

Appropriately serviced, well-integrated and efficient development within the Waipukurau South Precinct.

Commented [A65]: S114.025, S114.027 CHBDC – Report 6A Mapping & Rezoning, Rezoning Request 23

GRZ-APP1 – Waipukurau South Precinct (WSP) Plan

Purpose

This Precinct Plan relates to the Waipukurau South Precinct (WSP) identified on the Planning Maps and in Figure 10X below. The Precinct overlies land that is within the General Residential Zone.

Figure 10X – Waipukurau South Precinct Plan



Commented [A1]: S114.003 CHBDC, Report 6A
Mapping & Rezoning, Rezoning Request 23



While the WSP area has been residentially zoned for a number of years, the ability to develop the land within it has been significantly hindered by servicing constraints, particularly in relation to 3-waters infrastructure (most notably stormwater and wastewater) and through land parcels being held in multiple ownership. There are also a number of active faults within the area.

The purpose of the Precinct Plan is to identify outcomes to be achieved for the subdivision and development of the WSP area in relation to infrastructure for 3-waters, roading and open spaces. These are intended to provide for appropriately serviced and well-integrated, lower density residential subdivision and development within the WSP area with a high standard of urban amenity that optimises the development potential of the residentially zoned land, and is able to accommodate much of the household growth in Waipukurau township over the next 30 years. It is intended that the Precinct Plan provide direction and certainty for landowners and Central Hawke's Bay District Council while retaining flexibility for individual subdivision development to address specific on-site opportunities and constraints in innovative and sustainable ways.

Precinct Plan Outcomes

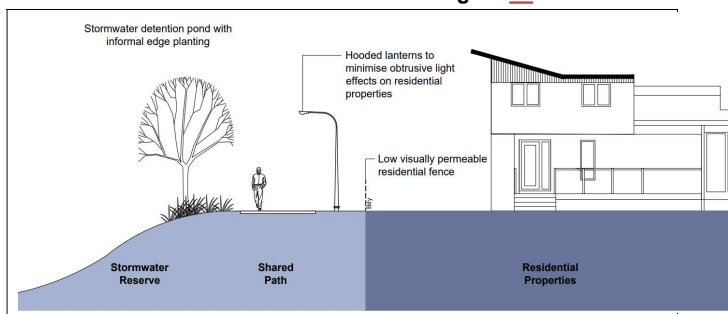
The following outcomes are to be achieved for subdivision and/or development within the WSP.

GRZ-APP1-OT1WSP-SPO4 Stormwater Infrastructure Design

1. At the time of any subdivision of land within the WSP, a 'Stormwater Management Plan' (SMP) is to be provided which identifies how stormwater will be managed within the subdivision site and in relation to the balance of the WSP area. Stormwater will be appropriately managed, both within the subdivision site and in relation to the balance of the WSP area. A 'Stormwater Management Plan' (SMP) is to be provided at the time of any subdivision of land within the WSP and will identify how this will be achieved. The SMP will specify the mix of measures to be employed to achieve the outcomes in WSPGRZ-APP1-OT1SPO4, including but not necessarily limited to:
 - a. Any individual onsite measures, including calculations for storage/detention and release of stormwater, and how these are to be implemented and enforced.
 - b. Any communal measures and their capacity, design, management and ownership.
 - c. Land and/or wetlands (including but not restricted to that within the proposed stormwater catchment-detention pond area shown on the Precinct Plan in Figure 10X) that is not required for stormwater management purposes and other purposes in GRZ-APP1-OT1SPO4 (such as including access for maintenance, public safety, amenity landscaping, wetland enhancement, and public access for recreation).
2. Consideration is to be given to the nature and extent of stormwater infrastructure and take into account the stormwater infrastructure requirements of the WSP in its entirety. Stormwater infrastructure within any development is to be designed to take into account the nature, extent and the requirements of stormwater infrastructure within the WSP in its entirety.

3. It is anticipated that the predevelopment Peak Flow of stormwater discharge at the WSP boundary in the 100 year Annual Recurrent Interval (ARI) is 1.6m³/s. However, modelling is to be provided to support the subdivision stormwater design. Further provision to achieve stormwater discharge at the WSP boundary will achieve hydraulic neutrality for a range of return periods and storm durations up to and including the 100 year Annual Recurrent Interval (ARI) peak flow, with modelling provided to support the subdivision stormwater design. Stormwater neutrality is to be achieved through a range of measures and may incorporate a mix of individual onsite controls and community-based larger communal attenuation devices, having regard to the principles of low impact design.
4. Consideration is to be given for control of overland flow in a 1 in 50 year ARI rainfall (or greater) event.
5. Any proposals that include adjustments to the location and/or extent of the stormwater detention pond shown in Figure 10WSP-4, or any other aspects of stormwater management are to be accompanied supported by a stormwater assessment and design prepared by a suitably qualified and experienced person.
6. Where possible, low impact stormwater features, such as ponds/wetlands are to be integrated into the on-site stormwater management system to improve stormwater outcomes or as part of a comprehensive development to enable variations in density of development.
7. The exact location and size of the ponds/streams/drains/wetlands constructed and/or utilised within the indicative stormwater management areas shown in Figure 104, or any other area or areas utilised in lieu of part or all of the detention area, are to be confirmed during subdivision. Remaining land in these areas that is not required for stormwater management purposes (including access for maintenance and for public safety) can be utilised in accordance with the underlying zoning.
8. The above-ground stormwater management features are to be, wherever possible, integrated into an accessible open space network that integrates with roads to optimise available benefits associated with amenity and local sense of 'place'. An indication of how this could be achieved around the stormwater detention pond (and wetlands) is shown in Figure 11XX (below).

Figure 11XX – Open space treatment of stormwater detention ponds and related infrastructure shown in Figure 10WSP-4.



Commented [A2]: S114.003 CHBDC, Report 6A Mapping & Rezoning, Rezoning Request 23

9. The stormwater system is to meet any and all relevant stormwater attenuation and treatment guidelines adopted by the Hawke's Bay Regional Council and is to achieve best practice from source through to discharge at the boundary so as to mitigate the effects of urban development on stormwater quality and quantity.
10. The stormwater system (communal and/or individual onsite system) is to generally comply with any applicable Central Hawke's Bay District Council Bylaws, including the relevant provisions of the Stormwater Bylaw 2021 and the Water Supply Bylaw 2021, or their successors insofar as they respectively relate to stormwater or rain water.
11. All common stormwater management infrastructure (e.g. pipes) and facilities (including but not limited to all detention ponds/wetlands/drains/streams and access lots/areas) are to be vested in Central Hawke's Bay District Council and/or all necessary easements created upon subdivision.
12. Any proposals for use of individual onsite water or stormwater storage devices, including but not restricted to rain water tanks, are to **demonstrate how they will** contribute to the on-site management of stormwater on the site and any stormwater discharges from any allotment. **How this is to be achieved is to be demonstrated at the time of subdivision or development.** Any rain water tanks are to be buried underground.
13. Unless otherwise specified as part of the SMP (refer to Outcome **WSPGRZ-APP1-OT1SPO4**(1)) any proposed individual onsite stormwater measures are to comply with the Hastings District Council Engineering Code of Practice and, where practicable, promote voluntary measures for low impact design solution and/or onsite stormwater disposal.

Commented [A3]: S114.003 CHBDC, Report 6A Mapping & Rezoning, Rezoning Request 23

GRZ-APP1-OT2WSP-SPO2 Water Supply

1. A water supply for the WSP is to be provided via connection to the existing watermain at the boundary of the WSP area. The existing watermain will need to be extended and upgraded by Central Hawke's Bay District Council prior to connection to the WSP (Note: the timing of this work will be dependent on the relevant programme of works in the Central Hawke's Bay District Council Long Term Plan).
2. Watermain within the WSP may be positioned within the development area to suit road layouts and meet firefighting requirements.
3. New watermain connections are to be constructed by the developer through the development and connecting to adjacent development land parcels within the WSP.
4. The water supply network within the WSP is to be constructed by the subdivider/developer in accordance with the Hastings District Council Engineering Code of Practice.
5. All necessary easements or other arrangements to provide for conveyance of water supply services within the WSP are to be demonstrated at the time of any application for subdivision. This includes consideration of existing easements over land within the WSP area and ensuring that connections to water services for these properties are maintained through appropriate mechanisms as part of any subdivision consent approval.

GRZ-APP1-OT3WSP-SPO3 Wastewater

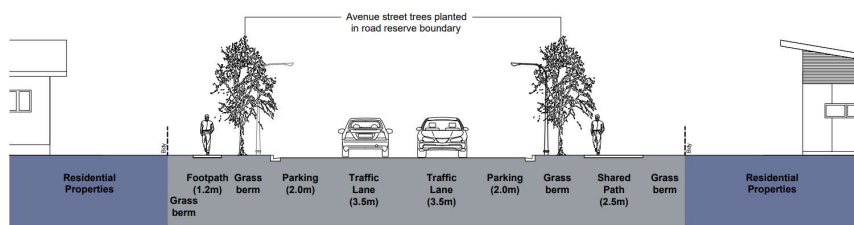
1. Wastewater services for the WSP are to be provided via connection to the existing wastewater services network at the boundary of the WSP area. The existing wastewater services network will need to be extended and upgraded through the WSP area and along adjacent or nearby roads by Central Hawke's Bay District Council prior to connection to subdivision/development within the WSP (Note: the timing of this work will be dependent on the relevant programme of works in the Central Hawke's Bay District Council Long Term Plan).
2. The wastewater services network within the WSP is to be constructed by the subdivider/developer in accordance with the Hastings District Council Engineering Code of Practice.
3. A new wastewater pump station is to be constructed and located within the WSP area or as otherwise agreed with Central Hawke's Bay District Council, and a new gravity or rising main is to be provided in the vicinity of Central Hawke's Bay College. The pump station is to have all equipment located below ground level except for an equipment box which is to be screened by landscaping on all sides except road frontage (in order to retain access for maintenance purposes). A generator must not be located with the pump station on this site.
4. All necessary easements or other arrangements to provide for conveyance of wastewater services within the WSP are to be demonstrated at the time of any application for subdivision. All necessary easements to enable the Central Hawke's Bay District Council to access wastewater infrastructure (for maintenance, upgrading and replacement purposes) within the WSP are to be created unless the infrastructure is located within road reserve vested with the Council. It is encouraged that wastewater infrastructure in the WSP be contained within vested public road.

GRZ-APP1-OT4WSP-SPO4 Roading

1. Several road intersections and on-road or roadside walkway-cycleway (pathways) will need to be upgraded by Central Hawke's Bay District Council prior to the WSP development commencing to ensure traffic safety and levels of service of the roading network are maintained. The timing of this work will need to be aligned with other proposed transport or walkway and cycleway initiatives along Porangahau and Tavistock Roads.
2. The main connector roads and associated pathways within the WSP, between Porangahau Tavistock Roads, are to be aligned in general accordance with the 'Proposed Roads' shown on the WSP Precinct Plan in Figure 10X. The main connector road alignments will determine the general layout of individual neighbourhood areas within the WSP and are important for the appropriate siting of key infrastructure, particularly where the benefits of co-location can be realised. The alignments indicated on the WSP Precinct Plan in Figure 10X have been determined as the best option as they:
 - a. assist to unlock land parcels in differing ownerships across the WSP by connecting streets and providing corridors for other infrastructure such as 3-waters, power, gas and telecommunications;

- b. retain considerable flexibility for differing street patterns and layouts within individual land parcels while ensuring key connections are protected and logical;
 - c. enable suitable falls for gravity infrastructure servicing;
 - d. contribute to improved urban connectivity and pathways;
 - e. can be easily integrated with stormwater infrastructure and open space around that infrastructure, including optimising open space road frontage for improved amenity and access; and
 - f. optimise the value of higher amenity of longer-views to the hills east of the WSP.
3. The main connector roads within the WSP should be designed to be well integrated into the sections of Porangahau and Tavistock Roads that they connect to, including any existing or proposed pathway infrastructure, so they include the following characteristics:
 - a. a larger berm to accommodate any swales or stormwater conveyance devices, street trees and pathway;
 - b. continue any existing shoulder strips along Porangahau or Tavistock Roads;
 - c. incorporate any proposed and/or continue any existing footpath/pathway on the eastern side of Porangahau Road or western side of Tavistock Road, including any landscaping or buffer strips;
 - i. urban standard street lighting; and
 - ii. gateway/threshold landscaping for the purposes of amenity and traffic calming at any new intersection with Porangahau Road or Tavistock Road.
4. The main connector roads within the WSP are to be designed to optimise the extent of road frontage available to the 'Proposed Stormwater Catchment' area shown on the WSP Precinct Plan in Figure 10X.
5. Local streets within the WSP connecting neighbourhood areas to the main connector roads within the WSP should be designed to incorporate pathways and contribute to urban character and connected green spaces by adopting a standard street character indicated in Figure 12XXX (below).

Figure 12XXX – Character of local street connecting 'Proposed Roads' shown on the WSP Precinct Plan in Figure 10X.



GRZ-APP1-OT5WSP-SPO5 Open Space Linkages and Neighborhood Character

1. The main connector roads are to be designed to include green linkages to open green spaces as part of stormwater infrastructure provided alongside the roads.
2. The extent of road frontage available to stormwater detention pond(s) or low impact stormwater infrastructure is to be optimised for enhanced access and visual connection, to the extent appropriate and having regard to ecological values of natural wetlands.
3. The minimum lot size of 500m² in combination with the roading connectors, stormwater infrastructure and open space is likely to deliver a relatively low-density pattern of residential development with connected areas of open space that integrate well with surrounding residential areas of Waipukurau. Where clusters of higher density development are able to be accommodated by infrastructure, these should be located in close proximity to areas of open space and connector roads.

Commented [A4]: S114.003 CHBDC, Report 6A Mapping & Rezoning, Rezoning Request 23

GRZ-APP1-OT6WSP-SPO6 Other Infrastructure Services

1. New residential development within the WSP is to be serviced for power, gas and telecommunications utilities.

GRZ-APP1-OT7WSP-SPO7 Density of Development and Minimum Lot Size

1. Developments in the WSP proposing a mixture of lot sizes, including lots with a minimum net site area less than 500m², are to demonstrate that:
 - a. the average level of density across the development remains the same as for the development achieving Standard SUB-S1(1)(b) which requires a minimum net site area of 500m² for all lots within the WSP; and
 - b. all proposed lots can be serviced so there is no greater impact on stormwater infrastructure beyond the development site when compared to a development that achieves Standard SUB-S1(1)(b) which requires a minimum net site area of 500m² for all lots within the WSP; and
 - c. the ability of other land in the WSP to be developed to its 500m² minimum net site area potential is not negatively impacted by the proposed development; and
 - d. the development achieves all other WSP Precinct Plan Outcomes and any other relevant provisions of the District Plan.

GRZ-APP1-OT8WSP-SPO8 NZS 4404:2010 "Land Development and Subdivision Infrastructure

1. For clarity, unless specifically identified, all subdivision development should demonstrate compliance or consistency, as relevant, with the applicable provisions of NZS 4404:2010 "Land Development and Subdivision Infrastructure".

Appendix B – Summary of recommendations on submissions

Table: Summary of recommended responses to submissions and further submissions

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
S10.001	David Tilyard	MAPS	Include 110 Kyle Road in the Rural Lifestyle Zone - not the General Rural Zone as it is currently in the Proposed District Plan.	Rezoning Request 9	Reject	Reject	No
.							
S14.001	Francis Holdings Ltd	MAPS	Amend to change the zone for land at 17 Lindsay Road Waipukurau from Rural to Industrial (the land is in title HBB1/437 and the legal description is Pt Lot 1 DP 3634 Blocks XIV and XV Waipukurau SD). [refer also submission point S14.002]	Rezoning Request 25	Reject	Reject	No
.							
S14.002	Francis Holdings Ltd	[General]	In addition to rezoning land at 17 Lindsay Road Waipukurau from Rural to Industrial [refer submission point S14.001], add a site-specific rule ensuring that all buildings have a minimum floor level above the 100-year flood level.	Rezoning Request 25	Reject	Reject	No
.							
S20.002	Alan Delugar	MAPS	Include 20-24 Rathbone Street Waipawa into the borough of Waipawa [Waipawa urban area].	Rezoning Request 21	Reject	Reject	No
.							
S46.001	Tony Robson	RLZ - Rural Lifestyle Zone	Consolidate the proposed Rural Lifestyle Zone into the General Rural Zone and approve 4000m2 sections on a case-by-case basis, or extend the Rural Lifestyle Zone out to Homewood Road and beyond.	Mapping - General	Reject	Reject	No
.							
S50.005	The Surveying Company (HB) Ltd	MAPS	Rezone Ōtāne to '[General] Residential Zone'.	Rezoning Request 19	Reject	Reject	No
FS2.1	Jill Fraser		Allow	Rezoning Request 19	Reject	Reject	
S50.006	The Surveying Company (HB) Ltd	MAPS	Add a deferred '[General] Residential Zone', or deferred 'Rural Lifestyle Zone', adjacent to areas already with these zonings.	Rezoning Request 20	Reject	Reject	No
.							
S50.018	The Surveying Company (HB) Ltd	MAPS	Re-zone the area north-east of Waipawa that currently encases the existing Setter Subdivision, Aitken Subdivision and various subdivisions along White Road [refer to area 'RU1' on Sheet No:17 map attached to full submission] to 'Rural Lifestyle Zone'.	Rezoning Request 7	Reject	Reject	No
.							
S50.019	The Surveying Company (HB) Ltd	MAPS	Re-zone the land to the east of Ireland Road and along Homewood Road [refer Area 'RU2' on Sheet No:17 map attached to full submission] to 'Rural Lifestyle Zone'.	Rezoning Request 8	Reject	Reject	No
.							
S50.020	The Surveying Company (HB) Ltd	MAPS	Re-zone the land to the west and to the south of Ōtāne [refer Area 'RU3' on Sheet No:17 map attached to full submission] to 'Rural Lifestyle Zone'.	Rezoning Request 4	Reject	Reject	No
.							
S50.021	The Surveying Company (HB) Ltd	MAPS	Re-zone the land to the east of Ōtāne, north of Elsthorpe Road and then the first part of Tod Road [refer Area 'RU4' on Sheet No:17 map attached to full submission] to 'Rural Lifestyle Zone'.	Rezoning Request 5	Reject	Reject	No
FS2.2	Jill Fraser		Allow	Rezoning Request 5	Reject	Reject	

Proposed Central Hawke's Bay District Plan

Panel Report 6A: Maps & Rezoning Requests

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
S50.022	The Surveying Company (HB) Ltd	MAPS	Re-zone the area both to the north and south of the Pātangata Tavern [refer Area 'RU5' on Sheet No:17 map attached to full submission] to 'Rural Lifestyle Zone'.	Rezoning Request 6	Reject	Reject	No
S50.023	The Surveying Company (HB) Ltd	MAPS	Re-zone the land between Pourerere Road, Racecourse Road and Evan Road [refer Area 'GR1' on Sheet No:17 map attached to full submission] to 'General Rural Zone'.	Rezoning Request 2	Reject	Reject	No
S50.024	The Surveying Company (HB) Ltd	MAPS	Potentially re-zone the racecourse adjacent to Lake Hatuma to the south-west of Waipukurau [refer Area 'RE2' on Sheet No:22 map attached to full submission] (either in its entirety or in part) to either 'Residential Zone' or 'Deferred Residential Zone'.	Rezoning Request 10	Reject	Reject	No
S50.025	The Surveying Company (HB) Ltd	MAPS	Re-zone the land to the western end of Kyle Road, Waipukurau [refer Area 'RU6' on Sheet No:22 map attached to full submission], to 'Rural Lifestyle Zone'.	Rezoning Request 9	Reject	Reject	No
S50.026	The Surveying Company (HB) Ltd	MAPS	Re-zone the land to the west of Racecourse Road between Racecourse Road and Lake Hatuma [refer Area 'RU7' on Sheet No:22 map attached to full submission] to 'Rural Lifestyle Zone'.	Rezoning Request 10	Reject	Reject	No
S50.027	The Surveying Company (HB) Ltd	MAPS	Re-zone extensions to the current limits around Tikokino [refer Areas 'S1', 'S2' & 'S3' on Sheet No:47 map attached to full submission] to 'Settlement Zone'.	Rezoning Request 18	Reject	Reject	No
S50.028	The Surveying Company (HB) Ltd	MAPS	Re-zone the land currently owned by the Pōrangahau Country Club [refer Area 'LR1' on Sheet No:76 map attached to full submission] to 'Large Lot Residential Zone'.	Rezoning Request 15	Reject	Reject	No
S54.001	David Bishop	GRZ-P5	Retain GRZ-P5. Support inclusion of Council's proposed 'Structure Plan for Pōrangahau Road' in the Proposed Plan.	Rezoning Request 23	Accept in part	Accept in part	No
S54.003	David Bishop	GRZ - General Residential Zone	Add similar provision for Structure Plans to support large subdivisions in Waipawa and Waipukurau.	Mapping - General	Accept in part	Accept in part	No
S56.030	Powerco Limited	MAPS	Amend the legend description on the Planning Maps as follows: 'Gas Transmission Distribution Network (Takapau Pipeline - Low Intermediate Pressure)'	Mapping - General	Accept	Accept	Yes
FS9.283	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Mapping - General	Reject	Reject	
S59.001	Karl Tipene	MAPS	Re-zoning of Māori-owned land around the coastal settlement and Pa/Cooks Tooth Rd areas to a mix of General Residential, Rural Lifestyle, Residential Coastal and Papakainga.	Rezoning Request 14	Reject	Reject	No
S62.001	Waipukurau Jockey Club inc.	[General]	Rezone land at 218 Racecourse Road, Waipukurau as follows: 1. Rezoning of 3.13Ha from 'Rural Production' to 'Residential' [General Residential?]	Rezoning Request 10	Reject	Reject	No

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
			2. Rezoning of the remainder of the site as 'Special Purpose - Equine Centre' (or create a 'Scheduled Activity' overlay).				
S67.001	Peter Watson	UFD - Urban Form and Development	We are fully in support of the Pōrangahau Road, Waipukurau Growth Cell, but need compensation for the land having to be set aside for the storm water flow that will be created by the construction of the many houses on the "Linz" property to the north of us.	Rezoning Request 23	Reject	Reject	No
S90.051	Centralines Limited	MAPS	Retain proposed zoning of the General Industrial Zone and Commercial Zone insofar as they relate to Centralines landholdings, and in particular, the zoning of 2 Peel Street and 21 Herbert Street, Waipukurau.	Mapping - General	Accept	Accept	No
S93.001	Robert Malcolm	MAPS	Re-zone the land located North of Waipukurau township and South of Waipawa township, between SH2 and the Railway corridor, starting at Kaimotu Road and extending to Tapairu Road (or thereabouts) from 'Rural Production Zone' to 'General Rural Zone'.	Rezoning Request 3	Accept (9 Dec ROR)	Accept	Yes
S94.001	Surveying the Bay Ltd	MAPS	Improve the methodology of selection of parcels with online maps. For instance, by cursor selection, parcel ID, appellation, title reference etc. Enable printing from a desktop computer.	Mapping - General	Accept in part	Accept in part	No
S94.002	Surveying the Bay Ltd	MAPS	Rezone Lot 2 DP 385756 (RT 343469), Lot 1 DP 6305 (RT HBM4/39) & Lots 1 & 2 DP 436815 (RT 536808)) from 'Rural Production Zone' to 'General Rural Zone' [143, 305 & 451 State Highway 2, Te Hauke - refer Appendix A attached to full submission for details]. Provide an option for landowners to request land obviously in the incorrect Zone to be reclassified or provide relief through the resource consent process.	Rezoning Request 1	Reject	Reject	No
S98.001	Hatuma Lime Co Ltd	MAPS	Retain the 'General Rural' zoning across both 'Hatuma Lime' sites at 520 Maharakeke Road and 711 Tikokino Road.	Mapping - General	Accept	Accept	No
S100.001	GR Smith Children's Trust & DG Smith Tournaham Trust	MAPS	Rezone the property Lot 2 DP 520793 Secs 28 29 SO3154 Pt Sec 2 Blk XV Waipukurau SD (47 Limpus Road, Waipawa), situated between State Highway 2 and railway line, from 'Rural Production Zone' to 'General Rural Zone'.	Rezoning Request 3	Accept (9 Dec ROR)	Accept	Yes
S102.001	Te Mata Mushrooms Land Company Limited	MAPS	Retain the 'General Rural' zoning across the Te Mata Mushrooms 'Mt Herbert Road' properties.	Mapping - General	Accept	Accept	No
S102.004	Te Mata Mushrooms Land Company Limited	MAPS	Amend the Planning Maps to show a 'Future Development Area' overlay over land at Lot 2 DP 24989, Oruawharo Road, Takapau - potentially extending south of SH 2 with the road and rail as geographic boundaries, and Fraser Road as the eastern extent. And introduce a new Chapter in the Proposed Plan to provide for a Structure Plan and specific provisions for the new 'Future Development Area'. The Structure Planning exercise would determine the extent of the area. Or Rezone the land identified from 'Rural Production Zone' to 'General Industrial Zone'.	Rezoning Request 26	Reject	Reject	No

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
FS8.002	Silver Fern Farms Limited		Disallow	Rezoning Request 26	Accept	Accept	
S102.012	Te Mata Mushrooms Land Company Limited	RLR-O1	Retain RLR-O1, and/or amend if a 'Future Development Area' overlay for land near Takapau is adopted.	Rezoning Request 26	Accept, insofar as Objective RLR-O1 is to be retained <i>[Note: retention of this objective was provisionally addressed in Key Issue 2 of Volume 1 of the s42A Rural Environment Report]</i>	Accept, insofar as Objective RLR-O1 is to be retained	No
FS8.003	Silver Fern Farms Limited		Disallow	Rezoning Request 26	Accept	Accept	
S102.017	Te Mata Mushrooms Land Company Limited	RLR-P2	Retain RLR-P2, and/or amend if a 'Future Development Area' overlay for land near Takapau is adopted.	Rezoning Request 26	Accept, insofar as Policy RLR-P2 is to be retained <i>[Note: retention of this policy was provisionally addressed in Key Issue 2 of Volume 1 of the s42A Rural Environment Report]</i>	Accept, insofar as Policy RLR-P2 is to be retained	No
FS8.004	Silver Fern Farms Limited		Disallow	Rezoning Request 26	Accept	Accept	
S102.021	Te Mata Mushrooms Land Company Limited	RLR-M1	Amend RLR-M1 as follows: 'The use of zoning to direct activities to appropriate locations: GRUZ - General Rural Zone The General Rural Zone encompasses the bulk of the District's rural land. This area is suitable for a wide range of activities to occur such as primary production activities, including intensive indoor primary production, associated rural industry, and other activities that require a rural location , that can require exclusive areas of land and establishes the flexibility for landowners to identify opportunities to innovatively utilise the resources of the area. Controls in this Zone are tailored to provide flexibility for landowners.' RPROZ - Rural Production Zone The Rural Production Zone encompasses the concentration of highly productive land in and around the Ruataniwha and Takapau Plains and Waipukurau, Waipawa and Ōtāne. The Rural Production Zone is to provide for land uses that are predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone enables a range of activities that support primary production activities, including associated rural industry and other activities that require a rural location. Standards in this Zone reflect the more intensive nature of activities, the increased interface between different land uses and the proximity of the Zone to the urban centres, and the pressures that this places on the soil resource. To provide for a planned and coordinated area of greenfield business land, an area east of Takapau settlement is identified as a Future Development Area whereby a Structure Plan or	Rezoning Request 26	Accept in part <i>[insofar as parts of this submission point were recommended to be accept in Key Issue 2 of Vol 1 of s42 Rural Environment Report]</i>	Accept in part	No

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
			Development Plan will be developed to integrate the various land uses, servicing, access and infrastructure, and boundary treatments.'				
FS8.006	Silver Fern Farms Limited		Disallow	Accept in part 26	Accept in part	Accept in part	
S102.036	Te Mata Mushrooms Land Company Limited	GRUZ-I2	<p>Amend GRUZ-I2 as follows:</p> <p>'Protecting Rural Amenity and the Quality of the Rural Environment Land-based primary production, and other complementary rural, rural industry and service activities, residential, and recreation-based activities, underpin the social, economic, and cultural wellbeing of the District (particularly for the District's rural communities), but they can also adversely affect rural environmental, cultural, and amenity values.</p> <p>...</p> <p>Explanation</p> <p>...</p> <p>Avoidance of inappropriate and incompatible land uses that are inconsistent with the rural environment's location specific values is important to maintain environmental quality and ensure that the productive use of land resources (for a resilient and diverse economy) is not compromised. There is a need to strike a balance between providing for a range of uses and development of natural and physical resources, and the preservation of that character, and those amenity values (such as vegetation prevailing over built elements, open space, privacy, ease of access and landscape and scenic values).</p> <p>A Future Development Area east of Takapau settlement is to provide for intensive primary production activities, rural industrial activities, general industrial activities, dairy processing plant and renewable energy (solar farm), and commercial activities.</p> <p>To activate the Future Development Area for this range of activities, a structure plan or Development Plan shall be prepared in order to coordinate servicing, access and the various land use activities anticipated, to provide amenity along the stream and connect with the surrounding area, including the nearby Takapau settlement. In the interim, the area would continue to operate with the Rural Production Zone rules, albeit with some greater recognition rural industry and service activities.</p> <p>...</p>	Rezoning Request 26	Reject <i>[Note: other parts of this submission point were addressed in Key Issue 6 of Volume 1 of the s42A Rural Environment Report]</i>	Reject	No
FS8.008	Silver Fern Farms Limited		Disallow	Rezoning Request 26	Accept	Accept	
S102.061	Te Mata Mushrooms Land Company Limited	RPROZ-O2	<p>Amend RPROZ-O2 as follows:</p> <p>'The rural land resource is protected from fragmentation, and from being compromised by inappropriate building and development, including from ad hoc urban expansion. Planned and coordinated areas of greenfield business land are to be considered on a case-by-case basis, either through rezoning or use of Future Development Areas and respective Development Plans or Structure Plans.'</p>	Rezoning Request 26	Reject	Reject	No
FS17.122	Horticulture New Zealand		Disallow	Rezoning Request 26	Accept	Accept	
FS8.015	Silver Fern Farms Limited		Disallow	Rezoning Request 26	Accept	Accept	
S102.073	Te Mata Mushrooms Land Company Limited	RPROZ-P9	<p>Amend RPROZ-P9 as follows:</p> <p>'To avoid establishment of commercial or industrial activities that are unrelated to the primary productive purpose of the Rural Production Zone, or that are of a scale that is incompatible with the predominant character and amenity of the rural area and consider locating these activities within the Future Development Area at Takapau.'</p>	Rezoning Request 26	Reject	Reject	No
FS8.016	Silver Fern Farms Limited		Disallow	Rezoning Request 26	Accept	Accept	

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
S102.085	Te Mata Mushrooms Land Company Limited	RPROZ-RXX (new rule)	<p>Add a new rule in the 'Rural Production Zone' chapter in the Proposed Plan as follows:</p> <p>'RPROZ-R21 Within Future Development Zone at Oruawharo Road, Takapau the following activities:</p> <ul style="list-style-type: none"> a. Intensive Primary Production activities, b. Post harvest activities, c. Industrial activities, d. service activities, e. service station, and f. commercial activities g. Renewable energy activities <p>1. Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Adherence to the Future Development Area plan. b. Compliance with: <ul style="list-style-type: none"> i. RPROZ -S3 (Height of buildings); ii. RPROZ -S4 (Height in Relation to Boundary); iii. RPROZ -S5 (Setback from Roads and Rail Network); iv. RPROZ -S6 (Setback from Neighbours); v. RPROZ -S7 (Shading of Land and Roads); vi. RPROZ -S8 (Electricity Safety Distances); vii. RPROZ -S9 (Transport); viii. RPROZ -S10 (Light); and ix. RPROZ -S11 (Noise). c. Compliance with <ul style="list-style-type: none"> i. RPROZ -S13 (building restrictions near Waipukurau Aerodrome); and ii. RPROZ -S14 (setback from gas transmission network). d. Compliance with RPROZ -S15 (setbacks from National Grid). <p>2. Activity status where compliance with condition RPROZ-R21(1)(a) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s))</p> <p>e. Assessment matters:</p> <ul style="list-style-type: none"> i. RPROZ-AM1. ii. RPROZ -AM2. iii. RPROZ -AM 4. <p>f. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> i. TRAN - Transport. ii. LIGHT - Light. iii. NOISE - Noise. <p>3. Activity status where compliance with condition RPROZ-R21(1)(c) is not achieved: DIS'</p>	Rezoning Request 26	Reject	Reject	No
FS8.007	Silver Fern Farms Limited		Disallow	Rezoning Request 26	Accept	Accept	
S103.003	Sandy Hill Farms Limited	MAPS	Amend the boundary line on the Planning Maps for 1046 Blackhead Road as identified on the map accompanying the full submission.	Mapping - General	Accept in part	Accept in part	No
S105.024	James Bridge	MAPS	Rezone the land identified on the map in Figure 1 accompanying the full submission from 'General Rural Zone' to 'Large Lot Residential Zone'.	Rezoning Request 16	Reject	Reject	No

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
S105.026	James Bridge	MAPS	Extend zoning for coastal settlements to 'Large Lot Residential Zone' and account for future growth.	Rezoning Request 17	Reject	Reject	No
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S114.001	Central Hawkes Bay District Council	SUB-R1	Amend SUB-R1 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 'Subdivision not otherwise provided for All Zones 1. Activity Status: CON Where the following conditions are met: a. ... b. ... c. Compliance with: i. iv. SUB-S7(1) and (2) ... d. Compliance with: ... da. Compliance with SUB-S7(3). 2. ... 3. Activity status where compliance with condition SUB-R1(1)(a) and/or SUB-R1(1) (b) and/or SUB-R1(1) (da) is not achieved: DIS 4. ...'	Rezoning Request 23	Accept	Accept	Yes
FS23.3	Kāinga Ora - Homes and Communities		Allow in part	Rezoning Request 23	Accept in part	Accept in part	
S114.002	Central Hawkes Bay District Council	SUB-S1	Amend SUB-S1 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 'General Residential Zone 1. ... 2. ... General Residential Zone - Waipukurau South Plan Area 1a. Where public sewerage reticulation is available - 500m2. 2a. Where public sewerage reticulation is not available - 1000m2.'	Rezoning Request 23	Accept in part	Accept in part	Yes
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S114.003	Central Hawkes Bay District Council	SUB-S7	Add a new standard in SUB-S7 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 'All Zones 1. ... 2. ... General Residential Zone - Waipukurau South Plan Area 3. Where any new lots are to be developed in the Waipukurau South Plan area the subdivider must in addition to SUB-S7(1) and SUB-S7(2) demonstrate how the development will be in accordance with a stormwater management plan (SMP) developed for the WSP precinct overlay area, and that a. all land identified as stormwater detention area will be vested in the Council (unless demonstrated in the SMP as not being required for that purpose); and b. no land identified as stormwater detention area and required to be vested in the Council shall be subdivided, and c. any and all relevant provisions or assessment matters identified in the precinct overlay relating to stormwater have been complied with.'	Rezoning Request 23	Accept in part	Accept in part	Yes
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Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
S114.004	Central Hawkes Bay District Council	SUB-AM2	Add a new assessment matter in SUB-AM2 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 'Subdivision Design 1. ... 2. ... 3. ... 4. Within the Waipukurau South Plan area, whether the subdivision design is generally in accordance with the Waipukurau South Plan.'	Rezoning Request 23	Accept in part	Accept in part	Yes
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S114.005	Central Hawkes Bay District Council	SUB-AM5	Add a new assessment matter in SUB-AM5 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 'Water Supply, Wastewater Disposal, Stormwater Disposal 1. 10. Within the Waipukurau South Plan area, a) the degree to which the subdivision is consistent with the objectives and any other provision of the WSP such as the layout, provision and location of services, b) the degree to which the subdivision may impact on the ability to service other existing or future sites in the WSP area that are compliant with SUB-S1, and c) the provision of adequate stormwater and wastewater infrastructure to service the WSP area supported by suitable technical assessment, modelling and design.'	Rezoning Request 23	Accept in part	Accept in part	Yes
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S114.006	Central Hawkes Bay District Council	SUB-AM6	Add a new assessment matter in SUB-AM6 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 'Property Access 1. ... 2. ... 3. ... 3a. Within the Waipukurau South Precinct area, the degree to which new facilities for vehicles, pedestrians and cyclists are consistent with the layout, character, provision and location of services and access, and will achieve the outcomes and objectives and other matters identified in the applicable precinct overlay. ...'	Rezoning Request 23	Accept in part	Accept in part	Yes
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S114.007	Central Hawkes Bay District Council	SUB-AM8	Add a new assessment matter in SUB-AM8 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 'General 1. 5. Where the subdivision is located within or partly within the Waipukurau South Plan area, the assessment of cumulative effects must in addition to the proposed development, take into account within the Waipukurau South Plan Area: a. any subdivision consents already granted, and b. the extent of development that could occur as a controlled activity under SUB-R1.'	Rezoning Request 23	Accept in part	Accept in part	Yes
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Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
S114.008	Central Hawkes Bay District Council	SUB - Principal Reasons	Add a new sentence into 'SUB - Principal Reasons' [to insert special provisions applicable to Waipukurau South Plan Area] as follows: ... The specific methods and policies that relate to the Waipukurau South Plan area recognise constraints and the need for coordinated development of this part of the residential zone, and the specific requirements of the area with respect to infrastructure and natural hazards.'	Rezoning Request 23	Accept in part	Accept in part	Yes
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S114.009	Central Hawkes Bay District Council	GRZ-R1	Amend GRZ-R1 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: '1. Activity Status: PER Where the following conditions are met: a. Compliance with: ... b. Compliance with: i. GRZ-S16. 2. Activity status where compliance not achieved with conditions GRZ-R1(a)(ii), GRZ-R1(a)(iii), GRZ-R1(a)(iv), GRZ-R1(a)(v), GRZ-R1(a)(vii), GRZ-R1(a)(viii), GRZ-R1(a)(ix), GRZ-R1(a)(x), GRZ-R1(a)(xi), GRZ-R1(a)(xii), GRZ-R1(a)(xiii) or GRZ-R1(a)(xiv): RDIS Matters over which discretion is restricted (where relevant to the infringed standard(s)): a. ... b. ... 3. Activity status where compliance not achieved with conditions GRZ-R1(a)(i) or GRZ(a)(vi) in the Waipukurau South Plan area: DIS [4.] Activity status where compliance with condition GRZ-R1(b) is not achieved: DIS'	Rezoning Request 23	Accept in part	Accept in part	Yes
FS23.5	Kāinga Ora - Homes and Communities		Disallow	Rezoning Request 23	Reject	Reject	
S114.013	Central Hawkes Bay District Council	GRZ-R2	Amend GRZ-R2 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: '1. Activity Status: PER Where the following conditions are met: a. Limited to: ... b. Compliance with: ... c. Compliance with: i. GRZ-S16. 2. ... 3. Activity Status where compliance with conditions GRZ-R2(1) (a) or GRZ-R2(1)(c) is not achieved: DIS'	Rezoning Request 23	Accept in part	Accept in parr	Yes
FS23.6	Kāinga Ora - Homes and Communities		Disallow	Rezoning Request 23	Reject	Reject	
S114.015	Central Hawkes Bay District Council	GRZ-R3	Amend GRZ-R3 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: '1. Activity Status: PER Where the following conditions are met: a. Limited to: ... b. Compliance with: ... c. Compliance with:	Rezoning Request 23	Accept in part	Accept in part	Yes

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
			i. GRZ-S16 2. ... 3. Activity status where compliance with conditions GRZ-R3(1) (a) or GRZ-R3(1)(c) is not achieved: DIS'				
S114.017	Central Hawkes Bay District Council	GRZ-R4	Amend GRZ-R4 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: '1. Activity Status: PER Where the following conditions are met: a. ... b. Compliance with: ... [c.] Compliance with i. GRZ-S16 2. ... 3. Activity status where compliance with conditions GRZ-R4(1)(a) or GRZ-R4(1)(c) is not achieved: DIS'	Rezoning Request 23	Accept in part	Accept in part	Yes
S114.019	Central Hawkes Bay District Council	GRZ-R9	Introduce a new condition into Rule GRZ-R9(1) [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 1. Activity Status: PER Where the following conditions are met: a. ... b. Compliance with: ... [c.] Compliance with: i. GRZ-S16 2. ... 3. Activity status where compliance with conditions [GRZ-R9(1)(a)] or [GRZ-R9(1)(c)] is not achieved: DIS'	Rezoning Request 23	Reject	Reject	No
S114.021	Central Hawkes Bay District Council	GRZ-S1	Amend GRZ-S1 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: '1. ... 2. Minimum net site area for any site connected to a reticulated sewerage system is: a. 350m2 for each residential unit contained within the site, except that: b. for each residential unit with a gross floor area less than 60m2, the minimum net site area for any site is 150m2. c. notwithstanding gross floor area, for each residential unit in the WSP area the minimum net site area for any unit is 500m2. 3. ...'	Rezoning Request 23	Accept in part	Accept in part	Yes
S114.022	Central Hawkes Bay District Council	GRZ-SXX (new standard)	Introduce a new standard in the 'General Residential Zone' chapter of the Proposed Plan [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 'GRZ-S16 Impervious Surfaces All Within the Waipukurau Plan Area WSP, not more than 65% of the site may be occupied by impervious surfaces such as (but not restricted to) buildings and/or driveways.'	Rezoning Request 23	Accept in part	Accept in part	Yes

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
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S114.023	Central Hawkes Bay District Council	GRZ-AM2	Amend GRZ-AM2 [to insert special provisions applicable to Waipukurau South Plan Area] as follows: '1. 4. A stormwater management plan (SMP) shall be developed that identifies and assesses the potential increase in the volume and rate of stormwater discharge from the site and the impact on Council stormwater infrastructure WSP. In addition, reference must also be had to precinct overlay Outcome WSP-1 and assessment matters WSP-AM1 - WSP-AM9.'	Rezoning Request 23	Accept in part	Accept in part	Yes
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S114.024	Central Hawkes Bay District Council	GRZ - Principal Reasons	Add the following to 'GRZ - Principal Reasons' [to insert special provisions applicable to Waipukurau South Plan Area] as follows: '... Within the Waipukurau South Plan area the performance standards also recognise limitations on the ability to service development, particularly with regard to stormwater, and the opportunity to ensure adequate access to required infrastructure across the entire precinct overlay plan area.'	Rezoning Request 23	Accept in part	Accept in part	Yes
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S114.025	Central Hawkes Bay District Council	GRZ-AERXX (new anticipated environmental results)	Add a new 'Anticipated Environmental Result' in the 'General Residential Zone' chapter of the Proposed Plan [to insert special provisions applicable to Waipukurau South Plan Area] as follows: 'GRZ-AER6 Logical and efficient development of serviced residential land on the southern edge of Waipukurau.'	Rezoning Request 23	Accept in part	Accept in part	Yes
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S114.026	Central Hawkes Bay District Council	MAPS	Introduce a new overlay and/or notations on the relevant Planning Maps to show the extent of the 'Waipukurau South Plan' precinct area (as indicated by the shaded green area on the map accompanying the full submission).	Rezoning Request 23	Accept in part	Accept in part	Yes
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S114.027	Central Hawkes Bay District Council	GRZ - General Residential Zone	Introduce a new precinct plan called the 'Precinct Plan - Waipukurau South Plan (WSP)' into the 'General Residential Zone' chapter of the Proposed Plan, and include within that the suite of new and/or amended provisions proposed (as contained in the full submission).	Rezoning Request 23	Accept in part	Accept in part	Yes
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S120.001	Heretaunga Tamatea Settlement Trust	MAPS	Include provision for the opportunity for tangata whenua to live on the margins of the Lake Whatumā. Amend the zoning over part of Section 7 Block II Motuotaraia Survey District from 'Rural Production Zone' to 'Rural Lifestyle Zone' (as shown in Appendix 2 of the full submission).	Rezoning Request 11	Reject	Reject	No
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S120.002	Heretaunga Tamatea Settlement Trust	MAPS	Include provision to enable the development of an environmental education facility. Amend the zoning of Lot 1 DP 7057 to include the 'Community Facility (CF)' notation over the site, to enable the use of the site for environmental education purposes and associated facilities (as shown in Appendix 2 of the full submission).	Rezoning Request 11	Reject	Reject	No
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Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Rezoning Request Reference	Officer Recommendation	Panel Recommendation	Amendments to Proposed Plan?
S120.003	Heretaunga Tamatea Settlement Trust	MAPS	Include provision for tangata whenua to live on their land on Pukeora Scenic Drive. Amend the zoning of Pt Lot 1 DP 25272 from 'General Rural Zone' to 'Rural Lifestyle Zone' in line with the Indicative Structure Plan (as shown in Appendix 2 of the full submission).	Rezoning Request 12	Reject	Reject	No
S120.004	Heretaunga Tamatea Settlement Trust	MAPS	Include provision for tangata whenua to live on their land on Pukeora Scenic Drive. Amend the zoning over approximately 39ha of Lot 4 DP 25272 from 'General Rural Zone' to 'Rural Lifestyle Zone', and a further 11ha from 'General Rural Zone' to '[General] Residential Zone' in line with the Indicative Structure Plan (as shown in Appendix 2 of the full submission).	Rezoning Request 12	Accept in part	Accept in part	Yes
S120.005	Heretaunga Tamatea Settlement Trust	MAPS	Amend the Planning Map to include a 'Community Facility (CF)' notation over the area of Te Aute College (as shown in Appendix 2 of the full submission).	Rezoning Request 13	Accept	Accept	Yes
S127.001	Livingston Properties Limited	Figure 3	Amend 'Figure 3 - Waipukurau Growth Direction' map to include within the urban boundaries the portion of 96 Mt Herbert Road requested to be zoned 'General Residential' by this submission. And make any necessary consequential amendments to the supporting text within the 'UFD - Urban Form and Development' chapter.	Rezoning Request 22	Reject	Reject	No
S127.002	Livingston Properties Limited	MAPS	Rezone portions of the property at 96 Mt Herbert Road, Waipukurau on the Planning Maps, from 'General Rural Zone' to as follows: - approximately 18.7ha to 'General Residential Zone'; - approximately 4,900m ² to 'Commercial Zone'; and - approximately 39.1ha to 'Rural Lifestyle Zone'; leaving the remainder zoned 'General Rural' (84.5ha). The areas requested to be rezoned are defined in the Concept Plan attached as Appendix A in the submission. And make any consequential amendments to the text of the Proposed Plan to support the above requested mapping changes, including the incorporation of the concept plan to provide certainty for the nature of development on the Livingston Properties land.	Rezoning Request 22	Reject	Reject	No
S129.236	Kāinga Ora - Homes and Communities (Kainga Ora)	MAPS	Expand the 'COMZ - Commercial Zone' on the Planning Maps, for the reasons set out.	Rezoning Request 24	Reject	Reject	No