SETZ - Settlement Zone

Introduction

The rural-based settlements covered by the Settlement Zone are:

- Elsthorpe
- Ongaonga
- Ōtane
- Porangahau
- Takapau
- Tikokino

Each settlement has its own special character that reflects its history and development over the years.

The future of these settlements is dependant on surrounding land uses, constraints due to natural hazards, provision for some increase in development and flexibility of development, including their ability to provide water supply and sewage disposal infrastructure (Ōtane, Takapau and Porangahau have reticulated water and wastewater systems, while Tikokino, Ongaonga and Elsthorpe have no reticulated systems).

Despite their small scale and low density, the rural settlements are important places providing residents with pleasant and affordable places to live. They enable those people who wish to work in the country but who do not own farm land or a rural enterprise to live close to their place of employment. The settlements also act as 'satellite towns' for commuters to other urban centres within and outside the District, particularly the settlements in the northern part of the District which are closer to Hastings and Napier.

The settlements also contain convenient social, recreational and retail services for their residents and for the population of the wider rural area.

Elsthorpe

Elsthorpe is an inland farming district whose history is linked to the establishment of various large sheep stations in the mid-late 1800s – one of these was named after Elsthorpe in Lincolnshire, England. The small area zoned as 'Settlement' centres around the intersection of Elsthorpe and Kenderdine Roads, largely encompassing a church (St Stephens – built in 1909), a community hall (built in 1907), the local rural fire station and a scattering of houses. The local school (Elsthorpe School – opened in 1898) is nearby on Kenderdine Road

Ongaonga

Ongaonga is a small settlement, 20 kilometres west of Waipawa, near State Highway 50, dating back to 1872 when sections were subdivided from the original Fairfield Run. The first house was built in 1874, the first store in 1899, followed by a flour mill, school and church, and further businesses. Since then, the town has developed in a linear fashion centring on the main street (Bridge Street), which has a collection of historic buildings all built at a similar time

(some of which were relocated there from the surrounding district), creating a picturesque historic village.

<u>Ōtane</u>

Originally known as Kaikora, Ōtane was officially founded in 1874 on part of a large pastoral estate known as 'Homewood', which had been subdivided into smaller farms. The settlement started with a few cottages providing homes for artisans and labourers who came to the district to provide the first labour force for the farming industry, and grew further with the arrival of the railway in 1876. Ōtane had a hotel, a general store, a boiling down works and a blacksmith, and residents could graze livestock on the roadside for a small weekly fee. The town reflects its heritage having retained a number of its older historic buildings and trees. Ōtane has had a resurgence in recent years, offering a desirable lifestyle with its village atmosphere and convenient location just off State Highway 2 between Waipawa and neighbouring Hastings. It has attracted some small cottage artisan operations, and offers a Sunday market, café and community facilities.

Porangahau

Porangahau township is a small rural settlement close to the mouth of the Porangahau River, near the coast, 45 kilometres south of Waipukurau. The area was an important site of Māori settlements, and still has a strong Māori presence with marae and coastal lands in the area. The settlement was founded in 1860, and grew to incorporate a general store, church, school and tavern, supporting surrounding farming and coastal activities. Along with nearby coastal settlements, it has become a summer holiday destination for bach owners and holiday-makers.

Takapau

Takapau is a small rural community located off State Highway 2, 20 kilometres west of Waipukurau. It has a long history of Māori settlement dating back to the 1500s. In the early 1870's there was still a large Māori community at Takapau, and an active marae remains there today. The settlement was surveyed in 1876 on part of Oruawharo Station, providing both quarter acre town sections and large suburban sections for small farms. It then developed to include a hotel and general store and continues as a traditional rural service town centred around a small but distinct commercial core.

Tikokino

Tikokino (originally named 'Hampden Town') on State Highway 50 north of Ongaonga, was founded by the government in 1860, and began as a little settlement of 86 sections. It became a sawmilling centre based on milling of tōtara and kahikatea (white pine) – about 20 sawmills were operating at one stage – and has since served the surrounding farms. It has a tavern, a community hall and school, and in the early days had a public library, post office and various stores and small businesses. Tikokino has a scattering of historic buildings and reflects a low density of development. The streets are wide and open, with plantings, and very little fencing.

Issues

SETZ-I1 Rural Township Amenity

The location, nature, and design of buildings, activities and their services vary considerably in the rural settlements reflecting the historical mix of activities that give these small townships their distinct character. However, this can, without suitable environmental management, lead to adverse effects on the amenity of those townships and their surrounding landscapes.

Explanation

The District's rural townships have developed over a long period of time. Ongaonga and Ōtane, particularly, have a strong heritage character which is valued by their communities. While predominantly residential, a range of local and community service activities are found in these settlements, and rural township residents generally accept an informal pattern of activities. Such non-residential activities are usually of a small scale, for example, primary schools, halls, and service stations. If such non-residential activities provide useful services or employment, many residents are willing to live beside them. Similarly, the effects of primary production activities (excluding mining and quarrying) near or within townships are more acceptable to rural township residents than those living in the larger urban areas. This reflects the close economic, social, and physical links between the townships and their surrounding rural land. Nevertheless, residential activities in the rural townships require a degree of amenity protection, for example, from potential adverse visual effects, traffic generation, noise, and odour of nearby non-residential activities.

Objectives

SETZ-01

To maintain and enhance the attractive open space character of the rural settlements by ensuring that development is compatible in scale to surrounding activities and structures, and provides for generous on-site landscaping, screening and street frontage planting. This will be achieved through well-managed design, layout and intensity of land use activities.

SETZ-O2

To maintain and enhance the historic character of the rural settlements of Ongaonga and Ōtane by encouraging development that is cognisant of and compatible with the historic buildings and landscape of these towns.

SETZ-O3

To provide for non-residential activities, within limits, to locate in the settlements such that their amenity is maintained and enhanced, and to provide for the social, economic and cultural well-being of the people in these rural communities, and for their health and safety.

Policies

SETZ-P1

Recognise and provide for existing rural settlements that serve an important local role and have a distinct character related to their rural location, through a Settlement Zone.

SETZ-P2 Provide for a mix of land-use activities and development which are complementary and compatible with the surrounding area, while ensuring an acceptable level of amenity for residents through the application of rules and standards. SETZ-P3 Provide controls for the rural settlements which promote an overall low built form and density of development. SETZ-P4 Minimise the adverse effects of developments created by inappropriate building scale, overshadowing, building bulk, high site coverage and/or loss of neighbourhood privacy. SETZ-P5 Provide for non-residential activities which are compatible with the existing scale, intensity and character of development within the Settlement Zone, including the historic character of Ōtane and Ongaonga. SETZ-P6 Provide for existing and new commercial, industrial, community, emergency service activities and educational facilities, while ensuring any changes or expansion of these activities do not adversely affect the qualities of the settlement. SETZ-P7 Ensure all land use activities, development and subdivision provide a

suitable on-site wastewater treatment and disposal system,

Note: refer also to the SUB – Subdivision chapter, and Hawke's Bay

stormwater systems, and water supply unless an approved alternative

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Rule Overview Table

Use/activity	Rule Number
Residential activities and showhomes	SETZ-R1
Home businesses	SETZ-R2
Visitor accommodation	SETZ-R3
Day care facilities	SETZ-R4
Service activities	SETZ-R5
Commercial activities not otherwise provided for	SETZ-R6
Community facilities	SETZ-R7

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system is available.

Educational facilities	SETZ-R8
Emergency service activities and emergency aviation movements	SETZ-R9
Community corrections activities	SETZ-R10
Primary production activities	SETZ-R11
Extension of existing industrial activities	SETZ-R12
New industrial activities and post-harvest facilities	SETZ-R13
Relocated buildings	SETZ-R14
Retirement villages	SETZ-R15
Camping grounds	SETZ-R16
Relocatable building depots	SETZ-R17
Any other activity not otherwise provided for	SETZ-R18
Intensive primary production activities	SETZ-R19
Industrial activities involving offensive processes	SETZ-R20

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 Settlement 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. on-site disposal of effluent, stormwater from industrial or trade premises).
- taking of water (e.g. from water courses or underground wells).
- discharge of contaminants to air (e.g. spray drift, odour).

SETZ-R1 Residential activities and showhomes

1. Activity Status: PER

2. Activity status where compliance not achieved: RDIS

Where the following conditions are met:

- a. Compliance with:
 - i. SETZ-S1;

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ii.	SETZ-S2;
iii.	SETZ-S3;
iv.	SETZ-S4;
٧.	SETZ-S5;
vi.	SETZ-S6;
vii.	SETZ-S7;
viii.	SETZ-S8;
ix.	SETZ-S9;
Χ.	SETZ-S10;
xi.	SETZ-S11;
xii.	SETZ-S12;
xiii.	SETZ-S13; and
xiv.	SETZ-S14; and'
XV.	SETZ-S16.

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

- a. Assessment matters:
 - i. SETZ-AM1.
 - ii. SETZ-AM2.
 - iii. SETZ-AM3.

 - iv. SETZ-AM4.
 - v. SETZ-AM10.
 - vi. SETZ-AM11..
- b. Assessment matters in the following chapters:
 - i. TRAN Transport.
 - ii. LIGHT Light.
 - iii. NOISE Noise.

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SETZ-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. SETZ-S1:
 - ii. SETZ-S2;
 - iii. SETZ-S3;
 - iv. SETZ-S4:
 - v. SETZ-S5;
 - vi. SETZ-S6;

 - vii. SETZ-S7; viii. SETZ-S8;

2. Activity status where compliance with condition SETZ-R2(1)(b) is not achieved: RDIS

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

- a. Assessment matters:
 - i. SETZ-AM1.
 - ii. SETZ-AM2.
 - iii. SETZ-AM3.
 - iv. SETZ-AM4. v. SETZ-AM10.
- b. Assessment matters in the following chapters:
 - i. TRAN Transport.
 - ii. LIGHT Light.
 - iii. NOISE Noise.
- 3. Activity status where compliance with condition SETZ-R2(1)(a) is not achieved: DIS

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ix. SETZ-S9;x. SETZ-S10;xi. SETZ-S11;xii. SETZ-S12;

xiii. SETZ-S13; and

xiv. SETZ-S14.

SETZ-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.
 - Length of stay for any one guest must be no greater than 3 months in any 12month period.

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

- b. Compliance with:
 - i. SETZ-S1;
 - ii. SETZ-S2;
 - iii. SETZ-S3;
 - iv. SETZ-S4;
 - v. SETZ-S5;
 - vi. SETZ-S6;
 - vii. SETZ-S7;
 - viii. SETZ-S8;
 - ix. SETZ-S9;
 - x. SETZ-S10;
 - xi. SETZ-S11;
 - xii. SETZ-S12;
 - xiii. SETZ-S13; and
 - xiv. SETZ-S14; and
 - xv. SETZ-S16.

2. Activity status where compliance with condition SETZ-R3(1)(b) is not achieved: RDIS

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

- a. Assessment matters:
 - i. SETZ-AM1.
 - ii. SETZ-AM2.
 - iii. SETZ-AM3.
 - iv. SETZ-AM4.
 - v. SETZ-AM10.
 - vi. SETZ-AM11.
- Assessment matters in the following chapters:
 - i. TRAN Transport.
 - ii. LIGHT Light.
 - iii. NOISE Noise.
- 3. Activity status where compliance with condition SETZ-R3(1)(a) is not achieved: DIS

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S57.201 FENZ

SETZ-R4 Day care facilities

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with:
 - i. SETZ-S2;
 - ii. SETZ-S3;
 - iii. SETZ-S4;

2. Activity status where compliance not achieved: RDIS

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

a. Assessment matters:

i۷.	SETZ-S5;
٧.	SETZ-S6;
vi.	SETZ-S7;
vii.	SETZ-S8;
viii.	SETZ-S9;
ix.	SETZ-S10;
Χ.	SETZ-S11;
xi.	SETZ-S12;
xii.	SETZ-S13; and
xiii.	SETZ-S14; and
xiv.	SETZ-S16.

- i. SETZ-AM1.
- ii. SETZ-AM2.
- iii. SETZ-AM3.
- iv. SETZ-AM4.
- v. SETZ-AM10.
- vi. SETZ-AM11.
- b. Assessment matters in the following chapters:
 - i. TRAN Transport.
 - ii. LIGHT Light.
 - iii. NOISE Noise.

SETZ-R5 Service activities

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with:
 - i. SETZ-S2;
 - ii. SETZ-S3;
 - iii. SETZ-S4;
 - iv. SETZ-S5;
 - v. SETZ-S6;
 - vi. SETZ-S7;
 - vii. SETZ-S8;
 - viii. SETZ-S9;
 - ix. SETZ-S10;
 - x. SETZ-S11;
 - xi. SETZ-S11;
 - xii. SETZ-S13; and
 - xiii. SETZ-S14; and
 - xiv. SETZ-S16.

2. Activity status where compliance not achieved: RDIS

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

- a. Assessment matters:
 - i. SETZ-AM1.
 - ii. SETZ-AM2.
 - iii. SETZ-AM3.
 - iv. SETZ-AM4.
 - v. SETZ-AM10.
 - vi. SETZ-AM11.
- b. Assessment matters in the following chapters:
 - i. TRAN Transport.
 - ii. LIGHT Light.
 - iii. NOISE Noise.

SETZ-R6 Commercial activities not otherwise provided for

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - Commercial activities must occupy no more than 250m² gross floor area on the site.
- b. Compliance with:
 - i. SETZ-S2;
 - ii. SETZ-S3;
 - iii. SETZ-S4;
 - iv. SETZ-S5;

2. Activity status where compliance with condition SETZ-R6(1)(b) is not achieved: RDIS

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

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

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Commented [JKS11]: Hearing Stream 3 - Right of Reply dated 5 Aug 2022 - revised recommendation for S57.202 FENZ

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v. SETZ-S6; vi. SETZ-S7;	v. SETZ-AM10. vi. SETZ-AM11.	Commented [RM18]: S90.046 Centralines - Urban Topic, Key Issue 5
vii. SETZ-S8; viii. SETZ-S9;	b. Assessment matters in the following chapters:	Commented [JKS19]: Hearing Stream 3 - Right of Reply dated 5 Aug 2022 - revised recommendation for S57.204 FENZ
ix. SETZ-S10; x. SETZ-S11; xi. SETZ-S12:	i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.	
xii. SETZ-S13;- and xiii. SETZ-S14 <u>; and</u>	3. Activity status where compliance	
xiv. <u>SETZ-S16.</u>	with condition SETZ-R6(1)(a) is not achieved: DIS	Commented [JKS17]: Hearing Stream 3 - Right of Reply dated 5 Aug 2022 - revised recommendation for
SETZ-R7 Community facilities		S57.204 FENZ
1. Activity Status: PER	2. Activity status where compliance	
Where the following conditions are met:	not achieved: RDIS	
a. Compliance with:	Matters over which discretion is	
i. SETZ-S2;	restricted (where relevant to the	
ii. SETZ-S3;	infringed standard(s)):	
iii. SETZ-S4;	a. Assessment matters:	
iv. SETZ-S5;	i. SETZ-AM1.	
v. SETZ-S6;	ii. SETZ-AM2.	
vi. SETZ-S7;	iii. SETZ-AM3.	
vii. SETZ-S8;	iv. SETZ-AM4.	
viii. SETZ-S9;	v. SETZ-AM10.	Commented [RM21]: S90.046 Centralines - Urban
ix. SETZ-S10;	vi. <u>SETZ-AM11.</u>	Topic, Key Issue 5
x. SETZ-S11;	b. Assessment matters in the following	Commented [JKS22]: Hearing Stream 3 - Right of Reply
xi. SETZ-S12;	chapters:	dated 5 Aug 2022 - revised recommendation for S57.205 FENZ
xii. SETZ-S13; -and	i. TRAN – Transport.	
xiii. SETZ-S14 <u>; and</u>	ii. LIGHT – Light.	
xiv. <u>SETZ-S16</u> .	iii. NOISE – Noise.	Commented [JKS20]: Hearing Stream 3 - Right of Reply
		dated 5 Aug 2022 - revised recommendation for S57.205 FENZ
SETZ-R8 Educational facilities		(
1. Activity Status: PER	2. Activity status where compliance	
	with SETZ-R8(1)(b) is not achieved:	
Where the following conditions are met:	RDIS	
a. <u>Limited to 200m² gross floor area.</u>		

Matters over which discretion is

restricted (where relevant to the

infringed standard(s)):

a. Assessment matters:

i. SETZ-AM1.

ii. SETZ-AM2.iii. SETZ-AM3.

iv. SETZ-AM4.

v. SETZ-AM10.

b. Compliance with:

i. SETZ-S2;

ii. SETZ-S3;

iii. SETZ-S4;

iv. SETZ-S5;

v. SETZ-S6;

vi. SETZ-S7; vii. SETZ-S8;

viii. SETZ-S9;

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ix. SETZ-S10;	vi. SETZ-AM11.
x. SETZ-S11;	b. Assessment matters in the following
xi. SETZ-S12;	chapters:
xii. SETZ-S13; and	i. TRAN – Transport.
xiii. SETZ-S14 <u>; and</u>	ii. LIGHT – Light.
xiv. SETZ-S16.	iii. NOISE – Noise.
	3. Activity status where compliance
	with condition SETZ-R8(1)(a) is not
	achieved: DIS
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SETZ-R9 Emergency service activities and	emergency aviation movements
4 Activity Status DEP	2 Activity status where compliance
1. Activity Status: PER	2. Activity status where compliance not achieved: RDIS
Where the following conditions are met:	not achieved: KDIS
a. Compliance with:	Matters over which discretion is
i. SETZ-S2:	restricted (where relevant to the
ii. SETZ-S3:	infringed standard(s)):
iii. SETZ-53;	a. Assessment matters:
iv. SETZ-S5:	i. SETZ-AM1.
v. SETZ-S6;	ii. SETZ-AM2.
•	ii. SETZ-AM3.
vi. SETZ-S7;	= 1 = 1
vii. SETZ-S8;	iv. SETZ-AM4.
viii. SETZ-S9;	v. <u>SETZ-AM10.</u>
ix. SETZ-S10;	vi. SETZ-AM11
x. SETZ-S11;	b. Assessment matters in the following
xi. SETZ-S12;	chapters:
xii. SETZ-S13; and	i. TRAN – Transport.
xiii. SETZ-S14 <u>; and</u>	ii. LIGHT – Light.
xiv. <u>SETZ-S16</u> .	iii. NOISE – Noise.
SETZ-R10 Community corrections activities	
1. Activity Status: PER	2. Activity status where compliance
	not achieved: RDIS
Where the following conditions are met:	
a. Compliance with:	Matters over which discretion is
i. SETZ-S2;	restricted (where relevant to the
ii. SETZ-S3;	infringed standard(s)):
iii. SETZ-S4;	a. Assessment matters:
iv. SETZ-S5;	i. SETZ-AM1.
v. SETZ-S6;	ii. SETZ-AM2.
vi. SETZ-S7;	iii. SETZ-AM3.
vii. SETZ-S8;	iv. SETZ-AM4.
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viii.	SETZ-S9;
ix.	SETZ-S10;
Χ.	SETZ-S11;
xi.	SETZ-S12;
xii.	SETZ-S13; and
xiii.	SETZ-S14 <u>; and</u>
xiv.	SETZ-S16

- v. SETZ-AM10.
- vi. SETZ-AM11.
- b. Assessment matters in the following chapters:
 - i. TRAN Transport.
 - ii. LIGHT Light.
 - iii. NOISE Noise.

SETZ-R11 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying)

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with:
 - i. SETZ-S2;
 - ii. SETZ-S3;
 - iii. SETZ-S4;
 - iv. SETZ-S5;
 - v. SETZ-S6;
 - vi. SETZ-S7;
 - VI. SLIZ-SI,
 - vii. SETZ-S8;
 - viii. SETZ-S9;
 - ix. SETZ-S10;
 - x. SETZ-S11;
 - xi. SETZ-S12;
 - xii. SETZ-S13; and
 - xiii. SETZ-S14; and
 - xiv. SETZ-S16.

2. Activity status where compliance not achieved: RDIS

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

- a. Assessment matters:
 - i. SETZ-AM1.
 - ii. SETZ-AM2.
 - iii. SETZ-AM3.
 - iv. SETZ-AM4.
 - v. SETZ-AM10.
 - vi. SETZ-AM11.
- Assessment matters in the following chapters:
 - i. TRAN Transport.
 - ii. LIGHT Light.
 - iii. NOISE Noise.

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SETZ-R12 Extension of existing industrial activities (existing as at the date of notification of the District Plan)

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - Existing industrial activities must occupy no more than 250m² net site area (land and buildings).
- b. The activity must not involve an offensive process.
- c. Compliance with:
 - i. SETZ-S2;
 - ii. SETZ-S3;
 - iii. SETZ-S4;
 - iv. SETZ-S5;

Activity status where compliance with condition SETZ-R12(1)(c) is not achieved: RDIS

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

- a. Assessment matters:
 - i. SETZ-AM1.
 - ii. SETZ-AM2.
 - iii. SETZ-AM3.
 - iv. SETZ-AM4.v. SETZ-AM10.
 - vi. SETZ-AM11.

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- v. SETZ-S6;
- vi. SETZ-S7;
- vii. SETZ-S8;
- viii. SETZ-S9;
- ix. SETZ-S10;
- x. SETZ-S11;
- xi. SETZ-S12;
- xii. SETZ-S13; and
- xiii. SETZ-S14; and
- xiv. SETZ-S16.

- Assessment matters in the following chapters:
 - i. TRAN Transport.
 - ii. LIGHT Light.
 - iii. NOISE Noise.
- 3. Activity status where compliance with condition SETZ-R12(1)(a) is not achieved: RDIS

Matters over which discretion is restricted:

- a. Effects on residential amenity.
- b. Effects on the overall character of the surrounding area.
- c. Shading impacts on the street or adjoining sites.
- d. Building bulk, access to sunlight, and impacts on amenity.
- e. Noise and vehicle movements.
- f. Location of additional storage and parking, if required.
- 4. Activity status where compliance with condition SETZ-R12(1)(b) is not achieved: NC

SETZ-R13 New industrial activities and post-harvest facilities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - New industrial activities and postharvest facilities must occupy no more than 250m² net site area (land and buildings).
- b. The activity must not involve an offensive process.
- c. Compliance with:
 - i. SETZ-S2;
 - ii. SETZ-S3;
 - iii. SETZ-S4;
 - iv. SETZ-S5;
 - v. SETZ-S6;
 - vi. SETZ-S7;
 - vii. SETZ-S8;

2. Activity status where compliance with condition SETZ-R13(1)(c) is not achieved: RDIS

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

- a. Assessment matters:
 - i. SETZ-AM1.
 - ii. SETZ-AM2.
 - iii. SETZ-AM3.
 - iv. SETZ-AM4.
 - v. SETZ-AM10.
 - vi. SETZ-AM11.
- b. Assessment matters in the following chapters:
 - i. TRAN Transport.
 - ii. LIGHT Light.

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Commented [RM41]: S90.046 Centralines - Urban Topic, Key Issue 5

Commented [JKS42]: Hearing Stream 3 - Right of Reply dated 5 Aug 2022 - revised recommendation for S57.212 FENZ

viii. SETZ-S9; ix. SETZ-S10:	iii. NOISE – Noise.
x. SETZ-S11;	3. Activity status where compliance
xi. SETZ-S12;	with condition SETZ-R13(1)(a) is not
xii. SETZ-S13; and	achieved: DIS
xiii. SETZ-S14 <u>; and</u>	
xiv. <u>SETZ-S16</u> .	4. Activity status where compliance
	with condition SETZ-R13(1)(b) is not achieved: NC
	acineved. No
SETZ-R14 Relocated buildings	
1. Activity Status: PER	2. Activity status where compliance
	not achieved: RDIS
Where the following conditions are met:	
a. The building must be for the purpose of	Matters over which discretion is
accommodating a permitted or consented	restricted:
activity on the site. b. Compliance with SETZ-S15.	a. Whether the building is structurally sound, the condition of the building
b. Compilance with SE12-315.	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.
	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.
SETZ-R15 Retirement villages	
- Control of the cont	
1. Activity Status: DIS	2. Activity status where compliance

not achieved: N/A

Where the following conditions are met:

N/A

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SETZ-R16 Camping grounds	
Activity Status: DIS Where the following conditions are met: N/A	2. Activity status where compliance not achieved: N/A
SETZ-R17 Relocatable building depots	
Activity Status: DIS Where the following conditions are met: N/A	Activity status where compliance not achieved: N/A
SETZ-R18 Any other activity not otherwise p	rovided for
Activity Status: DIS Where the following conditions are met: N/A	Activity status where compliance not achieved: N/A
SETZ-R19 Intensive primary production activ	ities
Activity Status: NC Where the following conditions are met: N/A	2. Activity status where compliance not achieved: N/A
SETZ-R20 Industrial activities involving offer	nsive processes
Activity Status: NC Where the following conditions are met: N/A	2. Activity status where compliance not achieved: N/A

Standards

SETZ-S1 Residential Density

All	There must be no more than two residential units (including minor residential units) on any site.
	2. Minimum net site area for any site is 600m² for each residential unit contained within the site, where the site is connected to a reticulated wastewater disposal system, except that: a. for sites of 350m² – 600m² existing at the date of notification of this District Plan, the minimum net site area for any site is 350m² for each residential unit

contained within the site where it is connected to a reticulated sewerage system.

 Minimum net site area for any site is 1000m² for each residential unit where it is not connected to a reticulated wastewater disposal system.

Note: The settlements of Tikokino, Ongaonga and Elsthorpe are not serviced by reticulated sewage disposal. Resource consent may be required from the Hawke's Bay Regional Council for new or existing on-site wastewater disposal and treatment systems. Any proposed on-site drainage fields and reserve areas will need to be identified on a site plan prior to any building consent being issued and must remain free of permanent structures.

SETZ-S2 Building Coverage

All (except Residential Activities)

1. Maximum building(s) coverage is 75%.

SETZ-S3 Height of Buildings

ΑII

1. Maximum height of any building(s) is 8m.

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

SETZ-S4 Height in Relation to Boundary

ΑII

- No part of a building must exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest 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;
 - domestic water storage tanks, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m:
 - 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.
- 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.
SETZ-S5 Setback from	Roa	ds and Rail Network
From road boundaries	1. 2.	Minimum setback of any building(s) is 3m. 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.
SETZ-S6 Setback from	Nei	ghbours
Residential Activities	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.
All Other Activities		Minimum setback of buildings for an activity from internal boundaries is 3m. Domestic water storage tanks up to 2m in height are exempt from this standard. Buildings designed and/or used for the housing of livestock must be setback a minimum of 8.5m from any internal boundary.
SETZ-S7 Outdoor Living	g Sp	pace
Residential Activities		For each residential unit, there must be a minimum continuous area for outdoor living space, contained in one area within the net site area of the site, of $80m^2$ with a minimum dimension of $5m$, except that: a. For any residential unit with a gross floor area less than $65m^2$, the minimum area may be reduced to $30m^2$ with a minimum dimension of $3.5m$. 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 utility spaces.
SETZ-S8 Outdoor Servi	ce S	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 space, contained in one area within the

for outdoor service space, contained in one area within the

SETZ-S9 Hours of Oper	net site area of the site, of 15m ² with a minimum dimension of 3m.
3E1Z-39 Hours of Oper	ation
All (except for Residential Activities, Emergency Service Activities, or Visitor Accommodation)	Limited to the following hours of operation: a. 0700 – 2200 hours, seven days a week; except where: i. the entire activity is located within a building; and
	ii. each person engaged in the activity outside the above hours resides permanently on the site; andiii. there are no visitors, customers, or deliveries to the activity outside the above hours.
SETZ-S10 Screening of	Outdoor Storage and Service Areas
Non-Residential Activities	 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. 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. Screening shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.
SETZ-S11 Electricity Sa	fety Distances
All	 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 (NZECEP 34:2001).
SETZ-S12 Transport (Ad	ccess, Parking, Loading)
All	Activities must comply with the provisions of the TRAN – Transport chapter.
SETZ-S13 Light	
All	Activities must comply with the provisions of the LIGHT – Light chapter.

Commented [RM43]: S57.216 FENZ - Urban Topic, Key Issue 2

Commented [RM44]: S57.227 FENZ - Urban Topic, Key Issue 2

Commented [RM45]: minor change to correct error pursuant to clause 16(2) of Schedule 1 RMA

SETZ-S14 Noise

ΑII

 Activities must comply with the provisions of the NOISE – Noise chapter.

SETZ-S15 Relocated Buildings

ΑII

- 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.
- 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;
 - 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;
 - 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
 - A member of the New Zealand Institute of Building Surveyors; or
 - 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.
- 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.
- The building must be placed on permanent foundations no later than two weeks from the date the building is moved to the site
- 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.
- 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.

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.

SETZ-S16 Water supply for firefighting

All buildings
(excluding accessory
buildings that do not
include a habitable
room)

- 1. Where water is not supplied to a site by Council or a private community supply, or water is supplied by Council but is a restricted supply flow, access to a water supply for firefighting purposes shall be made available to all buildings on a site that is or will be:
 - a. accessible to firefighting equipment; and
 - b. between 6 and 90 metres from the buildings on the site; and
 - c. on the same site as the buildings (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and
 - d. either:
 - i. stores at least 45,000 litres, in addition to a potable water supply on the site; or
 - ii. provides at least 25 litres per second for a minimum of 30 minutes.

Note: Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and SNZ PAS

4509:2008 New Zealand Fire Service Firefighting Water Supplies
Code of Practice.

Note: The above does not replace Regional Council rules which
control the taking and use of groundwater and surface water.

Commented [JKS46]: Hearing Stream 3 - Right of Reply dated 5 Aug 2022 - revised recommendation for S57.227 FENZ

Assessment Matters

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

SETZ-AM1

Building Density, Building Coverage, 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:
 - will be compatible with the character and amenity of the area, including the nature and scale of other buildings in the surrounding area;
 - b. will overshadow adjoining sites and result in reduced sunlight and daylight;
 - will cause a loss of privacy through being over-looked from neighbouring buildings;
 - will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
 - e. will diminish the openness and attractiveness of the street scene;
 - 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
 - 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 site;
 - provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site:
 - 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.

SETZ-AM2 Outdoor Living and Service Space

- 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.
- 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.
- The degree to which access to alternative outdoor living or service space (e.g. balconies or communal open space) is provided.

SETZ-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.

SETZ-AM4 Screening of Outdoor Storage and Service Areas

 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.

SETZ-AM5 Home Businesses

- 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.
- 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.
- 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.

SETZ-AM6 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
 - 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.

SETZ-AM7 Visitor Accommodation

- Any adverse effects of the likely traffic and pedestrian generation from the proposed visitor accommodation in terms of:
 - Noise, vibration and glare from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a lowdensity, mixed-use environment;
 - b. Loss of privacy;
 - 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
 - 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).

SETZ-AM8 Community Facilities, Day Care Facilities, Educational Facilities

- 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, and scale of buildings.
- 2. Any adverse effects from the proposed activity in terms of:
 - loss of privacy to neighbours through being over-looked, including 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.
- 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.

- 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;
 - 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.
- Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.

SETZ-AM9 Camping Grounds

- The size of the camping ground, number of camp sites/accommodation units, carparks, and scale of buildings to ensure that they are consistent with the surrounding character and amenity.
- 2. Whether the design and appearance of the development of the site harmonises with the surrounding natural features and landscape.
- Whether the location of the camping ground will give rise to reverse sensitivity
 effects, particularly in terms of primary production and associated activities.
- Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.
- 5. The design of infrastructure to ensure it is of a standard capable of servicing the camping ground, assuming 100% capacity.
- Whether the activity is, or will be, located in an identified natural hazard area, considering the health and safety of camp users and the long- term viability of safe access and egress to the site.
- Whether the activity will make a positive contribution to the social and economic well-being of the local community.
- 8. The proximity to any wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3 and on the Planning Maps.

SETZ-AM10 Electrical Safety Distances

- Impacts on the operation, maintenance, upgrading and development of the electricity network.
- The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
- 3. The risk to the structural integrity of any support structures associated with the electricity network.
- Technical advice provided by the National Grid owner (Transpower) or electricity distribution network operator (Centralines Limited).

Commented [RM47]: S90.046 Centralines - Urban Topic, Key Issue 5

SETZ-AM11 Water Supply for firefighting

- The extent of compliance SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice and health and safety of the community, including neighbouring properties.
- 2. Technical advice provided by Fire and Emergency New Zealand.

Commented [JKS48]: Hearing Stream 3 Right of Reply, dated 5 Aug 2022 - S57.228 FENZ

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Methods

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

SETZ-M1 Other Provisions in the District Plan

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

- 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.
- 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:

The RMA requires that natural and physical resources in the District's rural settlements are protected and used in a way which provides for the well-being of the community. In addition, the Act requires councils to have regard to the maintenance and enhancement of an area's amenity values. For these reasons, the Council has policies to maintain the special character of all the District's rural townships, including the special historic character of Ōtane and Ongaonga, by providing for spacious development and a mixture of activities.

The informal relationship of different activities is maintained using a single Settlement Zone, and provision for a wider range of different land use activities than in the more concentrated urban residential areas of Waipukurau and Waipawa. The policies recognise the interrelationship of these rural settlements with the surrounding rural area. Performance standards are introduced to maintain and enhance the amenity of the rural settlements, and include standards on noise, building density and site coverage, setbacks from boundaries, outdoor living and service space and hours of operation which differ from those that apply in the main urban residential areas.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

SETZ-AER1	Small rural settlements comprising a mixture of residential, business, rural and community activities and with a 'village' amenity.
SETZ-AER2	The unique character and amenity of the rural settlements is retained and protected.
SETZ-AER3	Development that does not create adverse impacts in terms of overshadowing, inappropriate building scale, or loss of privacy.
SETZ-AER4	New development that relates positively to surrounding buildings and contributes positively to the quality of the collective streetscape.
SETZ-AER5	An environment free from excessive noise, odour, dust, glare and vibration nuisance.
SETZ-AER6	Development is appropriately serviced including through the integrated management of stormwater, water, sewer and roading infrastructure. Low impact urban design solutions are used where practicable.