

Appendix 2 – Relevant Provisions (Objectives and Policies and Assessment Matters)

Central Hawke’s Bay Operative District Plan

3.1 Tangata Whenua Values

3.1.2 Objectives

1. Recognition of a partnership between the Council and the Tangata Whenua in the management of the District's natural and physical resources.
2. Recognition of the importance of the relationship of the Tangata Whenua, their culture and traditions, with their ancestral lands, waters and sites, in the management of these resources within the District.

3.1.3 Policies

- a) To develop a system of on-going consultation with the Tangata Whenua regarding all resource management responsibilities of the Council which are of interest to the Tangata Whenua.*
- b) To enable Tangata Whenua involvement in decision-making regarding resource management issues within the District through appropriate representation on the Council.*
- c) To promote, through education and information, public awareness of Tangata Whenua interests and concerns within the District.*
- d) To identify those areas where there was traditional and customary Maori use of lands and waterways within the District and implement procedures for Tangata Whenua involvement regarding any proposal to disturb ground in and around the identified areas.*
- f) To maintain and enhance public access to the District's public forests and significant waterways, wetlands and coastal areas, having regard to their traditional importance as mahinga kai.*

3.4 Natural Hazards

3.4.1 Objective

Avoid loss of life, and minimise damage to assets or infrastructure, or disruption to the community of the District, from natural hazards.

3.4.1.1 Policies

3. *To ensure buildings are constructed appropriately to avoid or mitigate the risks associated with flooding, earthquake and fire, and hazards at the coast.*
4. *To ensure that through the consent process any proposed developments have an adequate assessment completed to identify any natural hazards and the methods used to avoid or mitigate a hazard risk.*
5. *To require the Council's consent for subdivision within any area identified in the Plan as being at risk from a natural hazard including the coast and to require a landuse consent for buildings located near faultlines identified in the Plan, so as to minimise the likelihood of damage to future assets.*

4. Rural Zone

4.2.1 Objective - Rural Amenity and Quality of the Environment

A level of rural amenity which is consistent with the range of activities anticipated in the rural areas, but which does not create unpleasant conditions for the District's rural residents; or adversely affect the quality of the rural environment.

4.2.2 Policies

1. *To encourage a wide range of land uses and land management practices in the Rural Zone while maintaining rural amenity.*
2. *To require some activities to be setback from property boundaries so as to reduce the probability of neighbouring dwellings being exposed to adverse effects.*
3. *To maintain clear distinctions between the urban and rural areas through zoning and the provision of performance standards specific to the rural zone, to assist in protecting the character and quality of the surrounding rural areas.*
8. *To encourage the protection of waahi tapu and other taonga by facilitating consultation between landowners and the Tangata Whenua should developments be proposed where values occur.*
11. *To control the installation of septic tanks and other waste water treatment and disposal systems in order to mitigate potential health nuisances, odour and contamination of water.*

4.4.1 Objectives – Nature Conservation, Landscape Values, and Riparian Management

2. The margins of wetlands, rivers, lakes and the coast are managed in order to preserve the natural character of these environments and the margins of identified river catchments are managed to enhance water quality.

4.4.2 Policies

4. *To discourage inappropriate development in sites identified as having rare, endangered, or vulnerable species of plants or animals of national significance, or indigenous plant or animal communities that are of significance to the nation.*
5. *To control activities which have the potential to adversely affect the natural character of coast which is an important contributor to the amenity of the District.*
7. *In conjunction with Hawke's Bay Regional Council, promote riparian management practices that enhance water quality in the district by the following means:*
 - a. *facilitate improved riparian management by educational means,*
 - b. *set priorities as to which waterways in the District require riparian management programmes, and,*
 - c. *determine the best methods to encourage protection of priority waterways.*

8. Transport

8.2.1 Objective – Transport Efficiency and Transport Safety

Efficient use of the District's existing and future transport system through the maintenance and improvement of access, ease and safety of pedestrian movement.

8.2.2 Policies

1. *To require off-street parking and loading for most activities in order to limit congestion and loss of safety and efficiency of adjacent roads and to promote the maintenance of the amenity of those roads.*
3. *To ensure the construction of parking and access is of a standard that promotes both the safe and efficient use of vehicles.*
4. *To ensure adequate sight distances for vehicles from access crossings so as to mitigate the potential for accidents.*

9. Subdivision and Financial Contributions

9.2.1 Objective – Servicing

The provision of necessary services to subdivided lots, in anticipation of the likely effects of land use activities on those lots.

9.2.2 Policies

1. *To integrate subdivision roading with the existing roading network in an efficient manner which reflects expected traffic levels and the safe and convenient management of vehicles and pedestrians.*
2. *To ensure safe and effective vehicular access (including lighting) to properties in subdivisional developments.*
4. *To ensure that water supplies to subdivided lots are of a sufficient capacity and of a potable standard for the anticipated land uses on each lot or development, including fire fighting requirements.*
5. *To ensure that the provision of any necessary additional infrastructure for water supply, stormwater control or sewage treatment disposal infrastructure and the upgrading of existing infrastructure is undertaken by subdividers, in recognition of the scale and nature of the anticipated land uses.*
6. *To encourage the retention of natural open waterbodies for stormwater disposal, where safe and practical, and to ensure disposal in a manner which maintains or enhances the quality of surface and ground water, and avoids unplanned inundation of land within the subdivision, adjoining land, or downstream properties.*
7. *To ensure, upon subdivision or development, that anticipated land uses are provided with a means of disposing of sanitary sewage in a manner which is consistent with maintaining public health and which avoids, or mitigates contamination of surface, or groundwater and avoids land instability.*

9.3.1 Objective – Cost of Infrastructure to the Community

The costs of the provision of new services or the upgrading of existing services within subdivisions is to be met by the subdividers.

9.3.2 Policies

1. *To require subdividers to meet the costs of upgrading services (including head works), which are attributable to the impacts of the subdivision, including where applicable:*
 - a. *roading and access (vehicular, cyclist, pedestrian);*
 - b. *water supply;*
 - c. *sewage collection, treatment and disposal;*
 - d. *stormwater collection, treatment and disposal;*
 - e. *trade waste disposal.*
2. *That any contributions to be in accordance with the methods of determination set out in the Central Hawke's Bay District Council Development Contributions Policy or in the case of a localised roading, at the discretion of the Roding Manager.*

9.4.1 Objective – Amenity and Conservation Values

The maintenance or enhancement of amenity, cultural and significant nature conservation values through the subdivision process.

9.4.2 Policies

1. *To take the opportunity to protect significant natural features or trees, and indigenous vegetation and habitat through the subdivision process.*
2. *To ensure that works associated with the land subdivision and development avoid or mitigate the adverse impacts on the natural qualities of the environment and on areas of significant nature conservation value.*
3. *To encourage innovative subdivision design consistent with the maintenance of amenity values.*
4. *To provide pedestrian and amenity linkages where useful linkages can be achieved or further developed.*
5. *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.*
6. *To promote the protection of waahi tapu and waahi taonga during the subdivision process.*

9.5.1 Objective – Natural Hazards

The avoidance of subdivision where there are significant natural hazards, unless these can be mitigated without significant adverse effects on the environment.

9.5.2 Policies

1. *To ensure that subdivision is either restricted, subject to mitigation measures, or avoided in areas subject to risk from flooding, subsidence or slippage, earthquake liquifaction and faultline movement.*
2. *To ensure that mitigation measures do not give rise to unnecessary adverse impacts on the environment.*

14. Assessment Matters

14.1 General

12 Domestic Waste Water Disposal - Rural Zone

- a) Where sewerage reticulation is not available to the site, the ability of the applicant to adequately treat and dispose of effluent, which avoids:
 - i. any potential contamination of groundwater and surface water;
 - ii. any potential slope instability problems;
 - iii. any potential odour, noise and vibration nuisance to neighbours;
 - iv. any potential seepage of effluent at ground surface.
- b) Whether there is an existing treatment and disposal problem in the area, and the degree to which the proposal may exacerbate the problem

14. Coastal Margin Area - Rural Zone

- a) Degree to which the exotic tree planting or buildings will adversely effect the natural character of the coastline, including:

- i. the loss of key views or viewpoints; and the loss of accessibility to key views or viewpoints;
- ii. any obscuring of landforms or natural features;
- iii. the loss or modification of the natural landscape pattern; including the loss of underlying landform pattern;
- iv. the loss or obscuring of present vegetation patterns;
- v. the loss of openness and spaciousness of the coastline, and the apparent naturalness of the coastline.

14.5 TRANSPORT ASSESSMENT MATTERS

2. Access

- a) Whether adequate sightlines are available from alternative access points.
- b) The degree to which the safety and efficiency of the adjoining road would be compromised by an access point located closer to an intersection, or with a lesser unobstructed sight distance, than is permitted by the Plan.
- c) The degree to which on-street parking will be lost and cause adverse effect on neighbours.
- d) The ability for vehicles to queue and park or be serviced on site without affecting the safe movement of vehicles or pedestrians along the adjoining road or footpath or the movement of vehicles and pedestrians using the on-site facilities.
- f) Whether the speed and volume of vehicles on the road will increase the adverse effects of the access on the safety of road users and whether safety and efficiency.

14.6 SUBDIVISION ASSESSMENT MATTERS

1. Lot Size and Dimensions

- a) Whether the lot is of sufficient area and dimensions to effectively fulfil the intended purpose or land use, having regard to the rules for the relevant zone.
- b) 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.
- c) The relationship of the proposed lots and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.
- d) The effects of the subdivision on the amenity of the area, in particular the cumulative increase in the density of residential dwellings, the loss of rural outlook and the increase of traffic.

2. Subdivision Design

- The relationship and size of the lots in terms of their solar advantage including the alignment and layout of the lot, the location of building platform, relationship to adjoining lots.
- The provision for and practicality of walkways and cycleways, and the relationship of these to reserves (existing or proposed), access to the waterways, etc.
- The provision for and practicality of using natural stormwater channels and wetland areas.

3. Property Access

- d) 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.

- e) 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.
- f) The provisions of the Code of Practice for Urban Land (NZS 4404 1981).
- g) The application of the requirements of Section 321, Local Government Act, 1974, to any subdivided lot.
- h) The need for and practicality of providing vehicular access to all lots, and the practicality of providing access elsewhere for vehicles.
- i) The account taken of pedestrian movement.
- j) The degree to which proposed new roads make adequate provision for vehicle movements, car-parking, property access and cyclists.
- o) The need for construction standards and on-going maintenance for private vehicular access, including access to individual lots, whilst ensuring that access is practical, convenient and safe.
- p) The need to provide for appropriate standards of street lighting or private vehicular access lighting.

4. Natural Hazards

- a) Any information held on the Council's Natural Hazard registers.
- b) Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications.
- c) The applicant's or their Consultant's report, detailing the measures that have been or will be taken to avoid, remedy, or mitigate any hazard that may occur on the property.
- d) Potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities.
- e) In relation to inundation from any source, the:
 - i) effects of any proposed filling being undertaken to avoid inundation and the consequential effects on the natural drainage pattern and adjoining land;
 - ii) erection of stopbanks and their environmental effects;
 - iii) need for boundary drainage to protect surrounding properties;
 - iv) adequacy of existing outfalls and any need for upgrading;
 - v) need for retention basins to regulate the rate and volume of surface run-off.
- f) In relation to erosion, falling debris or slippage, the need for ongoing conditions aimed at avoiding, remedying or mitigating future potential adverse effects, and any need for registration of consent notices on the lot's Certificate of Title.
- g) In relation to subsidence, the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title.
- i) In relation to land filling and excavation operations, the following factors:
 - i) effects on surrounding properties;
 - ii) natural pattern of surface drainage;
 - iii) type of and placement of fill material;
 - iv) mitigation, or avoidance, of adverse effects caused by dust or siltation affecting neighbouring properties;
 - v) remedies necessary during emergencies.
- j) The likelihood of the proposed subdivision, including the establishment of potential assets such as residential units, being threatened by inundation or coastal erosion.

- k) The ability of any buildings on the land being subdivided to be relocated, the estimated cost of the relocation, and the possible destination of a relocated building.
5. Water Supply
- a) The suitability of the proposed water supply for fire fighting purposes; (The Council may obtain a report from the Chief Fire Officer).
 - b) The provisions of the Code of Practice in respect to installation of all necessary water supply pipe lines, and ancillary equipment necessary for the subdivision, including extensions to existing supply systems, and including mains, sub-mains, service mains and fire hydrants and water storage tanks.
 - c) The need to install isolating valves generally with back flow prevention at the street boundary or at the net site boundary where this is not the street boundary.
 - d) Whether the existing water supply systems, to which the connection will be made, have sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the additional lots, in addition to installing the extensions of the supply within the subdivision.
 - e) Whether it may be necessary to provide new reservoirs, pumping stations and rising mains, or increasing pipe sizes leading to the subdivision in existing streets, or providing new headworks and new pumping units.
6. Stormwater Disposal
- a) The provisions of the Code of Practice for Urban Land (NZS 4404: 1981).
 - b) The adequacy of any proposed means of disposing of collected stormwater from the roofs of all buildings and impermeable surfaces.
 - c) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas and of siltation.
 - d) The ability to retain open natural waterway systems for stormwater disposal in preference to piped or canal systems and any adverse impacts on existing waterways.
 - e) The availability of an approved outfall where stormwater can be directed, whether such an outfall is capable of absorbing increased run-off and the need for and desirability of requiring a connection to such an outfall.
 - g) Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off.
 - h) Any necessity to provide on-site retention basin to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before subdivision takes place.
 - i) Any adverse effects of the proposed subdivision on drainage on, or from, adjoining properties and mitigation measures proposed to control any adverse affects.
 - j) For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.

- l) Where stormwater disposal cannot be obtained by gravity outfall, the necessity for land to be filled against the fall of the country, solely to obtain such an outfall, and whether it is practical to provide easements through adjoining owners' land to other frontage outfall systems.

7. Sanitary Sewage Disposal

- e) Where a reticulated system is not available, or a connection is impractical, provision of on-site effluent disposal systems in accordance with either District Plan Rules or by a discharge permit issued by the Hawke's Bay Regional Council.
- g) Provision made by the applicant for monitoring mechanisms to ensure contaminants are not discharged into the environment from on-site effluent disposal systems, together with any consent notices to ensure compliance.
- h) The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for sanitary sewage disposal purposes.
- i) The need for and degree of any financial contribution to achieve the above matters.

10. Easements

- a) Whether there is a need for easements:
 - i) where a service or access is required by the Council;
 - ii) for stormwater passing through esplanade reserves where drainage will be to the river;
 - iii) to meet network operator requirements;
 - iv) in respect of other parties in favour of nominated lots or adjoining Certificates of Title;
 - v) for private ways;
 - vi) for stormwater, sanitary sewer, water supply, electric power, gas reticulation, telecommunications;
 - vii) party walls and floors/ceilings;
 - viii) for servicing with sufficient width to permit maintenance, repair or replacement.

11. Building Location

- a) The local ground conditions or the situation applying to the lot and the suitability of the site of the building.
- b) The minimum floor height for buildings in situations where inundation is likely and damage to structures could occur, but the land may not necessarily be filled.

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Strategic Direction

RLR – Rural Land Resource

Objectives

- RLR-O1 The productive capacity of the District's rural land resource, particularly the District's highly productive land, is maintained.
- RLR-O2 The primary production role and associated amenity of the District's rural land resource is retained, and is protected from inappropriate subdivision, use and development.
- RLR-O3 The District's highly productive land is protected from further fragmentation.
- RLR-O4 Residential and other activities that are unrelated to primary production are directed to locations zoned for those purposes and that are not situated on highly productive land.

Policies

- RLR-P3 To minimise fragmentation of the District's rural land resource through directing lifestyle subdivision to the Rural Lifestyle Zone and limiting lifestyle subdivision in the General Rural Zone and, particularly, in the Rural Production Zone.
- RLR-P4 To provide for non-primary production activities that complement the resources of the rural area, provided they do not compromise primary production, particularly in the Rural Production Zone and associated rural character and amenity in all rural zones, recognising that some non-primary production activities have an operational or functional need to locate in a rural area.
- RLR-P5 To enable primary production and related activities to operate in rural areas in accordance with accepted practices without being compromised by other activities demanding higher levels of amenity.

SSB – Sustainable Subdivision and Building

Objectives

- SSB-O1 Promote sustainable subdivisions and buildings in the District.

Policies

- SSB-P1 To promote subdivision design and building development that optimises efficient resource and energy use and water conservation measures through improved subdivision and building design, including by orientation to the sun, domestic on-site water storage and utilising principles of low impact urban design.
- SSB-P2 To promote use of on-site stormwater attenuation measures where appropriate, including but not limited to rainwater harvesting devices, green roofs, site landscaping, rain gardens, wetland treatment systems and low impact stormwater attenuation systems.
- SSB-P3 To promote sustainable building design, including (but not limited to):
1. use of durable low maintenance and energy efficient materials;
 2. use of inert exterior cladding (avoiding the use of materials containing copper or zinc);
 3. maximising access to sunlight (including the location of outdoor living areas) and natural ventilation; and
 4. incorporating mechanical and electrical systems that optimise energy efficiency.
- SSB-P4 To promote water recycling (grey water) and the installation of water-saving devices.
- SSB-P5 To promote the installation of solar panels on buildings.

- SSB-P6 To promote implementation of principles of sustainable building practice through provision of advice and information.

TW – Tangata Whenua

Objectives

- TW-O1 Tangata whenua are actively involved as kaitiaki in the protection and management of natural and physical resources of an area.
- TW-O2 Tangata whenua are actively involved in all aspects of the implementation of the Central Hawke's Bay District Plan that affects their relationship with their culture and traditions, ancestral lands, water, sites, wāhi tapu and other taonga.
- TW-O3 Wāhi taonga and sites of significance to tangata whenua are actively protected and managed in partnership with tangata whenua.
- TW-O4 Tangata whenua are able to protect, develop and use Whenua Māori in a way that is consistent with their culture and traditions and their social and economic aspirations.

Policies

- TW-P1 To actively engage tangata whenua by providing for timely, effective and meaningful engagement in resource management decision-making and implementation where tangata whenua are affected.
- TW-P2 To recognise that only tangata whenua can identify their relationship with their culture, traditions, ancestral lands, waterbodies, wāhi tapu and other taonga.
- TW-P6 To identify those areas where there was traditional and customary Māori use of lands and waterways within the District and implement procedures for tangata whenua involvement regarding proposals to disturb ground in and around the identified areas where such activities may have significant adverse effects.
- TW-P7 To encourage discussion between tangata wheua and resource user with respect to appropriate protocols (tikanga) when any burial sites or Māori artefacts are unearthed or disturbed, in addition to statutory requirements.
- TW-P8 To work with tangata whenua to identify, maintain and enhance public access to the District's public forests and significant waterways, wetlands and coastal areas, having regard to the importance of protecting mahinga kai, wāhi tāonga and tangata whenua sites of significance.
- TW-P9 To control land development, subdivision, earthworks or other disturbance activities so as to avoid, remedy or mitigate any adverse effects on wāhi tapu and other taonga.

NH - Natural Hazards

Objectives

- NH-O2 The significant risks from natural hazards and the effects of climate change on the community are minimised.
- NH-O3 Any increase in risk to people, property, infrastructure and the environment from the effects of natural hazards should be avoided, remedied or mitigated, reflecting the level of risk posed by the hazard.

Policies

- NH-P1 To promote the wide availability of natural hazard information to enable organisations and individuals to make sound decisions based on the best available information.
- NH-P3 To take into consideration the latest pertinent hazard information when assessing subdivision and land use consent applications.
- NH-P4 To require that climate change effects be built into natural hazard risk assessments, using the latest national guidance and best information available.

- NH-P5 To manage activities in areas at significant risk from natural hazards, including:
1. the erection of new buildings or structures, or alterations to existing buildings or structures;
 2. earthworks;
 3. subdivision of land; and
 4. the establishment of new vulnerable activities.
- NH-P6 To adopt and promote the best practicable options (including mitigation or the 'do nothing' option) in the management of areas of existing development actually or potentially at risk from natural hazards.
- NH-P8 To encourage activities that reduce the risk of adverse effects from natural hazards, including relocation or removal of structures within areas at significant risk from natural hazards and designing for relocatability or recoverability from hazard events.
- NH-P9 To ensure that subdivision, land use activities or other new development is located and designed so natural hazard mitigation activities are not required.
- NH-P10 To promote the use of natural features, buffers and appropriate risk management approaches in preference to hard protection structures in mitigating natural hazard risk.

TRAN – Transport

Objectives

- TRAN-O1 The transport network is sustainable, safe, resilient, efficient and effective in moving people and goods within and beyond the District.
- TRAN-O2 Activities generate a type or level of traffic that is appropriately accommodated within the local transport network.

Policies

- TRAN-P1 To manage the number, location and type of parking, access, and loading facilities to support the functional and operational requirements of activities, while maintaining the safe, efficient, and effective operation of the transport network and the amenity of the streetscape.
- TRAN-P2 To set standards for the design of new public roads, private roads and accessways to ensure that they are appropriate for the function they serve.
- TRAN-P3 To manage subdivision and development to ensure the safety and efficiency of the transport network is not inappropriately compromised.
- TRAN-P5 To control the width and location of vehicle access points from the transport network to each property to minimise the adverse effects of manoeuvring and queuing vehicles, the potential effects on pedestrian, cyclist and other road user safety, and effects on streetscape amenity.
- TRAN-P6 To promote alternative means of safe, efficient and effective transport, including cycling and walking and public transport facilities to enable people of all ages to move within the District and reduce the effects of vehicle-based transport systems.
- TRAN-P7 To ensure the transport network has capacity to accommodate the transportation needs of new development.

CE - Coastal Environment

Objectives

- CE-O1 Preservation of the natural character of the coastal environment of Central Hawke's Bay, comprising the following distinctive landform of:
1. rugged eroding grey mudstone cliffs;
 2. steep limestone outcrops;
 3. remnant dunelands and associated interdunal wetlands, small lakes and associated vegetation;
 4. wide sweeping beaches; and
 5. small settlements, recessed into bays, adjoining a number of sheltered beaches.
- CE-O2 Protection of the natural character of the coastal environment of Central Hawke's Bay from inappropriate subdivision, use and development, and identify and promote opportunities for restoration or rehabilitation.

Policies

- CE-P1 To identify and map the coastal environment area of Central Hawke's Bay consistent with the Hawke's Bay Regional Coastal Environment Plan.
- CE-P2 To avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on the natural character of the coastal environment area (particularly in the areas of high natural character identified on the Planning Maps and in CE-SCHED7); including adverse effects resulting from the following activities:
1. drainage of coastal flats and wetlands;
 2. earthworks within dunes and coastal escarpments;
 3. buildings outside of the Large Lot Residential Zone (Coastal) within the coastal environment;
 4. plantation forestry; and
 5. use of vehicles on beaches and adjacent public land;
- particularly where these have been identified as a threat to the values of a particular area of high natural character.
- CE-P3 To avoid sprawling or sporadic subdivision and development in the coastal environment area.
- CE-P4 To manage the activities that can occur in the coastal environment area, including:
1. expansion and consolidation of existing coastal settlements;
 2. the scale, location, design and use of structures, buildings and infrastructure;
 3. earthworks; and
 4. subdivision.
- CE-P6 To require that proposed activities within the coastal environment area demonstrate that the activity is located appropriately, having regard to its effects and:
1. the particular natural character, ecological, historical or recreational values of the area;
 2. the extent to which the values of the area are sensitive or vulnerable to change;
 3. opportunities to restore or rehabilitate the particular values of the coastal environment of the area;
 4. the presence of any natural hazards and whether the activity will exacerbate the hazard and/or be vulnerable to it;
 5. the impacts of climate change;
 6. appropriate opportunities for public access and recreation;
 7. the extent to which any adverse effects are avoided, remedied or mitigated; and

8. consistency with underlying zoning and existing land use.
- CE-P7 To require that proposed activities within the coastal environment area minimise any adverse effects by:
1. ensuring the scale, location and design of any built form or land modification is appropriate in the location;
 2. integrating natural processes, landform and topography into the design of the activity, including the use of naturally occurring building platforms;
 3. limiting the prominence or visibility of built form; and
 4. limiting buildings and structures where the area is subject to the impacts of climate change and the related impacts of sea level rise, sea temperature rise and higher probability of extreme weather events; and
 5. restoring or rehabilitating the landscape, including planting using local coastal plant communities.
- CE-P8 To encourage restoration and rehabilitation of natural character, indigenous vegetation and habitats, landscape features, dunes and other natural coastal features or processes.

EW – Earthworks

Objectives

- EW-O1 Enable people and communities to carry out earthworks, while avoiding, remedying or mitigating the adverse environmental effects of earthworks, including on the health and safety of people.
- EW-O2 Ensure that the life-supporting capacity of air, water, soil and ecosystems is safeguarded and that adverse effects of mining, quarrying and hydrocarbon extraction activities on the environment are avoided, remedied or mitigated.

Policies

- EW-P13 To enable earthworks to provide for people and communities' social, economic and cultural well-being, and their health and safety, where adverse effects are avoided, remedied or mitigated.
- EW-P1 To avoid, remedy or mitigate the adverse effects of earthworks which:
1. create new or exacerbate existing natural hazards, particularly flood events, or cause adverse effects on natural coastal processes; and
 2. result in adverse effects on the stability of land, structures or buildings.
- EW-P2 To ensure earthworks are appropriately located, designed and managed to avoid, remedy or mitigate adverse effects by:
1. controlling volume and vertical extent of earthworks, to maintain the role, function and predominant character of each zone and reduce effects on neighbouring properties and the environment; and
 2. controlling the movement of dust and sediment beyond the area of development, particularly to avoid nuisance effects and/or adverse amenity effects on neighbouring sites or any Council reticulated stormwater system; and
 3. controlling the effects of urban development on the health and well-being of water bodies, freshwater ecosystems and receiving environments.
- EW-P3 To ensure that earthworks are designed to reflect natural landforms, and where appropriate, landscaped to reduce and soften their visual impact having regard to the character and visual amenity of the surrounding area.
- EW-P4 Where appropriate, to require the re-pasture or re-vegetation of land where vegetation is cleared as a consequence of earthworks.

- EW-P5 To protect the highly productive land of Central Hawke's Bay from large-scale stripping, stockpiling, and removal to ensure the land can still support a range of primary production activities.
- EW-P6 To avoid duplication in regulation by District Plan rules and standards where earthworks activities are already subject to regulatory assessment, such as through subdivision provisions and Building Act 2004 controls.
- EW-P7 To control earthworks, exploration and mining activities to ensure that any adverse effects on the natural and physical environment, and the amenity of the community, adjoining land uses, heritage items, and wāhi tapu, wāhi taonga and sites of significance to Māori, are avoided, remedied or mitigated.

LIGHT - Light

Objectives

- LIGHT-O1 Activities are able to use artificial lighting for operational and functional purposes and to provide for the security and safety of people and property.
- LIGHT-O2 Artificial lighting is located, designed and operated to maintain the character and amenity values of the zone and the surrounding area, and in a way that does not compromise the health and safety of people, including the safe operation of the transport network.

Policies

- LIGHT-P1 To provide for the appropriate level of artificial lighting for operational and functional purposes while maintaining the predominant character and amenity of each zone.
- LIGHT-P2 Require artificial lighting to be located, designed and operated to:
1. control the extent and intensity of light spill beyond the site;
 2. manage adverse light spill effects on other established uses and their operations;
 3. minimise adverse effects on the health, safety and wellbeing of people and communities, including sleep disturbance; and
 4. avoid adverse effects on the safety of the transport network.

SUB – Subdivision

Objectives

- SUB-O1 Subdivision of land 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);
- SUB-O2 Lots created by subdivision are physically suitable for the types of development intended and anticipated by the relevant zone provisions.
- SUB-O3 Appropriate services and network utilities are provided that are compatible with the anticipated purpose, character and amenity of each zone, and provide for the health and safety of people and communities.
- SUB-O4 Reverse sensitivity effects of subdivision and its resulting future land use activities on existing lawfully established activities are avoided where practicable, or mitigated where avoidance is not practicable.
- 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.

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.
- SUB-P4 To integrate subdivision with the existing land transport network in an efficient manner that provides for the safety and convenience of vehicles, cyclists and pedestrians.
- 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.
- SUB-P8 To encourage subdivision design consistent with the purpose, character and amenity values of the zone provisions.
- SUB-P9 To encourage the incorporation of public open space and plantings (particularly natives) within subdivision design for amenity purposes.
- 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 exist.
- 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.
- 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-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, industrial activities and/or existing network utilities.

GRUZ – General Rural Zone

Objectives

- GRUZ-O1 The General Rural Zone is predominantly used for primary production activities (including intensive primary production) and ancillary activities.
- GRUZ-O2 The predominant character of the General Rural Zone is maintained, which includes:
1. overall low-density built form, with open space and few structures;
 2. a predominance of primary production activities and associated buildings, such as barns and sheds, post-harvest facilities, seasonal workers accommodation, and artificial crop protection structures and crop support structures, which may vary across the district and seasonally;
 3. the sounds, smells, and traffic associated with primary production activities and established rural industries, anticipated from a working rural environment;
 4. existing rural communities and community activities, such as rural halls, reserves and educational facilities;
 5. a landscape within which the natural environment (including farming and forest landscapes) predominates over the built one; and
 6. an environmental contrast and clear distinction between town and country (including a general lack of urban infrastructure, such as street lighting, solid fences and footpaths).

- GRUZ-O3 Activities are managed to ensure rural character and amenity and, where applicable, the natural character and amenity values present within the coastal environment are maintained.
- GRUZ-O4 The primary productive purpose and predominant character of the General Rural Zone are not compromised by the establishment of potentially incompatible activities.

Policies

- GRUZ-P1 To enable primary production (including intensive primary production) and ancillary activities, recognising the primary productive purpose and predominant character and amenity of the General Rural Zone.
- GRUZ-P2 To provide for non-primary production related activities that have a functional or operational need for a rural location, and/or that support the function and wellbeing of rural communities and/or the enjoyment of the rural environment, and contribute to the vitality and resilience of the District's economy, and where they are managed to ensure that:
1. their scale, intensity and built form are in keeping with the rural character of the General Rural Zone;
 2. they maintain a level of amenity in keeping with the rural character of the General Rural Zone;
 3. they minimise reverse sensitivity effects on activities otherwise anticipated within the General Rural Zone; and
 4. adverse effects are avoided, remedied or mitigated.
- GRUZ-P4 To manage the bulk, scale and location of buildings to maintain the character and amenity of the rural area and, where applicable, to protect the natural character and amenity of the coastal environment.
- GRUZ-P5 To require sufficient separation between sensitive activities and existing primary production and intensive primary production activities, and between new intensive primary production activities and property and zone boundaries, in order to avoid, remedy or mitigate potential adverse effects, including reverse sensitivity and land use conflict.
- GRUZ-P7 To ensure incompatible activities do not locate in the General Rural Zone where the activity:
1. undermines the primary productive purpose and predominant character of the General Rural Zone;
 2. constrains the establishment and use of land for primary production;
 3. result in reverse sensitivity and/or lead to land use conflict; and/or
 4. does not have a functional or operational need for a rural location.
- GRUZ-P8 To limit residential and rural lifestyle subdivision that results in fragmentation of the rural land and/or that restricts the use of rural land for productive purposes.
- GRUZ-P10 To ensure activities within the General Rural Zone are self-sufficient in the provision of a suitable on-site wastewater treatment and disposal system, stormwater disposal system, and water supply, unless an appropriate alternative system is available to connect to.

Assessment Matters:

SUB – Subdivision

SUB-AM1

Lot Size and Dimensions

1. 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.
2. 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.
3. 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. The positioning and scale of the building platform to facilitate meeting the setback standards applying in the respective zone for buildings.

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.

SUB-AM11

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 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.
 - 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.

- 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.

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 Waka Kotahi NZ 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.
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-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 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.

NH – Natural Hazards

NH-AM2

Mitigation

1. The extent to which mitigation measures will ensure adverse effects arising from the activity during a natural hazard occurrence are either avoided or mitigated.

NH-AM3

Financial Considerations

1. The actual and potential effects of the activity will be assessed in relation to:
 - a. The cost to the community of any upgrading that would have to be undertaken to existing hazard mitigation techniques.
 - b. Any new or further hazard mitigation techniques that would have to be undertaken in the short or long-term.

NH-AM4

Natural Hazards

1. The effects of the occurrence of the identified natural hazard and the consequences of the natural hazard on the proposed activity will need to be assessed. In making this risk assessment the following factors will need to be considered:

- a. The extent to which public safety can be achieved. In assessing the proposal, regard will be had to methods of ensuring public safety such as early warning systems, emergency management contingency plans, escape routes and any other mitigation techniques.
- b. Assessment of the probability, magnitude and consequences of the cumulative natural hazards that affect the proposal.
- c. The type, scale, and distribution of any potential effects from the cumulative natural hazards that affect the proposal.
- d. The extent to which verifiable new information from a suitably qualified professional demonstrates that any land within an area identified on the District Planning Maps or held in Central Hawke's Bay District Council or Hawke's Bay Regional Council databases (i.e. GIS or web-based portal) as potentially subject to a natural hazard is not under threat from the hazard concerned or that the hazard is negligible.
- e. The potential risk to life, and economic and built environment risk associated with the proposed activity.
- f. The health and safety of potential property owners and/or occupants of the building(s).
- g. The effects on the community including physical, economic, and cumulative effects.
- h. The nature and type of land-use activity proposed and its potential maximum occupancy.
- i. Whether the proposal will result in consequences to other properties or infrastructure as a result of the natural hazard occurring.

NH-AM6

Effects on Other Land Uses and Adjoining Properties

1. The extent to which the activity may cause the effects of the natural hazard to affect other properties that were not previously at risk from the effects of natural hazards or increase or accelerate the effects of an existing natural hazard.

GRUZ – General Rural Zone

GRUZ-AM8

Community Facilities and 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:
 - a. the life-supporting capacity of the rural soil resource and any potential for reverse sensitivity effects to arise;
 - b. loss of privacy to neighbours through being over-looked, including by buildings;
 - c. loss of openness and attractiveness of the street scene;
 - d. noise, vibration, and glare; and
 - e. 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 rural 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 amenity of the area;
 - c. the proximity of the activity to adjacent 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 amenity.
5. Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.
 6. The functional or operational need to locate in the General Rural Zone.

GRUZ-AM13

General

1. Whether the activity is of a type or scale that means that it is better located in another zone (for example, where infrastructure and labour force are more readily available, and the receiving environment is less sensitive).
2. Effects on the visual amenity values of the surrounding area, recognising the rural character of the locality.
3. Whether the activity can be adequately serviced. The site must be capable of sustaining the infrastructural needs of the development.
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities and wāhi tapu, wāhi taonga and sites of significance identified in SASM-SCHED3, as well as any potential for reverse sensitivity effects on primary production to arise.
5. The potential for the activity to generate more than minor effects on the environment in relation to traffic, parking demand, or visitor numbers.
6. The ability of the roading hierarchy to accommodate any additional traffic generated by the activity, including effects on road safety.
7. The potential for the activity to generate more than minor adverse effects in terms of noise, dust, glare, or vibration, and the extent to which mitigation options have been considered and evaluated.
8. Where located within the coastal environment area, the degree to which the activity is located appropriately, and the degree to which the scale, design and appearance of any built form or land modification is compatible with the character and amenity of the coastal environment, having regard to the effects of the activity and:
 - a. integration with natural processes, landform and topography (including the use of naturally occurring building platforms);
 - b. the particular natural character, cultural, landscape, ecological, historical or recreational values of the area;
 - c. the extent to which the values of the area are sensitive or vulnerable to change;
 - d. the extent to which the values of the adjacent areas (including coastal marine area) are sensitive or vulnerable to the long-term effects of the activity, particularly from plantation forestry;
 - e. opportunities to restore, rehabilitate or enhance natural character, indigenous vegetation and habitats, cultural values, landscape features, dunes and other natural coastal features or processes;

- f. the presence of any natural hazards and whether the activity will exacerbate the hazard and/or be vulnerable to it; and
 - g. opportunities for public access and recreation.
- 9. Where located within an area of high natural character, outstanding natural landscape or feature, or significant amenity feature, refer to the assessment matters in CE-AM1 and CE-AM2, NFL-AM1 and NFL-AM2.

GRUZ-AM15

Water supply for firefighting

- 1. The extent of compliance with 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.

Regional Resource Management Plan - Hawke's Bay Regional Policy Statement

3.1A Integrated Land Use and Freshwater Management

OBJECTIVES

OBJ LW 1 Integrated management of fresh water and land use and development

Fresh water and the effects of land use and development are managed in an integrated and sustainable manner which includes:

1. protecting the quality of outstanding freshwater bodies in Hawke's Bay;
- 1A. protecting wetlands, including their significant values;1A
2. the maintenance of the overall quality of freshwater within the Hawke's Bay region and the improvement of water quality in water bodies that have been degraded to the point that they are over-allocated;
- 2B. establishing where over-allocation exists, avoiding any further over-allocation of freshwater and phasing out existing over-allocation;
3. recognising that land uses, freshwater quality and surface water flows can impact on aquifer recharge and the coastal environment;
4. safeguarding the life-supporting capacity and ecosystem processes of fresh water, including indigenous species and their associated fresh water ecosystems;
5. recognising the regional value of fresh water for human and animal drinking purposes, and for municipal water supply;
6. recognising the significant regional and national value of fresh water use for production and processing of beverages, food and fibre;
7. recognising the potential national, regional and local benefits arising from the use of water for renewable electricity generation;
8. recognising the benefits of industry good practice to land and water management, including audited selfmanagement programmes;
- 8A. recognising the role of afforestation in sustainable land use and improving water quality;
9. ensuring efficient allocation and use of water;
12. recognising and providing for river management and flood protection activities;
13. recognising and providing for the recreational and conservation values of fresh water bodies; and
14. promoting the preservation of the natural character of the coastal environment, and rivers, lakes and wetlands, and their protection from inappropriate subdivision, use and development.

OBJ LW2 Integrated management of freshwater and land use development

The management of land use and freshwater use that recognises and balances the multiple and competing values and uses of those resources within catchments. Where significant conflict between competing values or uses exists or is foreseeable, the regional policy statement and regional plans provide clear priorities for the protection and use of those freshwater resources.

OBJ UD1 URBAN FORM (REGION)

Establish compact, and strongly connected urban form throughout the Region, that:

- a) achieves quality built environments that:
 - i. provide for a range of housing choices and affordability,
 - ii. have a sense of character and identity,
 - iii. retain heritage values and values important to tangata whenua,

- iv. are healthy, environmentally sustainable, functionally efficient, and economically and socially resilient, and
- v. demonstrates consideration of the principles of urban design;
- b) avoids, remedies or mitigates reverse sensitivity effects in accordance with objectives and policies in Chapter 3.5 of this plan;
- c) avoids, remedies or mitigates reverse sensitivity effects on existing strategic and other physical infrastructure in accordance with objectives and policies in Chapter 3.5 and 3.13 of this plan;
- d) avoids unnecessary encroachment of urban activities on the versatile land of the Heretaunga Plains; and
- e) avoids or mitigates increasing the frequency or severity of risk to people and property from natural hazards.

OBJ UD6 INTEGRATION OF TRANSPORT INFRASTRUCTURE WITH DEVELOPMENT (REGION)

Ensure that the planning and provision of transport infrastructure is integrated with development and settlement patterns and facilitates the movement of goods and people and provision of services throughout the Region, while:

- a) limiting network congestion;
- b) reducing dependency on private motor vehicles;
- c) reducing emission of contaminants to air and energy use; and
- d) promoting the use of active transport modes.

POL UD13 SERVICING OF DEVELOPMENTS (REGION)

Within the region, territorial authorities shall ensure development is appropriately and efficiently serviced for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water by:

- a) Avoiding development which will not be serviced in a timely manner to avoid or mitigate adverse effects on the environment and human health; and
- b) Requiring these services to be designed, built, managed or upgraded to maximise their ongoing effectiveness.

1.2 The Sustainable Management of Coastal Resources

OBJECTIVES

OBJ 4 Promotion of the preservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use and development.

OBJ 5 The maintenance and where practicable and in the public interest, the enhancement of public access to and along the coast.

OBJ 6 The management of coastal water quality to achieve appropriate standards, taking into account spatial variations in existing water quality, actual and potential public uses, and the sensitivity of the receiving environment.

OBJ 8 The avoidance of further permanent development in areas prone to coastal erosion or inundation, taking into account the risk associated with global sea level rise and any protection afforded by natural coastal features.

3.5 Effects of Conflicting Land Use Activities

OBJECTIVES

OBJ 16 For future activities, the avoidance or mitigation of off site impacts or nuisance effects arising from the location of conflicting land use activities.

POLICIES

POL 6 PROBLEM-SOLVING APPROACH – FUTURE LAND USE CONFLICTS

3.5.11 To recognise that the future establishment of potentially conflicting land use activities adjacent to, or within the vicinity of each other is appropriate provided no existing land use activity (which adopts the best practicable option or is otherwise environmentally sound⁵) is restricted or compromised. This will be primarily achieved through liaison with territorial authorities and the use of mechanisms available to territorial authorities, which recognise and protect the ongoing functioning and operation of those existing activities.

3.10 Surface Water Resources

OBJECTIVES – SURFACE WATER QUALITY

OBJ 27A Riparian vegetation on the margins of rivers, lakes and wetlands is maintained or enhanced in order to:

- a) maintain biological diversity;
- b) maintain and enhance water quality and aquatic ecosystems; and
- c) support the use of surface water resources in accordance with tikanga Māori.

POLICIES – SURFACE WATER QUALITY

POINT SOURCE DISCHARGES

POL 47A Decision-making criteria - Land-based disposal of contaminants

Promote land-based disposal of wastewater, solid waste and other waste products so that:

- the adverse effects of contaminants entering surface waterbodies or coastal water are avoided as far as practicable;
- aA) where it is not practicable to avoid any adverse effects of contaminants entering surface waterbodies or coastal water, then adverse effects are remedied or mitigated; and
- any disposal of wastewater, solid waste or other waste products to a surface waterbody or coastal water occurs only when it is the best practicable option.

3.12 Natural Hazards

OBJECTIVE

OBJ 31 The avoidance or mitigation of the adverse effects of natural hazards on people's safety, property, and economic livelihood.

3.14 Recognition of Matters of Significance to Iwi/Hapu

OBJECTIVE

OBJ 35 To consult with Maori in a manner that creates effective resource management outcomes.

New Zealand Coastal Policy Statement 2010

Objectives

Objective 1

To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;
- protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and
- maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity

Objective 2

To preserve the natural character of the coastal environment and protect natural features and landscape values through:

- recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;
- identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and
- encouraging restoration of the coastal environment.

Objective 3

To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:

- recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;
- promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;
- incorporating mātauranga Māori into sustainable management practices; and
- recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.

Objective 4

To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:

- recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;
- maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and
- recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.

Objective 5

To ensure that coastal hazard risks taking account of climate change, are managed by:

- locating new development away from areas prone to such risks;

- considering responses, including managed retreat, for existing development in this situation; and
- protecting or restoring natural defences to coastal hazards.

Objective 6

To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:

- the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
- some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;
- functionally some uses and developments can only be located on the coast or in the coastal marine area;
- the coastal environment contains renewable energy resources of significant value; • the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;
- the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;
- the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and
- historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.

Policies

Policy 1 Extent and characteristics of the coastal environment

- (1) Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities.
- (2) Recognise that the coastal environment includes:
 - (a) the coastal marine area;
 - (b) islands within the coastal marine area;
 - (c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;
 - (d) areas at risk from coastal hazards;
 - (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds;
 - (f) elements and features that contribute to the natural character, landscape, visual qualities or amenity values;
 - (g) items of cultural and historic heritage in the coastal marine area or on the coast;
 - (h) inter-related coastal marine and terrestrial systems, including the intertidal zone; and
 - (i) physical resources and built facilities, including infrastructure, that have modified the coastal environment.

Policy 3 Precautionary approach

- (1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.

- (2) In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:
- (a) avoidable social and economic loss and harm to communities does not occur;
 - (b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and
 - (c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.

Policy 6 Activities in the coastal environment

- (1) In relation to the coastal environment:
- (a) recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;
 - (b) consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;
 - (c) encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;
 - (d) recognise tangata whenua needs for papakāinga³, marae and associated developments and make appropriate provision for them;
 - (e) consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;
 - (f) consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;
 - (g) take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;
 - (h) consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;
 - (i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and
 - (j) where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.
- (2) Additionally, in relation to the coastal marine area:
- (a) recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations;
 - (b) recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;
 - (c) recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;

- (d) recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and
- (e) promote the efficient use of occupied space, including by:
 - (i) requiring that structures be made available for public or multiple use wherever reasonable and practicable;
 - (ii) requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value; and
 - (iii) considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.

Policy 11 Indigenous biological diversity (biodiversity)

To protect indigenous biological diversity in the coastal environment:

- (a) avoid adverse effects of activities on:
 - (i) indigenous taxa⁴ that are listed as threatened⁵ or at risk in the New Zealand Threat Classification System lists;
 - (ii) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;
 - (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare⁶;
 - (iv) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
 - (v) areas containing nationally significant examples of indigenous community types; and
 - (vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and
- (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:
 - (i) areas of predominantly indigenous vegetation in the coastal environment;
 - (ii) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;
 - (iii) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;
 - (iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;
 - (v) habitats, including areas and routes, important to migratory species; and
 - (vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.

Policy 13 Preservation of natural character

- (1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:
 - (a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and
 - (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:

- (c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and
 - (d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.
- (2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:
- (a) natural elements, processes and patterns;
 - (b) biophysical, ecological, geological and geomorphological aspects;
 - (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
 - (d) the natural movement of water and sediment;
 - (e) the natural darkness of the night sky;
 - (f) places or areas that are wild or scenic;
 - (g) a range of natural character from pristine to modified; and
 - (h) experiential attributes, including the sounds and smell of the sea; and their context or setting.

Policy 14 Restoration of natural character

Promote restoration or rehabilitation of the natural character of the coastal environment, including by:

- (a) identifying areas and opportunities for restoration or rehabilitation;
- (b) providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;
- (c) where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include:
 - (i) restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or
 - (i) encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or
 - (ii) creating or enhancing habitat for indigenous species; or
 - (iii) rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or
 - (iv) restoring and protecting riparian and intertidal margins; or
 - (v) reducing or eliminating discharges of contaminants; or
 - (vi) removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or
 - (vii) restoring cultural landscape features; or
 - (viii) redesign of structures that interfere with ecosystem processes; or
 - (ix) decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.

Policy 15 Natural features and natural landscapes

To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:

- (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and

- (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; including by:
- (c) identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to:
 - (i). natural science factors, including geological, topographical, ecological and dynamic components;
 - (ii). the presence of water including in seas, lakes, rivers and streams;
 - (iii). legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes;
 - (iv). aesthetic values including memorability and naturalness;
 - (v). vegetation (native and exotic);
 - (vi). transient values, including presence of wildlife or other values at certain times of the day or year;
 - (vii). whether the values are shared and recognised;
 - (viii). cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;
 - (ix). historical and heritage associations; and
 - (x). wild or scenic values;
- (d) ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and
- (e) including the objectives, policies and rules required by (d) in plans.

Policy 19 Walking access

- (1) Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.
- (2) Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:
 - (a) identifying how information on where the public have walking access will be made publicly available;
 - (b) avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and
 - (c) identifying opportunities to enhance or restore public walking access, for example where:
 - (i). connections between existing public areas can be provided; or
 - (ii). improving access would promote outdoor recreation; or
 - (iii). physical access for people with disabilities is desirable; or
 - (iv). the long-term availability of public access is threatened by erosion or sea level rise; or
 - (v). access to areas or sites of historic or cultural significance is important; or
 - (vi). subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so.
- (3) Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:
 - (a) to protect threatened indigenous species; or

- (b) to protect dunes, estuaries and other sensitive natural areas or habitats; or
 - (c) to protect sites and activities of cultural value to Māori; or
 - (d) to protect historic heritage; or
 - (e) to protect public health or safety; or
 - (f) to avoid or reduce conflict between public uses of the coastal marine area and its margins;
or
 - (g) for temporary activities or special events; or
 - (h) for defence purposes in accordance with the Defence Act 1990; or
 - (i) to ensure a level of security consistent with the purpose of a resource consent; or
 - (j) in other exceptional circumstances sufficient to justify the restriction.
- (4) Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.

Policy 22 Sedimentation

- (1) Assess and monitor sedimentation levels and impacts on the coastal environment.
- (2) Require that subdivision, use, or development will not result in a significant increase in sedimentation in the coastal marine area, or other coastal water.
- (3) Control the impacts of vegetation removal on sedimentation including the impacts of harvesting plantation forestry.
- (4) Reduce sediment loadings in runoff and in stormwater systems through controls on land use activities.

Policy 23 Discharge of contaminants

- (1) In managing discharges to water in the coastal environment, have particular regard to:
 - (a) the sensitivity of the receiving environment;
 - (b) the nature of the contaminants to be discharged, the particular concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded; and
 - (c) the capacity of the receiving environment to assimilate the contaminants; and:
 - (d) avoid significant adverse effects on ecosystems and habitats after reasonable mixing;
 - (e) use the smallest mixing zone necessary to achieve the required water quality in the receiving environment; and
 - (f) minimise adverse effects on the life-supporting capacity of water within a mixing zone.
- (2) In managing discharge of human sewage, do not allow:
 - (a) discharge of human sewage directly to water in the coastal environment without treatment; and
 - (b) the discharge of treated human sewage to water in the coastal environment, unless:
 - (i). there has been adequate consideration of alternative methods, sites and routes for undertaking the discharge; and
 - (ii). informed by an understanding of tangata whenua values and the effects on them.
- (3) Objectives, policies and rules in plans which provide for the discharge of treated human sewage into waters of the coastal environment must have been subject to early and meaningful consultation with tangata whenua.
- (4) In managing discharges of stormwater take steps to avoid adverse effects of stormwater discharge to water in the coastal environment, on a catchment by catchment basis, by:
 - (a) avoiding where practicable and otherwise remedying cross contamination of sewage and stormwater systems;

- (b) reducing contaminant and sediment loadings in stormwater at source, through contaminant treatment and by controls on land use activities;
 - (c) promoting integrated management of catchments and stormwater networks; and
 - (d) promoting design options that reduce flows to stormwater reticulation systems at source.
- (5) In managing discharges from ports and other marine facilities:
- (a) require operators of ports and other marine facilities to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems and habitats that is more than minor;
 - (b) require that the disturbance or relocation of contaminated seabed material, other than by the movement of vessels, and the dumping or storage of dredged material does not result in significant adverse effects on water quality or the seabed, substrate, ecosystems or habitats;
 - (c) require operators of ports, marinas and other relevant marine facilities to provide for the collection of sewage and waste from vessels, and for residues from vessel maintenance to be safely contained and disposed of; and
 - (d) consider the need for facilities for the collection of sewage and other wastes for recreational and commercial boating.

Policy 25 Subdivision, use, and development in areas of coastal hazard risk

In areas potentially affected by coastal hazards over at least the next 100 years:

- (a) avoid increasing the risk¹⁰ of social, environmental and economic harm from coastal hazards;
- (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;
- (c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;
- (d) encourage the location of infrastructure away from areas of hazard risk where practicable;
- (e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and
- (f) consider the potential effects of tsunamis and how to avoid or mitigate them.