

ARATAKI PROJECT

Statutory Planning Framework and Rules Assessment

This document provides a consolidated overview of the statutory planning context that applies to the Arataki Project. It collates the supporting planning assessments and summary documents that outline how the proposed development aligns with the relevant provisions of the District Plan, Regional Plan, the Residential Design Framework (RDF), and the broader statutory framework under the Fast-track Approvals Act 2024.

The following documents are **attached**:

- A. RoT Interests Summary** – Identifies interests on the existing Records of Title for the Arataki site and how they will be managed through the development.
- B. Consent History Summary** – Outlines existing and historic consents relevant to the Arataki site and confirms that no consents restrict the proposed development. It also outlines the existing and historic consents relating to the land adjacent to the Arataki site.
- C. RDF Rule Comparison** – Compares the built form provisions of the RDF with those in the District Plan to demonstrate alignment with expected urban form outcomes in the district.
- D. Rules Assessment** – Evaluates the proposal against the relevant rules of the District Plan and Regional Plan to confirm what triggers reasons for consent, what rules are complied with and the rules that are not applicable to the application.
- E. Objectives and Policies Assessment** – Evaluates the proposal against the relevant objectives and policies of the District Plan and Regional Plan.

Attachment A – RECORDS OF TITLE & INTERESTS

The Records of Title (**RoT**) for the Arataki Project, along with the Interests and proposed management of these interests, are included in the **Table** below. Copies of the RoT and attachments are included in **Appendix 2** of the Application.

Table 1: Record of Title Interests

Address	Legal Description	Area	Interests	Identifier	Affects	Comment
122 Arataki Road	908215, Lot 2 DP 540945	5.2339Ha	Subject to Section 168A Coal Mines Act 1925			Does not impact Application
			Subject to Section 8 Mining Act 1971			Does not impact Application
			Land Covenant in Easement Instrument	9218697.5	(Affects part formerly Lot 2 DP 481968)	No complaints Covenant (Mushroom Farm) – A private land covenant, does not impact Application
			Land Covenant in Easement Instrument	9218697.6	(Affects part formerly Lot 1 DP 481968)	No complaints Covenant (Mushroom Farm) - A private land covenant, does not impact Application
			Compensation Certificate pursuant to Section 19 PWA 1981 by Hastings District Council	9871274.1	(Affects part formerly Lot 1 DP 481968)	Road take - Does not impact Application
			Fencing Covenant in Transfer	11544178.2	(Affects part formerly Lot 1 DP 481968)	Fencing covenants as per section 2 of the Fencing Act 1978 - Does not impact Application
			Subject to a right to drain sewage over part marked A on DP 540945	11544178.6		Will be surrendered in conjunction with drainage works

			The easements created by Easement Instrument 11544178.6 are subject to Section 243 (a) RMA 1991			
			Consent Notice pursuant to Section 221 RMA 1991			
108 Arataki Road	HBM2/265, Section 10S SO 1781	2.9390Ha	Subject to Section 59 Land Act 1948	11544178.5		Will be surrendered in conjunction with drainage works
86 Arataki Road	930676, Lot 2 DP 546439	2.9838Ha	Subject to Section 206 Land Act 1924			Reservation of Crown Minerals – Does not impact application
			Subject to a right to drain sewage over part marked B and rights to convey electricity and telecommunications over part marked A, all on DP 546439 The easements created by Easement Instrument 11791202.6 are subject to Section 243 (a) RMA 1991	11791202.6		Will be surrendered in conjunction with drainage works
			Consent Notice pursuant to Section 221 RMA 1991	11791202.5		Will be surrendered in conjunction with drainage works

ATTACHMENT B – RESOURCE CONSENT HISTORY

The following provides a summary of the previously granted resource consents on the Arataki Site, and the neighbouring properties.

1. ARATAKI SITE

Address	ROT	Land area	Location	Zone	Resource consents on file
122 Arataki Road	Lot 2 DP540945	5.234ha	Northern	Plains Production	• RMA20100045 Build within 5m of front boundary • RMA20100409 Erect dwelling close to road boundary. • RMA 20140325 – subdivide to create two sites for special purposes (reserves) • RMA 20190233 Subdivision to create a lifestyle site with a balance amalgamation with an adjoining block • RMA20220193 Proposed 135 lot residential subdivision • RMA20220384 Proposed subdivision and development in the plans zone • RMA 20240017 Permitted boundary activity
108 Arataki Road	Sec 10 S Blk IV Te Mata SD	2.939ha	Middle	Plains Production	• RMA20090339 Relocate a dwelling 8m from the road • RMA20220193 Proposed 135 lot residential subdivision • RMA20220384 Proposed subdivision and development in the plans zone
86 Arataki Road	Lot 2 DP 546439	2.984ha	Southern	Plains Production	• RMA20150234 Erect new dwelling waiving yard boundary standards • RMA20190523 Subdivide a Plains Production zone to create a non-complying lifestyle site with the balance being amalgamated with the adjoining block land. • RMA20220193 Proposed 135 lot residential subdivision • RMA20220384 Proposed subdivision and development in the plans zone

2. NEIGHBOURING SITES

Address	Rot	Land Area	Location	Zone	Resource Consents On File
160 Arataki Road	Lot 1 DP 540945	0.256ha	Corner site	Plains Production	• RMA 20140325 – subdivide to create two sites for special purposes (reserves) • RMA 20190233 Subdivision to create a lifestyle site with a balance amalgamation with an adjoining block • RMA 20240017 Permitted boundary activity
104 Arataki Road	Lot 1 DP 13265 Lot 1 DP 16136 Blk IV Te Mata	4.956ha	Shaggy Range	Plains Production	• RMA 20170139 & RMA 20170139.01 to establish and operate doggy daycare • RMA20220516 /.01 proposed retrospective earthworks consent and consent for further earthworks in the plains production zone
96 Arataki Road	Lot 1 DP 546439	0.108ha	Saw tooth site	Plains Production	• RMA 20190233 Subdivision to create a lifestyle site with a balance amalgamation with an adjoining block • RMA20220384 Proposed subdivision and development in the plains zone
70 Arataki Road	Sec 14 Blk IV Te Mata SD	3.905ha	Olive Grove	Te Mata Special Character Area	• No resource consents listed
66-68 Arataki Road	Lot 1 DP 26254 Blk IV Te Mata SD	0.508ha	Arataki Honey	Te Mata Special Character Area	• RMA970009 Subdivide a lot and amalgamate with adjacent lot. • RMA20080357 Erect a warehouse for storage and maintenance • RMA20100140 Existing use rights certificate for Arataki Honey • RMA20150319 Extend honey processing, packing, storage
71 – 159 Arataki Road	(various)	(various)	Western suburban residential area	Havelock North General Residential	• General residential housing

174 Brookvale Road	Lot 2 DP 529421 Lot 2 DP 7771 Blk IV Te Mata SD	4.127ha	Mushroom Site	Plains Production & Scheduled Activity	• RMA20040262 erect a building to be used in the production of mushrooms • RMA20130178 expand the existing activity carried out by the te mata mushrooms company (withdrawn) • RMA20180414 to expand an existing intensive rural production activity • RMA20180414.01 to expand an existing intensive rural production activity • RMA20200421 proposed earthworks to construct a vehicle crossing, access way and freshwater storage pond in plains production zone. • RMA20200542 proposed shed extension in the plains production zone • RMA20210557 proposed earthworks to construct a new vehicle crossing • RMA20210557.01 proposed earthworks to construct a new vehicle crossing • RMA20230222 proposed reuse of existing buildings for activities in the plains production zone • RMA20230222.01 proposed reuse of existing buildings for activities in the plains production zone
176 Brookvale Road	Lots 1 & 2 DP 16311	18.399ha	Balance lot Mushroom site	Plains Production	• RMA20050445 erect a building to be used in the production of mushrooms • RMA20130178 expand the existing activity carried out by the te mata mushrooms company (withdrawn) • RMA20130216 expand the existing activity carried out by the te mata mushroom company • RMA20150115 dairy barn irp activity, dairy processing unit, and educational facility (mushroom growing) for te mata mushrooms • RMA20200248 proposed shifting of dirt to create a storage pond as required by hbrc in the plains production zone • RMA20200421 proposed earthworks to construct a vehicle crossing, access way and freshwater storage pond in plains production zone.

					• RMA20210509 proposed retrospective consent for earthworks in the plains production zone • RMA20210557 proposed earthworks to construct a new vehicle crossing • RMA20210557.01 proposed earthworks to construct a new vehicle crossing • RMA20210509.01 proposed retrospective consent for earthworks in the plains production zone • RMA20230222 proposed reuse of existing buildings for activities in the plains production zone • RMA20230222.01 proposed reuse of existing buildings for activities in the plains production zone
Council reserve	Lot 1 DP 529421 Having ½ Sh in Lot 2 DP 28543 Blk IV Te Mata SD	0.339ha	Reserve strip to east	Plains Production	• RMA20130305 create a special purpose lot (network utility – drainage purposes) and amalgamate a balance site • RMA20130305.01 create a special purpose lot (network utility – drainage purposes) and amalgamate a balance site. no monitoring condition. • RMA20180453 proposed variation of consent conditions for rma20130305 relating to access and easement arrangements within the plains production zone
137-143 Brookvale Road	100/50	2.2587ha	North (Metlife Care)	Plains Production	• RMA20060311 erect secondary dwelling exceeding 80m2 • RMA20230358 proposed district plan change in the plains production zone
145 Brookvale Road	M1/1251	2.4281ha	North (Metlife Care)	Plains Production	• RMA20230358 proposed district plan change in the plains production zone
155 Brookvale Road	K2/1346	1.3225ha	North	Plains Production	• RMA20030631 to erect a garage/workshop 1 metre from the side boundary • RMA20050636 to construct an addition to an existing dwelling 3 metres from the front boundary • RMA20080037 to erect a 105m2 secondary residential dwelling, in lieu of the 80m² allowed

157 Brookvale Road	E4/1391	0.1224ha	North	Plains Production	• N/A
159 Brookvale Road	K3/52	0.5784ha	North	Plains Production	• RMA20060468 to make additions to an existing dwelling waiving the side and front yard requirements
161 Brookvale Road	SECT 4 SURD Te Mata CT K2/1420	2.4078ha	North	Plains Production	• RMA20010444 establish homestay • RMA20040328 convert existing dwelling into visitor accommodation exceeding size restrictions • RMA20060468 to make additions to an existing dwelling waiving the side and front yard requirements
163 Brookvale Road	Lot 24 DP 3803 Blk IV Te Mata SD	1.986ha	Opposite mushroom site	Plains Production	• N/A

ATTACHMENT C – RDF RULE COMPARISON

The following summarises the key parts of the Hastings District Plan (**HDP**) that are relevant to the Arataki Project and identifies how the proposed Residential Development Framework (**RDF**) responds to them.

Although the site is zoned Plains Production, the RDF has been developed to deliver residential outcomes that align with the intent and structure of the HDP, supporting a well-functioning urban environment and managing interface effects with the surrounding land uses.

The assessment focuses on the following District Plan sections:

- Havelock North General Residential Zone
- MDZ – Medium Density Residential Zone
- Section 30.1 – Subdivision and Land Development
- Section 25.1 – Noise
- Section 26.1 – Transport and Parking
- Section 27.1 – Earthworks
- Section 28.1 – Advertising Devices & Signs

By way of overall summary, several bespoke provisions have been adopted where necessary to achieve specific design outcomes or address particular effects. This includes amendments (and in some cases rejections) to the standard HDP provisions to deliver a contemporary response to design aspirations or to secure the desired quality outcomes for the development.

Figure 1: Arataki Project Development Lot Type Plan



1. Comparison of Lot Type 1 with Havelock North General Residential Zone Rules

HDC Havelock North General Residential Zone		Arataki Project Lot Type 1 – Residential Development Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
8.2.4.1 Rule Table			
HINGR1	Residential Activities (permitted)	Section 4.0 One residential dwelling per lot is provided for.	HDP Provision Adopted Resource Consent has been sought through the Substantive Application to allow one residential dwelling per lot.
HINGR14	Comprehensive Residential Development (3 or more residential dwellings) – only allowed in certain areas, with various activity statuses.	Section 4.0 This has not been included in the RDF.	HDP Provision Excluded – n/a Comprehensive development has not been consented by the Substantive Application / not provided for within the development, and this rule is not relevant.
8.2.5 General Performance Standards			
8.2.5A Density	1 dwelling per 350m ² net site area 1 residential building	N/A No density provision proposed.	HDP Provision Excluded – n/a Resource Consent has been sought through the Substantive Application to allow one residential dwelling per lot. All Lot Type 1 lots are greater than 400m ² . Density provisions are therefore not relevant and have not been included in the RDF.
8.2.5B Building Height	Maximum 8m	Standard 6.2.1 Maximum 8m	HDP Provision Adopted
8.2.5C Height in Relation to Boundary	Side and rear boundaries: 2.75m + a recession plane indicator.	Standard 6.2.2 Recession planes from points 3m above the existing ground level.	HDP Provision Amended Through pre-application discussions with HDC, it was decided that in the event a bespoke RDF were adopted,

HDC Havelock North General Residential Zone		Arataki Project Lot Type 1 – Residential Development Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
		The angle of such recession planes shall be 45° for all boundaries.	the revised HTB standard would be simpler to implement for build partners. The recession plane of 3m + 45° is the average HTB for the existing HDP, so it will form a similar and appropriate built character.
8.2.5D Building Setbacks	Front yard: • 3m (with frontage to access roads) • 5m (with frontage to arterial or collector road) Other boundaries: 1m	Standard 6.2.4 • Front boundaries: 3m • Other boundaries: 1m	HDP Provision Adopted
8.2.5E Relationship of Garages and Accessory Buildings to Dwelling	• (a) Garages or accessory buildings on sites that front a public road and that form part of a single storey residential building shall occupy not more than 50% of the width of the front elevation of that residential building. • (b) The standard in (a) above does not apply to garages which form part of a two-storey dwelling. • (c) Standalone garages or accessory buildings on sites that front a public road shall not obscure more than 50% of the width of the front elevation of the residential building.	Standard 6.2.5 • All garage doors must be set back a minimum of 5m from any front boundary. • Garages on sites that front a public road or JOAL and that form part of a single-storey residential building, shall occupy a maximum of 50% of the width of the front elevation of that residential building. Garages on sites that front a public road or JOAL: • that form part of a single-storey residential building; and • which occupy more than 50% and up to a maximum of 60%	HDP Provision Amended These requirements are primarily based on the existing HDC standards. Additional provisions have been introduced to address specific site conditions, such as reduced lot widths and the presence of JOALs (Jointly Owned Access Lots). This approach is intended to enhance streetscape amenity by encouraging garage setbacks and creating less visually dominant frontages. Note: This rule does not apply to the rear sites associated with Lots 19, 20, 71, 72, 121, 151, 152, and 162.

HDC Havelock North General Residential Zone		Arataki Project Lot Type 1 – Residential Development Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
		of the width of the front elevation of that residential building must have a minimum setback of 2m from the rest of the building. Note 1: Standards b. and c. above do not apply to Lots 19, 20, 71, 72, 121, 151, 152, and 162.	
8.2.5F Building Coverage	Maximum 45% of the net site area	Standard 6.2.3 Maximum 45% of the net site area	HDP Provision Adopted
8.2.5G Stormwater	Peak stormwater runoff from site shall not exceed standards.	Standard 6.2.9 - Impervious areas must not exceed 60 per cent of site area Standard 6.2.10 - Roofs must be constructed of inert materials or non-toxic coating.	HDP Provision Amended An amended stormwater standard is proposed to reflect the requirements of the Arataki Project Stormwater Management Plan. The intent of the amended standard is to ensure that peak stormwater runoff is controlled (same purpose as the existing HDP rule).
8.2.5H Outdoor Living Space	At least 50m² including: 6m diameter circle; - Directly accessible from the principle residential building; - May compromise 1 or more area(s); but each area shall have a minimum width of 2m; and	Standard 6.2.6 At least 50m² including: 6m diameter circle; - Directly accessible from the principle residential building;	HDP Provision Adopted

HDC Havelock North General Residential Zone		Arataki Project Lot Type 1 – Residential Development Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
	Can be in form of a deck, terrace or veranda but must be unobstructed by buildings, car parking areas, vehicle manoeuvring areas or notional garages.	- Has a gradient not exceeding 1 in 20; and - Must be unobstructed by buildings, car parking areas, vehicle manoeuvring areas or notional garages.	
Landscaping	No rule	Standard 6.2.7 - The minimum landscape area must be 30% of the net site area. - The 3m front boundary building setback must include a minimum of 50% landscape area. - Note: Landscape area can comprise grass.	Proposed New Provision This rule is based on a similar landscaping rule under 8.2.5I in the Havelock North Character Residential Zone. To ensure sufficient landscaping is provided on site and positive amenity outcomes achieved, a landscaping standard was introduced. Also, to encourage further streetscape amenity, a front boundary landscape area is proposed.
8.2.5J Screening for visual amenity	Any outdoor storage, or service area associated with non-residential activities, shall be screened from adjoining sites and from the street by landscaping and/or fencing.	Standard 6.2.8 a) Any outdoor storage (including waste) or Outdoor Service Space shall be fully screened from adjoining sites and from the street by: i. fencing or screening that complies with relevant height standards; and/ or ii. landscaping.	HDP Provision Adopted The same rule has been adopted, but with formatting changes made.

HDC Havelock North General Residential Zone		Arataki Project Lot Type 1 – Residential Development Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
		b) If using landscaping to achieve the above standard, the following standards shall be met: i. Trees shall have a minimum height of 2m at the time of planting; and ii. Shrubs shall have a minimum height of 1m at the time of planting and be able to grow to 2m in height.	
8.2.5K Fencing	Fences that front onto Access Roads - Max height 1.5m; or 1.8m with 300mm of permeable at top. Fences that front onto Collector or Arterial Roads - Max height 1.8m Fences on Corner Sites of Collector or Arterial Roads - Max height 1.8m - Except- On corner of collector to have max height of 1m for sightlines Other boundaries - Max height 1.8m	Standard 6.1.5 Fencing Plan Applies	HDP Provision Amended A revised, bespoke fencing plan has been introduced for the site. This approach allows CDL to construct specified fence types, while enabling build partners to complete fencing on individual lots as appropriate. The plan includes a variety of fencing types not currently addressed under the existing HDP fencing rules, providing greater design flexibility and site responsiveness to meet contemporary urban design principles.
8.2.5L Traffic Generation	Must not exceed threshold limits.	N/A	HDP Provision Excluded – n/a

HDC Havelock North General Residential Zone		Arataki Project Lot Type 1 – Residential Development Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
		This has not been included in the RDF.	Traffic has been managed through the Substantive Application and provision in the RDF to address this rule was not considered necessary.
8.2.5M Traffic sightlines, parking, access, and loading	Activities shall comply with the provisions of Section 26.1 of the OHDP on Transport and Parking	Standard 6.1.1 Refer to separate assessment in Table below.	HDP Provision Amended Refer to separate assessment in Table below.
8.2.5N Noise	Activities shall comply with the provisions of Section 25.1 of the OHDP on Noise	Standard 6.1.3 Refer to separate assessment in Table below.	HDP Provision Amended Refer to separate assessment in Table below.
8.2.5O Light and Glare	External lighting should be shaded or directed away from adjoining residential dwellings or roads. Less than 8 lux spill measured at a height of 1.5m above the ground at the boundary of the site.	This has not been included in the RDF.	Not provided for Light & Glare has been managed through the Substantive Application and provision in the RDF to address this rule was not considered necessary.

2. Comparison of Lot Type 2 with Medium Density Residential Zone

HDC Havelock North Residential Environment		Arataki Lot Type 2 – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
Rule Table			
MRZ-R2	Residential Unit (permitted achieving compliance): A: For sites less than 500m²- 1 principal residential unit permitted (two or more restricted discretionary) B: For sites 500m² or more- not more than 2 residential units. C. Development of 3-15 residential units restricted discretionary	Section 4.0 One residential dwelling per lot is provided for.	HDP Provision Adopted Resource Consent has been sought through the Substantive Application to allow one residential dwelling per lot.
Performance Standards			
MRZ-S1 Height – Buildings and Structures (excluding fences and standalone walls)	10m + 1m (11m total)	Standard 6.3.1 Building height must not exceed a maximum of 8m except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more.	HDP Provision Amended A maximum building height of 8m, consistent with the HDC HNGRZ standards, is proposed. An additional 1m allowance for roof form is provided to enable two-storey development on narrower sites, supporting flexibility in built form while maintaining overall height limits. The lower height limit is proposed to better align with the established suburban character on the western side of Arataki Road.
MRZ-S2 Fences and standalone walls	1.2m where the fence is located between the residential unit and the front boundary of the site or any private road, access lot or right of way that provides legal access to the site; or	Standard 6.1.5 Fencing Plan Applies	HDP Provision Amended A revised, bespoke fencing plan has been introduced for the site. This approach allows CDL to construct specified fence types, while enabling build partners to complete fencing on individual lots as appropriate. The plan

HDC Havelock North Residential Environment		Arataki Lot Type 2 – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
	1.2m where a site boundary adjoins an open space zone - Except that the following maximum height applies in these circumstances: i. 1.5m if the fence is able to be seen through in the manner of a picket, trellis, or steel pool fence construction. ii. 1.8m for all others.		includes a variety of fencing types not currently addressed under the existing fencing rules, providing greater design flexibility and site responsiveness.
MRZ-S3 Height in relation to boundary	3m + The angle of such recession planes shall be 45° for all side and rear boundaries facing the southern half of a compass and 55° for all front boundaries and all boundaries facing the northern half of the compass	Standard 6.3.2 On any boundary (excluding the road or front boundary) of a site, buildings shall be contained within a building envelope constructed by recession planes from points 3m above the existing ground level. The angle of such recession planes shall be 45° for all boundaries.	HDP Provision Amended The minor amendment to remove the 55-degree front boundary requirement was introduced to align with the Lot Type 1 HTB provisions, thereby promoting a consistent and cohesive built character throughout the development.
MRZ-S4 Garages and accessory buildings	Garages or accessory buildings on sites that front a public road and that form part of a single storey residential building shall occupy not more than 50% of the width of the front elevation of that residential building.	Standard 6.3.5 - All garage doors must be set back a minimum of 5m from any front boundary. - Garages on sites that front a public road or JOAL, and that form part of a single-storey residential building, shall occupy a maximum of 50% of the width of the front elevation of that residential building.	HDP Provision Amended These requirements are primarily based on the existing HDC standards. Additional provisions have been introduced to address specific site conditions, such as reduced lot widths and the presence of JOALs (Jointly Owned Access Lots). This approach is intended to enhance streetscape amenity by encouraging garage setbacks and creating less visually dominant frontages. The standard does not apply to garages which form part of a two-storey residential building.

HDC Havelock North Residential Environment		Arataki Lot Type 2 – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
		- Garages on sites that front a public road or JOAL: - that form part of a single-storey residential building; and - which occupy more than 50% and up to a maximum of 60% of the width of the front elevation of that residential building - Must have a minimum setback of 2m from the rest of the building. Note: This standard does not apply to garages which form part of a two-storey residential building.	
MRZ-S5 Setbacks	Front boundary: 3m Side and rear boundary: 1m	Standard 6.3.4 - Front boundary: 3m - Side and rear boundary: 1m	HDP Provision Adopted
MRZ-S6 Building Coverage	Maximum 50%	Standard 6.3.3 Maximum 50%	HDP Provision Adopted
MRZ-S7 Outdoor living space	20m ² at ground floor with minimum 3m dimension. 8m ² above ground floor with minimum 1.8m dimension.	Standard 6.3.6 Each Principal Residential Dwelling shall have an Outdoor Living Space which shall have a minimum area of 30m² and:	HDP Provision Amended Based on consultation with HDC, the outdoor living spaces of each lot have been increased to ensure that adequate on-site amenity can be achieved reflective of

HDC Havelock North Residential Environment		Arataki Lot Type 2 – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
		- Be directly accessible from the Principal Residential Dwelling; - Has no dimension less than 4m; - Has a gradient not exceeding 1 in 20; and - Must be unobstructed by buildings, car parking areas, vehicle maneuvering areas or notional garages.	the character of this development, essentially achieving a hybrid outcome between the HNGRZ and MRZ standards.
MRZ-S8 Landscaped Areas	Minimum 20%	Standard 6.3.7 Minimum 20%	HDP Provision Adopted
MRZ-S9 Windows and Connection to Street / Road	Units facing the road boundary or legal access: 20% façade glazing on front boundary. Visible front door & main pedestrian entrance. A kitchen, living or dining room with glazing facing the front boundary or legal access.	N/A This has not been included in the RDF.	HDP Provision Excluded Project team decision made to exclude this standard from consideration. It is hard to achieve in practice particularly on southern elevations. The preference is to rely on the Section 5.0 Design Outcomes which talk to street activation and articulation.
MRZ-S10 Outlook Space	Principal living room: 4m depth x 4m width All other habitable rooms: 1m depth x 1m width	Standard 6.3.8 Principal living room: 4m depth x 4m width All other habitable rooms: 1m depth x 1m width	HDP Provision Adopted

HDC Havelock North Residential Environment		Arataki Lot Type 2 – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
MRZ-S11 Variety in building design and visual appearance	Where there are more than two adjoining or adjacent residential units, including apartment buildings or comprehensive complexes that front a public road or legal access variation in the front facade design of the buildings shall be achieved using at least two of the following techniques: • Roof form; • Front facade fenestration (window and door openings); • Exterior cladding materials or detailing (cladding can be the same but used in a different way, i.e. on different parts of the building or to emphasise features); • Ancillary architectural elements such as a porch, covered veranda, a pergola over a door opening, window shrouds around the front facade windows, screens, or louvres incorporated into the front facade design of the residential unit.	N/A This has not been included in the RDF.	HDP Provision Excluded – n/a Section 4.0 Permitted activities only provides for one dwelling per site. No adjoining or adjacent residential units or apartments are consented by the Substantive Application. In any case, the Section 5.0 Design Outcomes will guide the intended built form and be further reviewed by CDL and HDC to achieve a built character that aligns with the existing and future environment.
MRZ-S12 Stormwater Management	Peak stormwater runoff from site shall not exceed standards/ values.	Standard 6.3.10 • Impervious areas must not exceed 60% of the net site area Standard 6.3.11 • Roofs must be constructed of inert materials (such as pre-coated steel, concrete tile, clay tile, or slate), or be	HDP Provision Amended An amended stormwater standard is proposed to reflect the requirements of the Arataki Project Stormwater Management Plan. The intent of the amended standard is to ensure that peak stormwater runoff is controlled (same purpose as the existing HDP rule).

HDC Havelock North Residential Environment		Arataki Lot Type 2 – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
		painted/coated with non-metal-based, non-toxic finishes.	
MRZ-S13 Rooding Infrastructure / Vehicle Access	Activities shall comply with the provisions of Section 26.1 of the OHDP on Transport and Parking	Standard 6.1.1 Refer to separate assessment in Table below.	HDP Provision Amended Refer to separate assessment in Table below.

3. Comparison Against Subdivision and Land Development Rules

HDC Havelock North Residential Environment		Arataki – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
30.1.6 Subdivision Site Standards and Terms		Section 4.0 Consented Activities	
30.1.6A General site standards	General Residential: 350m ² MDRZ to create one or more vacant allotments: 250m ²	Section 4.0 Consented Activities: • Lot Type 1 minimum lot size 400m² • Lot Type 2 minimum lot size 300m²	Proposed Lot Types site sizes to be consented by the Substantive Application are reflective of their base zoning site sizes

4. Comparison Against Transport and Parking Rules

HDC Havelock North Residential Environment		Arataki All Lot Types – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
26.1.6 General Performance Standards and Terms		Section 6.1.1 Transport	
26.1.6A Access	1 vehicle crossing per property. Where a property is bordered by 2 or more roads the vehicle access to the property shall be from the lower category road. Minimum legal widths: - Urban zone: 3m-6m - Rural zone: 4m-9m Maximum width of vehicle crossing: - Urban zone: 4.8m-6m - Rural zone: nil.	Standard 6.1.1.1 - One vehicle crossing per site. - Access shall be from the lower order road where multiple road frontages exist on a site. - Legal access width shall be 3.0m to 4.8m wide. - Maximum crossing gradient shall be 20%.	HDP Provisions Adopted
	Distance of Vehicle Accesses from Road Intersections. Residential zone: - min. 15m or the extent of the property boundary (whichever is least) from any Access Road intersection. - Where there are two adjacent accesses, vehicle crossings shall be offset from the legal property boundary (side boundary) by 1.5 metres. - Vehicle access to any property shall not be sited within 30 metres of an intersection of a State Highway. Rural zone:	Standard 6.1.1.2 - The distance that a vehicle access to any property may be sited from any Access Road intersection shall be a minimum of 15m, or the extent of the site boundary, whichever is the least. - Vehicle accesses must be separated at least 1.5m from any vehicle access on an adjoining property.	HDP Provisions Amended All provisions adopted, with the exception that several corner lots will obtain approval through the Substantive Application (supported by an ITA assessment) for a vehicle access to be closer to the intersection than 15m due to the alignment of the lots.

HDC Havelock North Residential Environment		Arataki All Lot Types – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
	Vehicle access to any property shall be sited a minimum of 100m.	Note 1: Lots 4, 11, 14, 27, 30, 54, 60, 90 and 98 will have accesses closer to the intersection than 15m, with a minimum distance of 8m allowed.	
26.1.6D Parking	On-site parking: The district plan no longer contains provisions that require on-site vehicle parking. Design and Construction of Parking Areas: 3m x 5m	Standard 6.1.1.3 - No minimum or maximum parking requirements. - Parking spaces shall have a minimum internal dimension of 3.0 m (width) by 5.0 m (length).	HDP Provisions Adopted
26.1.7 Specific Performance Standards and Terms			
26.1.7A Access	Vehicle standing bay: In all residential zones- 5m vehicle standing bay to all garages and carports.	Standard 6.2.5 and Standard 6.3.5 Relationship of Garages and Accessory Buildings to the Street	HDP Provisions Amended This provision will be achieved through the garage setback rules.
26.1.7B Infrastructure to Support Alternative Transport Modes	Bicycle Spaces: 1 bicycle park per 5 carpark spaces.	N/A Not included in the RDF	HDP Provisions Excluded – n/a Only single lot development is proposed in this development and therefore this rule is not applicable.

5. Comparison Against Noise Rules

HDC Havelock North Residential Environment		Arataki All Lot Types – Residential Design Framework																					
HDP Rule	HDP Requirement	RDF Standard	Comment																				
25.1.6 General Performance Standards and Terms		Standard 6.1.3 Noise																					
Standard 25.1.6C	The following noise limits shall not be exceeded at any point beyond the site boundary: <table><tr><th>Control Hours</th><th>Noise Level</th></tr><tr><td>0700 to 1900 hours</td><td>50 dB LAeq (15 min)</td></tr><tr><td>1900 to 2200 hours</td><td>45 dB LAeq (15 min)</td></tr><tr><td>2200 to 0700 hours the following day</td><td>40 dB LAeq (15 min)</td></tr><tr><td>2200 to 0700 hours the following day</td><td>70 dB LAFmax</td></tr></table>	Control Hours	Noise Level	0700 to 1900 hours	50 dB LAeq (15 min)	1900 to 2200 hours	45 dB LAeq (15 min)	2200 to 0700 hours the following day	40 dB LAeq (15 min)	2200 to 0700 hours the following day	70 dB LAFmax	Standard 6.1.3.1 - Noise shall be measured in accordance with New Zealand Standard 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with New Zealand Standard 6802:2008 Acoustics - Environmental Noise. - The following noise limits shall not be exceeded at any point beyond the site boundary: <table><tr><th>Control Hours</th><th>Noise Level</th></tr><tr><td>0700 to 1900 hours</td><td>50 dB LAeq (15 min)</td></tr><tr><td>1900 to 2200 hours</td><td>45 dB LAeq (15 min)</td></tr><tr><td>2200 to 0700 hours the following day</td><td>40 dB LAeq (15 min)</td></tr><tr><td>2200 to 0700 hours the following day</td><td>70 dB LAFmax</td></tr></table>	Control Hours	Noise Level	0700 to 1900 hours	50 dB LAeq (15 min)	1900 to 2200 hours	45 dB LAeq (15 min)	2200 to 0700 hours the following day	40 dB LAeq (15 min)	2200 to 0700 hours the following day	70 dB LAFmax	HDP Provisions Amended Noise generation adopted from HDP. Added in rule to assess how noise should be measured in line with best practice.
Control Hours	Noise Level																						
0700 to 1900 hours	50 dB LAeq (15 min)																						
1900 to 2200 hours	45 dB LAeq (15 min)																						
2200 to 0700 hours the following day	40 dB LAeq (15 min)																						
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2200 to 0700 hours the following day	40 dB LAeq (15 min)																						
2200 to 0700 hours the following day	70 dB LAFmax																						
Standard 25.1.6I	(a) Any noise arising from construction, <u>maintenance</u> and demolition work in any Zone shall comply with NZS6803:1999 Acoustics - Construction Noise. (b) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics - Construction Noise.	Standard 6.1.3.2 - Any noise arising from construction, maintenance and demolition work shall comply with NZS6803:1999 Acoustics - Construction Noise - Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics - Construction Noise	HDP Provisions Adopted																				

6. Comparison Against Earthworks Rules

HDC Havelock North Residential Environment		Arataki All Lot Types – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
27.1.6 General Performance Standards and Terms		Standard 6.1.2 Earthworks	
27.1.6A Extent of Earthworks	- Havelock North residential zone: 50m³ per site. - Plains production zone: 100m³ per Ha of site	Standard 6.1.2.1 Maximum volume of 50m ³ per site.	HDP Provisions Adopted
27.1.6C Slope	Rural: EW shall not be undertaken on land with a slope of greater than 45° above horizontal. Residential: EW shall not be undertaken on land with a slope of greater than 22° above horizontal.	N/A Not included in the RDF	HDP Provisions Excluded – n/a The bulk earthworks undertaken as part of the Substantive Application will ensure no earthworks of this nature are required.
27.1.6D Excavation	No EW shall have a cut/ fill face of overall vertical extent greater than 5m (rural) & 2.5m (urban)	Standard 6.1.2.2 - Earthworks shall not exceed a cut/ fill face of overall vertical extent greater than 2.5m. - No excavations shall be of greater than 1m vertical extent of cut/fill face, where the top of the excavation is within 10 metres of buildings or surcharge loads.	HDP Provisions Adopted
27.1.6E Noise	Comply with provisions of Section 25.1 Noise.	Standard 6.1.3 Noise - Noise shall be measured in accordance with New Zealand Standard 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with New Zealand Standard 6802:2008 Acoustics - Environmental Noise. - The following noise limits shall not be exceeded at any point beyond the site boundary:	HDP Provisions Adopted

HDC Havelock North Residential Environment		Arataki All Lot Types – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
		Construction Activities - Any noise arising from construction, maintenance and demolition work shall comply with NZS6803:1999 Acoustics - Construction Noise. - Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics - Construction Noise	
27.1.6G Location of fill	Except when associated with fill faces on rural farm tracks, any fill of over: (a) 100m³ volume; or (b) 0.5 metres total depth Shall only be permitted if a site plan is provided to Hastings District Council showing the location and extent of the fill.	Standard 6.1.2.2 Any fill over 100m³ volume or 0.5m total depth shall only be permitted if a site plan is provided to the Hastings District Council showing the location of the fill.	HDP Provisions Adopted

7. Comparison Against Advertising Devices & Signs Rules

HDC Havelock North Residential Environment		Arataki All Lot Types – Residential Design Framework	
HDP Rule	HDP Requirement	RDF Standard	Comment
Table 28.1.5 ADS1	Non illuminated advertising devices	Section 4.0 Consented Activities Non illuminated advertising devices	HDP Provisions Adopted
28.1.6 General Performance Standards and Terms	Advertising devices and signs within the Arataki Project development shall comply with the provisions of Chapter 28.1.6 – General Performance Standards and Terms of the HDP as they apply to the Havelock North General Residential Zone, including any updated provisions should this section reference change in the future.	Standard 6.1.4 Adopts Chapter 28.1.6 provisions	HDP Provisions Adopted

ATTACHMENT D – RULES ASSESSMENT

The following contains an assessment of the Arataki Project against the relevant rules of the Hastings District Plan (**HDP**) and the Hawkes Bay Regional Resource Management Plan (**RRMP**).

1. HASTINGS DISTRICT PLAN RULE ASSESSMENT

Summary of District Plan Consent Requirements

Rule/Standard	Detail
PP24	Any permitted or controlled activity not meeting one or more of the terms in Section 6.2.5 and Section 6.2.6 is a restricted discretionary activity under PP24. The proposal will not meet the following: 6.2.5A(A) - Residential activities require front setbacks of 7.5m and 15m to all other boundaries. 6.2.5J - The maximum building coverage (including hardstand and sealed areas) shall not exceed 35% of the net site area or 1500m², whichever is the lesser. 6.2.6B – More than one residential dwelling per 2,500m ² will be established.
PP39	The proposed activities are not provided for as Permitted, Controlled, Restricted Discretionary or Discretionary within the Plains Production Zone within Table 6.2.4 and are therefore a non-complying activity .
PP29	The proposal to establish residential buildings within 400m of an intensive rural production activity involving buildings housing animals reared intensively and yards accommodating animals reared intensively is a discretionary activity under PP29.
PP30	The proposal to establish residential buildings within 150m of an intensive rural production activity involving organic matter and effluent storage, treatment and utilisation is a discretionary activity under PP30.
PP39	The proposal seeks to enable showhomes to establish on the site. This activity is not provided for in the Plains Production Zone and is a non-complying activity under PP39.
PP39	The proposal seeks to enable home occupations to establish on the site. This activity is not provided for in the Plains Production Zone and is a non-complying activity under PP39.
SLD25	Any subdivision which is unable to comply with one or more of the relevant Subdivision Site Standards and Terms in section 30.1.6 is a non-complying activity (SLD25). The proposal will not meet the following: 30.1.6A (10A) – The minimum net site area in the Plains Production Zone is 12 hectares. 30.1.7A - Each lot which is capable of containing a residential dwelling, shall identify at least one stable building platform of 30 metres by 30 metres.

District Plan Rules Assessment

Rule/Standard	Detail	Comment
6.2 Plains Production Zone		
PP39	Any activity which is not provided for as a Permitted, Controlled, Restricted Discretionary or Discretionary activity shall be a Non-complying activity.	The proposed activities are not provided for as Permitted, Controlled, Restricted Discretionary or Discretionary within Table 6.2.4 and are therefore a non-complying activity. As listed below, the proposal will not comply with: • Front and other boundary setbacks • Maximum building coverage • More than one dwelling per 2,500m²
6.2.5A(2)	Maximum height for structures and buildings is 10m.	Complies Refer to RDF.
6.2.5B(1)	Residential activities require front setbacks of 7.5m and 15m to all other boundaries.	Does not comply Refer to RDF.
6.2.5E	All external lighting shall be shaded or directed away from any residential buildings or roads, and shall be less than 8 lux spill measured at a height of 1.5 metres above the ground at the boundary of the site.	Complies Refer to Infrastructure report
6.2.5F	Activities shall comply with the provisions of Section 26.1 of the District Plan on Transport and Parking.	Complies Refer to Traffic report.
6.2.5G	Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.	Complies Refer to Acoustic report.
6.2.5J	The maximum building coverage (including hardstand and sealed areas) shall not exceed 35% of the net site area or 1500m ² , whichever is the lesser.	Does not comply Refer to RDF

6.2.6B	One residential building shall be allowed per site provided that the site shall be a minimum area of 2,500m ² . One supplementary residential building shall be allowed per site.	Does not comply As set out in the RDF, a maximum of one residential building per lot will be developed, however the site sizes will be less than 2,500m ² .
22.1 Network Utilities – District Wide Activity		
22.1.5.1 NU2	The construction, operation, maintenance, replacement, refurbishment or upgrading of the following... (i) in-ground network utilities including household connections. Subject to compliance with HDP standards for noise, transport and parking, landscaping and screening, lighting and hazardous substances,	Complies Permitted activity for upgrading in-ground network utilities including household connections. Refer Infrastructure report, the HDP standards will be complied with during works..
25.1 Noise		
25.1.5 NS1	Any activity that meets the Performance Standards for the relevant Zone and the General and/or Specific Performance Standards and Terms in Sections 25.1.6 and 25.1.7.	Complies Refer to acoustic report.
25.1.5 NS2	Any Permitted Activity that does not meet the General and/or Specific Performance Standards and Terms in Sections 25.1.6 and 25.1.7.	Not applicable Permitted standards have been met.
26.1 Transport		
26.1.5 TP1	The Parking, Loading, and Access associated with an activity that meets the General Standards and Terms in Section 26.1.6 and the Specific Standards and Terms in Section 26.1.7.	Complies Refer to traffic report.
26.1.5 TP2	The Parking, Loading and Access associated with an activity that does not meet one or more of the General or Specific Performance Standards and Terms in Section 26.1.6 and 26.1.7.	Not applicable Permitted standards have been met
27.1 – Earthworks, Mineral, Aggregate and Hydrocarbon Extraction		
27.1.5 – EM1	Earthworks are permitted subject to compliance with the standards below.	Complies

27.1.5 – EM3	The removal offsite of less than 25m ³ of topsoil, sand, gravel, metal and earth in the Plains Production Zone is a permitted activity.	Rule 27.1.5(a) states that earthworks listed in the Rule Table 27.1.5 assessed with any subdivision consent will be considered a permitted activity that does not have to comply with the performance standard and terms in section 27.1.6. As this is part of a subdivision consent these standards are not applicable.
27.1.5 – EM6	Permitted Activities not meeting the General Performance Standards and Terms in Section 27.1.6 are Restricted Discretionary activities.	
27.1.5 – EM11	The removal offsite of more than 25m ³ topsoil, sand, gravel, metal or earth from any site in the Plains Production Zone is a Discretionary Activity.	
27.1.6A	Standards for the extent of earthworks 1. For the purpose of assessing the total volume of earthworks allowed as a Permitted Activity for sites in these sub zones, the volume shall be calculated by multiplying the volume threshold (listed in 27.1.6A) by the total area of the subject site in hectares, over any 12 month period. 2. For the importation of fill or removal of cut to or from an offsite location, the volumes of earthworks specified in the Table in 27.1.6A shall be reduced by 50% in determining the volume permitted in any 12 month period. 3. Maximum of 100m³ is permitted per hectare of site for any 12 month period.	Not applicable Based on Rule 27.1.5 (a) and given that the earthworks are part of a subdivision consent.
27.1.6B	Standards for vegetation removal during earthworks Where vegetation clearance occurs (except where it is associated with the operation, maintenance or upgrading of lawfully established roads, tracks and drainage channels), disturbed areas shall be repastured or revegetated as soon as practicable within 18 months of the activity ceasing.	Not applicable Based on Rule 27.1.5 (a) and given that the earthworks are part of a subdivision consent.
27.1.6C	Standards for slopes and earthworks Rural SMA: Earthworks shall not be undertaken on land with a slope of greater than 45° above horizontal. All other SMA: Earthworks shall not be undertaken on land with a slope of greater than 22° above horizontal.	Not applicable Based on Rule 27.1.5 (a) and given that the earthworks are part of a subdivision consent.

27.1.6D	Standards for excavation and earthworks No earthworks shall have a cut/fill face (see Appendix 68) of overall vertical extent greater than 5 metres.	Not applicable Based on Rule 27.1.5 (a) and given that the earthworks are part of a subdivision consent.
27.1.6E	Standards for noise and earthworks Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.	Not applicable Based on Rule 27.1.5 (a) and given that the earthworks are part of a subdivision consent.
27.1.6F	Flood protection works and earthworks No significant change is to occur to existing flood overflow paths.	Not applicable Based on Rule 27.1.5 (a) and given that the earthworks are part of a subdivision consent.
27.1.6G	Location of fill and earthworks Any fill over 100 cubic metres or more than 0.5m in depth shall only be permitted if a site plan is provided to Hastings District Council showing the location and extent of the fill.	Not applicable Based on Rule 27.1.5 (a) and given that the earthworks are part of a subdivision consent.
27.1.6H	Sediment control and earthworks Sediment run-off into a Council reticulated network shall not cause any conspicuous change in colour or visual clarity of water after reasonable mixing.	Not applicable Based on Rule 27.1.5 (a) and given that the earthworks are part of a subdivision consent.
30.1 Subdivision and Land Development		
30.1.5 – SLD1	Subdivisions which comply with the relevant zone Subdivision Site Standards and Terms in section 30.1.6 and all relevant General Site Performance Standards and Terms specified in section 30.1.7 (except for those subdivisions specifically listed under Rule SLD8, through to and including Rule SD24 a below) are a controlled activity.	Does not comply The subdivision does not comply with the Subdivision Site Standards.
30.1.5 – SLD18	Subdivisions within the Rural Zone, but outside the Coastal Environment (as shown indicatively in Appendix 67), subject to Table 30.1.6A(8) and Table 30.1.6B (Rural - Lifestyle Sites), which comply with all relevant subdivision site	Does not comply The subdivision does not comply with the Subdivision Site Standards.

	standards and terms in 30.1.6 and all General Site Performance Standards and Terms in section 30.1.7 is a Restricted discretionary activity.	
30.1.5 – SLD25	Non-Complying Subdivision - Any subdivision (unless specifically provided for under Rules SLD1 through to and including SLD24a above) which is unable to comply with one or more of the relevant Subdivision Site Standards and Terms in section 30.1.6, including any unzoned land.	Does not comply The subdivision does not comply with the Subdivision Site Standards and is therefore a non-complying activity .
30.1.6A 10A	Minimum net site area in the Plains Production Zone is 12 hectares	Does not comply Sites are an average of size of 450m ²
30.1.7A	Building platforms Each lot which is capable of containing a residential dwelling, shall identify at least one stable building platform of 30 metres by 30 metres which is capable of (but is not limited to) containing a dwelling, a vehicle manoeuvring area and any accessory buildings, in compliance with the Performance Standards and Performance Criteria for the Zone where it is located (Including dwelling setbacks as applicable to that Zone). No part of a building platform shall be located within the National Grid Corridor. Where National Grid Corridor traverses the site, the proposed vehicular accessway to the building platform shall also be identified on the subdivision plan.	Does not comply The proposed lots cannot accommodate a building platform of 30m x 30m. All lots have been designed to contain residential development. Lot testing has been included in the Urban Design report.
30.1.7B	Water Supply Sites for any activity that will require water shall be connected to public reticulated water supply, where such a supply is available.	Complies Each lot is provided with a connection to the public reticulated water supply.
30.1.7C	Wastewater Disposal Sites for any activity that will create wastewater shall be connected to a public reticulated wastewater disposal system, where one is available.	Complies Each lot is provided with a connection to the public reticulated wastewater disposal system.
30.1.7D	Stormwater Disposal Sites for any activity that will create stormwater shall be connected to a public stormwater disposal system, where one is available, except where an additional level of service is required that exceeds the level of service available	Complies Each lot is provided with a connection to the public reticulated stormwater disposal system.

	from public reticulated stormwater systems, this shall be provided by the subdivider. Where the new site will not be connected to a public reticulated stormwater disposal system, the subdivider shall demonstrate how an alternative and satisfactory method of disposal for each site can be provided.	
30.1.7E	Property Access Activities shall comply with the provisions of Section 26.1 Transport and Parking	Complies Each lot is able to obtain access via a public road or JOAL.
30.1.7G	Electricity In all Residential, Industrial, and Commercial Zones, sites for any activity that will require electricity shall be connected to the electricity network.	Complies Each lot is provided with a connection to the public electricity network.
30.1.7H	Esplanade reserves and strips N/A as the site does not adjoin rivers, lakes or the sea.	Not applicable The site does not adjoin rivers, lakes or the sea.

2. HAWKES BAY REGIONAL RESOURCE MANAGEMENT PLAN RULE ASSESSMENT

Summary of Regional Plan Consent Requirements

Rule/Standard	Detail
RRMP – Rule 54	A discretionary resource consent is required under Rule 55 for a surface water take that does not comply with the requirements of Rule 54.
RRMP – Rule 71	A discretionary resource consent is required under Rule 71 for a structure and land disturbance within 6m of the bed of a stream with a land drainage or flood control scheme area.
TANK 8 – Removal of Vegetation	A restricted discretionary consent is required under TANK 8 for the removal of native vegetation within 10m of a stream not meeting the requirements of TANK 7.
TANK 15 - Take and use from a dam or water impoundment	A restricted discretionary consent is required under TANK 15 for the use of surface water (from the stormwater pond) during the construction period and not meeting the requirements of TANK 6.
TANK 21-22 - Small scale stormwater diversion and discharge	A restricted discretionary resource consent is required under TANK 22 for the diversion and discharge of stormwater into water or onto land which does not meet the permitted activity standards (the site is greater than 1000 square metres) of TANK 21.
TANK 23 – stormwater diversion and discharge from local authority network.	A controlled resource consent is required under TANK 23 for the diversion and discharge of stormwater from an existing or new local authority managed stormwater network into water, or onto land where it may enter water. An application must include an integrated CMP in accordance with Schedule 33 of the RRMP which includes an assessment of the activity against the target attribute states of Schedule 26 of the RRMP.

Regional Plan Rules Assessment

All rules in the Tūtaekurī, Ahuriri, Ngaruroro, Karamū (TANK) Plan Change 9 currently have legal effect, although several appeals remain unresolved. Until the Plan Change becomes fully operative, both the TANK rules and the operative Regional Resource Management Plan (RRMP) provisions apply, with the more stringent rule taking precedence. For completeness, the table below highlights the rules amended by the TANK Plan Change in **red text**, and the following section provides a full assessment of the Arataki Project against all applicable TANK provisions.

Rule/Standard	Detail	Comment
6.3 – Land Use Activities		
6.3.1 – Bore drilling and leaking bores	Rules 1-2 relates to the drilling, construction and alteration of bores. Rule 3 relates to the existence of bores that is no longer wanted or leaking water, oil or gas. Rule 4 provides for the decommissioning or sealing of bores as a permitted activity subject to the following standards: - Decommissioned bores shall be backfilled and sealed at the surface to prevent contamination of groundwater. - Decommissioned holes and bores intersecting groundwater shall be sealed to prevent the vertical movement of groundwater, and to permanently confine the groundwater to the specific zone (or zones) in which it originally occurred. - Backfill materials, where used between permanent seals, shall consist of clean sand, coarse stone, clay or drill cuttings. The material shall be non toxic. - Decommissioning shall be undertaken by a suitably qualified person. - The Council shall be advised of any bores that are decommissioned. TANK PC9 amends the conditions of Rule 4 to add the following: - Where the bore is in a Source Protection Zone, information to confirm compliance with conditions (a) to (d) shall be provided to Council.	Not applicable Rules 1 – 2 - n/a - no new bores or alterations are proposed. Rule 3 – the bores are not known to be leaking water, oil or gas. Complies Rule 4 - Decommissioning of the bores can be undertaken as a permitted activity subject to compliance with the listed standards.

6.3.2 – Feedlots and feedpads	Rules 5-6 – relate to the use of land for the purposes of operating a feedlot or feedpad.	Not applicable This activity is not proposed.
6.3.3 – Vegetation clearance and soil disturbance	Rule 7 a. All cleared vegetation, disturbed soil or debris shall be deposited or contained to reasonably prevent the transportation or deposition of disturbed matter into any water body. b. Vegetation clearance or soil disturbance shall not give rise to any significant change in the colour or clarity of any adjacent water body, after reasonable mixing. c. No vegetation clearance shall occur within 5 metres of any permanently flowing river, or any other river with a bed width in excess of 2 metres, or any other lake or wetland, except that this condition shall not apply to: i. the areas identified in Schedule X to this Plan. d. Deposition of soil or soil particles across a property boundary shall not be objectionable or offensive, cause property damage or exceed 10 kg/m². e. Where the clearance of vegetation or the disturbance of soil increases the risk of soil loss the land shall be: i. re-vegetated as soon as practicable after completion of the activity, but in any event no later than 18 months with species providing equivalent or better land stabilisation; or ii. retained in a manner which inhibits soil loss. TANK PC9 amends the conditions of Rule 7 to add the following:	Complies Requirements are met as follows: • Matters under a. and b. are included as proposed conditions of consent. • The site is excluded from c. as it is identified in Schedule X to the plan. • Matters under d. will be met as there is no deposition of soil that is offensive, will cause property damage or exceed 10 kg/m² • Matters under e will be met as where vegetation is cleared, it will be revegetated as soon as practicable after completion of works. Conditions of consent have been included that address this. Does not comply Requirements introduced under the TANK plan change are not met as: • Matters under f relating to native vegetation being removed within 10m of a stream will not be met as it is proposed to remove a flax bush within 10m of the stream. Consent is required under Rule 8 as a restricted discretionary activity. Not applicable Requirements introduced under the TANK plan change will be met as follows: • Matters under g – i are not relevant as no cultivation is proposed.

	f. In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, there is no clearance of indigenous vegetation within 10m of any rivers except: i. where the clearance is part of improvements to riparian management for water quality/biodiversity purposes as specified in the relevant Freshwater Farm Plan or Catchment Collective Plan ii. where the clearance is necessary for construction of crossings or installation of a reticulated or network service. g. In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments there is no cultivation of land over 20 degrees of slope except where it is less than 10% of the paddock area. h. In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, there is no cultivation of land that results in exposure of bare soil within: i. 5 m of any river, modified watercourse or drain or lake or wetland where the land is flat to gently rolling (0-7 degrees of slope) ii. 10 m of any river, modified watercourse or drain or lake or wetland where the land is moderately rolling (>7 – 20 degrees of slope) iii. 15 m of any river, modified watercourse or drain or lake or wetland where the land is over 20 degrees of slope. i. Except conditions h(i) – (ii) do not apply: i. where cultivation is part of improvements to riparian management for water quality/biodiversity purposes as specified in the relevant Freshwater Farm Plan or Catchment Collective Plan ii. where the cultivation is in relation to activities permitted by Rule 70.	
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	Rule 8 – Vegetation clearance or soil disturbance which do not meet the conditions in Rule 7 are a restricted discretionary activity.	
6.4 – Discharges to Air/Land/Water		
6.4.1 – Agrichemicals – discharges to air/land/water	Rules 9-10 relate to the discharges of contaminants into air or onto land arising from agrichemicals.	Not applicable No air discharges are proposed.
6.4.2 – Agricultural activities and other activities on production land – dischargers to air/land/water	Rules 11-16 relate to the use of fertilisers, stock feeds, compost and biosolids, discharge of animal effluent, farm tips and offal holes all in association with farm uses.	Not applicable None of the listed agricultural activities are proposed.
6.5 – Discharges to Air		
6.5.1 – Combustion of fuel – discharges to air	Rules 17-18 – relate to the discharge of contaminants into air from industrial or trade premises or from small scale solid fuel burners.	Not applicable This activity is not proposed.
6.5.2 – Burning of waste – discharges to air	Rules 19-20 – relate to the burning of waste or vegetative matter, paper, cardboard and untreated wood or other outdoor burning, discharge from frost protection heaters.	Not applicable This activity is not proposed
6.5.3 – Management of waste and other matter	Rule 21 – relates to discharge of contaminants into air from waste and other matter.	Not applicable This activity is not proposed.

6.5.4 – Abrasive blasting – discharges to air	Rules 22-24 – relate to wet and dry abrasive blasting.	Not applicable This activity is not proposed.
6.5.5 – Moveable sources – discharges to air	Rules 25-27 – relate to moveable aggregate crushing and screening plant, moveable asphalt plant and moveable road burners.	Not applicable This activity is not proposed.
6.5.6 Industrial and trade premises – discharges to air	Rules 28-29 – relate to the discharges into air from industrial or trade premises not already provided for.	Not applicable This activity is not proposed.
6.5.7 – Non-compliance with other rules – discharges to air	Rule 30 – provides for a restricted discretionary activity status for non-compliance with rules 11-19e, 20a-29.	Not applicable This activity is not proposed.
6.6 – Discharges to Land/Water		
6.6.1 – Water – discharges to water	Rule 31 – The discharge of water (excluding drainage water) into water is permitted if it can meet the following standards: a. The discharge shall not cause or contribute to the flooding of any property, unless written approval is obtained from the affected property owner. b. The discharge shall not cause any scouring or erosion of any land or any watercourse beyond the point of discharge. c. The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°C from normal seasonal water temperature fluctuations, after reasonable mixing. d. The discharge is not a discharge of groundwater into surface water in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū water quality management units.	Complies The discharge of stormwater complies with the requirements of a – d.

	TANK PC9 Amends the standards of Rule 31 to include (d) above.	
6.6.2 – Drainage water – discharges to land/water	Rule 32-33 – relate to the discharge of drainage water via a gravity flow or pumped system TANK PC9 Amends the standards of Rule 32 and 33.	Not applicable Discharge of drainage water via a gravity flow or pumped system is not proposed.
6.6.3 – Bore drilling fluids – discharges to land/water	Rule 34 – relates to the discharge of bore drilling fluids.	Not applicable The discharge of bore drilling fluids is not proposed.
6.6.4 – Domestic sewage – discharges to land	Rules 35-36– relate to existing sewage systems discharging to land. Rule 37 relates to new sewage systems discharging to ground and provides for it as a permitted activity subject to meeting the listed standards. TANK PC9 Amends the standards of Rule 37 Rule 38 – relates to the discharge of septage onto or into land.	Not applicable Domestic sewage discharge is not proposed. No new sewage systems are proposed. No discharge of septage is proposed.
6.6.5 – Landfills, transfer stations, waste oil – discharges to land/water	Rules 39-41 – relate to discharges of contaminants onto or into land or water arising from operational or closed landfills or transfer stations or discharges of waste oil.	Not applicable This activity is not proposed.
6.6.6 - Stormwater – discharges to land/water	Rule 42 provides for the diversion and discharge of stormwater from any constructed open drainage system or piped stormwater drainage system (excluding for industrial or trade premises) as a permitted activity if it can meet the following standards: a. The activity shall not cause any permanent: i. reduction of the ability of the receiving channel to convey flood flows. ii. bed scouring or bank erosion of the receiving channel.	Complies Stormwater diversion and discharge are permitted subject to compliance with the listed standards. Note – PC9 (TANK) proposes to exempt the subject site (within the Karamū River catchment from rules 42-62). Refer to the detailed assessment against TANK rules in the table below.

	b. The discharge shall not cause the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials in any receiving water body after reasonable mixing. 43 – Diversion and discharge of stormwater except as provided by Rule 42 is a Controlled activity subject to compliance with the following conditions: i. The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials. ii. Any conspicuous change in the colour or visual clarity. iii. Any emission of objectionable odour. iv. The rendering of fresh water unsuitable for consumption by farm animals. v. Any significant adverse effects on aquatic life. Note – there are no rules 44-46.	Not applicable The stormwater discharge is provided for by Rule 42.
6.6.7 – Generic discharges of contaminants – discharges to land/water	Rules 47-49 – relate to discharges of contaminants to surface water or land. Rules 50-51 – relate to the disturbance of bed of river or lake by livestock.	Complies Refer to contamination assessment prepared by SQN.
6.6.8 – non-compliance with other rules- discharges to land/water	Rule 52 – provides for discharges that do not comply with rules 9-14, 16, 31-51 as a discretionary activity.	Not applicable The PA standards of Rule 42 can be met.
6.7 – Water Takes, Uses and Diversions		

6.7.1 – Take and use of water	Rule 53 relates to groundwater takes. Rule 54 relates to minor takes and uses of surface water and provides for this activity as permitted except in the following catchments: - Maraekakaho Stream to confluence with Ngaruroro River. - Ahuriri Estuary catchment including Taipo Stream catchment. - Awanui Stream (including Poukawa Stream and Lake Poukawa catchments) to confluence with Karamu Stream. - Louisa Stream to confluence with Karamu Stream. - Papanui Stream. - Lake Tutira and catchment. - Herehere Stream. - Mangaroa Stream. - School Stream. - Karituwhenua Stream. - Te Waikaha Stream. - The whole of the Tukituki River catchment, except for existing takes occurring prior to 4 May 2013 which shall continue to be permitted. Subject to the compliance with the following conditions: a. For takes occurring for a period of less than 4 weeks within any 90 day period, the total volume taken by any person shall not exceed 200 m³ per 7 day period. b. The rate of take shall not exceed 10% of the instantaneous flow at the point of take. d. The intake velocity shall not exceed 0.3 m/s. c. The activity shall not adversely affect any wetland. d. The take shall not adversely affect any lawfully established efficient groundwater take, or any lawfully established surface water take, which existed prior to commencement of the take unless written approval is obtained from the affected person.	Not applicable Rule 53 is not applicable as no groundwater take is proposed. Does not comply The proposal does not comply with Rule 54 as it is proposed to take surface water from the sediment pond for spraying during construction. Compliance with a,b,d is not achieved with Rule 54. Approval is required as a discretionary activity under Rule 55 as the water take does not comply with the requirements of Rule 54.
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	55 – relates to the taking and using of groundwater or surface water which is not covered by rules 53 and 54.	
6.7.2 – Diversion of water	Rules 56-59 – relates to the diversion of water.	Not applicable Diversion of stormwater is provided for as a permitted activity under rule 42.
6.7.3 – Transfer of water permits	Rules 60-62 – Relate to the transfer of water permits.	Not applicable No transfer of water permits proposed.
6.8 – Use of Rivers and Lake Beds		
6.8.1 – Use, repair and maintenance of structures	Rules 63-65 – relate to the use repair and maintenance of structures on, under, over the bed of a river, lake or watercourse.	Not applicable This activity is not proposed.
6.8.2 – Removal and demolition of structures	Rule 66 – relates to the removal of structures on, under or over the bed of a river, lake or watercourse.	Not applicable This activity is not proposed.
6.8.3 – Erection and placement of dams and other barrier structures and damming of water	Rule 67 – relates to the erection or placement of any dam, weir or other barrier structure in, on, under or over the bed of a river, lake and artificial watercourse. Rule 68 – relates to existing damming of water. Rule 69 – relates to activities which can not comply with section 6.8 of the plan and are provided for as a discretionary activity.	Not applicable The proposed structure outlet structure is not a dam, weir or other barrier structure. Not applicable No damming proposed. Not applicable No river and lake bed activities proposed.

6.8.4 – River control and drainage works and structures	Rule 70 - relates to river and drainage works that are undertaken by a local authority. Rule 71 – relates to works undertaken within a land drainage or flood control scheme and includes the erection of structures and any land disturbance within 6m of the bed.	Does not comply Approval is required as a discretionary activity rule 71 as works and a structure within 6m of the bed are proposed.
6.8.5 – Erection and placement of other structures	Rule 72 – The erection or placement of any structure in, on, under, or over the bed of a river or lake, that is not expressly regulated by other rules within this Plan, and - any associated disturbance of the river or lake bed, and - any associated discharge of sediment, and - any associated damming or diversion of water Requires the following conditions/standards to be met: a. The scale of the structure shall comply with the following: i. Access structures in or on the bed of a river or lake, including bridges, culverts, and fords, shall be located in a catchment that is no greater than 150 ha. ii. Other structures in or on the bed of a river or lake shall occupy an area of bed no greater than 10 m². b. The structure shall not change the natural course of any river or lake. c. Any release of sediment shall not cause any conspicuous change in the colour or visual clarity of water after reasonable mixing. d. There shall be no discharge of contaminants, other than sediment, into the river or lake. e. All materials used shall not be toxic to aquatic ecosystems. f. The activity shall be undertaken in a manner that continues to provide for the existing passage of fish past the structure. g. The structure shall not cause any increase in the risk of flooding or damage to any property during flood events, including the risk resulting from trapped debris.	Not applicable The structure is provided for as a discretionary activity under rule 71.

	h. Any diversion of water for the purposes of carrying out the activity shall be for a period of no more than five consecutive days. i. The activity or structure shall not cause any erosion, scour or deposition beyond the area of the activity or structure or adversely affect any other lawfully established structure. j. All excess materials shall be removed from the bed by completion of the activity. k. In areas of fish spawning there shall be no disturbance of any part of the bed covered by water from 1 May to 30 September (fish spawning season) except in relation to the erection of whitebait stands, maimai, and necessary access structures to these, or where emergency works are required. l. Any whitebait structure shall be removed within 14 days of the end of any whitebait season.	
6.8.6 – River bed gravel extraction	Rules 73-74	Not applicable Small scale river bed gravel extraction is not proposed.
6.8.7 – Other disturbances of river and lake beds	Rule 75	Not applicable No disturbance of river and lake beds is proposed.
6.8.8 – Introduction and planting of plants	Rule 76	Not applicable Planting of plants is not proposed as part of this application.
6.9- Tukituki River Catchment Specific Rules		
Rule TT1-TT5	Relates to production land use and water takes within the Tukituku river catchment.	Not applicable This activity is not proposed.

TANK Plan Change 9 Rules Assessment

Rule/Standard	Detail	Comment
6.10 - Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment Rules (TANK)		
TANK – 1-5 Use of Farm Land		Not applicable The site is not for the use of production land.
TANK 6 – Surface water take	The take and use of surface water in the TANK Water Quantity Areas including under Section14(3)(b) of the RMA and from a dam or water impoundment. Permitted if the following conditions can be met: a. Any take first commencing after 2 May 2020 is not from any of the following: i. Maraekakaho Water Quantity Area ii. Ahuriri Water Quantity Area iii. Awanui Stream Water Quantity Area iv. Poukawa Water Quantity Area v. Louisa Stream Water Quantity Area vi. Paritua-Karewarewa Water Quantity Area b. The take shall not exceed 5 cubic metres per day per property except: i. Lawful takes existing as at 2 May 2020 may continue to take up to 20cubic metres per property per day ii. New takes to meet reasonable domestic needs may take up to 15 cubic metres over any 7 day period per dwelling house on the property iii. Lawful takes for stock drinking water on the property existing as at 2 May 2020 iv. Takes occurring for a period of less than 28 days within any 90 day period, the total volume taken on any property shall not exceed 200 cubic metres per 7 day period.	Does not comply It is proposed to take surface water from the sediment pond for spraying during construction.

	c. The taking of water shall not cause any stream or river flow to cease d. Fish, including eels, shall be prevented from entering the reticulation system e. The activity shall not cause changes to the flows or levels of water in any connected wetland f. The take shall not prevent from taking water any other lawfully established efficient groundwater take, or any lawfully established surface water take, which existed prior to commencement of the take g. The rate of take shall not exceed 10% of the instantaneous flow at the point of take.	
TANK 7-8 – Groundwater take	The take and use of groundwater in the TANK Water Quantity Areas including under Section 14(3)(b) of the RMA	Not applicable The take and use of groundwater is not proposed.
TANK 9 - Surface and groundwater takes (abstraction at low flows)	Relates to the replacement of an existing resource consent to take and use water.	Not applicable There is not existing resource consent to take and use water on the site.
TANK 10 - Groundwater and Surface water take (low flow)	The take and use of surface (low flow allocations) or groundwater	Not applicable The take and use of surface or groundwater is not proposed.

TANK 11 – Groundwater take	The take and use of groundwater which does not comply with the conditions of TANK 10.	Not applicable The take and use of groundwater is not proposed.
TANK 12 – Groundwater and surface water take	The take and use of surface or groundwater which does not comply with the conditions of TANK 10 or 11.	Not applicable The take and use of groundwater is not proposed.
TANK 13 – Taking water high flows	The taking and use of surface water at times of high flow (including for storage in an impoundment)	Not applicable The taking and use of surface water is not proposed.
TANK 14-18 – Damming water and take and use from storage		Not applicable Damming water and take and use from storage is not proposed
TANK 19-20 Stream Flow Maintenance and Habitat Enhancement Scheme	Transfer and/or discharge of groundwater into surface water in the Heretaunga Plains Water Quantity Area	Not applicable This activity is not proposed.
TANK 21-22 - Small scale stormwater diversion and discharge	TANK 21 - The diversion and discharge of stormwater into water, or onto land where it may enter water is permitted subject to the following conditions: a. The diversion and discharge shall not: i. cause any permanent bed scouring or bank erosion of land or any water course at or beyond that point of discharge ii. cause or contribute to flooding of any property iii. cause any permanent reduction in the ability of the receiving environment to convey flood flows	Does not comply The permitted activity standards of this rule can not be met as the discharge is from a property that contains more than 1000 square metres of impervious surface. Approval as a restricted discretionary activity under TANK 22 is required. The matters of discretion are: 1. Location of the point of diversion and discharge including its catchment area

	iv. contain hazardous substances or, be from a site used for the storage, use or transfer of hazardous substances v. contain drainage from a stockyard vi. cause to occur or contribute to any of the following after reasonable mixing: i. production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials ii. any emission of objectionable odour iii. any conspicuous change in colour or the visual clarity of the receiving water body (including the runoff from bulk earthworks) iv. any freshwater becoming unsuitable for consumption by farm animals vii. cause to occur or contribute to the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water viii. cause to occur or contribute to the discharge of microbiological contaminants including sewage, blackwater, greywater or animal effluent. b. The discharge is from a property that contains less than 1000m² of impervious area c. Any structure associated with the point of discharge or diversion is maintained in a condition such that it is clear of debris, does not obstruct fish passage and is structurally sound. d. The person who discharges or diverts, or who causes the discharge or diversion to occur, shall provide such information upon request by the Council to show how Condition (a) will be met or has been met. Tank 22 – Restricted discretionary activity for activities that do not comply with the conditions of Rule TANK 21.	2. Volume, rate, timing and duration of the discharge, in relation to a specified design rainfall event 3. Effects of the activity on downstream flooding. 4. Contingency measures in the event of pipe capacity exceedance 5. Actual or likely adverse effects on fisheries, wildlife, habitat or amenity values of any surface water body 6. Actual or likely adverse effects on the potability of any ground water 7. The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including notification requirements to the Registered Drinking Water supplier irrespective of any treatment process for the Registered Drinking Water Supply 8. The timing of future planned reticulated networks. 9. The actual or potential effects of the activity on the target attribute states set out in Schedule 26 or where relevant for other attributes, with reference to levels of species protection in receiving water in the ANZECC Guidelines (2018). 10. Compliance with any relevant industry codes of practice or guidelines 11. When required, the efficacy of a Stormwater Management Plan (Schedule 33) including measures adopted to minimise the risk of contaminants of concern entering stormwater to assist in meeting Schedule 26 target attribute states including: i. Installation of stormwater management devices including as detailed in table 3.1 of the Hawke's Bay Regional Council Industrial Stormwater Waterway Design Guidelines (2009). ii. Alignment with relevant industry guidelines and best practice standards 12. Duration of the consent 13. A compliance monitoring programme 14. Bonds or Administrative charges.
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TANK 23 - Stormwater Diversion and discharge from local authority networks	Diversion and discharge of stormwater from an existing or new local authority managed stormwater network into water, or onto land where it may enter water is a controlled activity with the following standards: The diversion and discharge shall not: i) cause any permanent bed scouring or bank erosion of land or any water course at or beyond that point of discharge ii) cause or contribute to flooding of any property, except where stormwater may be directed to a secondary flow path iii) cause any permanent reduction in the ability of the receiving environment to convey flood flows iv) Contain drainage from a stockyard v) Contain any direct connection from a sewage, blackwater or greywater system to the stormwater network vi) Cause to occur or contribute to any of the following after reasonable mixing: i. production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials ii. any emission of objectionable odour iii. any conspicuous change in colour or the visual clarity of the receiving water body (including the runoff from bulk earthworks) iv. any freshwater becoming unsuitable for consumption by farm animals v. the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water vi. exceedance of water quality targets for microbiological contamination b) An application for resource consent must include an Integrated Catchment Management Plan in accordance with Schedule 33.	Controlled Activity subject to the following matters of control: 1. The efficacy of the Integrated Catchment Management Plan including, but not limited to: i. Its contribution to achieving water quality objectives ii. its implementation programme and milestones iii. The comprehensiveness and reliability of the monitoring regime iv. The use of low impact stormwater design methods 2. The actual or potential effects of the activity on the target attribute states set out in Schedule 26 or where relevant for other attributes, with reference to levels of species protection in receiving water in the ANZECC Guidelines (2018) 3. The characteristics of the proposed discharge and its effects on the receiving environment 4. The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including notification requirements to the Registered Drinking Water supplier irrespective of any treatment process for the Registered Drinking Water Supply 5. Duration of the consent 6. Review of consent conditions 7. Compliance monitoring 8. Administrative charges.
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TANK 24 - Stormwater discharge from industrial or trade premises		Not applicable This activity is not proposed.
TANK 25 – Stormwater activities	The diversion and discharge of stormwater into water, or onto land where it may enter water which does not comply with the conditions of Rules TANK 21-24 is a Discretionary Activity.	Does not comply As noted above, the proposed stormwater discharge does not comply with the requirements of TANK 22 and approval is required as a restricted discretionary activity.

ATTACHMENT E – OBJECTIVES AND POLICIES

ASSESSMENT

The following contains an assessment of the Arataki fast track proposal against the relevant objectives and policies of the Hastings District Plan (**HDP**) and the Hawkes Bay Regional Resource Management Plan (**RRMP**). Specifically, it addresses the objectives and policies from the following sections of each plan:

Hastings District Plan:

- Section 2.4 – Urban Strategy
- Section 2.5 – Transport Strategy
- Section 2.8 – Rural Resource Strategy
- Section 3.1 - Tangata Whenua and Mana Whenua
- Section 6.2 – Plains Production Zone
- Section 15.1 – Natural Hazards
- Section 25.1 – Noise
- Section 26.1 – Transport & Parking
- Section 30.1 – Subdivision & Land Development
- Section 27.1 – Earthworks

Hawkes Bay Regional Resource Management Plan:

- 5.1 – Environmental Objectives and Policies
- 5.2 – Land
- 5.4 – Surface Water Quality
- 5.5 – Surface Water Quantity
- 5.8 – Beds of Rivers and Lakes
- TANK – General Objectives
- TANK – Water Quality
- TANK – Stormwater Management

1. HASTINGS DISTRICT PLAN OBJECTIVES AND POLICIES

Objective/Policy	Detail	Comment
2.4 – Urban Strategy		
UDO1, UDP1	Seeks to reduce the impact of urban development on the resources of the Heretaunga Plains in accordance with the recommendations of the adopted Heretaunga Plains Urban Development Strategy (HPUDS).	The Proposal is responding directly to the land identified within the HPUDS for residential expansion and thereby contributes to achieving the containment of urban activities as anticipated within the Strategy.
UDO2, UDP3, UDP4	To ensure that new urban development is planned for and undertaken in a manner that is consistent with the matters outlined in the Hawke's Bay Regional Policy Statement including the retention of versatile land and land sequencing.	As set out in Section 11.3 of the AEE, the Proposal is consistent with the directives of the RPS, including versatile land and land sequencing matters.
UDO3, UDP6	Establish an effective and sustainable supply of residential and business land to meet the current and future demands of the Hastings District Community, giving effect to the HPUDS and ensuring that there are a range of residential opportunities.	The proposal gives effect to the outcomes of the HPUDS and therefore contributes to providing additional housing supply to meet the demands of future communities. The subdivision provides for a range of lot sizes including smaller lots which will contribute to diversifying the housing stock and provide a wider variety of housing opportunities.
UDO4, UDP9, UDP1-	Retain and protect versatile land resources from ad hoc urban development.	The Proposal is not considered ad hoc, as it is specifically identified as a residential growth area within the HPUDS. In addition, significant constraints for viable rural use have been identified by Fruition within the report that is submitted as part of this application.
2.5 Transport Strategy and 26.1 Transport and Parking		
SO1, TPO1, TSP1, TPP1, TSP2, TPP3, TPP4, TPP5	Aims to ensure that the transport network is safe, efficient, and integrated with land use:	As is concluded in the ITA in support of this Application, the Proposal will not have adverse effects on the efficient operation of the roading network. The ITA further supports the proposed configuration of the site and supports its safe and efficient layout and functioning from an access and carparking perspective.
SO2	Protect the efficient operation of the roading network from the adverse effects of land uses, and any adverse	

	traffic impacts associated with land use activities on the District's roads	The Proposal is well integrated with the established surrounding road network. The proposal provides for walking and cycling opportunities, thereby contributing to options for more sustainable transportation modes.
2.8 Rural Resource Strategy and 6.2 Plains Production Zone		
RRSO1	To promote the maintenance of the life-supporting capacity of the Hastings District's rural resources at sustainable levels.	Whilst the Site is currently in rural land use with an underlying rural zoning, the land is specifically identified as a residential growth area within the HPUDS. In addition, significant constraints for viable rural use have been identified by Fruition within the report that is submitted as part of this application.
PPO1, PPP7	Ensure that the versatile land across the Plains Production Zone is not fragmented or compromised by building and development and prevent ad hoc urban development in to the PPZ.	
RRS03, PPO3, PPO4, PPP16	To enable the effective operation and maintenance of primary production activities and amenity levels within the rural areas of the Hastings District including: No more than minor effects by new land uses on existing lawfully established land uses. An acceptance that land based primary production activities can have adverse effects however there is a 'right to farm'	The proposal does not restrict the ongoing effective operational use of the existing rural land to the south of the site (Olive Grove) as is demonstrated in the Effects Assessment of the AEE. Specifically, the potential adverse effects identified (spray drift, noise, odour and general farm operations) can be managed through: • Landscape buffer • Close boarded 1.8m high fence • No complaints covenants.
3.1 Tangata Whenua and Mana Whenua		
TWO1, TWP1, TWP2, TWP3	The expectations and aspirations of Tangata Whenua with Mana Whenua are acknowledged when making decisions on subdivision, land use and development, and the management of natural and physical resources throughout the Hastings District. This includes ongoing consultation, accidental discovery protocols and	Mana Whenua values have been upheld as part of the Proposal through Mana Whenua consultation and an overall conclusion that the proposed development can be constructed and operated in a manner that is consistent with the environmental outcomes sought by the relevant iwi authorities and expressed within the relevant Management Plans.

	recognising management plans for achieving sustainable environmental outcomes.	
15.1 – Natural Hazards		
NHO1, NHO2, NHP2,	Minimisation of the effects of natural hazards on the community and the built environment and avoid further risks.	There are no significant flooding or geotechnical constraints that could increase the risk of a natural hazard to people, property, infrastructure or the environment. This is demonstrated in the geotechnical investigations and flood assessments undertaken in support of the Proposal.
25 - Noise		
NSO1, NSO2, NSP2, NSP5	To manage the emission and mitigate the adverse effects of noise so as to maintain or enhance the acoustic environment and to ensure the adverse effects of noise do not unreasonably affect people's health. Including: Managing the interface of different land uses Providing for acceptable levels of noisy construction works.	As is concluded in the report prepared by Dcibel, there will be no adverse noise effects associated with the Proposal. Construction noise effects can be managed through the establishment of a noise wall. Interface noise issues relating to the Oliver Orchard are not considered to be of significance. However, a noise barrier is proposed to mitigate any potential or perceived noise effects. In relation to construction works a draft construction noise and vibration management plan has been prepared in support of the application to manage potential noisy construction works.
27 - Earthworks		
EMO1, EMO5, EMP13, EMP14	To enable earthworks within the Hastings District while ensuring that the life-supporting capacity of soils and ecosystems are safeguarded and adverse effects on landscapes and human health and safety are avoided, remedied or mitigated. This include the water quality and life supporting capacity of the Heretaunga Plains Unconfined Aquifer	The earthworks required to enable the residential subdivision will be managed through a construction environmental management plan and associated erosion and sediment control plan that will require best practice mitigation measures for any potential adverse earthwork effects. There are no significant excavations proposed that could risk impacts on the aquifer (as is addressed in the AEE). Earthworks are not undertaken within an area that has identified heritage, cultural heritage or other natural features (including wetlands or streams) that could be adversely affected. The earthworks are proposed within an area that is relatively flat with minimal changes to the overall landform proposed, thereby avoiding potential effects on the general land form of the area.

2. HAWKE'S BAY REGIONAL RESOURCE MANAGEMENT PLAN OBJECTIVES AND POLICIES

Objective/Policy	Detail	Comment
5.1 – Environmental Objectives and Policies		
POL 66C	Discharge Permits - in catchments other than the Tukituki River catchment consider the extent to which the discharge would avoid contamination and the effect on the health of fresh water.	The Proposal includes stormwater discharge for the majority of the site (Catchment B) into an unnamed stream. The discharge will be treated through a treatment train approach and, as is described in the AEE, will not result in an adverse effect on the quality of the stream.
POL 66D	Water Permits – in catchments other than the Tukituki River catchment – consider the extent which the change would adversely effect the health of the fresh water and the extent to which it can be avoided.	The Proposal requires a water permit for a temporary water take during construction. The water take will be from impounded water on the site and therefore would have no effects on the health of the wider freshwater network overall.
5.2 - Land		
OBJ 38, POL 67	The sustainable management of the land resource so as to avoid compromising future use and water quality including through appropriate methods to manage: Land use Soil contamination Earthworks	The Proposal provides for an appropriate land use in the form of residential development within an area that has been identified for residential expansion. As described in the AEE, minor land contamination can be removed, and all potential adverse effects related to earthworks can be managed as part of the construction process through suitable erosion and sediment controls.
5.4 Surface Water Quality		
OBJ 40 POL71	The maintenance of the water quality of specific rivers in order that the existing species and natural character are sustained, while providing for resource availability for a variety of purposes, including groundwater recharge.	While this objective and Policy do not directly apply to the Karamu River, it is noted that the proposed discharge into the unnamed stream will undergo a treatment train approach. As described in the AEE, it will not result in an adverse effect on the stream's quality. This is considered to be consistent with the broad directives of this Objective and Policy overall. There are no streams or wetlands within proximity of the site that are considered to be affected by the Proposal.

5.5 Surface Water Quantity		
OBJ 41, POL 73	The maintenance of the water quantity of specific rivers while providing for resource availability for a variety of purposes, including groundwater recharge. Guidelines include the use of minimum flows to determine allocations.	The Proposal requires a water permit to take and use water from the impounded stormwater on the site during the construction period. The water take is temporary and does not affect the water quantity of the specific rivers to which this Objective and Policy apply.
5.8 Beds of Rivers and Lakes		
OBJE 45, POL79	The maintenance or enhancement of the natural and physical resources, and use and values, of the beds of rivers and lakes within the region as a whole through a range of methods.	The Proposal includes the construction of an outlet structure on the bank of an unnamed stream adjacent to Brookvale Road. The structure does not affect the bed of the stream and therefore will not result in adverse effects relating to the stream overall.

3. TANK PLAN CHANGE TO THE REGIONAL RESOURCE MANAGEMENT PLAN CHANGE OBJECTIVES AND POLICIES

Objective/Policy	Detail	Comment
General Objectives		
OBJ TANK 1	Land and freshwater in the TANK catchments are managed as interconnected natural systems to uphold Te Mana o te Wai, protect indigenous biodiversity, and safeguard ecological processes. This management approach also recognises tangata whenua relationships with water, supports their kaitiaki responsibilities, and ensures cultural practices can be maintained.	The Proposal includes stormwater discharge for Catchment B into an unnamed stream. The discharge will be treated through a treatment train approach, as described in the AEE, and will not result in an adverse effect on the stream's quality.
Water Quality		
OBJ TANK 4, 5, 10, POL TANK 2, 12	Freshwater quality in the TANK catchments is to be maintained where already meeting objectives, and improved in degraded areas to reach target attribute states by 2040 (including in the Karamū River), with higher existing states protected. Riparian margins are to be protected or enhanced to support ecosystem health, reduce contaminant loss and erosion, and improve habitat, biodiversity, and amenity.	An outfall structure is proposed on the bed of an unnamed stream adjacent to Brookvale Road. The structure will not affect the bed of the stream, and revegetation combined with rip rap is proposed to avoid erosion of the bank as part of the discharge. The proposed stormwater discharge will be treated and will not result in adverse effects on the health of the water quality.
Stormwater Management		
POL TANK 26	Council will manage stormwater discharges to reduce adverse effects on ecosystems and community well-being by requiring integrated catchment-based approaches, use of reticulated networks where available, and stormwater retention or detention where needed. Applications must also demonstrate good practice,	The Proposal utilises HDC's existing stormwater network where possible (Catchment A) and discharges treated stormwater into the unnamed stream at Brookvale Road for Catchment B. The stormwater approach has been developed in consultation with both HBRC and HDC and demonstrates best practice outcomes.

	including Low Impact Design and measures to meet the target attribute states in Schedule 26.	
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