

Our Ref: POL 6/1

9 May 2014

Hastings District Council
Private Bag 9002
Hastings 4156

Attn: Rowan Wallis

Via email to districtplanreview@hdc.govt.nz

Dear Rowan,

FURTHER SUBMISSION HASTINGS DISTRICT COUNCIL PLAN REVIEW

1. Thank you for the opportunity to provide further submissions on the Hastings District Plan Review. The Regional Council's further submissions and brief reasons for those are set out in Attachment 1.
2. We do wish to be heard in support of our further submission.
3. We would not consider presenting a joint case with other submitters.
4. Regional Council representatives are willing to have further discussions with Hastings District Council planning staff about matters raised in this submission as they prepare their s42A hearing reports over the coming months.
5. The Regional Council's address for service in relation to this further submission is:

Hawke's Bay Regional Council
159 Dalton Street
Private Bag 6006
NAPIER 4110
Attn: Esther-Amy Bate
P: 06 833-8026
E: esther-amy@hbrc.govt.nz

6. Thank you for the opportunity to make this further submission. If you have any queries on this submission, in the first instance please contact Esther-Amy Bate using the details above.

Yours sincerely



Helen Codlin
GROUP MANAGER STRATEGIC DEVELOPMENT

Attachment 1: Hawke's Bay Regional Council – Further Submissions

Zone change requests

1. Chapter 3.1B of the Regional Policy Statement (RPS) was inserted by 'Change 4' which became operative on 1 January 2014. Change 4 and its provisions was a specific action for the implementation of the Heretaunga Plains Urban Development Strategy (HPUDS).
2. Chapter 3.1B provides guidance and direction about urban growth, development and infrastructure particularly in relation to the Heretaunga Plains Sub-Region and contains provisions for sustainable urban growth and integrated use and development of infrastructure. Territorial authorities must give effect to the RPS through their respective district plans. TLAs must also have regard to the RPS when considering resource consent applications and the like.
3. The Regional Council opposes the Submissions identified in Table 1 for the following general reasons:
 - a. Accepting the rezoning request would not give effect to the RPS, particularly Objectives and Policies in Chapter 3.1B.
 - b. Accepting the rezoning request would be contrary to the agreed settlement pattern and development locations as adopted in the 2010 HPUDS.
 - c. The requested rezoning does not align with HBRC's reasons and requests made in its original submission.

Table 1.

HBRC Ref#	Submitter Number	Submitter Name	HDC Summary point	HBRC Position	Reason(s)	Relief Requested
1	286	Wezel, Carl and Caron.	1	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
2	170	McNamara, Steve and Julia.	2	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
3	43	Donovan, Jill & Geoff	1	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
4	252	Te Aute Holdings Ltd	1	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
5	243	Stevenson, Fredrick Gordon	1	Oppose	Requested rezoning does not give effect to RPS Chapter 3.1B POL UD3.	Reject submission

HBRC Ref#	Submitter Number	Submitter Name	HDC Summary point	HBRC Position	Reason(s)	Relief Requested
6	56	Evans Family Trust, C/-Cardno	4	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. Furthermore the proposed site is scheduled as an inappropriate residential Greenfield growth area in RPS POL UD4.4.	Reject submission
7	57	Evans Family Trust, C/-Cardno	5	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. Furthermore the proposed site is scheduled as an inappropriate residential Greenfield growth area in RPS POL UD4.4.	Reject submission
8	173	Mike Walmsley Limited	1	Oppose	Requested rezoning is not within an appropriate industrial Greenfield growth area as identified in RPS Chapter 3.1B POL UD4.5.	Reject submission
9	140	KOA Limited, Lisa Poynton	1	Oppose	Requested rezoning is not consistent with RPS Chapter 3.1B POL UD3.	Reject submission
10	16	Bourke, M.	1	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
11	142	Lansdale Development Ltd	2	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
12	132	K Stone & D Whiting	1	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
13	145	Lansdale Development Ltd	2	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
14	146	Lansdale Development Ltd	1	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
15	286	Wezel, Carl and Caron	2	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
16	20	Bunnings Limited	7	Oppose	Requested rezoning is not within an appropriate industrial Greenfield growth area as identified in RPS Chapter 3.1B POL UD4.5.	Reject submission
17	170	McNamara, Steve and Julia	1	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
18	43	Donovan, Jill & Geoff	2	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. POL UD4.3.	Reject submission
19	56	Evans Family Trust, C/-Cardno	1	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. Furthermore the proposed site is scheduled as an inappropriate residential Greenfield growth area in RPS POL UD4.4.	Reject submission

HBRC Ref#	Submitter Number	Submitter Name	HDC Summary point	HBRC Position	Reason(s)	Relief Requested
20	56	Evans Family Trust, C/-Cardno	3	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. Furthermore the proposed site is scheduled as an inappropriate residential Greenfield growth area in RPS POL UD4.4.	Reject submission
21	57	Evans Family Trust, C/-Cardno	1	Oppose	Requested rezoning is not within an appropriate residential Greenfield growth area as identified in RPS Chapter 3.1B. Furthermore the proposed site is scheduled as an inappropriate residential Greenfield growth area in RPS POL UD4.4.	Reject submission
22	287	Whakatu Action Group, Des Ratima	1	Oppose	Requested rezoning is within an appropriate industrial Greenfield growth area as identified in RPS Chapter 3.1B POL UD4.5.	Reject submission
23	265	Tichborne, Darren Edward	1	Oppose	Requested rezoning is within an appropriate industrial Greenfield growth area as identified in RPS Chapter 3.1B POL UD4.5.	Reject submission
24	209	Ormsby, Wayne	2	Oppose	Requested rezoning is within an appropriate industrial Greenfield growth area as identified in RPS Chapter 3.1B POL UD4.5.	Decline submission

Indigenous Vegetation

HBRC Ref#	Submitter Number	Submitter Name	HDC Summary point	HBRC Position	Reason(s)	Relief Requested
25	61	Federated Farmers of NZ – Hawke's Bay Province	33	Oppose in part	The submitter's request could cause Policy INP2 to be more ambiguous in terms of what and when vegetation clearance within 'significant areas' is appropriate or inappropriate. Further clarification of that distinction could then give better effect to RPS 3.4 OBJ 15. Also refer to the comments and relief requested in the Regional Council's original submission.	Retain Policy INP2 without amendment
26	61	Federated Farmers of NZ – Hawke's Bay Province	36	Oppose	Remaining areas of indigenous vegetation and wetlands including kanuka and manuka, are vulnerable to modification, land clearance and other land use activities. The submitter's request in relation to Rule 20.1.6C does not give effect to RPS 3.4 OBJ 15. Also refer to the comments and relief requested in the Regional Council's original submission, particularly in relation to the ambiguity of terms and intent of that Rule.	Retain Standards 20.1.6C (a), (b) and (c), subject to amendments necessary to satisfy relief sought in HBRC's original submission.

HBRC Ref#	Submitter Number	Submitter Name	HDC Summary point	HBRC Position	Reason(s)	Relief Requested
27	61	Federated Farmers of NZ – Hawke's Bay Province	37	Oppose	Refer reasons given above.	Retain Assessment Criteria 20.1.7A(k)

Waahi Tapu (Scared Maori Sites)

HBRC Ref#	Submitter Number	Submitter Name	HDC Summary point	HBRC Position	Reason(s)	Relief Requested
28	163	Maungaharuru Tangitu Trust	1	Support in part	<p>The submitter's site scheduling (by way of providing legal descriptions only) does not provide clarity around the location and extent of the waahi tapu sites. For example, one parcel may be over ten hectares in area, so is the entire parcel intended to be restricted by the waahi tapu provisions? There is a lack of clarity about the implications the submitters' scheduled sites, particularly in terms of:</p> <ul style="list-style-type: none"> a) properties owned or managed by the Regional Council; b) the Regional Council's projects (e.g. riparian fencing and planting) and statutory functions (e.g. flood control and drainage); c) the appropriateness of scheduling water bodies in a district plan and its implications or relevance to decision-making under regional plans; and d) whether coastal sites should be scheduled using RMA process or some other mechanism such as the Marine and Coastal Area (Takutai Moana) Act 2011, or amendment to the regional coastal environment plan under the RMA. 	Decline submission, unless further clarification can be provided to address concerns in this further submission.