



Hastings District Council

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OPEN DOCUMENT 2

HEARINGS COMMITTEE MEETING

Meeting Date: **Tuesday, 18 February 2020**

Time: **9.30am**

Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

ITEM	SUBJECT	PAGE
2.	VARIATION 7 - SEASONAL WORKERS ACCOMMODATION	
	<u>Document 2</u> Containing these attachments	
	Attachment B Variation 7 Provisions with Recommended Amendments as a Result of Submissions	Pg 1
	Attachment C Variation 7- Complete Package of Submissions for Hearing Agenda - Nos 1 to 17	Pg 95
	Attachment D Variation 7 Seasonal Worker Accommodation - Combined Further Submissions Document	Pg 153
	Attachment E Section 32 Evaluation Report - Variation 7 Seasonal Worker	

Accommodation Amended for
Wastewater Issue at Irongate

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Attachment F Brief of Evidence from 3 Waters
Manager Brett Chapman for Variation
7 hearing

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6.2 PLAINS PRODUCTION ZONE

6.2.1 INTRODUCTION

The Plains Production Zone recognises the growing powerhouse of the District. It is the focus for cropping, viticulture and orcharding in the region and in these activities it is nationally significant. The key to its productivity is the versatile land resource which provides flexibility into the future for changing productive land uses. Retaining this land for production purposes is a principle that forms one of the Council's cornerstones for sustainability of the District's natural and physical resources. While land based primary production is the primary focus of the Plains Production Zone it is recognised that other rural production activities that do not rely on the soil resource may also be appropriate in certain circumstances.

The Plains Production Zone surrounds the urban areas of Hastings, Havelock North, and Flaxmere and also includes parts of the Esk, Tutaekuri, and Ngaruroro river valleys. This land is intensively used and safeguarding the natural soil resource on the Plains with consequential benefits for productive capacity, is crucial to the future wellbeing of the District. The Council has clearly articulated this in its Vision which states that Hawke's Bay will be the premier land based production region of the South Pacific." This level of recognition has already been attained by the Winegrowers whose vineyards are located in the unique soil and climatic area of the Heretaunga Plains known as the 'Gimblett Gravels'. The concentration of Class 7 soils around the Roys Hill area has a largely uniform land use based around grape growing and wine production. This factor means that the nature of environmental effects produced both on-site and experienced by adjoining properties owners will be virtually the same, meaning that the area has unique characteristics. To recognise this, the District Plan provides the 'Roys Hill Wine growing District Overlay' within which specific standards apply to recognise the uniform land use and the special amenity of the area.

Tangata Whenua with Mana Whenua have a unique relationship with the land of the 'Plains'. As kaitiaki of this resource, Tangata Whenua with Mana Whenua have a responsibility to ensure that the versatile soils of the Plains are available to future generations.

This ethic of sustainable use of the Plains versatile land resource has also been endorsed by the wider community as it is recognised that this land plays a significant role in maintaining the economy of the District and, as a consequence, the wellbeing of the community. The economic prosperity of the District will continue to rely on the productive nature of this land into the future, with the character of the use possibly changing as a result of adaptation to climate change.

For this reason the Plains Production Zone identifies and recognises the area of the District that contains the versatile land which the District relies on. The following Objectives and Policies have been identified for the Plains Production Zone and the Methods for achieving them establishes the overall direction of the management of the Plains Production Zone.

6.2.2 ANTICIPATED OUTCOMES

It is anticipated that the following Outcomes will be achieved:

- PPAO1 The sustainable management of the versatile land of the Heretaunga Plains.
- PPAO2 Recognition and acceptance of the level of effects associated with the sustainable management of land based primary production activities on the Heretaunga Plains.
- PPAO3 Avoidance or mitigation of adverse effects on adjoining activities, including reverse sensitivity effects.
- PPAO4 Wineries that provide a range of activities that are aligned with the viticulture use of the land.
- PPAO5 An environment that has low scale commercial and industrial activities linked to produce grown and/or stock farmed on the site or nearby.
- PPAO6 Retention of the open character, land based primary production activities, and low scale of buildings that comprise the amenity of the Plains Production Zone.
- PPAO7 Recognition of long established infrastructure and community facilities.
- PPAO8 Recognition of the unique characteristics of the Roys Hill Winegrowing District.
- PPAO9 The life supporting capacity of the Heretaunga Plains Unconfined Aquifer system will be sustained.
- PPAO10 That Mana Whenua values regarding the Kaitiakitanga of the Aquifer water resource are maintained.

6.2.3 OBJECTIVES AND POLICIES

OBJECTIVE PPO1 To ensure that the versatile land across the Plains Production Zone is not fragmented or compromised by building and development.

Relates to PPAO1

POLICY PPP1 *Encourage the amalgamation of existing Plains Production Zone lots into larger land parcels.*

Explanation

There are a large number of small lots within the Plains Production Zone and the Council will continue to actively encourage the amalgamation of these lots as and when the opportunity arises through Resource Consent and subdivision applications. This will result in larger property sizes that will provide greater potential flexibility for future soil based activities.

POLICY PPP2 *Restrict Forestry activities in the Plains Production Zone.*

Explanation

Production Forestry does not result in the most sustainable use of the versatile land of the District as the economy is inextricably linked to food production. Production Forestry within the Plains Production Zone would result in reduced employment opportunities and it is likely to result in reduced water yield in the long term. For these reasons the Council will restrict production forestry in the Plains Production Zone.

POLICY PPP3 *Limit the number and scale of buildings (other than those covered by Policy PPP4) impacting on the versatile soils of the District.*

Explanation

There have been a number of instances where buildings have impacted on the versatile land of the Plains Production Zone as a result of their scale. Some of these buildings are still associated with food production such as those used for intensive rural production activities. These are subject to resource consent with assessment of the effects on the soil resource. While it is beneficial to allow for industrial or commercial activities, or seasonal workers accommodation, that add value to the produce coming off the land it is important that these activities are not allowed to reach such a scale as to impact on the versatile soils that the activity originally relied on at its inception.

Note that this policy does not apply to buildings accessory to land based primary production, which are covered by Policy PPP4.

It is relevant that buildings accessory to land based primary production can become an issue if their use becomes redundant. While there is value in providing for the re-use of these buildings, the situation should not be allowed where farm buildings are constructed and then their uses change within a relatively short time period.

POLICY PPP4 *To enable land based primary production, including by providing for directly associated accessory buildings where they are not of such a scale as to adversely affect the life-supporting capacity of the versatile land resource and which are consistent with the rural character of the Zone.*

Explanation

The primary focus of the Plains Production Zone is land based primary production, which is provided for as a permitted activity within the Zone. The definition of land based primary production includes "directly associated accessory buildings, structures and activities" and these are permitted subject to compliance with performance standards, including standards relating to building coverage to ensure that the availability of the land for food production purposes is not undermined.

POLICY PPP5 *Recognise that residential dwellings and buildings accessory to them are part of primary production land use but that the adverse effects of these buildings on the versatile land of the Plains production Zone are managed by specifying the number and size of the buildings that are permitted.*

Explanation

It is recognised that the provision of a residential dwelling is one of the central components for the successful operation of orchards and production blocks on the Heretaunga Plains. However, the proximity of areas of versatile land to the main urban area also places pressure on the use of the land for dwellings. There should not be a situation where multiple dwellings occur on a Plains Production site. A principal dwelling plus a limited floor area supplementary residential building is permitted on each site. The limitation on the floor area is to ensure that the building is supplementary to the main dwelling and also to ensure that it has only a minor effect on the area available for production. The requirement for it to be within close proximity to the main dwelling is to reinforce the supporting role and reduce the impact on the operational and productive nature of the property. Supplementary dwellings will have a maximum permitted floor area and there is no provision for them to have accessory buildings.

Seasonal worker accommodation is [provided for as a special form of accommodation which is generally considered appropriate in the Plains Production Zone and especially for RSE workers, due to its direct relationship the management and harvesting of primary produce close connection with the productive activities within the Zone, subject to limits on size and assessment of its effects, particularly on versatile soils. Beyond the 80 resident limit the scale of the activity is considered to have more significant effects on the versatile land with building scale and the requirements around on-site servicing.](#)

Note: Although supplementary residential dwellings are a Permitted activity subject to a specified maximum floor area, it is not appropriate to use them for a permitted baseline comparison for other buildings as they are directly related to the residential use of the site and they cannot be subdivided off as they remain in the curtilage of the main dwelling. Nor should the maximum building footprints for commercial activities be used as permitted baseline for supplementary dwellings as commercial activities are stand-alone developments. [Similarly, seasonal workers accommodation should not be used as a permitted baseline comparison as they are considered to be of a temporary nature with a requirement that they are relocatable.](#)

POLICY PPP6 *Restrict the ability to create lifestyle sites within the Plains Production Zone to those from an existing non-complying site where the balance of the site is amalgamated with one or more adjoining sites to form a complying site.*

Explanation

One of the major issues affecting versatile land is the pressure that comes to bear as a result of people wanting to establish lifestyle developments close to the main urban centres. The Council is seeking to keep firm control over the creation of such sites to ensure that the versatile soils are not fragmented to such a degree that they cannot be used for production purposes. Past experience has shown that once these small areas of land are created it is unlikely that they will ever be used for production purposes in the future. This policy is consistent with the Regional Policy Statement which states that the versatile land of the Heretaunga Plains is highly desirable for urban and rural lifestyle development but most importantly it underpins the economy of the region. This conflict and pressure from urban development makes it a regionally significant issue.

The policy of providing for a lifestyle site to be created where the balance is amalgamated to create a new complying site (that is, complying with the 12ha minimum site size) is one which has been carried over from the previous District Plan. It is a policy that has been successful in achieving its aims of increasing the number of complying sites.

POLICY PPP7 *Establish defined urban limits to prevent ad hoc urban development into the Plains Production Zone.*

Explanation

The Heretaunga Plains Urban Development Strategy (2010) has identified the importance of the Plains versatile soils to the community. It has recommended that clear urban boundaries be established to prevent the creep of activities onto the versatile soils. The Regional Policy Statement requires through policy, that District Plans shall identify urban limits within which urban activities can occur sufficient to cater for anticipated population and household growth to 2045.

OBJECTIVE PPO2

Relates to PPAO1 and PPAO5

Item 2

Attachment B

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To provide for flexibility in options for the use of versatile land.

POLICY PPP8 *Provide for industrial and commercial activities in the Plains Production Zone where they are linked to the use of the land and with limits on the scale and intensity to protect soil values and rural character.*

Explanation

The ability to establish industrial and commercial activities within the Zone as Permitted Activities is for the purpose of allowing primary producers to add value to produce that has been grown on the site. It is not intended that the Plains Production Zone should provide commercial or retail opportunities for owners who may wish to take advantage of a high profile location or area of high amenity. Any commercial or industrial activity should be directly linked to the use that is undertaken on the site.

The scale of commercial and industrial development is an important consideration as it should not be such as to adversely impact on the versatile land on which the activity is sited, and to ensure that adverse effects on neighbouring properties, such as noise or traffic generation, are not experienced. Furthermore there are specific Zones within the District that provide for both commercial and industrial activity, and limits on the scale and intensity of these activities within the Plains Production Zone will assist in maintaining the efficiency and effectiveness of the Commercial and Industrial Zones. The limits on scale will also ensure that the character of the Zone is protected. It is also recognised that the use of existing buildings to accommodate industrial or commercial activities may be an efficient use of resources.

POLICY PPP9 *To provide for Rural Transport Depots as activities that are directly reliant on the land to hold stock in transit, or undertake a land based primary production activity as part of this activity taking into account the need to avoid, remedy or mitigate the adverse effects on versatile land, water values and rural character.*

Explanation

A Rural Transport Depot is an activity that is directly related to land based primary production and has the potential to result in significant social and economic benefits to the District. Rural Transport Depots directly support the use of the wider versatile land resource. Rural Transport Depots may have a need for facilities, yards and holding paddocks to hold livestock in transit and/or to support land based primary production activities. The location of Rural Transport Depots also need to consider proximity and links to strategic transport hubs within the Transport network as well as the proximity to sale yards and Meat works facilities. The opportunity to establish and operate in the Zone will be provided through a Discretionary Activity resource consent process, to ensure that any potential for significant adverse effects can be avoided, remedied or mitigated.

POLICY PPP10 *Provide for a dairy processing plant as a Discretionary Activity in recognition of its unique requirements of reliance on primary produce together with the need to locate in proximity to land suitable for the irrigation of high volume wastewater.*

Explanation

While a dairy processing plant may be of a large scale, it has the potential to result in significant social and economic benefits to the District, and directly supports more efficient use of the wider versatile land resource, and therefore results in greater production within the Zone. The opportunity to establish and operate in the Zone will be provided through a Discretionary Activity resource consent process, to ensure that any potential for significant adverse effects can be avoided, remedied or mitigated and to consider consistency against the objectives and policies of the Plan with particular reference to Policy PPP8. The Discretionary Activity assessment will consider whether location within the Plains Production Zone better achieves sustainable management than location within an industrial zone.

POLICY PPP11 *Require that any subdivision within the Plains Production Zone does not result in reducing the potential for versatile land to be used in a productive and sustainable manner.*

Explanation

The subdivision of land within the Plains Production Zone is an important activity to control as it involves a finite resource. The Council aims to prevent the cumulative effects of numerous small scale subdivisions on the overall area of the versatile land resource. The aim is that the subdivision of land should not result in activities that will negatively impact on the sustainability of the versatile land.

POLICY PPP12 *Provide for a Retirement Village on Lot 2 DP 437278 as a Discretionary Activity in recognition of the unique characteristics of the site that would make it particularly suited to retirement living while taking into account the need to provide a strong artificial urban buffer to signal the limit to further urban sprawl to the south.*

Explanation

The site that is subject to this policy is a small strip of land that immediately joins the residential boundary of Havelock North in Te Aute Road. The Heretaunga Plains Urban Development Strategy (HPUDS) 2017 has identified that the wider Middle Road area of Havelock North is not considered as a preferred area for future residential expansion due to a number of factors including that there is no features that would allow a strong urban boundary to be established, and being such a large area would reduce the incentive to intensify within the established area of Havelock North. HPUDS has recognised that retirement housing will be an increasingly important component of the residential market and that given its characteristics this small site that comprises a finger of the wider Middle Road option would make an attractive location for a retirement village development. This is a contained site bordered by Te Aute Road and the Karamu Stream although an artificial buffer would have to be provided to the south to signal the limit of urban development. The Discretionary Activity status is required to properly consider the adverse effects of the scale of a retirement village on the Plains environment. The assessment will also consider the need for additional land for retirement village at the time of the application.

OBJECTIVE PPO3 To retain the rural character and amenity values of the Plains Production Zone.

Relates to PPA06

POLICY PPP13 *Require that any new development or activity is consistent with the open and low scale nature that comprises the rural character and amenity of the Plains Production Zone.*

Explanation

The Plains Production Zone is topographically flat but does have a distinctive rural character. This relates to the openness of the environment and to the low scale of any development within the Zone. Generally the property sizes within the Plains Production area are of a size that supports production. These features help to accentuate the flat and open topography of the Plains.

POLICY PPP14 *Require that any new activity locating within the Plains Production Zone shall have a level of adverse effects on existing lawfully established land uses that are no more than minor.*

Explanation

The District Plan introduces a range of Standards to protect adjoining properties from the effects of activities carried out on any site. The standards reflect the present agricultural nature of the Zone, and the management standards accepted in the Zone. In many cases these have been established over a long period of time and have evolved through a number of District Plan review processes.

POLICY PPP15 *Noise levels for activities should not be inconsistent with the character and amenity of the Plains Production Zone.*

Explanation

Activities associated with rural production can generate significant amounts of noise. While there is a recognised 'right to farm' philosophy built into the Plan in Policy PPP13, there is a need to have limits that maintain the character of the area and protect the health of residents. Performance Standards for noise have been drafted and set at a level which recognises the need for activities to operate in a way that does not unduly restrict normal practices associated with activities in the Plains Production Zone in order to protect their continued economic operation while maintaining appropriate amenity standards for residents in the Zone.

OBJECTIVE PPO4 To enable the operation of activities relying on the productivity of the soil without limitation as a result of reverse sensitivities.

Relates to PPA02

- POLICY PPP16** *Require that any activity locating within the Plains Production Zone will need to accept existing amenity levels and the accepted management practices for land based primary production activities.*
- Explanation
The Council has long adopted the 'right to farm' principle in the rural areas of the District. This has arisen from the occupation of some of the smaller land holdings for lifestyle purposes. The 'right to farm' principle makes it clear to those property owners new to the rural environment that there are farming management practices that by their nature and timing might be considered nuisances in the urban context but are entirely appropriate for the efficient and effective functioning of land based primary production activities.
- OBJECTIVE PPO5**
Relates to PPA04
- To enable Wineries to vertically integrate activities associated with the production of grapes where they do not compromise the versatile land.
- POLICY PPP17** *To enable wineries to vertically integrate with grape production on the land, but to limit the scale of associated buildings and outdoor storage areas.*
- Explanation
There are some activities that have direct linkages to viticulture production. These activities are appropriate for the Plains Production Zone but the scale of them is to be controlled as there have been instances where oversized processing facilities have had a direct impact on the sustainability of the versatile soils of the District. It is considered that, where the activities exceed the maximum areas set down, they should relocate to an appropriately zoned site.
- Although wineries are a Permitted activity subject to a specific maximum floor area, it is not appropriate to use wineries as a permitted baseline comparison for other buildings with no vertical integration to a particular site.
- OBJECTIVE PPO6**
Relates to PPA07
- To provide for Existing Regional Infrastructure facilities that contribute to the transport and service network.
- POLICY PPP18** *Provide for the continued use and development of the Bridge Pa Aerodrome within its existing site.*
- Explanation
The Bridge Pa Aerodrome provides the community with a base for much of the District's rural flying services including topdressing, spraying and frost fighting services. It also provides a vital back-up to the operations of the Hawke's Bay Airport and is recognized as a regional Civil Defence asset.
- OBJECTIVE PPO7**
Relates to PPA02
- To ensure the Integrated management of the land and water resources on the Heretaunga Plains.
- POLICY PPP19** *Work collaboratively with the Hawke's Bay Regional Council to manage land uses that impact on water quality and quantity.*
- Explanation
The National Policy Statement for Freshwater Management seeks improved integration between the management of freshwater and the use and development of land within the catchments. This will occur by developing collaborative management techniques with the Regional Council. One such method may be the identification of rivers and streams where further areas of Esplanade Reserves will be taken. This issue is advanced in the Subdivision section of the Plan.
- OBJECTIVE PPO8**
Relates to PPA01
- To recognise and provide, as scheduled activities, land uses that are long established on a site, or previously zoned industrial sites, that have a proven economic benefit to the community.

POLICY PPP20 *To list scheduled sites in the District Plan that provide a valuable service to the community or satisfy a proven community need whilst avoiding, remedying or mitigating the adverse effects resulting from the Scheduled Activity.*

Explanation

The Council recognises that there are some long established existing uses in Hastings District that provide a valuable service to the community for several decades. However many of these existing uses may not qualify as being Permitted under the Rules of the Zone in which they are located, the Hawke's Bay Showgrounds is one such use. The Showgrounds have played an important part in the social and cultural history of the community. It continues to be an important venue for a diverse range of community activities including the weekly Farmers' Market and large annual events such as the A&P Show and Horse of the Year. The role that a site such as this plays is recognised in the Plan as a scheduled activity. The Council, while ensuring any adverse effects these land uses may create are avoided, remedied or mitigated, wants to retain such a facility.

Maintaining the character and scale of buildings and activities prevalent in the zone is important as the potential adverse effects from the scheduled activities can significantly alter the character and amenity of an area and the sustainable management of the Heretaunga Plains versatile land resource. Also any changes to the scheduled sites should recognise the character, scale and sustainable management of the versatile land.

Scheduled sites are identified on the Planning Maps. The site may be used for the scheduled activities stated for the site in Appendix 26 and must comply with the Rules in the Plan. Scheduled activities are additional to the Permitted, Controlled and Discretionary uses provided for by the underlying Zone. The addition of new scheduled activities is not envisaged as it undermines the integrity of the objectives and policies of the zone and other zones that provide for those activities.

POLICY PPP21 *To provide for existing industrial activities, previously zoned Industrial 6, within the Plains Production Zone as Scheduled Activities, whilst avoiding, remedying or mitigating any adverse effects resulting from the Scheduled Activity.*

Explanation

The district plan has in the past, made provision, by way of industrial zoning, for particular isolated industrial activities that are longstanding.

These isolated industrial sites do not align with the District's Industrial Strategy. For this reason zoning has been replaced by scheduling the activities on the site. It is appropriate to continue to provide for them as Scheduled Activities in the Hastings District Plan. Notwithstanding this, the scheduling of further industrial activities is to be actively discouraged because it will undermine the integrity of the objectives and policies of the Plains Production zone.

Furthermore, it will undermine the utilisation of the industrial land resource that is provided in the district, by way of the Industrial zones wherein land is zoned for industrial activities and infrastructure has been purpose built to meet the needs of industry, whilst protecting the environment from potential adverse effects associated with industrial activity. This is not an appropriate way to sustainably manage the industrial land resources of the district.

OBJECTIVE PPO9 *To ensure the life supporting capacity of the Heretaunga Plains Unconfined Aquifer water resource is not compromised by the effects of land use occurring above it.*
Relates to
outcomes PPAO9
and PPAO10

- POLICY PPP22** *Ensure that where activities involving hazardous substances are located within the sensitive environment of the Heretaunga Plains Unconfined Aquifer Overlay area (Appendix 59), their usage and storage are designed and managed to ensure the water supply for the environment and community is not compromised.*
- Relates to objective PPO9*
- Explanation
The protection of the quality of the drinking water, irrigation water and natural watercourses that emanate from the Heretaunga Plains Unconfined Aquifer is critical to the health and economic welfare of the Hawke's Bay community. Industrial Zoned land and intensive horticultural and viticulture operations are located over the unconfined area of the aquifer. Additional protection to that provided by HSNO regulation is therefore considered appropriate to apply to this area to ensure that this critical ground water resource is not contaminated. The District Plan will adopt a precautionary approach to the storage, use, and disposal of all materials in order to avoid the entry of any hazardous substance into the aquifer. For this reason the storage, handling or use of Arsenic (As) within the Heretaunga Plains Unconfined Aquifer is a Prohibited Activity via the adoption of Rule PP43.
- POLICY PPP23** *Monitor land use activities occurring within the Heretaunga Plains Unconfined Aquifer Overlay area (Appendix 59) to ensure that current regulation is adequately preventing contaminants from entering this groundwater resource.*
- Relates to objective PPO9*
- Explanation
Substances utilised by new and existing land use activities overlying the aquifer, pose a potential threat of contamination. The District Council will monitor land use activities and their effects to ensure that appropriate land use practices are employed and that District Plan provisions are being complied with.
- OBJECTIVE PPO9** *To recognise the unique soil and climatic characteristics and the uniform land use of the Roys Hill area of the District.*
- Relates to PPA08*
- POLICY PPP24** *To provide an overlay 'Roys Hill Winegrowing District' to identify the concentration of viticulture and wine production on Class 7 soils, and protect the unique amenity that results.*
- Explanation
The 'Roy's Hill Winegrowing District' overlay identifies the properties that are located on the concentrated area of Class 7 soils known as the 'Gimblett Gravels'. There are properties that have these Class 7 soils but have been excluded from the overlay as they are located on the fringe of the area and incorporate established industrial activities.
- The overlay relates to the concentration of grape growing activities within the area and allows for a set of provisions unique to this area that reflects the level of effects that the environment can accommodate. As an example the predominance of viticulture activities with the Overlay area would mean that a larger number and duration of temporary events could be held on a site without having the level of effect that might be experienced in the normal Plains Production Zone environment.

POLICY PPP25 *To ensure that activities are complementary to the character and amenity of the Roys Hill Winegrowing District and safeguard the grape growing potential of the land.*

Explanation

The Roys Hill Winegrowing District is largely characterised by viticultural production. This means that the scale and type of effects produced are going to be the same as those produced on the adjoining site. The uniformity of land use within the Roy's Hill Winegrowing District reduces the potential for reverse sensitivity effects occurring and it also reduces the level of effects that might be experienced across property boundaries. This allows for a greater level of flexibility of standards applying to activities within the overlay over and above those established for activities occurring within the Plains Production Zone.

The character and amenity of the Roys Hill Winegrowing District is related to the Winegrowing activities that are predominant in the area. This is a quality environment with high levels of visual amenity based upon a predominantly viticultural land use. In order to maintain the characteristics that contribute to this amenity it is important that the scale of buildings is controlled and the effects on the landscape considered.

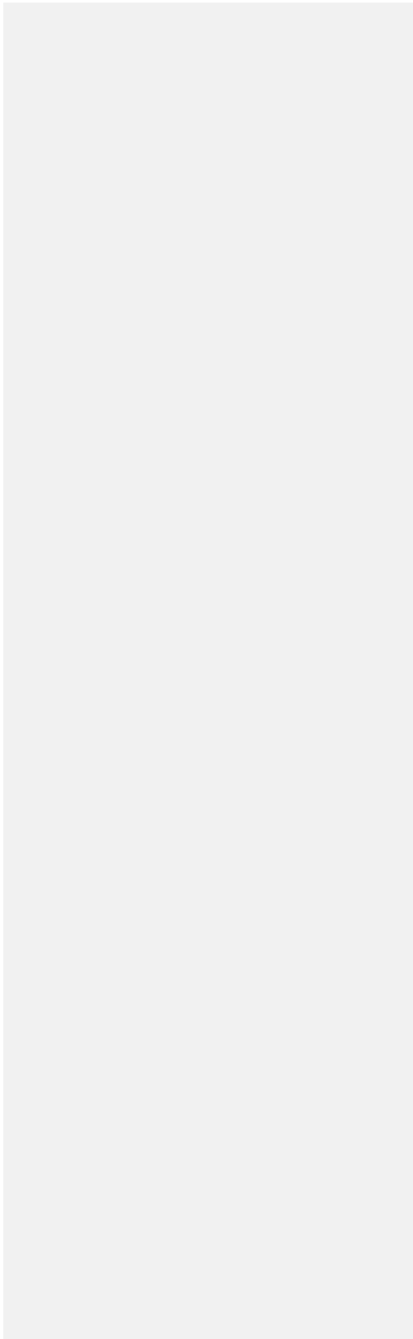
6.2.4 RULES

Table 6.2.4 and 6.2.4A set out the status of activities within the Plains Production Zone. These activities are all subject to the Standards and Terms set out in this Plan.

RULE TABLE 6.2.4 - PLAINS PRODUCTION ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
PP1	Land Based Primary Production	P
PP2	One Residential Building per site	P
PP3	One Supplementary Residential Building	P
PP4	Retailing within specified limits	P
PP5	Commercial Activities within specified limits	P
PP6	Industrial Activities within specified limits	P
PP7	Temporary Events	P
PP8	Wineries within specified limits	P
PP9	Seasonal Workers Accommodation up to a maximum of 125m² gross floor area	P
PP10	Alterations to, or the addition of new buildings to existing Places of Assembly or any building ancillary to a recreation activity not exceeding 15% of the gross floor area as at 12/09/2015	P
PP11	Extensions to existing recreation activities not exceeding 15% of the land area, as measured on the 12/09/2015	P
PP12	Scheduled Activities - any activity listed in Appendix 26 in respect to the stated site.	P
PP13	Existing Education Facilities including extensions and alterations not exceeding 15% of the gross floor area, or not exceeding 15% of the site area, as at 12/09/2015	P
PP14	Recreation Activity that occurs on reserves vested under the Reserves Act 1977.	P
PP15	Any building ancillary to a Recreation Activity on reserves vested under the Reserves Act 1977 with a maximum gross floor area of 50m ² .	P
PP16	Temporary Military Training Activity	P
PP17	Relocated Buildings (with the exception of buildings for seasonal workers accommodation and Relocated Buildings within the Roys Hill Winegrowing District Overlay) that meet the General Performance Standards and Terms in Section 6.2.5 and Specific Performance Standards and Terms in Section 6.2.6.	P
PP18	Industrial activities involving buildings with a gross floor area between 100m ² and 2500m ² for the Plains Production Zone and 50m ² and 2500m ² for the Roys Hill Winegrowing District for processing, storage and/or packaging of agricultural, horticultural, and/or viticultural crops and/or produce.	RDNN
PP19	Any building ancillary to a Recreation Activity on reserves vested under the Reserves Act 1977 with a gross floor area greater than 50m ² .	RDNN
PP20	Relocated Buildings within the Roys Hill Winegrowing District Overlay	RD
PP21	The alteration of established Education Facilities exceeding 15% of the gross floor area, or exceeding 15% of the site area, as at 12/09/2015	RD
PP22	Intensive Rural Production	RD
PP23	Relocated Buildings (with the exception of buildings for seasonal workers	RD

RULE TABLE 6.2.4 - PLAINS PRODUCTION ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
	accommodation and Relocated Buildings within the Roys Hill Winegrowing District Overlay)not meeting one or more of the General Performance Standards and Terms in Section 6.2.5 and/or Specific Performance Standards and Terms in Section 6.2.6	
PP23A	Seasonal Worker accommodation over 125m² with up to 80 workers.	RD
PP24	Any Permitted or Controlled activity not meeting one or more of the General Performance Standards and Terms in Section 6.2.5 and Specific Performance Standards and Terms in Section 6.2.6C(b) and 6.2.6C(d), 6.2.6D(2), 6.2.6H, 6.2.6I (excluding 'Winemaking and associated bottling, storage and packaging'), 6.2.6J, 6.2.6K, and 6.2.6L.	RD
PP25	Intensive Rural Production Activities not meeting one or more of the General Performance Standards and Terms in Section 6.2.5 and / or Specific Performance Standard 6.2.6A.	D
PP25A	A retirement village on Lot 2 DP437278	D
PP26	Wineries not complying with Specific Performance Standard 6.2.6H for 'Winemaking and associated bottling, storage and packaging'	D
PP27	Scheduled Site 21 Hawke's Bay Showgrounds New Buildings for General Conference or Social Facilities and Premises for the Sale of Liquor not associated with the scheduled activities.	D
PP28	Forestry	D
PP29	Any new residential building or building being part of a marae, place of assembly, commercial activity or industrial activity erected on another site within 400 metres of an intensive rural production activity involving buildings housing animals reared intensively and yards accommodating animals reared intensively.	D
PP30	Any new residential building or building being part of a marae, place of assembly, commercial activity or industrial activity erected on another site within 150 metres of an intensive rural production activity involving organic matter and effluent storage, treatment and utilisation	D
PP31	Any new residential building or building being part of a marae, place of assembly, commercial activity or industrial activity erected on another site within 15 metres of any buildings used for any other Intensive Rural Production activity not listed as above in Rules (Link,-1,6.2.4.26 and (Link,-1,6.2.4.27.	D
PP32	Industrial Activities not complying with Specific Performance Standard 6.2.6F(1) for 'Processing, storage and/or packaging of agricultural, horticultural and/or viticultural crops and/or produce'.	D
PP33	Any noise sensitive activity within the Air Noise Boundary	D
PP34	Alterations to, or the addition of new buildings to existing Places of Assembly or any building ancillary to a recreation activity exceeding 15% of the gross floor area as at 12/09/2015	D
PP35	Extensions to existing recreation activities exceeding 15% of the land area, as measured on the 12/09/2015	D

PP36	Dairy Processing Plants	D
PP37	Rural Transport Depots	D
PP38	Residential buildings not complying with Specific Performance Standard 6.2.6B.	NC



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RULE TABLE 6.2.4 - PLAINS PRODUCTION ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
PP39	Any activity which is not provided for as a Permitted, Controlled, Restricted Discretionary or Discretionary activity shall be a Non-complying activity. To avoid any doubt this includes activities not provided for above that do not comply with the following Specific Performance Standards: 6.2.6C(a) and (c), 6.2.6D(1), 6.2.6E(1) and 6.2.6(F).	NC
PP40	Residential Activities and visitor accommodation within 30 metres of any Industrial Zone on land identified within Appendix 17.	NC

RULE TABLE 6.2.4A - HERETAUNGA PLAINS UNCONFINED AQUIFER OVERLAY		
PP41	The Storage, Handling or Use of Hazardous Substances (except Arsenic (As)) within the Heretaunga Plains Unconfined Aquifer Overlay	P
PP42	Permitted activities under Rule PP41 not meeting the Specific Performance Standards and Terms in Section 6.2.6N	RD
PP42	The Storage, Handling or Use of Arsenic (As)) within the Heretaunga Plains Unconfined Aquifer Overlay	Prohibited

Note: For users affected by the rules that apply specifically to the Heretaunga Plains Aquifer, attention is drawn to the National Environmental Standard for Sources of Human Drinking Water which may also be relevant to the activity.

6.2.5 GENERAL PERFORMANCE STANDARDS AND TERMS

The following General Performance Standards and Terms apply to all activities.

6.2.5A BUILDING HEIGHT

1. Industrial, commercial, frost protection fans (measured to the tip of the blade), winery buildings or structures
Maximum height 15 metres.

2. All other buildings or structures
Maximum height 10 metres.

3. Height in relation to Bridge Pa Aerodrome

No trees, shelterbelts, building, pole, mast, permanent or temporary structure shall intrude above the height plane established by the Bridge Pa Aerodrome Height Restriction as shown in Appendix 35.

Outcomes

The amenity value of the Plains Production Zone will be maintained by preventing tall, obtrusive structures or buildings, especially on a largely flat plain.

Tall structures and trees

will be avoided where they will have an adverse actual or potential effect on safety, efficiency and operations, (including landings and take-offs) of the Bridge Pa Aerodrome.

6.2.5B YARDS

The following setback distances are required:

1. Residential Activities Residential Buildings (including supplementary units) on

Plains Production Sites
Front yard 7.5 metres
All other boundaries 15.0 metres

2. Residential Buildings on sites created by the Plains Lifestyle Sites Subdivision

Provisions
Front yard 7.5 metres
All other boundaries 15.0 metres

Outcomes

The open character and amenity of the Plains Production Zone will be maintained.

Buildings on sites created under the lifestyle subdivision rules will be separated from adjoining sites to ensure that potential conflicts between adjoining land

Note: This Rule 6.2.5B 1(b) will not be applied to lifestyle sites created prior to June 2003. uses are avoided.

3. Industrial, Commercial and Winery Buildings and Structures, Frost Fans and Seasonal Workers Accommodation

Front yard 15 metres
All other boundaries 15 metres

Outdoor seating and playground areas ancillary to industrial, commercial, and winery buildings and structures shall be set back a minimum of 20 metres from the boundary of any adjoining land based primary production operation.

4. Accessory Buildings (associated with residential and land based primary production) and Loading Ramps

Front yard 7.5 metres
All other boundaries 5.0 metres

Yards for accessory buildings and loading ramps may be reduced to 1.5 metres where adjoining owners' consent is obtained. Loading ramps fronting local roads (i.e. roads not defined as collector or arterial routes) are exempt from the front yard requirements.

6.2.5C PROTECTION OF FLOODCHANNELS

Note: Under the Regional Resource Management Plan, there is a requirement for buildings, structures, fences, planting, the deposit of earth, shingle or debris, or any activity which impedes access to any river, lake or watercourse to be set back from the bed of a river, lake or artificial watercourse which is within a land drainage or flood control scheme area.

6.2.5D SCREENING

- a. Outdoor storage areas of commercial, industrial, and winery activities shall be fully screened by fencing and/or planting from adjacent or opposite commercial and residential activities and motorists using public roads.
- b. Outdoor display areas and parking areas of commercial, industrial, and winery activities shall have landscaping which consists of a mixture of ground cover and specimen trees with a minimum width of 2.5 metres.
- c. Outdoor storage and parking areas of seasonal workers accommodation shall be fully screened from adjacent residential activities in different ownership by fencing and/or planting.

Outcomes
The screening of outdoor storage areas will ensure that the rural amenity of the Zone is protected.
The landscaping of outdoor display and parking areas will ensure that the rural amenity of the Zone is protected.
The screening of these areas will ensure that the rural amenity of the Zone is protected.

6.2.5E LIGHT AND GLARE

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.

Outcome
Residential properties will not be adversely affected by light or glare from adjacent activities in the Plains Production Zone. The safety of roads will be maintained by preventing glare and light spill onto them.

6.2.5F TRAFFIC SIGHTLINES, PARKING, ACCESS AND LOADING

Activities shall comply with the provisions of Section 26.1 of the District Plan on Transport and Parking.

Outcome
The outcomes of Section 26.1 of the District Plan on Transport and Parking will be achieved.

6.2.5G NOISE

Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.

Outcome
The outcomes of Section 25.1 of the District Plan on Noise will be achieved.

Note: There are exemptions and/or specific Standards provided under Section 25.1 for the use of agricultural machinery, audible bird scaring devices, hail cannons and frost protection fans.

6.2.5H SHADING OF LAND, BUILDINGS AND ROADS

1. Trees on Boundaries

Trees forming a shelterbelt for a distance of more than 20 metres on a side or rear boundary of a property under separate ownership:

- i. shall be planted a minimum distance of 5m from an adjoining property boundary and be maintained so that the branches do not extend over that boundary; and
- ii. where planted between 5m and 10m from an adjoining property boundary shall be maintained at a height of no more than their distance from the boundary +4m (e.g. at a distance of 5m from the boundary, the height limit is 9m; at a distance of 9m from the boundary, the height limit is 13).

Outcome

Adjoining land will not be significantly adversely affected by shading or root invasion from trees. The safety of roads will be maintained by preventing ice forming in shaded areas.

2. Trees Adjoining Public Roads

Trees forming a shelterbelt for a distance of more than 20 metres within 5 metres of a public road shall be maintained at a height of less than 9 metres.

Outcome

Adjoining residential land will not be significantly adversely affected by shading from buildings.

3. Buildings on Sites Adjoining Residentially Zoned Land

Buildings adjacent to any boundary of a residentially zoned site, shall not project beyond a building envelope constructed from recession planes from points 2.75 metres above the boundary. The angle of such recession planes shall be determined for each site by use of the recession plane indicator in Appendix 60.

6.2.5I HEIGHT IN RELATION TO BRIDGE PA AERODROME

No trees, shelterbelt, building, pole, mast, permanent or temporary structure shall intrude above

Outcome

Aircraft approaching or

the height plane established by the Bridge Pa Aerodrome Height Restriction as shown in Appendix 35.

leaving Bridge Pa

Aerodrome will have an airspace uninterrupted by any structure that could damage or destroy aircraft.

6.2.5J TOTAL BUILDING COVERAGE (INCLUDING HARDSTAND AND SEALED AREAS)

The maximum building coverage (including hardstand and sealed areas) shall not exceed 35%

Outcome

The life-supporting

of the net site area or 1500m², whichever is the lesser. With the exception of Processing Industries and Wineries where the maximum building coverage is 35% of the net site area or 2500m² whichever is the lesser.

capacity of the Plains

Production soil resource will be safeguarded and the amenity of the Plains Production Zone will be protected by limiting the total scale of buildings on and sealed areas over smaller sites.

Netting, structures, and greenhouses where crops grown under or within those structures are grown directly in the soil of the site are excluded from total building coverage calculations.

The potential negative environmental effects associated with the increase in stormwater runoff created by the development activity will be avoided, remedied or mitigated.

6.2.6 SPECIFIC PERFORMANCE STANDARDS AND TERMS

The following Specific Performance Standards and Terms apply to the activities specified below.

6.2.6A INTENSIVE RURAL PRODUCTION

1. Minimum Yards and Setback Distances

a. Buildings housing animals reared intensively and Yards accommodating animals reared intensively shall be located a minimum distance of:

Outcomes

Effects beyond the site will not be inconsistent with those associated with established agricultural practices.

- i. 150 metres from a residential building, or any building being part of a marae, place of assembly, commercial activity or industrial activity on another site except for poultry farms and piggeries where the minimum distance is 400 metres.

- ii. 20 metres from a residential building on the same site.

- iii. 50 metres from a property boundary.

- iv. 20 metres from a public road.

Outcome

Neighbouring activities will not be adversely affected by odour associated with the storage, treatment or utilisation of organic matter and effluent from the Intensive Rural Production Activity.

b. Organic matter and effluent storage, treatment and utilisation shall be located in accordance with the following minimum distances:

- i. 20 metres from a residential building on the same site.

- ii. 150 metres from a residential building or any building being part of a marae, place of assembly, commercial activity or industrial activity on another site.

- iii. 50 metres from a property boundary.

- iv. 20 metres from a public road.

(Note: Resource Consents may also be required from the Hawke's Bay Regional Council).

c. All other yard setbacks from site boundaries (not specified by (a) and (b) above) shall be 10 metres.

6.2.6B RESIDENTIAL BUILDINGS

- a. One residential building shall be allowed per site provided that the site shall be a minimum area of 2500m².

- b. One supplementary residential building shall be allowed per site.

Outcome

The potential to utilise the soil resource of the Plains Production Zone in a manner that supports the life-supporting capacity of the soil resource will be facilitated by the provision of residential activities.

6.2.6C SUPPLEMENTARY RESIDENTIAL BUILDINGS

- a. There must be an existing occupied residential building located on the site.

b. To ensure that services are not duplicated needlessly the supplementary residential building shall share driveways.

c. The maximum gross floor area, excluding garages and verandahs less than 20m² in area shall be 100 square metres. The existing residential building may become the supplementary residential building provided that all Standards and Terms are met.

d. The supplementary residential building shall be located no further than 25 metres from the primary dwelling.

Outcomes
Flexibility to provide supplementary residential accommodation to the main dwelling on the site in association with

minimal effects on versatile soils and rural amenity.

Supplementary residential buildings will have minimal effects on the operational and productive use of the versatile soils will achieve the efficient use of services.

6.2.6D COMMERCIAL ACTIVITIES

1. Commercial Activity Threshold Limits

The following activity threshold limits shall apply (Table 6.2.6D).

TABLE 6.2.6D COMMERCIAL ACTIVITY THRESHOLD LIMITS		
COMMERCIAL ACTIVITY	THRESHOLD MEASURE	MAXIMUM LIMIT PER SITE
Retailing	Maximum Gross Floor Area	100m ² (including outdoor display areas) 50m ² maximum within the Roys Hill Winegrowing District Overlay.
	Minimum percentage of display area to be stocked with goods produced on the site: - Total Display Area <50m ² - Total Display Area >50m ² Within the period April - September the percentage of the goods produced on the site may be reduced to 50% for display areas <50m ² and 60% for display areas >50m ² .	- 75% - 85%
All Commercial Activities (including Visitor Accommodation, entertainment facilities including the serving of food and beverages.	Personnel	At least one person resident on the site shall carry out the activity. Maximum number of additional employees - 3.
	Maximum gross floor area for all activities (including structures without external walls and outdoor dining areas)	Total maximum 100m ² (per site, not per activity).
Additional limitations to gross floor limitation Outdoor storage use 100m ² and Maximum number of persons to be accommodated by entertainment facilities including those serving food and beverages is 40.		
<i>Note 1: Visitor accommodation within an existing residential dwelling will be exempt from the 100m² maximum floor area provided that any additional dwelling to replace the dwelling being used for visitor accommodation must meet the maximum floor area for a supplementary dwelling standard of 100m².</i>		
<i>Note 2: Visitor accommodation will remain subject to the cumulative aspects of the standard, i.e. if the floor area of the existing dwelling being used for visitor accommodation is greater than 100m² no other commercial or industrial activity would be permitted without resource consent.</i>		

These activities can be carried out singly or in combination. However there is a cumulative limit of 100m² (excluding verandahs of up to 20m³) of gross floor area per site. (refer Rule 6.2.6G)

Outcome
 Retail activities which have a relationship to goods produced in the District will have the opportunity to establish. The life-supporting capacity of the Plains Production soil resource will be safeguarded by limiting the range and size of Commercial Activities in the Plains Production Zone. Commercial Activities will be of a size and scale that have a potential for minor adverse effects, are compatible with the character of the Plains, and do not have adverse effects on the vibrancy of

2. Hours of Operation

Activities which involve the retailing of goods to the public shall be restricted to the following hours of operation:

Any day of the week - 8.00am - 10.00pm

the established Commercial Zones.

Outcome

The effects of activities will be mitigated by limiting the hours of operation of commercial activities in the Plains Production Zone.

6.2.6E

POULTRY FARMING FOR MORE THAN 60,000 BIRDS FOR SCHEDULED ACTMITY 45

In assessing Resource Consent applications for poultry faming as provided for in Scheduled Activity 45 that does not comply with the maximum of 60,000 birds, Council will have regard to the following effects and to what extent and by what means, these are able to be avoided, remedied or mitigated:

a. The potential for the activity to create unreasonable noise beyond the boundary of the site;

b. The potential for a noxious, offensive or objectionable odour beyond the boundary of the site;

c. The impact of traffic associated with the activity on the road network;

d. The potential impact on existing amenity values.

6.2.6F

INDUSTRIAL ACTIVITIES

1. Industrial Activities Threshold Limits

The following activity threshold limits shall apply.

TABLE 6.2.6F(1) INDUSTRIAL ACTIVITIES THRESHOLD LIMITS		
INDUSTRIAL ACTIVITY	THRESHOLD MEASURE(S)	MAXIMUM LIMIT PER SITE
Processing, storage and/or packaging of agricultural, horticultural and/or viticultural crops and/or produce.	Maximum Gross Floor Area (including any roofed structure without external walls)	2,500m ²
All Other Industrial Activities.	Maximum Gross Floor Area	100m ² 50m ² within the Roys Hill Winegrowing District Overlay
	Personnel Limits	At least one person resident on the site shall carry out the activity. Maximum number of additional employees (to those resident on the site) shall be the three persons.
	Outdoor storage/use or display land area	100m ²
<i>Note 1: Any retailing associated with Industrial Activities shall be assessed as a Commercial Activity.</i>		
<i>Note 2: Buildings used for the processing, storage and/or packaging of agricultural, horticultural and/or viticultural crops and/or produce grown only from the site on which they are located are accessory to Land Based Primary Production and therefore are not subject to the industrial building threshold limits of Standard 6.2.6F(1) above.</i>		

These activities can be carried out singly or in combination. However, there is a cumulative gross floor area limit of 100m² per site. (refer Rule 6.2.6G)

Outcome
Industrial Activities which have a relationship to crops produced in the Zone will have the opportunity to establish. The life-supporting capacity of the plains production soil resource will be safeguarded by limiting the size of Industrial activities to a size and scale that have a potential for minor adverse effects and is compatible with the character of the Plains Production Zone.

6.2.6G SITE AREA THRESHOLDS

The activity thresholds for Rules, 6.2.6D, and 6.2.6F apply to an individual site. The activities under these Rules can therefore be carried out singly on a site up to the 100m² threshold or 50m² in the case of the Roys Hill Winegrowing District, or in combination, until the cumulative limit of 100m² or 50m² (Roys Hill Winegrowing District) gross floor area per site is reached.

Except that Activities relating to the 'Processing, storage and/or packaging of agricultural, horticultural and/or viticultural crops and/or produce' under Rule 6.2.6F are not subject to this standard, except where it is combined with the seasonal workers accommodation rule 6.2.6K where the combined total on a site shall be 2500m²:-

Outcome
The life supporting capacity of the Plains versatile land resource will be safeguarded by limiting the range and size of Commercial and Industrial activities in the Plains Production Zone. The cumulative effects of a number of activities can impact on the value of the versatile soils and the sustainable management of the property. The total number of non-soil based activities will be such that they have a potential for only minor adverse effects on the versatile land and are compatible with the character of the Plains and do not have adverse effects on the vibrancy of the established Commercial and Industrial Zones

6.2.6H TEMPORARY EVENTS

- Outcome*
It will be possible for temporary events to take place on larger areas of land where it is possible to address adverse effects. The temporary nature of the events will ensure that any effects are for a short time only.
- a. Only six temporary events shall take place on a site over any 12 month calendar period (January to December).
 - b. Maximum attendance at any one time shall be 1000 persons. There is no maximum within the Roys Hill Winegrowing District.
 - c. Temporary Events shall only be operated consecutively for up to a maximum of three days.
 - d. The Hastings District Council shall receive notification of Temporary Events at least 10 days prior to the event taking place.
 - e. All parking, associated with the temporary event shall occur on site.
 - f. Other than Noise (Refer Standard 25.1.6J and Safe Sightline Distances (Refer Standard 26.1.6B) the General and Specific Performance Standards for the Zone do not apply to Temporary Events.

6.2.6I

WINERIES

1. Threshold Limits

The following threshold limits shall apply (Table 6.2.6I).

TABLE 6.2.6I WINERIES THRESHOLD LIMITS		
WINERY ACTIVITY DESCRIPTION	THRESHOLD MEASURE	MAXIMUM LIMIT PER SITE
Wine making and associated bottling, storage and packaging	Maximum Gross Floor Area (including any tank facilities and roofed structures without external walls).	2500m ²
Retailing	Maximum Gross Floor Area	150m ² (including outdoor display areas)
	Minimum percentage of display area to be stocked with goods produced on the site:	
	Total Display Area < 50m ²	75%
	Total Display Area > 50m ²	85%
Entertainment facilities including serving food and beverages.	Maximum floor area for serving customers (excluding uncovered outdoor areas).	100m ²
	Maximum number of persons to be accommodated).	100 persons

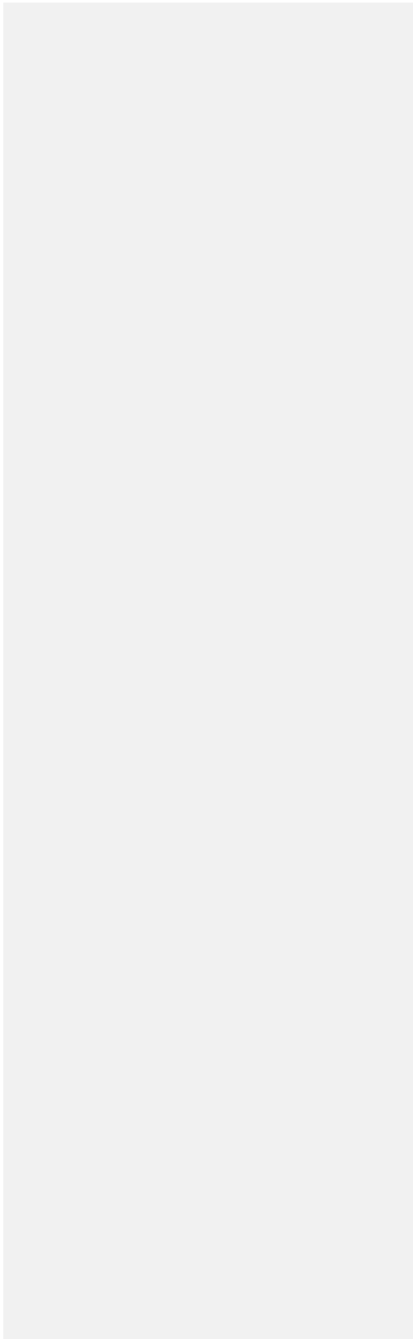
Note: The floor limit thresholds outlined in the above table for wineries and vertically integrated activities are those that are considered would have minor adverse effects on the Plains resource and the Class 7 soils within the Roys Hill Winegrowing District Overlay. For thresholds that are much beyond those outlined and/or trigger a number of the activities thresholds it is envisaged that the winery should look to relocate to an appropriately zoned site.

1. Threshold Limits

The following threshold limits shall apply (Table 6.2.6I). Maximum floor space limits cannot be traded between the different activities described.

Outcome
Wineries that have a relationship to grapes grown in the Zone will have the opportunity to establish. The life-supporting capacity of the versatile soil

resource will be safeguarded by relating the size of buildings to a



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2. Hours of Operation

Activities which involve the retailing of goods and/or the serving of food or beverages to the public shall be restricted to the following hours of operation:

Plains Production Zone

Any day of the week - 8.00am - 10.00pm

Roys Hill Winegrowing District Overlay

Any day of the week - 8.00am to 12 midnight

scale that has a potential for only minor adverse effects and is compatible with the character of the Zone.

Outcome

Adverse effects will be mitigated by limiting the hours of operation of Commercial Activities in the Plains Production Zone while recognising the predominantly viticulture activities within the Roys Hill Winegrowing District Overlay.

6.2.6J

RELOCATED BUILDINGS

1. RELOCATED BUILDINGS WITHIN THE ROYS HILL WINE GROWING DISTRICT OVERLAY (with the exception of buildings for seasonal workers accommodation)

The application to relocate a building shall include a report, from an appropriately qualified person which is required to show that the building is structurally sound and safe to relocate. This requirement may be dispensed with if the building is new.

2. RELOCATED BUILDINGS OUTSIDE THE ROYS HILL WINE GROWING DISTRICT OVERLAY (with the exception of buildings for seasonal workers accommodation)

- a. No more than one unfinished relocated building shall be placed on a single site in existence at 7th December 2016. For the purposes of this standard 'unfinished' means that the external reinstatement work required for the relocated building is yet to be completed.
- b. Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.
- c. A Building Pre-Inspection report shall accompany the application for a building consent for relocation to the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the relocated building in order to achieve a tidy and workmanlike external appearance. The Building Pre-Inspection report shall be prepared by:
 - A. A Hastings District Council Building Compliance Officer (or equivalent);
 - B. A member of the New Zealand Institute of Building Surveyors;
 - C. A licensed building practitioner (carpenter or design category); or
 - D. A building inspector from the local authority where the building is being relocated from
- d. The landowner of the destination site for the relocated building must certify to the Council that the reinstatement work identified in the Building Pre-Inspection Report will be completed within the timeframes specified in standard g. A, B and C.
- e. The relocated building shall not be placed on the destination site until a building consent has been issued for the relocation, unless otherwise agreed in writing by the Hastings District Council.
- f. The Council shall be notified at least 48 hours before the building is relocated of the intended delivery date. This standard will be met provided the building is relocated within 5 days of the notified date.
- g. Reinstatement works shall be undertaken within the following timeframes:
 - A. The building shall be located on permanent foundations in accordance with the building consent and the roof made weathertight no later than 1 month of the building being moved to the site. For the purposes of this standard 'weathertight' means that the roof is completely

repaired, replaced or installed as per the requirements of the Building Pre-Inspection Report.

B. The remaining work to make the building 'weathertight' shall be completed within 4 months of the building being moved to the site. For clarification, this means that all windows, doors and exterior cladding are completely repaired, replaced or installed as per the requirements of the Building Pre-Inspection Report.

C. All remaining reinstatement work required by the Building Pre-Inspection Report and the building consent to reinstate the exterior of any relocated building shall be completed within 9 months of the building being delivered to the site. Without limiting (c.) (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations and the repair of any damage to the exterior of the building that may occur during transit to the destination site.

h. The landowner of the destination site must deposit a refundable monitoring fee of \$750 with the Council at the same time as submitting the Building Pre-Inspection Report with the Council.

Advice Notes:

- i. Photographs showing progress of reinstatement works may be provided to Council's Environmental Compliance Officer. A final site inspection will still be required to determine compliance on completion of reinstatement works
- ii. Council has a Building Pre-Inspection Report template available on request

6.2.6K SEASONAL WORKER ACCOMMODATION

1. ~~The maximum gross floor area of the seasonal workers accommodation is 125m². The maximum number of people to be accommodated on site is 80 people.~~

3.2. All new buildings which are part of the seasonal workers accommodation shall be ~~relocatable or able to be reconfigured to buildings accessory to land based primary production.~~

3. Any building associated with seasonal workers accommodation shall be sited a minimum of 15 metres from any road or adjoining property boundary

4. ~~The site shall have a minimum area of 12 ha (this standard shall not be applied to seasonal worker accommodation at or below 125m²).~~

Outcome

The provision of accommodation for workers who undertake seasonal work associated with horticultural production. The life-supporting capacity of the versatile soil resource will be safeguarded by relating the number of people size of buildings to a scale that has a potential for only minor adverse effects on versatile land and is compatible with the character of the Zone.

6.2.6L SCHEDULED ACTIVITIES

Activities associated with Scheduled Activities shall comply with the General Performance Standards and Terms for the Zone and District Wide Activity rules with the following exceptions

- (a) Scheduled Activities No 21 – Hawke's Bay Showgrounds, No 35 Bridge Pa Aerodrome, and No 39 Hohepa Homes, Clive, No 40 Riverbend Church and Camp, and No 41 Tuki Tuki Campsite (as defined in Appendix 26 Fig 5)

<p>1. YARDS All buildings shall comply with the following minimum yard requirements: Front Yard – 7.5 metres Side Yard – 5.0 metres Rear Yard – 5.0 metres</p> <p>2. HEIGHT</p> <p>a. The maximum height of buildings shall be 15 metres for Scheduled site 21 (Hawke's Bay Showgrounds) and 10 metres for Scheduled sites 35 and 36.</p> <p>b. There is no height restriction for the air control tower at the Bridge Pa Aerodrome.</p> <p>3. BUILDING COVERAGE Buildings accessory to the Permitted uses of the Scheduled Site shall be permitted to occupy the following maximum coverage of the site: 40%.</p>	<p><i>Outcome</i> The amenity of the surrounding residential and rural areas will be maintained by buildings being setback from roads and property boundaries.</p> <p>Buildings will be of a scale that is not out of character with the Plains Production environment.</p> <p><i>Outcome</i> The scale and coverage of buildings associated with the will not be overly dominant in the surrounding environment.</p>
<p>(b) Scheduled Activities No's 22, 23, 29, 30, 31, 33, 43 and 44</p> <p>1. YARDS All buildings shall comply with the following minimum yard requirements: Front Yard – 7.5 metres with the exception of Scheduled Site No 22 where the front yard setback is 80.0 metres. Side Yard – 4.5 metres with the exception of Scheduled Sites 43 and 44 where the minimum side yard requirements is 15m. Rear Yard – 7.5 metres with the exception of Scheduled Sites 43 and 44 where the minimum rear yard requirements is 15m.</p> <p>2. HEIGHT The maximum height of buildings shall be 11 metres</p> <p>3. BUILDING COVERAGE Buildings accessory to the Permitted uses of the Scheduled Activity shall be permitted to occupy the following maximum coverage of the site: 40%.</p> <p>Scheduled Activity 29 is exempt from a maximum building coverage or hardstand area, except that on site wastewater and stormwater disposal shall be provided on site.</p> <p>Scheduled Activities 43 and 44 are exempt from a maximum building coverage or hardstand area, except that no buildings shall be erected within 15m of the scheduled site boundaries, and on site waste water and stormwater disposal shall be provided on site.</p> <p>4. LANDSCAPING</p> <p>a. At least 50% of any required yard shall be landscaped, planted and maintained for the full length of the boundary (excluding vehicle entrances)</p> <p>b. Any landscaping strip shall have a minimum width of 1.0 metre.</p> <p>c. Landscaping shall consist of a mixture of ground cover and specimen trees sufficient to reduce the visual impact of industry and to screen outdoor storage areas.</p> <p>d. Planting shall be undertaken in accordance with a landscape plan to be submitted to Council for approval.</p> <p>e. Landscaping on sites for Scheduled Activities 30 and 31 shall only be</p>	<p><i>Outcome</i> The amenity of the surrounding residential and rural areas will be maintained by buildings being setback from roads and property boundaries.</p> <p>Buildings will be of a scale that is not out of character with the Plains Production environment</p> <p>The scale and coverage of buildings associated with the will not be overly dominant in the surrounding environment.</p> <p>Buildings and activities associated with the scheduled use of the site will not adversely affect the amenity of the rural environment.</p>

- required in respect of the front yard, and for the site for Scheduled Activity 22 a landscaped strip of a minimum width of 25 metres shall be required in the front yard.
- f. Landscaping on site for Scheduled Activity 29 shall only be required in the areas shown in Appendix 26, Figure 6
 - g. Landscaping on site for Scheduled Activity 43 shall only be required in respect of the front yard landscape area as identified on the site plan in Appendix 26, Figure 8.
 - h. Landscaping on site for Scheduled Activity 44 shall only be required in respect of the front yard and on the eastern boundaries as identified on the site plan in Appendix 26, Figure 9.
- 5. NOISE**
- a. Activities shall comply with the provisions of link,19574, Section 25.1 of the District Plan on Noise with the following exception.
 - b. Additional standards apply to the concrete batching operations on Scheduled Site No 30 Lot 11 DP 12203 to control the adverse effect of noise of vehicles travelling to and from the site as follows:
 - i. Operation of the concrete batching plant is restricted to the hours of 5am -7pm (Monday to Friday) and 6am-4pm (Saturday, Sunday and Public Holidays).
 - ii. No trucks shall leave the site prior to 5.30am (Monday to Friday) and on all other days trucks shall only leave the site from 6am-4pm.
 - c. Additional standards apply to Scheduled Activity 44 to control the adverse effects of noise of the use of the site, including of vehicles travelling to and from, the site as follows:
 - i. From 1 September 2016, activities on the site shall be carried out in accordance with a Noise Management Plan prepared for the site by a suitably experienced acoustic expert and provided to the Council, which sets out the means by which noise emissions are controlled to ensure the noise limits in Section 25.1 are achieved at all times. The Noise Management Plan is required to take into account noise generated during the peak season.

Explanation: A lead-in time for the preparation of a Noise Management Plan is provided so that the landowner has time to engage an expert to undertake monitoring during the peak season and prepare the Report
- 6. CONCEPT PLAN**
- Any activity associated with Scheduled Activity 33 shall be in accordance with Fig 4 - Concept Plan in Appendix 26 of this document.
- 2. HEIGHT**
- The maximum height of buildings shall be 11 metres

Outcome
Buildings will be of a scale that is not out of character with the Plains Production environment.

(c) Scheduled Activity No 42

1. HEIGHT

- a. The maximum height of buildings shall be 15 metres, with the exception of silos constructed in the general location shown on Appendix 26, Figure 7, for which the maximum height shall be 20 metres.

2. CONCEPT PLAN

Any activity associated with Scheduled Activity 42 shall be in accordance with Fig 7 - Concept Plan in Appendix 26.

3. LANDSCAPING

- a. A 2.5 metre landscaping strip shall be provided, planted and maintained for the full length of the common boundary with Lot 1 DP 21520 Block XIII Te Mata SD.
- b. Landscaping shall consist of a mixture of shrubs and specimen trees sufficient to reduce the visual impact of industry. All trees shall have a minimum height of 2.5 metres at planting.
- c. Planting shall be undertaken in accordance with a landscape plan to be submitted to Council for approval.

(d) Scheduled Activity No 45

1. YARDS

Buildings housing poultry reared intensively and yards accommodating poultry reared intensively shall be located a minimum distance of:

- a. 50 metres from a residential building, or any building being part of a marae, place of assembly, commercial activity or industrial activity on another site;
- b. 15 metres from a property boundary;
- c. 20 metres from a public road.

2. LIMIT ON POULTRY NUMBERS AND LOCATION

- a. A maximum of 60,000 birds shall be kept on the Scheduled Site.
- b. Total bird numbers kept on the Scheduled Site shall be provided to Council officers on request.
- c. No caged birds shall be housed on the area shown with hatched marking on the site plan in Appendix 26, Figure 10.

6.2.6M Temporary Military Training Activities

- a. The activity shall not exceed a period of 31 days, excluding set-up or pack-down activities, which can occur up to one week prior to commencement and up to one week following completion of the Temporary Military Training Activity.
- b. Other than noise (see Section 25.1) and earthworks (see Section 27.1), the general and specific performance standards for the zone do not apply to Temporary Military Training Activities.

*Outcome
Potential adverse effects on adjoining and adjacent activities will be avoided, remedied or mitigated.*

6.2.6N THE STORAGE, HANDLING OR USE OF HAZARDOUS SUBSTANCES WITHIN THE HERETAUNGA PLAINS UNCONFINED AQUIFER OVERLAY Appendix 59

All hazardous substances shall be stored and/or handled on areas which have impervious surfaces and where facilities are provided to prevent contaminants from being washed or spilled into natural ground or entering any piped stormwater systems or stormwater ground soakage, such as bunds, filters, separators or settling areas. In Industrial Zones, this impervious surface requirement also applies to fuel operated machinery and vehicles.

Outcome
The quality of groundwater in the Unconfined Aquifer will be protected from the adverse effects of hazardous substances.

Note 1: Underground tanks and pipelines meeting HSNO Codes of Practice 44 and 45 are considered to contain hazardous substances within an impervious surface.

Note 2: For the avoidance of doubt this rule is not intended to capture the incidental handling or transport of organic matter or fertilisers across a site for the purpose of their application.

6.2.60

Retirement Village on Lot 2 DP 437278

1. That a concept plan for the proposed development be provided that identifies the following features:
 - ◊ The proposed access to the site from Te Aute Road
 - ◊ The location of the service areas
 - ◊ Internal traffic circulation
 - ◊ Parking areas
 - ◊ Any community areas and any commercial activities proposed
 - ◊ The landscaping proposed on the Te Aute Road frontage
 - ◊ The location of any on-site servicing for water, wastewater and stormwater disposal
 - ◊ The provision of a strong artificial buffer to signal the limit of further urban development to the south
2. That a 30 metre wide buffer strip be provided from the boundary of any adjoining Plains Production Zone site. (*Note the Karamu Stream and legal road could be incorporated into this buffer.*)
3. The maximum building coverage shall be 40% of the net site area.
4. Shelterbelt planting is required on the boundaries adjoining sites zoned Plains Production.

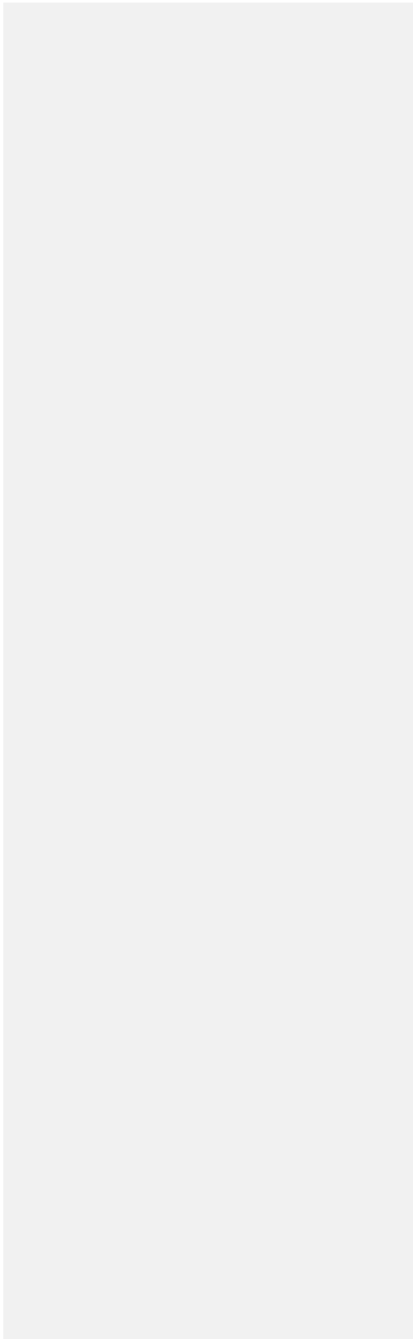
Outcome
Potential adverse or reverse sensitivity effects on adjoining and adjacent activities will be avoided remedied or mitigated.

6.2.7 ASSESSMENT CRITERIA –CONTROLLED ACTIVITIES

For Controlled Activities, the following identify those matters which Council may exercise its control over, or matters in respect of which Council may impose conditions.

6.2.7A Relocated Buildings

- (a) The external appearance of the relocated building and any necessary works will be assessed in terms of the compatibility with the amenity of the surrounding area. The Council will determine the time frame for the completion of any necessary works.
- (b) The proposed location of the building and the effect of the building on the versatile soil resource.



6.2.8ASSESSMENT CRITERIA - RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES

For Restricted Discretionary Activities, the following criteria identify those matters which Council has restricted its discretion over in assessing Resource Consent applications. For Discretionary Activities Council's assessment is not restricted to these matters, but may consider them.

6.2.8AFORESTRY

In assessing Resource Consent applications for forestry Council will have regard to the following effects and to what extent, and by what means, these are able to be avoided, remedied or mitigated:

(a) Impact on the sustainable management of the soil resource.

● Particular regard will be given to the effects on adjacent land uses, including bird habitat, shading, harbouring pests and changes in the microclimate

● The likelihood, extent and duration of damage to the soil structure..

(b) The potential impact on existing amenity values.

● Consideration will be given to the impact of the forest on the existing visual amenity of the locality and on over-dominance of residential dwellings.

(c) Potential to create a fire risk and adequacy of suitable water supply.

(d) The ability to access and egress the site safely.

(e) The impact of heavy traffic on the roading network and traffic safety at harvesting time

(f) Disturbance to adjacent land uses and residents during harvestings.

6.2.8BRELOCATED BUILDINGS EXCEPT BUILDINGS FOR SEASONAL WORKERS ACCOMMODATION

- In considering applications for relocated buildings as restricted discretionary activities, Council has limited its discretion to those particular matters outlined below and retains the discretion to grant or refuse consent and to impose conditions in relation to those matters only. As a restricted discretionary activity, applications may be notified under the Act.
- Whether the proposal will adversely affect the character and amenity of neighbouring sites and the surrounding area by more than one unfinished building being relocated onto the site at any one time; consideration will be given to any cumulative impacts on neighbouring sites and the surrounding environment, and whether these can be sufficiently mitigated or whether the site has the ability to internalise these effects;
 - Whether the proposed relocated building(s) will maintain the amenity of the streetscape including the prevailing site development characteristics of the street and surrounding area (including the relationship of the building to the street, and the landscaping treatment of the front yard area);
 - Whether the siting of the building complies with the general performance standards of the zone in which it is to be located;
 - Whether the building is compatible with the scale, character, style and era of other buildings on neighbouring sites and in the surrounding area; and whether reinstatement work, other alterations to the building, landscaping of the site, or other measures could assist in integrating the building into the surrounding environment;
 - The overall condition of the building and the extent, nature (including design and materials to be used) and timing of the proposed reinstatement works that are required;
 - Where the proposal exceeds the timeframes for reinstatement work specified in the performance standards, consideration will be given to the extent to which the timeframes will be exceeded in addition to the current condition of the building and extent of the reinstatement works required, and any proposed mitigation options (including whether any reinstatement works could be undertaken off site in a storage yard prior to relocation) to address adverse effects on amenity given the length of time the building will remain on the site in an unfinished state.
 - Whether a performance bond should be required as a guarantee that external reinstatement works are completed. The performance bond should not exceed the cost of external reinstatement works identified in the Building Pre-Inspection Report.
 - The matters outlined in (f) and (g) above will be considered in an overall assessment of the appropriateness or reasonableness of extending the reinstatement timeframes to the extent proposed, having regard to the social and economic wellbeing of the applicant.
- 6.2.8C **INTENSIVE RURAL PRODUCTION**
- In assessing Resource Consent applications for intensive rural production Council will have regard to the following effects and to what extent and by what means, these are able to be avoided, remedied or mitigated:
- The potential for the activity to create unreasonable noise;
 - The potential for a noxious, offensive or objectionable odour beyond the boundary of the site;
 - The impact of traffic associated with the activity on the road network;
 - The impact on the versatile land resource and the class 7 soils of the Roys Hill Winegrowing District;
 - The potential impact on existing amenity values
- 6.2.8D **ACTIVITIES ESTABLISHING WITHIN THE YARD REQUIREMENTS (SET BY RULE 6.2.6A) OF A BUILDING KNOWN TO BE USED FOR INTENSIVE RURAL PRODUCTION**

- In assessing Resource Consent applications for potentially incompatible activities seeking to establish within a 400m buffer zone around an existing building known to be used for intensive rural production, Council will have regard to the following effects and to what extent, and by what means, these are able to be avoided, remedied or mitigated:
- (a) The likelihood of the proposed activity to generate reverse sensitivity effects on the intensive rural production activity, and the potential impact these may have on the continuing effective and efficient operation of the intensive rural production activity.
- (b) The extent to which alternative locations have been considered.
- 6.2.8E **WINERIES**
- An assessment of the effects of a winery shall be made considering the following:
- (a) Whether the proposal will maintain or enhance the amenity values of the surrounding area.
- (b) The impact of the scale, character and/or effects of the winery and its compatibility with surrounding activities.
- (c) The potential for the winery to generate significant adverse effects on the environment in terms of noise, dust, glare, vibration and road safety.
- (d) Whether the winery is required to locate on the site in accordance with the concept of vertical integration (linking aspects of grape growing, wine making, retailing and entertainment activities) in terms of the extent that it utilises and enhances the surrounding landscape.
- 6.2.8F **DAIRY PROCESSING INDUSTRIES AND INDUSTRIAL ACTIVITIES INVOLVING BUILDINGS FOR PROCESSING, STORAGE AND/OR PACKAGING OF AGRICULTURAL, HORTICULTURAL AND/OR VITICULTURAL CROPS AND/OR PRODUCE NOT COMPLYING WITH STANDARD 6.2.6E(1) (THRESHOLD LIMITS)**
- An assessment of the effects of the activity shall be made considering the following:
- (a) Whether the activity is of such a scale that it is better to be relocated (or established) in an Industrial Zone (where infrastructure and employment are more readily available and the receiving environment is less sensitive).
- (b) The effects of the proposal on the soil resource.
- (c) Whether the industrial activity will utilise any existing building/s.
- (d) Whether the site is in close proximity to an existing zoned industrial area.
- (e) The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities.
- (f) The potential for the activity to generate adverse effects in the environment in terms of stormwater quality and quantity.
- (g) Whether the activity will process, store and/or package agricultural, horticultural and/or viticultural crops and/or produce, the majority of which are grown from within the Plains Production Zone.
- (h) Whether the proposal will significantly compromise the visual amenity value of the surrounding area, recognising that it is a rural working environment.
- (i) The potential for the activity to generate significant adverse effects on the environment in terms of noise, dust, glare, and road safety.
- (j) The means of disposal for any waste material resulting from the processing of produce and the potential for effects on the unconfined aquifer.
- 6.2.8G **SUPPLEMENTARY RESIDENTIAL BUILDINGS NOT COMPLYING WITH STANDARDS 6.2.6C(b)**
- An assessment of the effects of the activity shall be made considering the following:
- (a) Whether the proposal will continue to allow for efficient use of the remaining undeveloped land for land based primary production

(b) Whether the proposal will utilise an existing formed access, while still being consistent with (a) above.

6.2.8H SUPPLEMENTARY RESIDENTIAL BUILDINGS NOT COMPLYING WITH STANDARD 6.2.6C(d)

An assessment of the effects of the activity shall be made considering the following:

- (a) Whether the proposed building location will continue to allow for efficient use of the remaining undeveloped land for land based primary production.
- (b) Whether the proposal will enable the use of existing services and access on the site, while still being consistent with (a) above.
- (c) Whether the proposal will utilise an area of poor quality soil within the site, while still being consistent with (a) above.
- (d) Whether the existing primary residential building is currently surrounded by existing buildings, services, outdoor living, vehicle access, parking and manoeuvring areas preventing a practicable location of a supplementary residential building within a 25m radius.
- (e) Whether the proposed secondary dwelling will utilise an existing building or building platform on the site.

6.2.8I RETAILING AND ENTERTAINMENT ACTIVITIES ASSOCIATED WITH WINERIES NOT COMPLYING WITH RULE 6.2.6H (2) (Hours of Operation)

An assessment of the effects of the activity shall be made considering the following:

- (a) The impact of the scale character and/or effects of the activity and its compatibility with surrounding activities.
- (b) Whether the activity is of such a scale that it is better to be relocated (or established) in a Commercial Zone (where infrastructure and employment are more readily available and the receiving environment is less sensitive).
- (c) Consideration as to whether the proposal will contribute to adverse cumulative effects on the environment

6.2.8J SEASONAL WORKERS ACCOMMODATION

An assessment of the effects of the activity shall be made considering the following:

- (a) Whether the proposed building location will continue to allow for efficient use of the remaining undeveloped land for land based primary production
- (b) Whether the scale and design of the proposed building complements the character of the area.
- (c) Whether the siting of the activity will impact on the amenity of the adjoining property.
- (d) Whether soil values have been taken into account in the chosen site for the building and whether buildings can be located on a part of the site where land versatility is already compromised.
- (a) Whether safe and efficient vehicle access can be provided to the site.
- (b) The ability of the site to provide for appropriate on site servicing without creating adverse effects on the environment or neighbouring properties.
- (c) Whether the activity will utilise any existing buildings or whether the buildings can be reconfigured for buildings accessory to land based primary production
- (d) The cumulative effects on the versatile land resource taking into account the existing buildings on the site.
- (e) Consideration of any cumulative effects of seasonal workers accommodation, especially on the unconfined aquifer and source protection zones (SPZ).

Advice Notes

1) Applicants should be aware that where on-site servicing of the facility is to be undertaken, resource consent from the Hawke's Bay Regional Council will be required for wastewater and

Commented [RW1]: Recommended amendment as a result of submissions from J Croskery (7), J Sutherland (3) and R Griffiths (13) and further submission FS4 Michael Sutherland- Issue 20

stormwater discharges

2) Applicants may need to transfer an existing permit or provide drinking water within existing allocations and that drinking water will need to meet the requirements of the New Zealand Drinking Water Standards and Health Act

Commented [RW2]: Recommended amendment as a result of a submission from the Hawke's Bay Regional Council (10) Issue 20

Commented [RW3]: Recommended amendment as a result of a submission from the Hawke's Bay Regional Council (10) Issue 20

6.2.8K ANY PERMITTED OR CONTROLLED ACTIVITY NOT MEETING ONE OR MORE OF THE TERMS IN Section 6.2.5 AND IN SECTION 6.2.6

An assessment of the effects of the activity shall be made considering the following:

(a) The ability of the activity to achieve the particular stated outcome of the General or Specific Performance Standard(s) and Terms which it fails to meet. Within the Plains Production Zone the outcomes principally relate to the soil effects and the effects on amenity. In this Zone the amenity centres around the open nature of the landscape, the low scale and intensity of buildings and the use of the land for orchards and cropping.

6.2.8L NOISE SENSITIVE ACTIVITIES WITHIN THE AIR NOISE BOUNDARY

An assessment of the effects of the activity shall be made considering the following

- (a) Whether the design, siting and layout (including outdoor living space) of buildings and structures takes into account the effect of noise arising from Bridge Pa Aerodrome.
- (b) Whether adequate sound insulation is achieved by constructing the building to achieve a minimum External Sound Insulation Level of the building envelope of DnTw + Ctr > 30 dB for outside walls of any habitable rooms. Where it is necessary to have windows closed to achieve the acoustic design requirements, an alternative ventilation system should be provided. Any such ventilation system should be designed to satisfy the requirements of the Building Code and achieve a level of no more than NC30 in any habitable room.
- (c) Whether an acoustic design report has been provided to the Council demonstrating the minimum External Sound Insulation Level of the building envelope of DnTw + Ctr > 30 dB for outside walls has been achieved for all habitable rooms. This report must also contain a certificate by its author that the means given therein will be adequate to ensure compliance with the sound insulation level specified above.
- (d) Whether any other methods to reduce the potential for reverse sensitivity effects on the Bridge Pa Aerodrome, other than the required insulation, have been incorporated into the design of the proposal.
- (e) Whether in the circumstances, (including the number of people to be accommodated), the nature, size and scale of the development is such that it is likely to lead to potential conflict with, and adverse effects on aerodrome activities

6.2.8M RECREATION ACTIVITY ON RESERVES VESTED UNDER THE Reserves Act 1977 WITH A GROSS FLOOR AREA GREATER THAN 50M2

An assessment of effects of the activity shall be made considering the following:

- (a) The ability of the proposal to integrate with the size and proportions of the site, with the locality, and its compatibility with the scale and appearance of development in the adjoining area.
- (b) Design against crime – CPTED considerations including the design and location of buildings, parking areas and landscaping.
- (c) The impact of the scale, character and/or intensity of the proposal (including noise and hours of operation) and degree of compatibility of the use with surrounding activities.
- (d) The extent to which landscape planting is used to enhance the amenity of the site and integration of the proposal with the surrounding area, with particular consideration of the retention of existing trees, visual screening of parking areas and adjoining sites and the view of the site from the street.
- (e) The potential for the activity to generate adverse impacts in terms of traffic safety, noise, odour, dust, glare or vibration and the extent to which mitigation options have been evaluated.
- (f) The potential for the activity to generate traffic, parking demand and/or visitor numbers.

(g)(a) The potential cumulative effects having regard to the presence of similar activities located in the vicinity or activities with similar effects.

(h)(b) Whether the activity can be adequately serviced.

6.2.8N EXISTING EDUCATION FACILITIES EXCEEDING THRESHOLDS

- (a) The ability of the proposal to integrate with the size and proportions of the site, with the locality, and its compatibility with the scale and appearance of development in the adjoining area.
- (b) The impact of the scale, character and/or intensity of the proposal (including noise and hours of operation) and degree of compatibility of the use with surrounding activities.
- (c) The extent to which landscape planting is used to enhance the amenity of the site and integration of the proposal with the surrounding area, with particular consideration of the retention of existing trees, visual screening of parking areas and adjoining sites and the view of the site from the street.
- (d) The potential for the activity to generate adverse impacts in terms of traffic safety, noise, odour, dust, glare or vibration and the extent to which mitigation options have been evaluated.
- (e) The potential for the activity to generate traffic, parking demand and/or visitor numbers.
- (f) The potential cumulative effects having regard to the presence of similar activities located in the vicinity or activities with similar effects.
- (g) Whether the activity can be adequately serviced.

6.2.8O

RURAL TRANSPORT DEPOT

An assessment of the effects of the activity shall be made considering the following:

- (a) The potential for the activity to generate significant adverse effects on the environment in terms of noise, dust, glare, vibration and road safety.
- (b) Whether the site provides ready access to strategic transport networks.
- (c) The impact on the versatile land resource and the class 7 soils of the Roys Hill Winegrowing District.
- (d) Whether the proposal will significantly compromise the visual amenity of the area, recognising it is a rural working environment.
- (e) Whether the site is in close proximity to stock handling and processing facilities that are directly related to the transporting of stock in transit.
- (f) Whether the activity has the potential to adversely affect the life supporting capacity of the Heretaunga Plains Unconfined Aquifer.
- (g) The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities.
- (h) The potential for the proposed activity to create reverse sensitivity effects.

(i)(a) The potential for the activity to generate adverse effects on the environment in terms of stormwater quality and quantity.

6.2.8P

LAND USE ACTIVITIES WITHIN THE HERETAUNGA PLAINS UNCONFINED AQUIFER OVERLAY NOT MEETING THE SPECIFIC PERFORMANCE STANDARDS AND TERMS IN SECTION 6.26N

1. SCALE & NATURE OF ACTIVITY

- i. The scale and intensity of the land use activity including the nature and quantity of chemicals and /or substances to be stored or provided for on the site and the methods proposed for storing, handling or processing and disposal of those substances.
- ii. The availability of fully reticulated stormwater and sewage disposal systems or on-site treatment systems for the treatment of contaminated wastewater or stormwater from buildings and yards.
- iii. The method of disposal of both solid and liquid waste and the volume of waste disposal

2. RISK ASSESSMENT

A risk assessment shall be provided, focussing on the following issues:

- i. Assessment of the probability and potential consequences of an accident leading to the release or loss of control of hazardous substances. This assessment should focus on the ability of the design and management of the site to avoid accidents, such as spill containment measures, fire safety and fire water management, emergency management, site drainage and off-site infrastructure (e.g stormwater drainage system, sewer type and capacity) and the disposal of waste containing hazardous substances.
- ii. Potential risk and effect on human health, natural ecosystems and the life supporting capacity of land and water, in particular, the Heretaunga Plains Unconfined Aquifer.
- iii. Potential risk and effect on sites of significance to Tangata Whenua, sites of historical or archaeological significance.
- iv. The extent to which a natural hazard event may exacerbate the risk as identified in (2) (i) and (ii), associated with the land use activity.
- v. The potential for cumulative adverse effects of hazardous substances stored, handled, processed or disposed of.

3. ALTERNATIVE LOCATIONS

Whether alternative locations for the activity have been considered, having particular regard to locations outside of the Heretaunga Plains Unconfined Aquifer Overlay.

4. DISTRICT PLAN

Consistency with the relevant Objectives, and Policies of the relevant Zone of the Hastings District Plan.

5. RECORD OF EXISTING ACTIVITY

The record of compliance and acceptable risk management of any existing activity where expansion or intensification of an existing activity is proposed.

6. MONITORING

The environmental management and quality assurance practices proposed by the applicant including the extent and frequency of any monitoring programme proposed to confirm the environmental and hazard management procedures and practices are being carried out correctly and/or are achieving the objective of avoiding the risk of groundwater contamination in the unconfined aquifer.

7. PERFORMANCE BONDS

The need to take a performance bond to ensure the adoption and use of careful hazard and environmental management practices and procedures.

8. HAWKE'S BAY REGIONAL COUNCIL CONSULTATION

Consultation with the Hawke's Bay Regional Council including consideration of whether any resource consents are required from the Hawke's Bay Regional Council in respect of the activity to which the application relates and whether these have been applied for and/or have been granted.

9. TANGATA WHENUA

Consideration of tangata whenua values and interests associated with the Heretaunga Plains Unconfined Aquifer.

10. NATIONAL ENVIRONMENTAL STANDARDS, NATIONAL POLICY STATEMENT AND INDUSTRY CODE PRACTICE

Whether the activity complies with relevant National Environmental Standards, National Policy Statements and Industry Codes of Practice or Best Practice Guidelines.

6.2.8Q RETIREMENT VILLAGE ON LOT 2 DP 437278

An assessment of the effects of the activity shall be made considering the following:

1. Benefits that the development may have in terms of meeting housing needs of the elderly in the Hastings District.
2. The method by which a strong artificial boundary to the south is being created.
3. The impact of the scale, character and/or intensity of the proposal (including noise and hours of operation) and degree of compatibility of the use with surrounding activities.
4. The extent to which landscape planting is used to enhance the amenity of the site and integration of the proposal with the surrounding area, with particular consideration of the visual screening of parking areas and adjoining sites and the view of the site from the road.
5. The potential for the activity to generate adverse impacts in terms of traffic safety, noise, odour, dust, glare or vibration and the extent to which mitigation options have been evaluated.
6. The potential for the activity to generate traffic, parking demand and/or visitor numbers.
7. The potential cumulative effects having regard to the presence of similar activities located in the vicinity or activities with similar effects.
8. Whether the activity can be adequately serviced.
9. The potential for the proposed activity to create reverse sensitivity effects.

10.1. The potential for the activity to generate adverse effects on the environment in terms of stormwater quality and quantity

7.5 LIGHT INDUSTRIAL ZONE

7.5.1 INTRODUCTION

Hastings District is characterised by a strong reliance on its rural economic base. This is supported by a variety of rural orientated industries including food processing, the manufacture of value added products, rural and engineering services and logistics. Diversification into other industrial areas has focused on construction and building related service industries. As the key driver for the construction sector is population growth, and population growth over the life of this Plan is not anticipated to be great, primary sector production will be the major industry driver into the future. Rates of development, land uptake and employment can hence all be directly correlated with the rural sector.

While post-harvest production and value added processing will be the major industry drivers into the future, the flow on effect is anticipated to be significant in the rural and engineering support sectors. With the proximity of the port of Napier and the strong rail and road links through the Hastings District the logistics sector is anticipated to continue to experience strong growth. Such industries also provide significant opportunities in servicing the domestic, lifestyle and visitor industry markets.

The Light Industry Zone provides for many of the small scale vehicular and engineering businesses, which caters for both the rural and residential sectors alike. It is characterised by small lot sizes, which is convenient for mechanics, trade shops, workshops and other similar activities. Many of the activities located within the Light Industrial Zone, have similarities to that of the Hastings Commercial Service Zone, and thus there are a number of business that are often intertwined. Businesses in the Light Industrial Zone require less profile than that of other Commercial and Industrial Zones and tend to be located off the main arterials of the District. These businesses are focused on service and production and have less reliability on retail.

Light and service industry has tended to concentrate on the roads parallel to and adjacent to Karamu Road, adjacent to the Hastings City CBD, and to a lesser extent near to the Village Centre at Havelock North. As the urban population of the District has grown, a wide range of smaller industrial activity has become established to service the needs of urban residents in addition to the needs of the rural sector.

7.5.2 ANTICIPATED OUTCOMES

It is anticipated that the following Outcomes will be achieved:

- LIA01 Efficient use and redevelopment of industrial land and infrastructure by concentration of industrial development within existing zones
- LIA02 Avoidance of incompatible activities within Industrial Zones.
- LIA03 Retention and reinforcement of buffers between incompatible activities on opposing zones, with a particular focus between industrial and residential activities.
- LIA04 Industrial development does not reduce the existing environmental and amenity qualities within existing Industrial Zones.
- LIA05 Maintenance of amenity values which are appropriate and consistent with existing industrial areas within the District.

7.5.3 OBJECTIVES AND POLICIES

OBJECTIVE LIZO1 *To facilitate efficient and optimum use and development of existing industrial resources within the Hastings District.*

Relates to Outcomes LIAO1 & LIAO4

POLICY LIZP1 *Ensure that non-industrial activities will remain ancillary to the principal activities taking place in the Industrial Zones.*

Explanation

Commercial and Residential Activities in Industrial Zones can be considered to be an inefficient use of industrial land and are better suited in other zones. These non-industrial activities can also create reverse sensitivity issues. Commercial and residential activities should therefore be limited in scale as to maintain the integrity of the Industrial Zones. [The exception to this is seasonal workers accommodation which specifically services the primary production industry.](#)

The Hastings Commercial Strategy seeks to promote the continued viability of the Hastings CBD; commercial activities should be encouraged to locate in appropriately identified areas and avoid location with industrial areas unless they are in direct association with a principal industrial activity on the same site.

POLICY LIZP2 *Ensure appropriate provision for the operation, intensification and expansion of major primary processing and construction industries that make a significant contribution to the District and Regional economies, while avoiding, remedying or mitigating effects on the surrounding environment.*

Explanation

The Hastings District contains a number of high profile industries which are recognised on a national and international basis and contribute significantly to the Hastings and Hawke's Bay economy and provide a number of jobs for the Hawke's Bay population. These businesses are primarily related to the primary processing and construction industries.

POLICY LIZP2A *Provide for seasonal worker accommodation subject to appropriate limits on effects to recognise its links to the horticulture industry and its compatibility with light industry and adjacent residential environments.*

Explanation

[The light industrial zones are often adjacent to the residential environment thereby acting as a transition between the general industrial and the residential environments. As such seasonal worker accommodation is an activity that has a level effects that is compatible with this transitional environment.](#)

OBJECTIVE LIZO2 *To enable a diverse range of industrial activities within the Hastings District while ensuring adverse effects on the environment, human health and safety are avoided, remedied or mitigated.*
Relates to Outcome LIAO2

POLICY LIZP3 *New industrial development is to be designed and operated in a manner which does not detract from the existing amenity levels of the surrounding environment nor result in cumulative effects that lower surrounding amenity levels over time.*

Explanation

For new industrial development it is recognised that generally higher environmental standards can be achieved and no degradation in the amenity levels of the surrounding environment should occur. It will be important to assess the potential cumulative effects of industry to ensure that discharges or

emissions from new activities do not exacerbate existing effects from established operations.

POLICY LIZP4 *Require the provision of on-site landscaping along front boundaries in industrial areas located along the high profile arterial routes which provide an entrance to the Hastings urban areas.*

Explanation
On-site landscaping will help to break the visual monotony of large buildings, industrial yards, and carparks. The cumulative effect of such landscaping will be to enhance the visual amenity of the District's highly visible industrial areas such as along Maraekakaho, King and Omaha Roads.

OBJECTIVE *Industrial activities shall maintain acceptable amenity levels or be safeguarded from*

LIZO3 *Relates to incompatible uses within surrounding environments.*
Outcomes LIAO3 & LIAO5

Item 2

Attachment B

POLICY LIZP5 *Ensure residential activities are free from unreasonable and excessive noise, odour, dust and glare.*

Explanation

Industrial Activities are recognised as having potential to create high levels of nuisance effects, which have potential to create conflict and reverse sensitivity with adjoining residential activities. Where industrial activities are located near residential activities, which are not within the Industrial Zone, it is paramount that any cross boundary nuisance effects are mitigated or avoided where possible.

Where residential activities are located within existing industrially zoned land, a reasonable level of nuisance effects are to be anticipated and should be mitigated through on site means rather than restricting adjoining industrial activities in their ability to undertake day to day activities.

POLICY LIZP6 *Provide for healthy and safe working, shopping and recreational environments by avoiding and mitigating excessive noise, vibration, odour and dust nuisance generated from industry located in close proximity to commercial and recreational areas.*

Explanation

While strict environmental management is necessary to protect domestic residents from nuisance and health effects, particularly outside of normal business hours, emphasis in business, recreational and shopping areas which are occupied less frequently, should concentrate on maintaining general standards of amenity and environmental quality with significant adverse effects being avoided, remedied or mitigated.

POLICY LIZP7 *Require industry located in close proximity to residential zones to incorporate buffering, screening and landscaping to minimise the adverse visual impact of the activity.*

Explanation

The establishment of buffers and screening or landscaping provide effective mechanisms to reduce the potential interface conflicts between incompatible activities. Buffering may take the form of strip planting or solid fencing and may also involve the restriction of border uses to low impact ancillary activities such as car parking or office/administration activities.

POLICY LIZP8 *Industrial activities with potential for significant adverse effects, such as noise or dust generation, heavy traffic movement, glare or odour, should be located on sites in General Industrial Zones that are remote from residential areas.*

Explanation

For activities with potential nuisance effects, simple buffer strips or landscape screening may not be adequate to mitigate effects, therefore significant separation via the establishment of zoning controls may be required. In this manner industrial activities with the potential for adverse effects will generally be directed to zones which are remote from sensitive adjacent sites. Those areas include Whakatu (away from the Residential Zone boundary), Tomoana, Irongate and large portions of the Omaha Road Industrial Corridor.

7.5.4 METHODS

The Anticipated Outcomes set out in Section 7.5.2 will be achieved and the Objectives and Policies set out in Sections 7.5.3 will be implemented through the following Methods:

HASTINGS DISTRICT PLAN Industrial Zones: The District Plan incorporates three Industrial Zones, to reflect the broad differentiation of industrial activity in the District.

The following is a list of strategies utilised for specific zones.

Light Industrial Zone: This Zone is applied to established service industrial areas of Hastings City which are located close to residential or commercial centres. Emphasis is placed on the need to minimise adverse amenity and nuisance impacts on sensitive adjacent uses, therefore strict environmental performance standards apply. In practice this will mean that the Zones are best suited to lighter or service orientated activities. Making provision for service industry in close proximity to residential areas also offers additional social and economic benefits and, in the case of Hastings City, also ensures adequate support services are located in close proximity to the main shopping areas of the CBD.

General Industrial Zone: The General Industrial Zone is applied to the major industrial nodes of the District at Tomoana, Whakatu, Omahu Road, Irongate and in the King Street/Nelson Street areas. These areas are suitable for a wide range of industrial activities provided significant adverse effects are avoided, remedied or mitigated.

Whirinaki Industrial Zone: This Zone applies to the site of the Pan Pac mill and provides specific resource management for existing wood processing activities and future expansion of the plant.

Hazardous Substances DWA (Section 29.1): Industrial activities are major users of Hazardous material and substances. The storage and use of these will be controlled by the Hazardous Substances DWA (although the Hazardous Substances and New Organisms Act 1996 is the primary regulation relating to hazardous substances). There are particular provisions relating to the Heretaunga Plains Unconfined Aquifer. These modify and restrict the establishment of a range of industrial activities, from which the effects of a system failure, or leakage into the groundwater system, has the potential to negatively impact on the quality of the groundwater.

Noise District Wide Activity (Section 25.1): This section establishes noise standards for industrial activities within all Industrial Zones and at the interface between Industrial Zones and other zones in the District. In addition Specific Standards are included to require residential activities in Industrial Zones to protect their own aural environment.

INTEGRATED MANAGEMENT Hastings District Council will consult with Hawke's Bay Regional Council to ensure that practical and effective mechanisms are formulated for the management of ground water, stormwater discharges, and air discharges and emissions.

Hastings District Council will continue to liaise with Napier City Council with regard to industrial issues on the Heretaunga Plains which are common to both authorities.

The use of hazardous substances, including use within industry, is primarily controlled under this Act via the Environmental Protection Authority.

MONITORING Monitoring shall be undertaken to ensure that the Methods outlined above continue to achieve the objectives and policies of this District Plan.

SEPARABLE TRADE WASTE POLICY New industries establishing in Hastings will be encouraged to locate near the three parallel trunk sewers where they can contribute to the separated trade waste conveyance system.

7.5.5 RULES**7.5.5.1 Light Industrial Zone**

The following table sets out the status of activities within the Light Industrial Zone. These activities are all subject to the standards and terms set out in this plan.

RULE TABLE 7.5.5.1 - LIGHT INDUSTRIAL ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
LI1	Industrial Activities	P
LI2	Dairies and Food Premises	P
LI3	Service Stations	P
LI4	Retail sales and offices on the same site and ancillary to an Industrial Activity.	P
LI5	The sale or hire of machinery, equipment and supplies used for industrial, agricultural, horticultural, building or landscaping purposes ^{Note1}	P
LI6	Places of Assembly	P
LI7	Temporary Events	P
LI8	Tyre Storage complying with Specific Performance Standard 7.5.7.5	P
LI9	Scheduled Activities - any activity listed in Appendix 26 in respect to the stated site.	P
LI10	Emergency Service Facilities	P
LI11	Temporary Military Training Activities	P
LI12	Any Permitted Activity not meeting one or more of the General Performance Standards and Terms in Section 7.5.6.	RD
LI13	Comprehensive Residential Development on Sale yards site (Lot 6 DP 20671 and shown on Appendix 28).	RD
LI14	Building Improvement Centres located on sites other than Lot 6 DP 20671 not exceeding 4,000m ² GFA	RD
LI15	Building Improvement Centres located on Lot 6 DP 20671 (regardless of GFA)	RD
LI15A	Seasonal Worker Accommodation up to a maximum of 300 workers	RD
LI16	Tyre Storage not complying with Specific Performance Standard 7.5.7.5	D
LI17	Residential Activities complying with Specific Performance Standard 7.5.7.2	D
LI18	Any Permitted or Restricted Discretionary Activity not meeting one or more of the Specific Standards and Terms in Section 7.5.7.	D
LI19	Building Improvement Centres located on sites other than Lot 6 DP 20671 over 4,000m ² GFA	D
LI20	Residential Activities not complying with Specific Performance Standard 7.5.7.2.	NC
LI21	Visitor Accommodation.	NC
LI22	Any activity which is not provided for as a Permitted, Restricted Discretionary or Discretionary Activity.	NC

Note 1: For clarification this does not include the merchandising of comparison goods, being household furnishings, fittings and apparel.

Commented [RW4]: Recommended amendment as a result of submission Horticulture NZ (12) - Issue 10

7.5.6 GENERAL PERFORMANCE STANDARDS AND TERMS FOR ALL ACTIVITIES

The following General Performance Standards and Terms apply to all Permitted and Controlled Activities.

7.5.6 LIGHT INDUSTRIAL ZONE**7.1.6.1 BUILDING HEIGHT**

The maximum height for all buildings shall be 11m.

Outcome

The amenity of the Zone will be maintained by preventing tall obtrusive structures or buildings

7.5.6.2 HEIGHT IN RELATION TO BOUNDARY

On any boundary with a site zoned Plains Production, Rural, Residential or Public Open Space, buildings shall not project beyond a building envelope constructed by recession planes from points 2.75 metres above the boundary. The angle of such recession planes shall be determined for each site by use of the recession plane indicator in Appendix 60.

Outcome

Sites on the industrial interface will be provided access to daylight and sunlight.

7.5.6.3 SETBACKS**(a) Front Yards**

No part of any building shall be located within the following yards:

	Front Yard
Sites opposite or adjacent to a Residential Zone	2 metres
Boundaries adjacent to an arterial route	2 metres
All other instances	Nil

Outcomes

The provision of suitable setbacks in order to separate incompatible activities and to facilitate the establishment of planting and screening.

The provision of suitable setbacks in order to separate incompatible activities and to facilitate the establishment of planting and screening.

(b) Internal Yards

No part of any building shall be located within the following yards:

	Internal Yard
Boundaries adjacent to a Residential or Open Space Zone	5 metres
All other instances	Nil

The amenity values of sites on the industrial interface will be maintained.

(c) Storage Setbacks

No structure shall be erected or item/s stored in manner that exceeds a height of 1.5m from ground level, within 2m of a boundary adjacent to a Residential or Open Space Zone.

7.5.6.47.5.6.2 LANDSCAPING

The full length of each front boundary (excluding vehicle entrances) shall be landscaped for the minimum width identified below.

	Minimum Width
Sites opposite or adjacent to a Residential Zone	2 metres
All other instances	Nil

Outcome

The provision of landscape plantings that maintain the amenity of industrial sites and provide a visually coherent streetscape whilst not unduly enclosing road

corridors.

Note: Landscaping required by way of Standard 7.5.6.4 shall be provided and thereafter maintained in accordance with the definition of landscaped in Section 33.1.

7.5.6.57.5.6.3 SCREENING

(a) Internal boundaries adjacent to a Residential or Open Space zone

A 1.8m high solid fence shall be provided along the full length of any internal boundary adjacent to a Residential or Open Space Zone.

(b) Internal boundaries adjacent to a Plains zone

Either a 1.8m high solid fence or a 2m wide landscaping strip shall be provided along the full length of any internal boundary adjacent to a Plains Zone.

Outcomes

The visual amenities of adjacent Residential and Open Space sites will be maintained.

The visual amenities of adjacent Plains zoned sites will be maintained.

7.5.6.67.5.6.4 STORMWATER

(a) Where a reticulated stormwater network is available for the site to connect to, the site shall not exceed the following standards:

AVERAGE RECURRENCE INTERVAL (ARI)	RUNOFF COEFFICIENT
5 year	0.7
50 year	0.75
The peak stormwater runoff shall be calculated in accordance with the Rational Method. These methods are described in the New Zealand Building Code, Approved Document E1 - Surface Water. See Hastings District Council website to assist with calculations	

Outcome

The potential for negative environmental effects from stormwater runoff associated with the land use will be avoided, remedied or mitigated.

(b) Where no reticulated stormwater network is available for the site to connect to, stormwater shall be disposed of on-site.

Note: All on-site stormwater discharges are regulated through the Hawke's Bay Regional Resource Management Plan.

7.5.6.77.5.6.5 TRANSPORT AND PARKING

Activities shall comply with the provisions of Section 26.1 of the District Plan on Traffic Sightlines, Parking, Access and Loading.

Outcome

The outcomes of the Transport and Parking Section of the District Plan on Traffic Sightlines, Parking, Access and Loading will be achieved.

7.5.6.87.5.6.6 NOISE

Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.

Outcome

The outcomes of the Noise Section of the District Plan will be achieved.

7.5.6.97.5.6.7 LIGHT AND GLARE

At no time between the hours of 2200 and 0700 shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at any point 2 metres within the boundary of any adjoining site which is zoned Residential.

At no time between the hours of 2200 and 0700 shall any outdoor lighting be used in a manner that the use of such lighting causes:

An added illuminance in excess of 15 lux measured horizontally or vertically (at a height of 1.5m above the ground) at any window of an adjoining building within a Residential Zone;

An added illuminance in excess of 15 lux measured horizontally or vertically (at a height of 1.5m above the ground) at any point along any residentially zoned boundary or site used for residential purposes, except for those in the Industrial Zones.

Where measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of such outdoor lighting.

Any outdoor lighting shall be so selected, located, aimed, adjusted and screened as to direct such lighting away from any residential activity, homes for the aged, visitor accommodation, marae, health care services, State Highways or formed public roads.

Outcome
Adjoining residential activities will not be adversely affected by glare from lighting associated with industrial activities

7.5.7 SPECIFIC PERFORMANCE STANDARDS AND TERMS

The following Specific Performance Standards and Terms apply to the activities specified below.

7.5.7.1 ACTIVITY THRESHOLD LIMITS

Dairies and food premises: The gross floor area of the premise shall not exceed 50m².

Service Stations: No limit.

Retail sales on same site as, and ancillary to, an Industrial Activity: The activity shall not occupy more than 15% of the total gross floor area of the buildings on the site; or 100m² retail display space (indoor and outdoor) whichever is the lesser.

Offices on same site as, and ancillary to, an Industrial Activity: The activity shall not occupy more than 15% of the total gross floor area of the buildings on the site; or 100m² gross floor area whichever is the lesser.

The sale or hire of machinery, equipment and supplies used for industrial, agricultural, horticultural, building or landscaping purposes and of buildings: 100m² indoor retail display space. There shall be no limit on outdoor display space.

Outcome
Optimum and efficient use of industrial land resources and the avoidance of significant adverse effects. Non-industrial activities will remain ancillary to the principal activities taking place in the Industrial Zones.

7.5.7.2 RESIDENTIAL ACTIVITY

- (a) Any residential unit in the Industrial Zone shall only be provided for a resident caretaker or other person whose employment is such that they are required to live on the premises.
- (b) Minimum gross floor area: 50m²
- (c) Outdoor Living Space: Every residential unit shall be provided with an outdoor living area.
- (d) The outdoor living area shall be directly linked to the principal living area of the unit and shall be located to the side of the residential unit facing north or east or west.
- (e) Where the principal living area of the unit is located at ground level the outdoor living area shall:
 - i) be at least 30m² in area, have a minimum dimension of 5m, and be able to contain a 4m diameter circle; and
 - ii) Shall be screened with a 1.8m high solid fence.
- (f) Where the principal living area of the unit is not at ground level the outdoor living area shall consist of a balcony with a minimum area of 7.0m² capable of accommodating a 2.0m diameter circle.
- (g) Internal Noise Standard: Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.

7.5.7.37.5.7.1 TEMPORARY EVENTS

Only six events shall take place on a site over a 12 month period

Each event shall be of a maximum duration of three days

Maximum attendance at any one time shall be 1000 persons

The Hastings District Council shall receive notification of the temporary event at least ten days prior to the event taking place

No parking associated with the temporary event shall be accommodated on any public road or road reserve

Outcome

It will be possible for temporary events to take place on larger areas of land where it is possible to address adverse effects. The temporary nature of the events will ensure that any effects are for a short time only.

Other than Noise and Traffic Sightline Distances, the General and Specific Performance Standards for the Zone do not apply to Temporary Event Days.

7.5.7.47.5.7.2 COMPREHENSIVE RESIDENTIAL DEVELOPMENT ON THE SALES YARD SITE - LOT 6 DP 20671

The activity shall comply with those aspects of Specific Standard 7.2.6E applicable to sites in Appendix 27 and 28 - Identified sites for Comprehensive Residential Development.

7.5.7.47.5.7.3 TYRE STORAGE

(a) The activity shall be ancillary to another activity on the site.

(b) All tyres shall be stored in a single storage area. The storage area shall:

i) either be inside a building or at least 10m from the front boundary of the site;

ii) not exceed 10m²;

iii) have a maximum dimension of 4m;

iv) be screened from all public spaces and adjoining sites; and

v) shall be locked at all times when the premise is not in use.

(c) Tyres shall not be stored above a height of 1.5m.

7.5.7.47.5.7.4 SCHEDULED SITE NO 34, THE SALESYARDS SITE (LOT 6 DP 20671)

(a) YARDS

No part of any building shall be located within the following yards.

Outcome

The amenity of the surrounding residential area and adjacent reserve will be maintained by buildings being setback from roads and property boundaries

	Yard
Front Yards	
All boundaries	Nil
Internal Yards	
Boundaries adjoining a Residential or Open Space Zone	5 metres
All other boundaries	Nil

(b) HEIGHT

The maximum height of buildings shall be 11 metres.	<u>Outcome</u> The amenity of the zone will be maintained by preventing tall obtrusive structures and buildings.
Buildings adjoining residentially zoned land shall not project beyond a building envelope constructed by recession plane from points 2.75m above boundaries to sites zone residential or Open Space. The angle of such recession planes shall be determined for each site by use of the recession plan indicator in Appendix 60.	
(c) LANDSCAPING	<u>Outcome</u> The landscaped front yards will contribute to the maintenance and enhancement of the amenity of the site and area.
At least 20% of all road frontages of the site shall be landscaped to a minimum depth of 1 metre.	

<u>7.5.7.77.5.7.5</u> TEMPORARY MILITARY TRAINING ACTIVITIES	<u>Outcome</u> Potential adverse effects on adjoining and adjacent activities will be avoided, remedied or mitigated.
<u>a</u> —The activity shall not exceed a period of 31 days, excluding set-up or pack-down activities, which can occur up to one week prior to commencement and up to one week following completion of the Temporary Military Training Activity.	
b. Other than noise (see Section 25.1) and earthworks (see Section 27.1), the general and specific performance standards for the zone do not apply to Temporary Military Training Activities.	
<u>7.5.7.6</u> SEASONAL WORKERS ACCOMMODATION	
a) The activity shall comply with the acoustic insulation requirements for noise sensitive activities as set out in standard 25.1.7C	
b) An area of outdoor open space equating to 10m ² per resident be provided for on the site. The open space area is to be of a shape appropriate for undertaking active recreation activities such as touch rugby, football or basketball.	

7.5.8 ASSESSMENT CRITERIA - RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES

This part of the Plan sets out the assessment criteria for different types of Restricted Discretionary and Discretionary Activities.

For Restricted Discretionary Activities, the following identify those matters which Council has restricted the exercise of its discretion over in assessing Resource Consent applications.

For Discretionary Activities, the following identify those matters which Council may assess the activity against. Council's assessment is not however restricted to these matters.

7.5.8.1 ANY PERMITTED OR CONTROLLED ACTIVITY NOT MEETING ONE OR MORE OF THE STANDARDS AND TERMS IN Section 7.5.6 AND IN Section 7.5.7

An assessment of the effects of the activity shall be made considering the following:

The ability of the activity to achieve the particular stated outcome of the General or Specific Performance Standard(s) and Terms which it fails to meet.

7.5.8.2 ACTIVITIES NOT COMPLYING WITH THE GENERAL STANDARDS AND TERMS IN Section 7.5.6

(a) Building Height and Height in relation to boundary

(i) The extent to which the height and scale of the building is consistent with that of the surrounding industrial zone and the extent to which the infringement will disrupt the visual amenity of that area.

(ii) The extent to which the infringement will disrupt the visual amenity of any land zoned Open Space, Residential, Rural or Plains.

(iii) The extent to which the infringement will overshadow any site/s zoned Open Space, Residential, Rural or Plains.

(iv) The extent to which the infringement will compromise the privacy of any site/s zoned Residential or any existing dwelling within the Rural or Plains Zone.

(v) Whether existing or proposed new trees will soften or screen the proposed infringement from any adjoining site/s zoned Open Space, Residential, Rural or Plains.

(b) Setbacks, Landscaping and Screening
Front Yards:

(i) The extent of the proposed infringement and whether this will disrupt the visual amenity of the surrounding industrial zone and the streetscape within it, with particular regard to 'gateway routes' into Hastings.

(ii) Whether the site retains capacity for Landscaping and tree planting in the front yard.

(iii) The extent to which the proposed infringement compromises the visual amenities, or privacy of any land zoned Open Space, Residential, Rural or Plains.

~~(iv)(i)~~ The extent to which the reduced setback from the road boundary compromises the safe movement of traffic on and off the site and /or along any adjacent road.

Other Yards:

- (i) The extent to which the infringement will disrupt the visual amenity of any land zoned Open Space, Residential, Rural or Plains.
- (ii) The extent to which the infringement will compromise the privacy of any site/s zoned Residential or any existing dwelling within the Rural or Plains Zone.
- (iii) Whether existing or proposed new trees will soften or screen the proposed infringement from any adjoining site/s zoned OpenSpace, Residential, Rural or Plains.

(c) Landscaping:

- (i) The extent to which existing vegetation is retained.
- (ii) The extent to which new tree plantings are proposed, and whether this adequately softens the effect of built form. This may include an assessment of the species selection and whether replacement plantings adequately replace the loss of existing trees.
- (iii) A landscaping plan is submitted with the application, showing how the character and amenity of the neighbourhood will continue to be maintained.

(d) Shelterbelts:

- (i) The extent to which the proposed shelterbelt, or alternate treatment, will screen the activities on the site from adjacent properties and nearby roads and public spaces
- (ii) The extent to which the proposed shelterbelt, or alternate treatment, will be of a consistent character as to other sites within the area.

(e) Screening

- (i) The extent to which any proposed landscaping, shelterbelt, or fencing will screen the activities on the site from adjacent properties and nearby roads and public spaces
- (ii) The extent to which the infringement will compromise the privacy of any site/s zoned Residential or any existing dwelling within the Rural or Plains Production Zone
- (iii) The extent to which the infringement will disrupt the visual amenity of any land zoned Open Space, Residential, Rural or Plains.

(f) Stormwater and Servicing

- (i) Whether the site can be adequately serviced
- (ii) Whether it is proposed to connect the development to the Council's reticulated services.
- (iii) If it is proposed to connect the development to the Council's reticulated services:
- Whether such connections are practical;
 - Whether the volume of the discharge and/or the anticipated peak flows have the potential to overload the sewage and stormwater systems;
 - Whether the nature or quality of the discharge has the potential to cause adverse effects on either the Council's infrastructure or the receiving environment
 - The extent to which any methods proposed such as holding tanks, pre-treatment devices and discharge volume controls will avoid or mitigate any potential adverse effects on the environment.
- (iv) If it is not proposed to connect the development to one or more of the Council's reticulated services, whether the proposed methods are sufficient to meet the anticipated requirements of the development and to avoid, remedy or mitigate adverse effects on the environment
- (v) The methods proposed to ensure that an adequate water supply will be available to meet the needs of the activity and fire fighting requirements while ensuring that the demand does not compromise the Council's ability to service the remainder of the Zone.
- (vi) The methods proposed to avoid, mitigate, or remedy any accidental discharges, sewer overloads or other emergencies with potential for adverse effects on the environment.
- (vii) The adequacy of any monitoring programme including frequency of monitoring and reporting frameworks.
- (viii) Whether the development incorporates low impact designs and techniques which will be utilised to promote sustainable solutions that contribute to efficient resource use and the overall quality of the environment.
- (ix) Whether the activity will have adverse effects in terms of stormwater runoff or ponding on the subject site, adjoining or downstream sites and whether it would be appropriate to limit the scale of impervious surfaces and/or impose conditions requiring the incorporation of low impact design solutions into the development.
- (g) Light and Glare**
- (i) Whether the infringement will adversely affect the safe movement of traffic and pedestrians.
- (ii) The extent to which the infringement will disrupt the visual amenity of any land zoned Open Space, Residential, Rural or Plains.
- (h) Activities not Complying with the Activity Threshold Limit in Standard 7.5.7**
- Dairies and Food Premises*
- Retail Sales and Offices ancillary to an Industrial Activity*
- The sales and hire of machinery, equipment and supplies used for industrial, agricultural, horticultural, building or landscaping purposes within the Light Industrial Zone*

- (i) The extent to which the retail and/or sale of food activity, or any cumulative effects arising from these activities, may affect the vibrancy and vitality of the Hastings CBD, Flaxmere Village Centre or the Suburban or Commercial Service Zones.
- (ii) The extent to which there are opportunities within the existing Commercial Centres /Zones to establish the proposed food premises (in the same or different format). If there are such opportunities, whether the community would be better served by those opportunities rather than the proposed premises.
- (iii) The extent to which the site is of adequate size to accommodate the proposed development, together with car parking and landscape treatment.
- (iv) The extent to which the site can be developed in keeping with the character of the area in which it is to be located.
- (v) The extent to which retailing or food and beverage sales may create a 'reverse sensitivity' effects with industrial activities within the surrounding environment.
- (vi) The extent to which alternative site or locations have been considered.
- (vii) The extent to which the activity promotes the optimum and efficient use of the light industrial resource.
- (viii) The impact of the scale and intensity of the use and its compatibility with surrounding activities.

(i) Tyre Storage

- (i) The extent to which the tyres will be screened from residential and open space zoned land and from roads.
- (ii) The layout of the proposed facility including the size and height of storage piles, the distances between piles and fire breaks proposed.
- (iii) The extent to which the location of the site and the proposed layout, screening and security measures minimise the potential for arson.
- (iv) The mechanisms proposed, by way of a fire management plan, to minimise the risks of fires starting and maximise the chances of fires being extinguished as quickly as possible.
- (v) The mechanisms proposed for the control of stormwater, such as on-site treatment devices, covering storage areas, and the use of impervious surfaces, and the extent to which these will avoid adverse effects on the Council's reticulated network and on the receiving environment.
- (vi) The mechanisms proposed for the control of insects and vermin.
- (vii) The extent to which the site is of adequate size to accommodate the proposed tyre storage together with the proposed stormwater management regime, fire fighting facilities, car parking and landscape treatments.
- (viii) The extent to which alternative sites or locations have been considered.
- (ix) The duration for which it is proposed the tyres will be stored on the site, and the duration for which the activity is to be undertaken.
- (x) The mechanisms proposed to ensure that all tyres will be removed from the site when the activity ceases - for example the provision of a bond to Council.

7.5.8.3

COMPREHENSIVE RESIDENTIAL DEVELOPMENT ON THE SALEYARDS SITE - LOT 6 DP 20671

In assessing resource consent applications to establish Comprehensive Residential Development on the sales yards site Council will restrict its discretion to:

- (i) The extent and nature of buffer (landscape and fencing) treatments proposed between the development and any land used for Industrial activity.
- (ii) The manner in which the development relates to and is orientated towards St Leonards Park
- (iii) The nature of buffer (landscape and fencing) treatments proposed along the frontage to St Leonards Park.
- (iv) The Assessment Criteria set out for Comprehensive Residential Development within the Hastings Residential Environment (Section 7.2.7H).

7.5.8.4 ASSESSMENT CRITERIA - RESTRICTED DISCRETIONARY ACTIVITY - BUILDING IMPROVEMENT CENTRES

Landscaping

a) Whether the extent, type and nature of the landscaping proposed is sufficient to mitigate any visual effects of carparking areas on the streetscape and any neighbouring residential and open space zone environments all year around.

b) Whether the landscape design and planting proposal adequately provides for the continued maintenance of the landscaping and plantings.

Lighting

c) The extent to which any lighting and glare created by Building Improvement Centres and associated car parking areas will affect residential and open space zones. Light spill should be directed away from these zones.

d) The extent to which the proposed hours of operation of the Building Improvement Centre activity will affect the amenity and character of adjoining residential and open space zones.

Commercial Strategy

e) The extent to which the proposed activity is consistent with the Commercial strategy.

Reverse Sensitivity

f) Whether there are potential reverse sensitivity effects that may arise from this type of activity operating in this location.

g) The extent and nature of potential reverse sensitivity impacts on existing activities in the surrounding location, and the ability for those effects to be mitigated.

Traffic and Parking Effects

h) Whether any potential traffic increases will have an impact on the character and amenity of any residential properties or surrounding residential areas.

a) Whether the location of the car parking areas on site will be directly adjacent to the street and in front of any building development and to what extent the scale and positioning of carparking areas will affect the amenity of the surrounding environment.

7.5.8.5 SEASONAL WORKERS ACCOMMODATION

An assessment of effects of the activity shall be made considering the following:

- (a) The ability of the existing infrastructure to provide water, wastewater, and stormwater disposal.
- (b) Whether safe and efficient vehicle access can be provided to the site.
- (c) Whether the proposal can provide sufficient on-site car parking.
- (d) Whether the activity will have reverse sensitivity effects on adjoining activities.
- (e) The proposed accommodation management plan and practices.
- (f) Whether there is sufficient landscaping/open space to provide for the amenity of the workers.
- (a)(g) Whether the open space is appropriately connected to the accommodation units and is of a shape/layout to allow for active recreation activities.

14.1 INDUSTRIAL

14.1.1 INTRODUCTION

Hastings District is characterised by a strong reliance on its rural economic base. This is supported by a variety of rural orientated industries including food processing, the manufacture of value added products, rural and engineering services and logistics. Diversification into other industrial areas has focused on construction and building related service industries. As the key driver for the construction sector is population growth, and population growth over the life of this Plan is not anticipated to be great, primary sector production will be the major industry driver into the future. Rates of development, land uptake and employment can hence all be directly correlated with the rural sector.

While post-harvest production and value added processing will be the major industry drivers into the future, the flow on effect is anticipated to be significant in the rural and engineering support sectors. With the proximity of the port of Napier and the strong rail and road links through the Hastings District the logistics sector is anticipated to continue to experience strong growth. Such industries also provide significant opportunities in servicing the domestic, lifestyle and visitor industry markets.

Given the majority of industry in Hastings has a rural orientation; the environmental effects that they generate tend to be specific and are common across most industries. In particular the effects of noise, odour, ground and water discharges, heavy vehicle movements and dust are common to many of the District's industrial processing operations. Many of the District's major industries have been long established on their existing sites, and in some cases urban or intensive rural development has gradually surrounded industrial sites creating the potential for significant interface conflicts. At the same time there has been a degree of tolerance of the environmental effects of major industry because these activities are identified as District assets and significant employers of the District's labour force.

Urban industrial activity is concentrated in the north and north-west of Hastings City. Significant activities include the food processing operations of Heinz-Wattie's Ltd, ENZA International and Turners Growers Group, and various meat processors and packers. A range of ancillary activities are also located in these areas.

Light and service industry has tended to concentrate on the roads parallel to and adjacent to Karamu Road, adjacent to the Hastings City CBD, and to a lesser extent near to the Village Centre at Havelock North. As the urban population of the District has grown, a wide range of smaller industrial activity has become established to service the needs of urban residents in addition to the needs of the rural sector.

The District contains four major industrial sites, outside of the main urban areas, at Whakatu, Tomoana, Whirinaki, and Irongate. There is currently surplus industrial capacity at Whakatu, which is suitable for wet industry due to the existing infrastructure provided to the area. The servicing of Irongate does not include trade waste facilities, as the capacity for wet industry which requires this level of service can be accommodated at Whakatu. Irongate is therefore a dry industrial zone. The Whirinaki site was developed especially for wood processing and pulp manufacture and this activity continues to have a significant impact on the regional economy. The Whirinaki Zone also includes the Whirinaki Power Station site. Electricity has been generated from this site since 1975.

14.1.2 ANTICIPATED OUTCOMES

It is anticipated that the following Outcomes will be achieved:

IAO1 Efficient use and redevelopment of industrial land and infrastructure by concentration of industrial development within existing zones

IAO 2 Concentration of specific industry in appropriate locations, specifically:

- (a) Wet industry and Food Industry in the Tomoana and Whakatu areas utilising existing infrastructure.
- (b) Dry industry in the Irongate Industrial Area.

(c)(a) Dry Industry with profile along the Omaha Road arterial route

IAO 3 Avoidance of incompatible activities within Industrial Zones.

IAO 4 Retention and reinforcement of buffers between incompatible activities on opposing zones.

IAO 5 Industrial development does not reduce the existing environmental and amenity qualities within existing Industrial Zones.

- IZAO 6

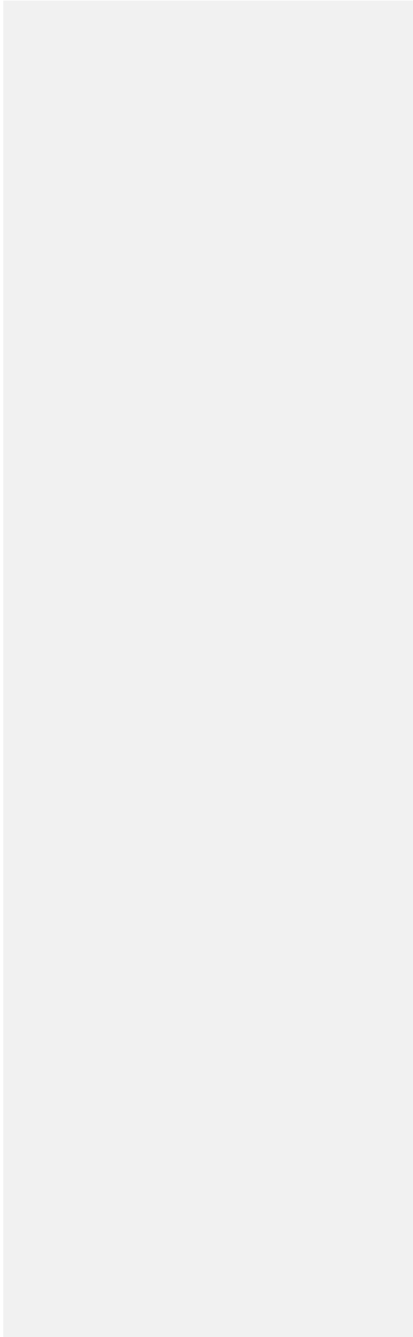
Maintenance of amenity values which are appropriate and consistent with existing industrial areas within the District.
- IZAO 7

Provision for the operation, intensification and expansion of major primary processing and construction industries that make a significant contribution to the District and Regional economies.
- IZAO 8

Adverse effects on the Heretaunga Plains Unconfined Aquifer from operations and activities within Industrial Zones are avoided.
- IZAO9

The life supporting capacity of the Heretaunga Plains Unconfined Aquifer system will be sustained.
- IZAO 10

That Mana Whenua values regarding the Kaitiakitanga of the Aquifer water resource are maintained.



Item 2

Attachment B

14.1.3 OBJECTIVES AND POLICIES

OBJECTIVE IZO1 To facilitate efficient and optimum use and development of existing industrial resources
Relates to Outcomes within the Hastings District.

IZAO1
- IZAO3 & IZAO7

POLICY IZP1 *Ensure that non-industrial activities will remain ancillary to the principal activities taking place in the Industrial Zones.*

Explanation

Commercial and Residential Activities in Industrial Zones can be considered to be an inefficient use of industrial land and are better suited in other zones. These non-industrial activities can also create reverse sensitivity issues. Commercial and residential activities should therefore be limited in scale as to maintain the integrity of the Industrial Zones. [The exception to this is seasonal workers accommodation which specifically services the primary production industry.](#)

The Hastings Commercial Strategy seeks to promote the continued viability of the Hastings CBD; commercial activities should be encouraged to locate in appropriately identified areas and avoid location with industrial areas unless they are in direct association with a principal industrial activity on the same site.

POLICY IZP2 *Ensure appropriate provision for the operation, intensification and expansion of major primary processing and construction industries that make a significant contribution to the District and Regional economies, while avoiding, remedying or mitigating effects on the surrounding environment.*

Explanation

The Hastings District contains a number of high profile industries which are recognised on a national and international basis and contribute significantly to the Hastings and Hawke's Bay economy and provide a number of jobs for the Hawke's Bay population. These businesses are primarily related to the primary processing and construction industries.

The Industrial Zone provides for the ongoing operation and future development of major industry within the District. Where possible intensification of existing industries should be undertaken, but land should be available when required, provided environmental effects can be mitigated. The Whirinaki, King Street and Tomoana industrial areas are three areas recognised to provide for the continued operation and expansion for existing major industries.

POLICY IZP3 *Ensure the integrated and efficient development of the Irongate Industrial Area through the use of a Structure Plan.*

Explanation

The Irongate Industrial Area (shown in the Structure Plan in Appendix 16) is anticipated to provide in the vicinity of thirty years supply of 'dry' industrial land for the District. However, the actual take up of this land will depend upon the prevailing economic and market conditions. A flexible approach to the timing of infrastructural development of this area is therefore needed.

The Structure Plan provides details of: the bulk infrastructure to be provided; and the infrastructure corridors to be set aside.

POLICY IZP4 *Ensure the integrated and efficient development of the Omaha North Industrial Area through the use of a Structure Plan.*

Explanation

The Omaha North Industrial Area (shown in the Structure Plan in Appendix 17) is anticipated to provide in the vicinity of twenty years supply of 'high profile' dry industrial land for the District. However, the actual take up of this land will depend upon the prevailing economic and market conditions. The Structure Plan (see Appendix 17) provides details of: the bulk infrastructure to be provided; the infrastructure corridors to be set aside; and the stormwater infiltration basin which must be addressed in developing the area.

OBJECTIVE IZO2 To enable a diverse range of industrial activities within the Hastings District while ensuring adverse effects on the environment, human health and safety are avoided, remedied or mitigated.
Relates to Outcome IZA05

POLICY IZP7 The Protection of the vital water resource contained in the unconfined aquifer from contamination risks from industrial uses and development.

Explanation

There is a need to give maximum protection to the sensitive unconfined aquifer which lies below large parts of the Omaha Road industrial area. This water resource is of vital importance for the horticultural activities of the District and also provides a clean drinking water supply for the residents of Hastings City and Flaxmere. Protection of the aquifer may well override other considerations, meaning that an activity may need to be excluded from the Omaha Road area if it is an unsuitable activity or adequate mitigation and risk management cannot be demonstrated (this issue is addressed in the Hazardous Substances Section 29.1).

POLICY IZP8 New industrial development is to be designed and operated in a manner which does not detract from the existing amenity levels of the surrounding environment nor result in cumulative effects that lower surrounding amenity levels over time.

Explanation

For new industrial development it is recognised that generally higher environmental standards can be achieved and no degradation in the amenity levels of the surrounding environment should occur. It will be important to assess the potential cumulative effects of industry to ensure that discharges or emissions from new activities do not exacerbate existing effects from established operations.

POLICY IZP9 Require the provision of on-site landscaping along front boundaries in industrial areas located along the high profile arterial routes which provide an entrance to the Hastings urban areas.

Explanation

Industrial activities along high profile arterial routes such as Omaha Road and the Southern Expressway can create reduced visual amenity for visitors entering the Hastings Urban areas. On-site landscaping will help to break the visual monotony of large buildings, industrial yards, and carparks. The cumulative effect of such landscaping will be to enhance the visual amenity of the District's highly visible industrial areas.

OBJECTIVE IZO3 Industrial activities shall maintain acceptable amenity levels or be safeguarded from incompatible uses within surrounding environments.
Relates to Outcomes IZA04 & IZA06

POLICY IZP10 Ensure residential activities are free from unreasonable and excessive noise, odour, dust and glare, and that Land Based Primary Production Activities are free from dust and contaminants affecting crops.

Explanation

Industrial Activities are recognised as having potential to create high levels of nuisance effects, which have potential to create conflict and reverse sensitivity with adjoining residential and cropping activities. Where industrial activities are located near residential activities, which are not within the Industrial Zone, it is paramount that any cross boundary nuisance effects are mitigated or avoided where possible. Crops have the potential to be damaged from dust and contaminants emanating from industrial activities. Such effects should be avoided or mitigated.

Where residential activities are located within existing industrially zoned land, a reasonable level of nuisance effects are to be anticipated and should be mitigated through on site means rather than restricting adjoining industrial activities in their ability to undertake day to day activities.

POLICY IZP11 *Provide for healthy and safe working, shopping and recreational environments by avoiding and mitigating excessive noise, vibration, odour and dust nuisance generated from industry located in close proximity to commercial and recreational areas.*

Explanation

While strict environmental management is necessary to protect domestic residents from nuisance and health effects, particularly outside of normal business hours, emphasis in business, recreational and shopping areas which are occupied less frequently, should concentrate on maintaining general standards of amenity and environmental quality with significant adverse effects being avoided, remedied or mitigated.

POLICY IZP12 *Require industry located in close proximity to residential activities located outside of the industrial zones to incorporate buffering, screening and landscaping to minimise the adverse visual impact of the activity.*

Explanation

The establishment of buffers and screening or landscaping provide effective mechanisms to reduce the potential interface conflicts between incompatible activities. Buffering may take the form of strip planting or solid fencing and may also involve the restriction of "border" uses to low impact ancillary activities such as car parking or office/administration activities.

POLICY IZP13 *Industrial activities with potential for significant adverse effects, such as noise or dust generation, heavy traffic movement, glare or odour, should be located on sites in General Industrial Zones that are remote from residential areas.*

Explanation

For activities with potential nuisance effects, simple buffer strips or landscape screening may not be adequate to mitigate effects, therefore significant separation via the establishment of zoning controls may be required. In this manner industrial activities with the potential for adverse effects will generally be directed to zones which are remote from sensitive adjacent sites. Those areas include Whakatu (away from the Residential Zone boundary), Tomoana, Irongate and large portions of the Omaha Road Industrial Corridor.

OBJECTIVE IZO4 *To enable the efficient and effective use and the sustainable management of the District's resources by providing for the development of new industries in accordance with the IZA01 and IZA02 Hastings Industrial Strategy.*

POLICY IZP14 *Provide for the establishment of dry industrial activities on larger sites in the Irongate Industrial Area.*

Explanation

The infrastructure for the Irongate Industrial Area has been designed to support dry industrial activities such as timber processing activities and transportation depots. No provision has been made for trade waste or reticulated stormwater disposal. A minimum site size has been set at 1 hectare as this is the density of development that service infrastructure and roading has been designed to accommodate. Some flexibility in lot size may be able to be accommodated provided a 1 hectare average site size density is retained. The limited access nature of Maraekakaho Road and the lack of profile on Irongate Road means that this area is not appropriate for activities seeking smaller sites with a high profile and access to passing traffic.

For certain sites, a minimum site size of 5000m² has been identified as appropriate, provided they are serviced by a single access point to Maraekakaho Road. A reduced minimum lot size has been recognised as appropriate for these sites because existing buildings and infrastructure investment and/or their lot shape characteristics makes a 1 hectare average inefficient.

POLICY IZP15 *To restrict the establishment of activities within the Omaha North General Industrial area to 'dry industry' and 'profile oriented' activities that have a low risk of contamination of the Heretaunga Plains Unconfined Aquifer.*

Explanation

The Omaha North Industrial Area is particularly suited to dry industrial or industrial related activities that require a site with a profile to a busy road. Examples of industrial related activities are the sale and hire of machinery, equipment and supplies used for industrial, agricultural, horticultural, building or landscape purposes.

There is no provision for Large Format Retail or general retail stores within the Zone. The District Plan seeks to promote the continued viability of the Hastings CBD through the existing Commercial Zones and precincts (Appendix 31). The location of Large Format Retail developments within an Industrial Zone on the periphery of the City conflicts with this objective. The establishment of Large Format Retailing stores within this Zone also creates the potential for adverse traffic safety and network effects. The infrastructure within the Omaha North Industrial Area is suited to predominantly 'dry' activities as the capacity of the adjacent trade waste sewer is limited and access to it is not assured.

Certain industrial activities have been identified as being a high risk to the Heretaunga Plains Unconfined Aquifer owing to the potential for pathogenic contamination of ground water to occur. This situation arises as a result of stormwater discharges from development in the zone being into an infiltration basin rather than a reticulated system. These activities include waste management sites, transfer stations and composting areas, and stock sale yards, which are not anticipated in the zone and are non-complying.

For similar reasons, bakeries which have outside washing areas, which otherwise would be permitted under the definition of 'dairies and food premises', are also non-complying.

POLICY IZP16 *Ensure that industry establishing in the Tomoana Food Industry Zone are food related and have a locational requirement to be within the Zone.*

Explanation

Tomoana has developed as an important food processing and allied industry area and the Industrial 2 Zone at Tomoana has become fully committed for that purpose. The Tomoana Food Industry Zone has been introduced to allow for further expansion of compatible activities, to enable efficient and effective utilisation of existing infrastructure and to encourage the continuation of land based primary production as the Zone develops over time. It is expected that Tomoana will further consolidate as a major food processing and allied industry area in the District.

The Tomoana Food Industry Zone has been provided for an industry specific purpose, and the establishment of non-food related industries is strongly discouraged.

This Policy reduces the risk of activities locating in the Tomoana Food Industry Zone that have no locational requirement to be there. Locational requirements to be in the Zone include: contracting a majority of business to Heinz Wattle's; or, utilisation of the trade waste system for a food processing industry. Activities not having these locational requirements are directed towards available land at Irongate, Omaha Road or Whakatu. Non-food related industries are adequately provided for in other Industrial Zones.

POLICY IZP17 Provide for the establishment of predominantly wet industrial activities in the Whakatu and Tomoana Industrial Areas.

Explanation

The Whakatu/Tomoana Industrial Areas are recognised as having large capacity for trade waste discharges due to their proximity to and connection with the Wastewater Treatment Plant. As such it is recognised as being better equipped for the location of wet industry, as opposed to other Industrial Zones within the District. The Tomoana Food Industry Zone provides for the establishment of food processing industries, and the Whakatu Industrial Zone still has large vacant areas for establishment of other wet industry.

Aside from the industrial area rezoned Tomoana Food Industry, the remainder of Industrial Zones do not preclude development of other dry industrial activities, but where possible these should be encouraged to locate in industrial areas with appropriate levels of servicing.

POLICY IZP17A Provide for the establishment of seasonal workers accommodation in the General Industrial Zones at Omaha and Irongate.

Explanation

The provision of seasonal workers accommodation is an important part of the land based primary production process. Without this resource the industry would not be sustainable. The growth in the Recognised Seasonal Employer (RSE) scheme requires large scale facilities which are not best placed in the traditional residential areas. As a result it is appropriate that they are located in the industrial zones where their scale is not out of character with the surrounding activities. Reverse sensitivity could be an issue, however measures can be put in place to guard against this. Seasonal workers accommodation is not provided for in the Tomoana and Whakatu wet industrial areas or the Food Hub as the land in these zones is a limited resource that should be reserved for activities that require the capacity supplied by this infrastructure.

POLICY IZP17B To ensure that the scale of seasonal workers accommodation is consistent with the infrastructure capacity of the Irongate Industrial Zone.

Explanation

The infrastructure associated with the Irongate Industrial Zone has been based on dry industry. This means that there is limited capacity available in both the water and wastewater systems. As a result the Council has developed a formula to enable landowners to gauge the scale of accommodation that could be constructed on the site. This formula is applied as a performance standard within the zone. This might mean that the ability to fully develop the site may need to be sacrificed if seasonal workers accommodation is to be constructed.

OBJECTIVE IZO5 To ensure the life supporting capacity of the Heretaunga Plains Unconfined Aquifer water resource is not compromised by the effects of land use occurring above it.

*Relates to Outcomes
IZAO8 and IZAO9*

POLICY IPZ18 Ensure that where activities involving hazardous substances are located within the sensitive environment of the Heretaunga Plains Unconfined Aquifer Overlay area (Appendix 59), their usage and storage are designed and managed to ensure the water supply for the environment and community is not compromised.

*Relates to
Objective IZO
5*

Explanation

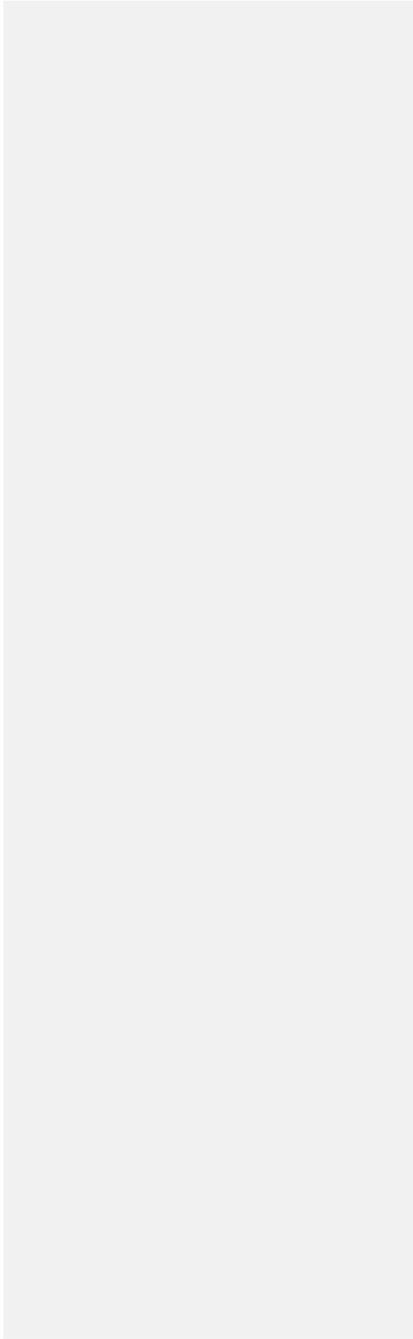
The protection of the quality of the drinking water, irrigation water and natural watercourses that emanate from the Heretaunga Plains Unconfined Aquifer is critical to the health and economic welfare of the Hawke's Bay community. Industrial Zoned land and intensive horticultural and viticulture operations are located over the unconfined area of the aquifer. Additional protection to that provided by HSNO regulation is therefore considered appropriate to apply to this area to ensure that this critical ground water resource is not contaminated. The District Plan will adopt a precautionary approach to the storage, use, and disposal of all materials in order to avoid the entry of any hazardous substance into the aquifer. For this reason the storage, handling or use of Arsenic (As) within the Heretaunga Plains Unconfined Aquifer is a Prohibited Activity via the adoption of Rule GI19.

POLICY IZP19 Monitor land use activities occurring within the Heretaunga Plains Unconfined Aquifer Overlay area (Appendix 59) to ensure that current regulation is adequately preventing contaminants from

Relates to Ob

entering this groundwater resource.

Explanation
Substances utilised by new and existing land use activities overlying the aquifer, pose a potential threat of contamination. The District Council will monitor land use activities and their effects to ensure that appropriate land use practices are employed and that District Plan provisions are being complied with.



Item 2

Attachment B

14.1.4 METHODS

The Anticipated Outcomes set out in Section 14.1.2 will be achieved and the Objectives and Policies set out in Section 14.1.3 will be implemented through the following Methods:

HASTINGS DISTRICT PLAN Industrial Zones: The District Plan incorporates three Industrial Zones, to reflect the broad differentiation of industrial activity in the District.

The following is a list of strategies utilised for specific zones.
Light Industrial Zone: This Zone is applied to established service industrial areas of Hastings City which are located close to residential or commercial centres. Emphasis is placed on the need to minimise adverse amenity and nuisance impacts on sensitive adjacent uses, therefore strict environmental performance standards apply. In practice this will mean that the Zones are best suited to lighter or service orientated activities. Making provision for service industry in close proximity to residential areas also offers additional social and economic benefits and, in the case of Hastings City, also ensures adequate support services are located in close proximity to the main shopping areas of the CBD. [This zone is also an appropriate location for the provision of seasonal workers accommodation.](#)

General Industrial Zone: The General Industrial Zone is applied to the major industrial nodes of the District at Tomoana, Whakatu, Omaha Road, Irongate and in the King Street/Nelson Street areas. These areas are suitable for a wide range of industrial activities provided significant adverse effects are avoided, remedied or mitigated.

Whirinaki Industrial Zone: This Zone applies to the site of the Pan Pac mill and provides specific resource management for existing wood processing activities and future expansion of the plant, and also includes the Whirinaki Power Station and switchyard for the generation and transmission of electricity.

Section 29.1 Hazardous Substances DWA: Industrial activities are major users of Hazardous material and substances. The storage and use of these will be controlled by the Hazardous Substances DWA (although the Hazardous Substances and New Organisms Act 1996 is the primary regulation relating to hazardous substances). There are particular provisions relating to the Heretaunga Plains Unconfined Aquifer. These modify and restrict the establishment of a range of industrial activities, from which the effects of a system failure, or leakage into the groundwater system, has the potential to negatively impact on the quality of the groundwater.

Section 25.1 Noise DWA: This section establishes noise standards for industrial activities within all Industrial Zones and at the interface between Industrial Zones and other zones in the District. In addition Specific Standards are included to require residential activities in Industrial Zones to protect their own aural environment.

INTEGRATED MANAGEMENT Hastings District Council will consult with Hawke's Bay Regional Council to ensure that practical and effective mechanisms are formulated for the management of ground water, stormwater discharges, and air discharges and emissions.

Hastings District Council will continue to liaise with Napier City Council with regard to industrial issues on the Heretaunga Plains which are common to both authorities.

The use of hazardous substances, including use within industry, is primarily controlled under this Act via the Environmental Protection Authority.

MONITORING Monitoring shall be undertaken to ensure that the Methods outlined above continue to achieve the objectives and policies of this District Plan.

SEPARABLE TRADE WASTE POLICY New industries establishing in Hastings will be encouraged to locate near the three parallel trunk sewers where they can contribute to the separated trade waste conveyance system.

14.1.5 RULES**14.1.5.1 General Industrial Zone**

The following table sets out the status of activities within the General Industrial Zone. These activities are all subject to the standards and terms set out in this Plan.

RULE TABLE 14.1.5.1 - GENERAL INDUSTRIAL ZONE

RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
GI1	Industrial activities	P
GI2	Dairies and food premises except bakeries with outside wash down areas in the Omaha North General Industrial Zone	P
GI3	Service Stations	P
GI4	Retail sales and offices on the same site and ancillary to an Industrial Activity.	P
GI5	The sale or hire of: Machinery, equipment and supplies used for industrial, agricultural, horticultural, viticultural, building or landscaping purposes ¹ ; Buildings This rule only applies to those Omaha Road sites identified within the area identified in Appendix 36 and the Irongate Industrial area Appendix 16.	P
GI6	Tyre Storage complying with Specific Performance Standard 14.1.7.5	P
GI7	Temporary Events	P
GI8	Emergency Service Facilities	P
GI9	Temporary Military Training Activity	P
GI9	Any Permitted Activity not meeting one or more of the General Performance Standards and Terms in Section 14.1.6.	RD
GI9A	Seasonal workers accommodation in the Omaha and Irongate General Industrial zones- up to a maximum of 300 workers	RD
GI10	Tyre Storage not complying with Specific Performance Standard 14.1.7.5	D
GI11	Any Permitted or Restricted Discretionary Activity not meeting one or more of the Specific Standards and Terms in Section 14.1.7.	D
GI12	Residential activities complying with Specific Performance Standard 14.1.7.2.	D
GI12A	Seasonal workers accommodation in the Omaha and Irongate General Industrial Zones in excess of 300 workers	D
GI13	Residential activities that do not comply with Specific Performance Standard 14.1.7.2.	NC

Commented [RW5]: Recommended amendment as a result of a submission from Horticulture NZ (12) Issue 10

Commented [RW6]: Recommended amendment as a result of a submission from Horticulture NZ (12)- Issue 10

GI14	Visitor Accommodation	NC
GI15	Places of Assembly	NC
GI16	Any activity which is not provided for as a Permitted, Restricted Discretionary or Discretionary Activity. To avoid any doubt this includes this includes seasonal workers accommodation that does not comply with the wastewater performance standard 14.1.6A.10	NC

Note 1: For clarification this does not include the merchandising of comparison goods, being household furnishings, fittings and apparel.

RULE TABLE 14.1.5.1A - HERETAUNGA PLAINS UNCONFINED AQUIFER OVERLAY		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
GI17	The Storage, Handling or Use of Hazardous Substances (except Arsenic (As)) within the Heretaunga Plains Unconfined Aquifer Overlay	P
GI18	Permitted activities under Rule GI17 not meeting the Specific Standards and Terms in Section 14.1.7.8	RD
GI19	The Storage, Handling or Use of Arsenic (As) within the Heretaunga Plains Unconfined Aquifer Overlay	Prohibited

Note: For users affected by the rules that apply specifically to the Heretaunga Plains Aquifer, attention is drawn to the National Environmental Standard for Sources of Human Drinking Water which may also be relevant to the activity.

14.1.5.2 Deferred General Industrial Zone

The following table sets out the status of activities within the Deferred General Industrial Zone. These activities are all subject to the standards and terms set out in this Plan.

Uplift of the Deferred Zone

The Deferred Industrial Zoning will cease to have effect once the Council passes a resolution that it is appropriate that the deferred status can be lifted due to the zone being substantially developed or the Council having otherwise concluded that it is appropriate for the deferred status to be lifted.

After the deferred status ceases to have effect, the provisions of the General Industrial Zone will apply.

The Deferred General Industrial Zone will be uplifted from Lot 1 and Lot 3 DP 22545 (232 and 268 Ruahapia Road) and the subject land will be zoned General Industrial Zone once the Whakatu Arterial Project (new arterial road) has been constructed and the Council has confirmed it has been commissioned and is operational.

RULE TABLE 14.1.5.2 DEFERRED GENERAL INDUSTRIAL ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
DGI1	Land based primary production (excluding forestry)	P
DGI2	Commercial activities (excluding visitor accommodation) complying with Specific Performance Standard 6.2.6D of the Plains Production Zone	P
DGI3	Temporary Events	P
DGI4	Any Permitted or Restricted Discretionary Activity not meeting one or more of the General Performance Standards and Terms in Section 14.1.6 or the Specific Standards and Terms in Section 14.1.7.	D
DGI5	Residential activities complying with Specific Performance Standard 14.1.7.2.	D
DGI6	Residential activities that do not comply with Specific Performance Standard 14.1.7.2.	NC
DGI7	Visitor Accommodation	NC
DGI8	Places of Assembly	NC
DGI9	Any activity which is not provided for as a Permitted, Restricted Discretionary or Discretionary Activity.	NC

14.1.5.3 WHIRINAKI INDUSTRIAL ZONE

The following table sets out the status of activities within the Whirinaki Industrial Zone. These activities are all subject to the Standards and Terms set out in this Plan.

RULE TABLE 14.1.5.3 - WHIRINAKI INDUSTRIAL ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
WI1	Sawmills and timber processing	P
WI2	Log and timber storage and handling	P
WI3	Wood pulp and paper mills	P
WI4	Electricity production	P
WI5	Temporary Military Training Activity	P
WI6	Ancillary activities and buildings associated with the Permitted activities of the site.	P
WI7	Scheduled Activities - any activity listed in Appendix 26 in respect to the stated site.	P
WI8	Any Permitted Activity that does not comply with one or more of the General Performance Standards and Terms in Section 14.1.6.	RD
WI9	Any other activity (not listed as a Permitted activity) complying with the General and relevant Specific Performance Standards and Terms in Section 14.1.6 and Section 14.1.7.	D
WI10	Any activity which is not provided for as a Permitted or Discretionary activity.	NC

14.1.5.4 TOMOANA FOOD INDUSTRY ZONE

The following table sets out the status of activities within the Tomoana Food Industry Zone. These activities are all subject to the standards and terms set out in this plan.

RULE TABLE 14.1.5.4 - TOMOANA FOOD INDUSTRY ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
T11	Food related Industrial Activities	P
T12	Land Based Primary Production	P
T13	Temporary Military Training Activity	P
T14	Any Permitted Activity not meeting one or more of the General Performance Standards and Terms in Section 14.1.6 or the Specific Standards and Terms in Section 14.1.7.	RD
T15	Any activity which is not provided for as a Permitted or Restricted Discretionary Activity.	NC

14.1.6 GENERAL PERFORMANCE STANDARDS AND TERMS FOR ALL ACTIVITIES

The following General Performance Standards and Terms apply to all Permitted and Controlled Activities.

14.1.6A GENERAL INDUSTRIAL ZONE

Refer to Appendix 16 and 17 for maps of the land within the Irongate and Omaha North areas.

14.1.6A.1 BUILDING HEIGHT

Zone	Maximum Height
Irongate Area	15 metres
All other locations	30 metres

Exception to Height Requirement: The maximum height for buildings on 1215 Maraekakaho Road (Pt Lot 1 DP 3470, Lot 1 DP 23232, Lot 1 DP 26022 and Lot 1 DP 20209) shall be 30 metres.

Outcome
The amenity of the Zone will be maintained by preventing tall obtrusive structures or buildings

14.1.6A.2 HEIGHT IN RELATION TO BOUNDARY

- (a) On any boundary with a site zoned Plains, Rural, Residential or Public Open Space, buildings shall not project beyond a building envelope constructed by recession planes from points 2.75 metres above the boundary. The angle of such recession planes shall be determined for each site by use of the recession plane indicator in Appendix 60.

Except: In the case of the boundary of the Omaha North Industrial Zone with the designated stormwater infiltration basin and / or access corridor, the recession plane calculation shall be from the Plains Production Zone of the designated corridor.

Outcome
Sites on the industrial interface will be provided access to daylight and sunlight.

- (b) That in addition to 14.1.6A2(a), no building shall exceed 11m height within 15m of a boundary with the Flaxmere General Residential Zone.

14.1.6A.3 SETBACKS

a) Front Yards

No part of any building shall be located within the following yards:

Areas	Front Yard
Irongate Area	
All instances Note 1; Note 2	10 metres
All Other General Industrial Areas	
Sites opposite or adjacent to a Residential Zone	6 metres
Boundaries adjacent to Kirkwood Road	10 metres
Boundaries adjacent to Omaha Road (and not opposite a Residential Zone)	3 metres
Boundaries adjacent to any other Arterial Route	2 metres
All other instances	Nil

Outcome
The provision of suitable setbacks in order to separate incompatible activities and to facilitate the establishment of planting and screening.

Note 1:

A site shall be exempt from the yard requirement along the boundary with Section 17 SO 438108 (HB131/166) if:

- (a) the site is amalgamated with (or other legally joined with) land in Section 17 SO 438108 (HB131/166); and
- (b) the boundary of the new site coincides with Plains Production Zone boundary

Note 2:

Sites fronting Irongate Road East are exempt from the front yard requirement.

Outcome**(b) Internal Yards**

No part of any building shall be located within the following yards:

Areas	Front Yard
Irongate Area	
Boundaries adjacent to the Plains Production Zone	10 metres
Boundaries adjacent to Section 17 SO 438108 (HB131/166) Note 1	10 metres
All other instances	Nil
All other locations	
Boundaries adjacent to Flaxmere General Residential Zone	10 metres
Boundaries adjacent to any other Residential Zone	5 metres
Boundaries adjacent to Open Space or Plains Production Zone	5 metres
All other instances	Nil

The provision of suitable setbacks in order to separate incompatible activities and to facilitate the establishment of planting and screening.

Note 1:

A site shall be exempt from the yard requirement along the boundary with Section 17 SO 438108 (HB131/166) if:

- (a) the site is amalgamated with (or other legally joined with) land in Section 17 SO 438108 (HB131/166); and
- (b) the boundary of the new site coincides with Plains Production Zone boundary

Outcome**c) Storage Setbacks**

No structure shall be erected or item/s stored in manner that exceeds a height of 1.5m from ground level within 2m of a boundary adjacent to a Residential, Open Space or Plains Production Zone.

The amenity values of sites on the industrial interface will be maintained.

Except: In the case of the boundary of the Omaha North General Industrial Zone with the designated stormwater infiltration basin and access corridor, this storage setback rule shall not apply as the designated corridor will ensure a physical separation from industrial activities to adjoining Plains Production Zone properties. For the avoidance of doubt, this exemption does not apply where there is an easement for underground service connections only.

d) Setback from Irongate Stream

No buildings, structures, storage of goods or impervious surfaces shall be located within 15m of the bank of the Irongate Stream.

Outcome

That the riparian values of the Irongate Stream, including the potential for public access, are maintained or enhanced

- (a) The full length of each front boundary (excluding vehicle entrances) shall be landscaped for the minimum width identified below; except for boundaries fronting Omaha Road (North), where a minimum of 25% of the length of each front boundary (excluding vehicle entrances) shall be landscaped for the minimum width identified below:

Areas	Minimum Width
Irongate Area	
Boundaries adjacent to State Highway 50A	
All other instances	Refer to 14.1.6A.4(b) below
All other General Industrial Areas	
Sites opposite or adjacent to a Residential Zone	2 metres
Boundaries adjacent to Kirkwood Road	5 metres
Boundaries adjacent to Omaha Road	2 metres
Boundaries adjacent to Omaha Road (North)	3 metres
All other instances	Nil

Outcome
The provision of landscape plantings that maintain the amenity of industrial sites and provide a visually coherent streetscape whilst not unduly enclosing road corridors.

Note: Except as required in 14.1.6A.4(b) below, landscaping required by way of Standard 14.1.6A.4(a) shall be provided and thereafter maintained in accordance with the definition of landscaped in Section 33.1

- (b) Landscaping within the Irongate Area shall consist of an even mixture of ground cover, shrubs and specimen trees complying with 14.1.6.4A(b)(i) to (iv) below.
- i. A minimum of 25% of the length of the frontage of all sites shall be landscaped.
- ii. Any landscaping strip shall have a minimum width of 3.0m.
- iii. Trees planted shall be from the list below:
- Erect Oak (*Quercus Robur Fastigiata*) (12m x 2.5m)
 - Oriental Plane (*Platanus Orientalis 'Autumn Glory'*) (10m x 5m)
 - London Plane Tree (*Platanus Acerifolia*) (15m x 6m)
- iv. The ground cover and shrub plantings shall contain a mix of no less than four and no more than six species. These shall not exceed 1.8m in height.

Outcome
To ensure that planting is visually interesting a variety of species will be planted including specimen trees which add to a wider sense of place.

14.1.6A.5 SCREENING

1.0 General Industrial Zone

- (A) All internal boundaries adjacent to a Plains Production Zone
Either a 1.8m high solid fence; or a 2m wide landscaping strip shall be provided along the full length of any side or rear boundary adjacent to a Plains Production Zone. This requirement does not apply to boundaries adjacent to the designated stormwater infiltration basin in the Omaha North General Industrial Zone.
- (B) Omaha North: All boundaries adjacent to the designated stormwater infiltration basin in the Omaha North General Industrial Zone.
Either a 1.8 metre high fence, which may be a standard 7-wire fence or a 2m wide landscaping strip shall be provided along the full length of any side or rear boundary adjacent to a Plains Production Zone. A 4m wide gap shall be provided in the landscaping strip to allow access for firefighting.
- (C) Internal boundaries adjacent to a Residential or Open Space zone
A 1.8m high solid fence shall be provided along the full length of any side or rear boundary adjoining land zoned Residential or Open Space.

Internal boundaries adjacent to a Residential or Open Space zone

A 1.8m high solid fence shall be provided along the full length of any side or rear boundary adjoining land zoned Residential or Open Space.

Outcomes Industrial activities adjoining Open Space, Residential or Plains Production Zones will have a pleasant appearance, and provide protection to mitigate reverse sensitivity effects.

Industrial activities shall have a pleasant appearance from the neighbouring State highway and Residential Zone.

2.0 Irongate Area

(A) Irongate Area - Boundaries adjacent to the Plains Production Zone and Boundaries adjacent to Section 17 SO 438108 (CT HB131/166)

- a) A shelterbelt shall be established along the full length of each boundary.
- b) The shelterbelt shall consist of one of the following tree species:
 - Sheoak – Casuarina
 - Crytomeria
- c) The individual trees shall be at least 2m in height at the time of planting.
- d) The shelterbelt shall be planted no closer than 5m and no further than 10m from the boundary.
- e) The shelterbelt shall be maintained so that:
 - i) the branches do not extend over the boundary; and
 - ii) its height does not exceed the distance the shelterbelt is from the boundary plus 4 metres. (e.g. at a distance of 5 metres from the boundary, the height limit is 9 metres; at a distance of 9 metres from the boundary, the height limit is 13 metres).
- f) That the shelterbelt must be capable of being fully maintained from within the site it is located.
- g) No new shelterbelt shall be required to be provided on a boundary where there is an existing legally established shelterbelt parallel to and within 10m of that boundary.

*Outcome
The visual amenities of adjacent Plains Production zoned sites will be maintained.*

*Outcome
The visual amenities of adjacent State Highway 50A will be maintained.*

(B) Irongate Area - Boundaries adjacent to State Highway 50A

- a) A shelterbelt shall be established along the full length each boundary.
- b) The shelterbelt shall consist of one of the following tree species:
 - Poplar varieties
 - Pittosporum varieties
 - Beech, *Fagus Sylvatica*
 - Salix varieties
- c) The individual trees shall be at least 2m in height at the time of planting.
- d) The shelterbelt shall be planted no further than 10m from the boundary.
- e) The shelterbelt shall be maintained so that:
 - the branches do not extend over the boundary; and
 - where the shelterbelt is planted between 5m and 10m from the boundary, its height does not exceed the distance the shelterbelt is from the boundary plus 4 metres; (e.g. at a distance of 5 metres from the boundary, the height limit is 9 metres; at a distance of 9 metres from the boundary, the height limit is 13 metres).
- f) That the shelterbelt must be capable of being fully maintained from within the site it is located. In the case of shelterbelts planted closer than 5m from the boundary, a maintenance strip of 3 metres must be provided within the site.
- g) No new shelterbelt shall be required to be provided on a boundary where there is an existing legally established shelterbelt parallel to and within 10m of that boundary.

14.1.6A.6 STORMWATER

(a) General Industrial Zone (Irongate)

- i. All roof surfaces shall be constructed from inert materials or painted with non-metal based paint and thereafter maintained in good order.
- ii. All stormwater discharge shall be disposed of within the site (on-site).

Outcome

The use of inert roofing materials will reduce the level of contaminants in stormwater.

Note:

- *No stormwater (from any site) shall enter the Hasting's District Council's road side stormwater system.*
- *All on-site stormwater discharges are regulated through the Hawke's Bay Regional Resource Management Plan*
- *For guidance on Industrial Stormwater Design refer to the Hawke's Bay Waterway Guidelines.*

Outcome

The potential for effects from stormwater discharges associated with the industrial land use will be avoided, remedied or mitigated.

(b) Omaha North Area (Appendix 17, Figure 1)

- i. All roof surfaces shall be constructed from inert materials or painted with non-metal based paint and thereafter maintained in good order.
- ii. A Stormwater Management Plan must be provided to the Council for the approval of the Environmental Consents Manager prior to the commencement of any new activity before discharging into the Stormwater Network. The

- Stormwater Management Plan must be prepared by a suitably qualified and experienced person and shall include the following:
- Details of the proposed land use, including an assessment of any risks associated with contaminants on the site, detailing how contaminants will be managed; The method of
 - monitoring the performance of pre- treatment devices, prior to discharge to the infiltration basin;
 - A to scale site plan, including details of the stormwater management proposed for the site;
 - A calculation of the expected stormwater run-off, storage volumes and post development discharge rates. *Note: Under the Hastings District Council Water Services Bylaw Approval is required to connect and discharge to the Stormwater Network.*
- iii. All stormwater shall be conveyed to the designated stormwater infiltration basin within the designated service corridor D161.
- iv. Where the stormwater infiltration basin has not yet been constructed, any new development requires the construction of the stormwater infiltration basin within the designated service corridor in accordance with the specifications set out in subdivision standard 30.1.7R.
- v. The above clauses (iii) and (iv) shall not apply to:
- those properties identified within the Omaha Road Structure Plan area in Appendix 17, Figure 1 that require a method of stormwater disposal alternative to and different from disposal by connection to the designated stormwater infiltration basin. For the avoidance of doubt, these properties are subject to the requirements of standard 14.1.6A.6 as it applies to 'All Other Areas' below.
 - Building extensions / new buildings resulting in an increased gross floor area across the site of less than 100m² over a 24 month period from the date of the release of decisions on Variation 1 (25 March 2017).

Note: Stormwater may only be discharged to a Council reticulated network in compliance with the Hastings District Council Water Services Bylaw.

All on-site stormwater discharges are regulated by the Hawke's Bay Regional Resource Management Plan.

Outcome

The potential for effects from stormwater discharges associated with the industrial land use will be avoided, remedied or mitigated. Outcome

The potential for negative environmental effects from stormwater runoff associated with the land use will be avoided, remedied or mitigated.

(c) All Other Areas

- i. Where a reticulated stormwater network is available for the site to connect to the site shall not exceed the following standards:

Average Recurrence Interval (ARI)	Runoff Coefficient
5 year	0.7
50 year	0.75

The peak stormwater runoff shall be calculated in accordance with the Rational Method. These methods are described in the New Zealand Building Code, Approved Document E1

- Surface Water. See Hastings District Council website to assist with calculations.

Average Recurrence Interval (ARI)	Runoff Coefficient
5 year	0.7
50 year	0.75
The peak stormwater runoff shall be calculated in accordance with the Rational Method. These methods are described in the New Zealand Building Code, Approved Document E1 - Surface Water. See Hastings District Council website to assist with calculations.	

- ii. Where no reticulated stormwater network is available for the site to connect to stormwater shall be disposed of on-site.

Note: All on-site stormwater discharges are regulated through the Hawke's Bay Regional Resource Management Plan.

(d) All Areas - Inert Roofing

All roof surfaces shall be constructed from inert materials or painted with non-metal based paint and thereafter maintained in good order.

Outcome

The use of inert roofing materials will reduce the level of contaminants in stormwater.

14.1.6A.7 TRANSPORT AND PARKING

Activities shall comply with the provisions of Section 26.1 of the District Plan on Traffic Sightlines, Parking, Access and Loading.

Outcome

The outcomes of the Transport and Parking Section of the District Plan on Traffic Sightlines, Parking, Access and Loading will be achieved.

14.1.6A.8 NOISE

Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.

Outcome

The outcomes of the Noise Section of the District Plan will be achieved.

14.1.6A.9 LIGHT AND GLARE

At no time between the hours of 2200 and 0700 shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at any point 2 metres within the boundary of any adjoining site which is zoned Residential.

At no time between the hours of 2200 and 0700 shall any outdoor lighting be used in a manner that the use of such lighting causes:

An added illuminance in excess of 15 lux measured horizontally or vertically (at a height of 1.5m above the ground) at any window of an adjoining building within a Residential Zone;

An added illuminance in excess of 15 lux measured horizontally or vertically (at a height of 1.5m above the ground) at any point along any residentially zoned boundary or site used for residential purposes, except for those in the Industrial Zones.

Where measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of such outdoor lighting.

Any outdoor lighting shall be selected, located, aimed, adjusted and screened as to direct such lighting away from any residential activity, homes for the aged, visitor accommodation, marae,

Outcome

Adjoining Residential Activities will not be adversely affected by glare from lighting associated with Industrial Activities.

14.1.6A.10 WASTEWATER

A. General Industrial Zone – Irongate

The peak wastewater discharge from a site shall not exceed the following standard :
Maximum wastewater discharge volume of 0.04 litres per second per hectare of site.

Outcome
Sites will be appropriately serviced for wastewater, with total wastewater from sites not exceeding the specified design for the Irongate wastewater network.

14.1.6C WHIRINAKI INDUSTRIAL ZONE

14.1.6C.1 HEIGHT IN RELATION TO BOUNDARY

On any boundary with a site zoned Rural buildings shall not project beyond a building envelope constructed by recession planes from points 2.75 metres above the boundary. The angle of such recession planes shall be determined for each site by use of the recession plane indicator in Appendix 60.

14.1.6C.2 SETBACKS

Front Yards
No part of any building shall be located within the following yards.

	Front Yard
Boundaries adjacent to State Highway 2	37.5 metres

Outcomes
The provision of suitable setbacks in order to separate incompatible activities and to facilitate the establishment of planting and screening

Internal Yards
No part of any building shall be located within the following yards.

	Internal Yard
Boundaries adjacent to the Rural Zone *Except where associated with Scheduled Activity 32	15 metres
All other Boundaries	Nil

14.1.6C.3 LANDSCAPING

The full length of each front boundary (excluding required for vehicle or rail access) adjacent to State Highway 2 shall be landscaped minimum width of 37.5m.

All landscaping shall be of a sufficient nature to comply with 14.1.6C.4 (SCREENING)

Outcome
The provision of landscape plantings that maintain the amenity of industrial sites and provide a visually coherent streetscape whilst not unduly enclosing road corridors.

14.1.6C.4 SCREENING

All activities shall be screened from public view from State Highway 2 and from the residentially zoned land adjoining the State Highway.

14.1.6C.5 TRANSPORT AND PARKING

Activities shall comply with the provisions of Section 26.1 of the District Plan on Traffic Sightlines, Parking, Access and Loading.

Outcome
The outcomes of the Transport and Parking Section 26.1 of the District Plan on Traffic Sightlines, Parking, Access and Loading will be achieved.

14.1.6C.6 NOISE

Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.

Outcome
The outcomes of the Noise Section 25.1 of the District Plan will be achieved.

14.1.6C.7 LIGHT AND GLARE

At no time between the hours of 2200 and 0700 shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at any point 2 metres within the boundary of any adjoining site which is zoned Residential.

Outcome
Adjoining residential activities will not be adversely affected by glare from lighting associated with industrial activities.

At no time between the hours of 2200 and 0700 shall any outdoor lighting be used in a manner that the use of such lighting causes:

An added illuminance in excess of 15 lux measured horizontally or vertically (at a height of 1.5m above the ground) at any window of an adjoining building within a Residential Zone;

An added illuminance in excess of 15 lux measured horizontally or vertically (at a height of 1.5m above the ground) at any point along any residentially zoned boundary or site used for residential purposes, except for those in the Industrial Zones.

Where measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of such outdoor lighting.

Any outdoor lighting shall be so selected, located, aimed, adjusted and screened as to direct such lighting away from any residential activity, homes for the aged, visitor accommodation, marae, health care services, State Highways or formed public roads.

14.1.6D TOMOANA FOOD INDUSTRY ZONE

14.1.6D.1 BUILDING HEIGHT

ZONE	Maximum Height
Tomoana Food Industry Zone	30 metres

Outcome
The amenity of the zone will be maintained by preventing tall obtrusive structures and buildings

14.1.6D.2 HEIGHT IN RELATION TO BOUNDARY

On any boundary with a site zoned Plains Production, or Public Open Space, buildings shall not project beyond a building envelope constructed by recession planes from points 2.75 metres above the boundary. The angle of such recession planes shall be determined for each site by use of the recession plane indicator in Appendix 60.

Outcome
Sites on the industrial interface will be provided access to daylight and sunlight.

14.1.6D.3 SETBACKS

Front Yards

No part of any building shall be located within the following yards.

ZONE	Front Yard
Tomoana Food Industry Zone	
Boundaries adjacent to Elwood Road	10 metres
All other boundaries	6 metres

Outcome
The provision of suitable setbacks in order to separate incompatible activities and to facilitate the establishment of planting and screening

Internal Yards

No part of any building shall be located within the following yards.

ZONE	Front Yard
Tomoana Food Industry Zone	
Boundaries adjacent to Tomoana Drain	12 metres
Boundaries adjacent to the Plains Production Zone	5 metres
All other boundaries	Nil

14.1.6D.4 LANDSCAPING

The full length of each front boundary (excluding vehicle entrances) shall be landscaped for the minimum width identified below.

Outcome

The provision of landscape plantings that maintain the amenity of industrial sites and provide a visually coherent streetscape whilst not unduly enclosing road corridors.

	Minimum width of Landscaping
Boundaries adjacent to Elwood Road or Richmond Road	2.5 metres

Landscaping shall be done in accordance with the standards of ground cover and specimen trees, sufficient to soften the visual impact of industry and to screen outdoor storage areas from adjacent or opposite activities and motorists.

14.1.6D.5 SCREENING

(a) Boundaries adjacent to the Tomoana Drain ^{Note 1}

Outcome

The visual amenities of adjacent Plains zoned sites will be maintained.

- i) A shelterbelt shall be established along the full length of each boundary
- ii) The shelterbelt shall consist of one of the following tree species:

Poplar varieties

Pittosporum varieties

Beech - *Fagus sylvatica* Conifer - *Cupressus glabra*

Salix varieties

- iii) The individual trees shall be at least 2m in height at the time of planting.
- iv) The shelterbelt shall be planted no closer than 5m and no further than 10m from the boundary.
- v) The shelterbelt shall be maintained so that:
 - the branches do not extend over the boundary; and
 - Trimmed or fallen branches or limbs shall be kept clear of the Tomoana Drain at all times; and
 - its height does not exceed the distance the shelterbelt is from the boundary plus 4 metres.

(e.g. at a distance of 5 metres from the boundary, the height limit is 9 metres; at a distance of 9 metres from the boundary, the height limit is 13 metres).

- vi) That the shelterbelt must be capable of being fully maintained from within the site it is located.

(b) All other internal boundaries adjacent to a Plains zone

Either a 1.8m high solid fence; or a 2m wide landscaping strip shall be provided along the full length of any side or rear boundary adjacent to a Plains Zone.

Outcome

The visual amenities of adjacent Plains Production zoned sites will be maintained.

14.1.6D.6 STORMWATER

All roof surfaces shall be constructed from inert materials or painted with non-metal based paint and thereafter maintained in good order.

Outcome

The potential for effects from stormwater discharges associated with the industrial land use will be avoided, remedied or mitigated.

All stormwater shall be discharged to the Tomoana Drain via either: An onsite detention system; OR

A reticulated stormwater detention and disposal network.

Suitable on-site stormwater will be provided to service the activity in advance of a reticulated system being available.

Notes:

All infrastructure is required to comply with the HDC's Engineering Code of Practice, the Building Code and HDC's Water Services Bylaw.

All stormwater discharges to the Tomoana Drain are regulated by the Hawke's Bay Regional Council.

For the avoidance of doubt the stormwater detention system may be located in the Deferred Industrial 7 (Tomoana Food Industry Cluster) Zone.

14.1.6D.7 SERVICING

Suitable on-site stormwater and sewerage systems will be provided to service the activity in advance of a reticulated system being available.

Notes:

All infrastructure is required to comply with the HDC's Engineering Code of Practice, the Building Code and HDC's Water Services Bylaw.

All stormwater discharges to the Tomoana Drain are regulated by the Hawke's Bay Regional Council.

14.1.6D.8 TRANSPORT AND PARKING

Activities shall comply with the provisions of Section 26.1 of the District Plan on Traffic Sightlines, Parking, Access and Loading.

Outcome

The outcomes of the Transport and Parking Section of the District Plan on Traffic Sightlines, Parking, Access and Loading will be achieved.

14.1.6D.9 NOISE

Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.

Outcome

The outcomes of the Noise Section of the District Plan will be achieved.

14.1.6D.10 LIGHT AND GLARE

- (a) At no time between the hours of 2200 and 0700 shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at any point 2 metres within the boundary of any adjoining site which is zoned Residential.

(b) At no time between the hours of 2200 and 0700 shall any outdoor lighting be used in a manner that the use of such lighting causes:

i) An added illuminance in excess of 15 lux measured horizontally or vertically (at a height of 1.5m above the ground) at any window of an adjoining building within a Residential Zone;

ii) An added illuminance in excess of 15 lux measured horizontally or vertically (at a height of 1.5m above the ground) at any point along any residentially zoned boundary or site used for residential purposes, except for those in the Industrial Zones.

(c) Where measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of such outdoor lighting.

(d) Any outdoor lighting shall be so selected, located, aimed, adjusted and screened as to direct such lighting away from any residential activity, homes for the aged, visitor accommodation, marae, health care services, State Highways or formed public roads.
- Outcome
Adjoining residential activities will not be adversely affected by glare from lighting associated with industrial activities.

14.1.7 SPECIFIC PERFORMANCE STANDARDS AND TERMS

The following Specific Performance Standards and Terms apply to the activities specified below.

Note: Specific Performance Standards and Terms for activities in the Deferred Residential Zone shall be those for the Plains Production Zone.

14.1.7.1 ACTIVITY THRESHOLD LIMITS

(a) General Industrial Zone and Deferred General Industrial Zone:

Outcome
Optimum and efficient use of industrial land resources and the avoidance of significant adverse effects. Non-industrial activities will remain ancillary to the principal activities taking place in the Industrial Zones.

- i. *Dairies and food premises:* The gross floor area of the premise shall not exceed 50m².
- ii. *Service Stations:* No limit.
- iii. *Retail sales on same site as, and ancillary to, an Industrial Activity:* The activity shall not occupy more than 15% of the total gross floor area of the buildings on the site; or 100m² retail display space (indoor and outdoor) whichever is the lesser.
- iv. *Offices on same site as, and ancillary to, an Industrial Activity:* The activity shall not occupy more than 15% of the total gross floor area of the buildings on the site; or 100m² gross floor area whichever is the lesser.
- v. *Offices on same site as, and ancillary to, an Industrial Activity on land shown in the Omaha North Industrial Area - Structure Plan (Appendix 17 Figure 1):* The maximum gross floor area for offices on the same site as, and ancillary to, an Industrial Activity shall be 200m².
- vi. *The sale or hire of machinery, equipment and supplies used for industrial, agricultural, viticultural, horticultural, building or landscaping purposes and the sale or hire of buildings on sites fronting Omaha Road:* No limit.

The sale or hire of machinery, equipment and supplies used for industrial, agricultural, horticultural, building or landscaping purposes and the sale or hire of buildings on those sites in the Irongate Industrial Area: 100m² indoor retail display space. There shall be no limit on outdoor display space.

(b) Tomoana Food Industry Zone

Outcome
Optimum and efficient use of the Tomoana Food Industry Zone land resource for food related industrial activities and the avoidance of significant adverse effects. A limited amount of non-industrial activities will be provided for that are ancillary to the principal activities taking place in the Tomoana Food Industry Zone.

Commercial activities serving food and beverages; including meeting, board room and/or conference facilities:

One building with a maximum gross floor area of 150m²

14.1.7.2 RESIDENTIAL ACTIVITY

All Zones

- (a) Any residential unit in the Industrial Zone shall only be provided for a resident caretaker or other person whose employment is such that they are required to live on the premises.
- (b) Minimum gross floor area: 50m²
- (c) Outdoor Living Space: Every residential unit shall be provided with an outdoor living area.
- (d) The outdoor living area shall be directly linked to the principal living area of the unit and shall be located to the side of the residential unit facing north of east or west.
- (e) Where the principal living area of the unit is located at ground level the outdoor living area shall:
 - i) be at least 30m² in area, have a minimum dimension of 5m, and be able to contain a 4m diameter circle; and
 - ii) Shall be screened with a 1.8m high solid fence.
- (f) Where the principal living area of the unit is not at ground level the outdoor living area shall consist of a balcony with a minimum area of 7.0m² capable of accommodating a 2.0m diameter circle.
- (g) Internal Noise Standard: Activities shall comply with the provisions of Section 25.1 of the District Plan on Noise.

14.1.7.3 TEMPORARY EVENTS

All Zones

Only six events shall take place on a site over a 12 month period

Each event shall be of a maximum duration of three days Maximum attendance at any one time shall be 1000 persons

The Hastings District Council shall receive notification of the temporary event at least ten days prior to the event taking place

No parking associated with the temporary event shall be accommodated on any public road or road reserve

Other than Noise and Traffic Sightline Distances, the General and Specific Performance Standards for the Zone do not apply to Temporary Event Days.

Outcome
It will be possible for temporary events to take place on larger areas of land where it is possible to address adverse effects. The temporary nature of the events will ensure that any effects are for a short time only.

14.1.7.4 STRUCTURE PLANS

All Zones

Activities shall be carried out in a way which ensures that the infrastructure shown on the following structure plans can be implemented and is not restricted in any way.

Structure Plan (Irongate Area) - Appendix 16 Structure Plan (Omahu North Area) - Appendix 17

Outcome
Development will occur in a manner that enables the efficient and effective servicing of the entire Irongate Industrial Area.

14.1.7.5 TYRE STORAGE

All Zones

- (a) The activity shall be ancillary to another activity on the site.
- (b) All tyres shall be stored in a single storage area. The storage area shall:
- i) either be inside a building or at least 10m from the front boundary of the site;
 - ii) not exceed 10m²;
 - iii) have a maximum dimension of 4m;
 - iv) be screened from all public spaces and adjoining sites; and
 - v) shall be locked at all times when the premise is not in use.
 - vi) shall be roofed.
- (c) Tyres shall not be stored above a height of 1.5m.

Outcome

Tyres shall be stored in a safe and secure manner and shall be screened so as to ensure amenity and safety from fire.

14.1.7.6 SCHEDULED SITE NO 32, WHIRINAKI SITE (LOT 2 DP 23303)

Scheduled activity: Electricity Production

(a) YARDS

No part of any building shall be located within the following yards.

	Yard
Front Yard	
All Boundaries	37.5 metres
Internal Yards	
Southwest boundary of the Zone	5 metres
All other Boundaries	Nil

Outcome

The amenity of the surrounding residential area and adjacent reserve will be maintained by buildings being setback from roads and property boundaries

Outcome

The amenity of the zone will be maintained by preventing tall obtrusive structures and buildings.

(b) HEIGHT

The maximum height of buildings shall be 30 metres.

Buildings adjoining residentially zoned land shall not project beyond a building envelope constructed by recession plane from points 2.75m above boundaries to sites zone residential or Open Space. The angle of such recession planes shall be determined for each site by use of the recession plan indicator in Appendix 60.

Outcome

Potential adverse effects on adjoining and adjacent activities will be avoided, remedied or mitigated.

14.1.7.7 TEMPORARY MILITARY TRAINING ACTIVITIES

a. The activity shall not exceed a period of 31 days, excluding set-up or pack-down activities, which can occur up to one week prior to commencement and up to one week following completion of the Temporary Military Training Activity.

b. Other than noise (see Section 25.1) and earthworks (see Section 27.1), the general and specific performance standards for the zone do not apply to Temporary Military Training Activities.

14.1.7.8 THE STORAGE, HANDLING OR USE OF HAZARDOUS SUBSTANCES WITHIN THE HERETAUNGA PLAINS UNCONFINED AQUIFER OVERLAY (Appendix 59)

All hazardous substances shall be stored and/or handled on areas which have impervious surfaces and where facilities are provided to prevent contaminants from being washed or spilled into natural ground or entering any piped stormwater systems or stormwater ground

Outcome

The quality of groundwater in the Unconfined Aquifer will

soakage, such as bunds, filters, separators or settling areas. In Industrial Zones, this impervious surface requirement also applies to fuel operated machinery and vehicles.

be protected from the adverse effects of hazardous substances.

Note 1: Underground tanks and pipelines meeting HSNO Codes of Practice 44 and 45 are considered to contain hazardous substances within an impervious surface.

Note 2: For the avoidance of doubt this rule is not intended to capture the incidental handling or transport of organic matter or fertilisers across a site for the purpose of their application.

14.1.7.9 SEASONAL WORKERS ACCOMMODATION IN THE OMAHU & IRONGATE INDUSTRIAL ZONES

Outcome

The acoustic requirements will ensure that potential conflicts between adjoining land uses are mitigated.

- (a) An area of outdoor open space equating to 10m² per resident be provided for on the site. The open space area is to be of a shape appropriate for undertaking active recreation activities such as touch rugby, football or basketball.
- (b) The activity shall comply with the acoustic insulation requirements for noise sensitive activities set out in standard 25.1.7C
- (c) All new buildings which are part of the seasonal workers accommodation shall be relocatable or able to be reconfigured to an industrial purpose.
- (d) A 1.8m high solid fence shall be provided along the full length of any side or rear boundary of the site.

Outdoor amenity for the residents is an important component of the accommodation facilities and should be of a form able to meet active recreational needs.

Advice Notes:

- 1) Applicants should be aware that where on-site servicing of the facility is to be undertaken, resource consent from the Hawke's Bay Regional Council will be required for wastewater and stormwater discharges.
- 2) Applicants may need to transfer an existing permit or provide drinking water within existing allocations and that drinking water will need to meet the requirements of the New Zealand Drinking Water Standards and Health Act

In the event that seasonal workers are no longer required building can either be removed or reconfigured to readily allow for industrial use of the site.

The protection of adjoining activities from matters of reverse sensitivity

Commented [RW7]: Recommended amendments as a result of submissions from Navilluso Holdings Ltd (9) Greg Honnor (16) and further submission FS3 from Horticulture NZ- Issue 14

Commented [RW8]: Recommended amendment as a result of a submission from the Hawke's Bay Regional Council (10) Issue 20

Commented [RW9]: Recommended amendment as a result of a submission from the Hawke's Bay Regional Council (10) Issue 20

14.1.8 ASSESSMENT CRITERIA - RESTRICTED DISCRETIONARY AND DISCRETIONARY ACTIVITIES

This part of the Plan sets out the assessment criteria for different types of Restricted Discretionary and Discretionary Activities. The criteria are designed to be flexible and provide opportunities for site responsive designs, while ensuring that developments provide a positive contribution to the character and amenity of both residential and/or commercial areas.

For Restricted Discretionary Activities, the following identify those matters which Council has restricted the exercise of its discretion over in assessing Resource Consent applications.

14.1.8.1 ANY PERMITTED OR CONTROLLED ACTIVITY NOT MEETING ONE OR MORE OF THE STANDARDS AND TERMS IN SECTION 14.1.6 AND IN SECTION 14.1.7

An assessment of the effects of the activity shall be made considering the following:

The ability of the activity to achieve the particular stated outcome of the General or Specific Performance Standard(s) and Terms which it fails to meet.

14.1.8.2 ACTIVITIES NOT COMPLYING WITH THE GENERAL STANDARDS AND TERMS IN SECTION 14.1.6

(a) Building Height and Height in relation to boundary

- i) The extent to which the height and scale of the building is consistent with that of the surrounding industrial zone and the extent to which the infringement will disrupt the visual amenity of that area.
- ii) The extent to which the infringement will disrupt the visual amenity of any land zoned Open Space, Residential, Rural or Plains Production.
- iii) The extent to which the infringement will overshadow any site/s zoned Open Space, Residential, Rural or Plains Production.
- iv) The extent to which the infringement will compromise the privacy of any site/s zoned Residential or any existing dwelling within the Rural or Plains Production Zone.
- v) Whether existing or proposed new trees will soften or screen the proposed infringement from any adjoining site/s zoned Open Space, Residential, Rural or Plains Production.

(b) Setbacks, Landscaping and Screening

Front Yards:

- i) The extent of the proposed infringement and whether this will disrupt the visual amenity of the surrounding industrial zone and the streetscape within it, with particular regard to 'gateway routes' into Hastings.
- ii) Whether the site retains capacity for Landscaping and tree planting in the front yard.
- iii) The extent to which the proposed infringement compromises the visual amenities, or privacy of any land zoned Open Space, Residential, Rural or Plains Production.
- iv) The extent to which the reduced setback from the road boundary compromises the safe movement of traffic on and off the site and / or along any adjacent road.

Other Yards:

- i) The extent to which the infringement will disrupt the visual amenity of any land zoned Open Space, Residential, Rural or Plains Production.
- ii) The extent to which the infringement will compromise the privacy of any site/s zoned Residential or any existing dwelling within the Rural or Plains Production Zone.
- iii) Whether existing or proposed new trees will soften or screen the proposed infringement from any adjoining site/s zoned Open Space, Residential, Rural or Plains Production.

Irongate Stream Setback:

- i) The extent to which the proposed infringement will reduce the ability for public access to be provided to Irongate Stream in the future.
- ii) The potential for adverse effects on the ecology and amenity values of Irongate Stream.

Landscaping:

- i) The extent to which existing vegetation is retained.
- ii) The extent to which new tree plantings are proposed, and whether this adequately softens the effect of built form. This may include an assessment of the species selection and whether replacement plantings adequately replace the loss of existing trees.
- iii) A landscaping plan is submitted with the application, showing how the character and amenity of the neighbourhood will continue to be maintained.

Shelterbelts:

- i) The extent to which the proposed shelterbelt, or alternate treatment, will screen the activities on the site from adjacent properties and nearby roads and public spaces
- ii) The extent to which the proposed shelterbelt, or alternate treatment, will be of a consistent character as to other sites within the area.

(c) Screening

- i) The extent to which any proposed landscaping, shelterbelt, or fencing will screen the activities on the site from adjacent properties and nearby roads and public spaces
- ii) The extent to which the infringement will compromise the privacy of any site/s zoned Residential or any existing dwelling within the Rural or Plains Production Zone
- iii) The extent to which the infringement will disrupt the visual amenity of any land zoned Open Space, Residential, Rural or Plains Production.

(d) Stormwater and Servicing

- i) Whether the site can be adequately serviced
- ii) Whether it is proposed to connect the development to the Council's reticulated services.
- iii) If it is proposed to connect the development to the Council's reticulated services:
 - Whether such connections are practical;
 - Whether the volume of the discharge and/or the anticipated peak flows have the potential to overload the sewage and stormwater systems;
 - Whether the nature or quality of the discharge has the potential to cause adverse effects on either the Council's infrastructure or the receiving environment
 - The extent to which any methods proposed such as holding tanks, pre-treatment devices and discharge volume controls will avoid or mitigate any potential adverse effects on the environment.
- iv) If it is not proposed to connect the development to one or more of the Council's reticulated services, whether the proposed methods are sufficient to meet the anticipated requirements of the development and to avoid, remedy or mitigate adverse effects on the environment.
- v) The methods proposed to ensure that an adequate water supply will be available to meet the needs of the activity and fire fighting requirements while ensuring that the demand does not compromise the Council's ability to service the remainder of the Zone.
- vi) The methods proposed to avoid, mitigate, or remedy any accidental discharges, sewer overloads or other emergencies with potential for adverse effects on the environment.
- vii) The adequacy of any monitoring programme including frequency of monitoring and reporting frameworks.

viii) Whether the development incorporates low impact designs and techniques which will be utilised to promote sustainable solutions that contribute to efficient resource use and the overall quality of the environment.

ix) Whether the activity will have adverse effects in terms of stormwater runoff or ponding on the subject site, adjoining or downstream sites and whether it would be appropriate to limit the scale of impervious surfaces and/or impose conditions requiring the incorporation of low impact design solutions into the development.

(e) Light and Glare

i) Whether the infringement will adversely affect the safe movement of traffic and pedestrians.

ii) The extent to which the infringement will disrupt the visual amenity of any land zoned Open Space, Residential, Rural or Plains Production.

(f) Activities not Complying with the Activity Threshold Limit in Standard 14.1.7

Dairies and Food Premises

Retail Sales and Offices ancillary to an Industrial Activity

(i) The extent to which the retail and/or sale of food activity, or any cumulative effects arising from these activities, may affect the vibrancy and vitality of the Hastings CBD, Flaxmere Village Centre or the Suburban or Commercial Service Zones.

(ii) The extent to which there are opportunities within the existing Commercial Centres/Zones to establish the proposed food premises (in the same or different format). If there are such opportunities, whether the community would be better served by those opportunities rather than the proposed premises.

(iii) The extent to which the site is of adequate size to accommodate the proposed development, together with car parking and landscape treatment.

(iv) The extent to which the site can be developed in keeping with the character of the area in which it is to be located.

(v) The extent to which retailing or food and beverage sales may create a 'reverse sensitivity' effects with industrial activities within the surrounding environment.

(vi) The extent to which alternative site or locations have been considered.

(vii) The extent to which the activity promotes the optimum and efficient use of the industrial resource.

(viii) The impact of the scale and intensity of the use and its compatibility with surrounding activities.

(g) Tyre Storage

- (i) The extent to which the tyres will be screened from residential and open space zoned land and from roads.
- (ii) The layout of the proposed facility including the size and height of storage piles, the distances between piles and fire breaks proposed.
- (iii) The extent to which the location of the site and the proposed layout, screening and security measures minimise the potential for arson.
- (iv) The mechanisms proposed, by way of a fire management plan, to minimise the risks of fires starting and maximise the chances of fires being extinguished as quickly as possible.
- (v) The mechanisms proposed for the control of stormwater, such as on-site treatment devices, covering storage areas, and the use of impervious surfaces, and the extent to which these will avoid adverse effects on the Council's reticulated network and on the receiving environment.
- (vi) The mechanisms proposed for the control of insects and vermin.
- (vii) The extent to which the site is of adequate size to accommodate the proposed tyre storage together with the proposed stormwater management regime, fire fighting facilities, car parking and landscape treatments.
- (viii) The extent to which alternative sites or locations have been considered.
- (ix) The duration for which it is proposed the tyres will be stored on the site, and the duration for which the activity is to be undertaken.
- (x) The mechanisms proposed to ensure that all tyres will be removed from the site when the activity ceases - for example the provision of a bond to Council.

(h) Traffic

The extent and nature of traffic to be generated by the activity and the resultant potential for adverse effects (including cumulative effects) to occur on the safe operation of Maraekakaho Road.

14.1.8.3 LAND USE ACTIVITIES WITHIN THE HERETAUNGA PLAINS
UNCONFINED AQUIFER OVERLAY NOT MEETING THE SPECIFIC
PERFORMANCE STANDARDS AND TERMS IN SECTION 14.1.7.8

1. SCALE & NATURE OF ACTIVITY

- i. The scale and intensity of the land use activity including the nature and quantity of chemicals and/or substances to be stored or provided for on the site and the methods proposed for storing, handling or processing and disposal of those substances.
- ii. The availability of fully reticulated stormwater and sewage disposal systems or on-site treatment systems for the treatment of contaminated wastewater or stormwater from buildings and yards.
- iii. The method of disposal of both solid and liquid waste and the volume of waste disposal

2. RISK ASSESSMENT

A risk assessment shall be provided, focussing on the following issues:

- i. Assessment of the probability and potential consequences of an accident leading to the release or loss of control of hazardous substances. This assessment should focus on the ability of the design and management of the site to avoid accidents, such as spill containment measures, fire safety and fire water management, emergency management, site drainage and off-site infrastructure (e.g stormwater drainage system, sewer type and capacity) and the disposal of waste containing hazardous substances.
- ii. Potential risk and effect on human health, natural ecosystems and the life supporting capacity of land and water, in particular, the Heretaunga Plains Unconfined Aquifer.
- iii. Potential risk and effect on sites of significance to Tangata Whenua, sites of historical or archaeological significance.
- iv. The extent to which a natural hazard event may exacerbate the risk as identified in (2) (i) and (ii), associated with the land use activity.
- v. The potential for cumulative adverse effects of hazardous substances stored, handled, processed or disposed of.

3. ALTERNATIVE LOCATIONS

Whether alternative locations for the activity have been considered, having particular regard to locations outside of the Heretaunga Plains Unconfined Aquifer Overlay.

4. DISTRICT PLAN

Consistency with the relevant Objectives, and Policies of the relevant Zone of the Hastings District Plan.

5. RECORD OF EXISTING ACTIVITY

The record of compliance and acceptable risk management of any existing activity where expansion or intensification of an existing activity is proposed.

6. MONITORING

The environmental management and quality assurance practices proposed by the applicant including the extent and frequency of any monitoring programme proposed to confirm the environmental and hazard management procedures and practices are being carried out correctly and/or are achieving the objective of avoiding the risk of groundwater contamination in the unconfined aquifer.

7. PERFORMANCE BONDS

The need to take a performance bond to ensure the adoption and use of careful hazard and environmental management practices and procedures.

8. HAWKE'S BAY REGIONAL COUNCIL CONSULTATION

Consultation with the Hawke's Bay Regional Council including consideration of whether any resource consents are required from the Hawke's Bay Regional Council in respect of the activity to which the application relates and whether these have been applied for and/or have been granted.

9. TANGATA WHENUA

Consideration of tangata whenua values and interests associated with the Heretaunga Plains Unconfined Aquifer.

10. NATIONAL ENVIRONMENTAL STANDARDS, NATIONAL POLICY STATEMENT AND INDUSTRY CODE PRACTICE.

Whether the activity complies with relevant National Environmental Standards, National Policy Statements and Industry Codes of Practice or Best Practice Guidelines

14.1.8.4 SEASONAL WORKERS ACCOMMODATION

An assessment of effects of the activity shall be made considering the following:

- (a) The ability of the existing infrastructure to provide for the volume of water, wastewater, and stormwater disposal arising from the activity.
- (b) Whether safe and efficient vehicle access can be provided to the site.
- (c) Whether the proposal can provide sufficient on-site carparking.
- (d) Whether the activity will have reverse sensitivity effects on adjoining activities.
- (e) The proposed accommodation management plans, and practices.
- (f) Whether there is sufficient landscaping/open space to provide for the amenity of the workers.
- (g) Whether the open space is appropriately connected to the accommodation units and is of a shape/ layout to allow for active recreation activities to take place.
- (a)(h) Consideration of any cumulative effects of seasonal workers accommodation, especially on the unconfined aquifer and source protection zones (SPZ).

Commented [RW10]: Recommended amendment as a result of submissions from J Crockery(7), J Sutherland (3) and R Griffiths (13) and further submission FS4 Michael Sutherland- Issue 20

33.1 DEFINITIONS

Residential Activity: means the use of land and buildings by people for the purpose of permanent living accommodation, and includes, residential buildings, residential unit buildings, supplementary residential buildings and associated accessory buildings, and for Residential Zones, it includes seasonal workers accommodation for a maximum of 8-10 persons per site.

Commented [RW11]: Recommended amendment as a result of a submission from Turners and Growers (5) and further submission FS6 from HB Fruitgrowers- Issue 19

Submission #1

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Saturday, 24 August 2019 3:56 PM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#1]

1. Your details: Diane Joyce

Name: *

Postal 

Address: * 305 Lovedale Rd St Leonards
 Hastings 4120
 New Zealand

Email: * joycecommunications@outlook.com

Phone 021612270

Number:

2. The specific parts of Variation 7 that my submission relates to are: *

3. My submission is that: *

I support allowing development of housing for RSE workers on the properties on which they are going to work; I see it as a natural extension of allowing development of plains land where it directly relates to the management of activities on that land.

I believe landowners will logically choose the least useful land for such development, given their interest is in extracting as higher a return as possible from the land.

The plan will also positively impact on the district's housing situation by taking pressure off the rental market.

My concerns with this would be somehow ensuring the pastoral care of these people; I would not want to see an 'out of sight, out of mind' attitude develop. There have been examples of workers staying in unsuitable accommodation, and/or unable to travel easily into the city for provisions or for help should they require it.

The dwellings would need to be removable so that should the employer cease to be RSE-accredited, they could be shifted. Would this be a requirement? It would be unfortunate to have a situation where the dwellings were used for alternative accommodation unrelated to the original purpose.

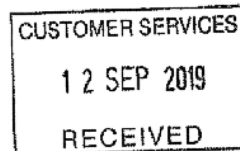
4. I/We seek the following decision: * That the provision of on-site accommodation for RSE workers be approved on RSE accredited properties, with, if possible, conditions around removal should the employer cease to be accredited and/or conditions on pastoral care provisions (transport etc).

5. Please indicate whether you wish to be heard in support of your submission: * I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case: * If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

How did you hear about this opportunity to provide feedback? Social media

Submission #2

10.12 am
m.s**SUBMISSION FORM 5**

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'



Item 2

Submissions can be:

Posted to:

Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
Hastings 4156

Delivered to:

Civic Administration Building
Hastings District Council
Lyndon Road East
Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name: **GEORGE BRUCE STEPHENSON and JOHN LAURENCE ARMSTRONG** as trustees of the
BRUCE STEPHENSON FAMILY TRUST and STEPHENSON TRANSPORT LIMITED

Postal Address:

41 – 43 RUATANIWHA STREET, WAIPAWA 4210

Email: hugo@stephensontransport.co.nz

Phone: 027 569 2225

2. The specific parts of Variation 7 that my submission relates to are: (Give Details)

The Explanation for Policy IZP17B and Rule 14.1.6A.10

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).

See attached. We support in part and oppose in part.

Attachment C

1. Change "0.04 litres per second per hectare of site" in Rule 14.1.6A.10 to "0.12 litres per second per hectare of site" which would allow 51 persons per hectare or say 259 persons per 5 hectares.

Note: If engineering advice states that it is impossible for the existing system to accept 0.12 L/sec per hectare then it is imperative that the Council facilitates discussions between landowners and council staff in order to find the way to allow for this increased limit.

2. Change the wording of the Explanation for Policy IZP17B so that it reads as follows:

Explanation

The infrastructure capacity of the Irongate Industrial Zone is not designed for activities which produce large volumes of wastewater. However, there is sufficient capacity for other uses, including large scale (200 to 300 persons per site) seasonal workers accommodation and this is applied as a performance standard within the zone. This might mean that the ability to fully develop the site may need to be sacrificed if seasonal workers accommodation is to be constructed.

5. Please indicate whether you wish to be heard in support of your submission:

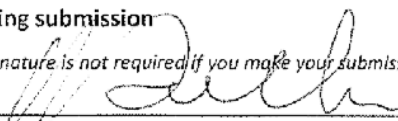
- ☒ YES I wish to speak at the Hearing in support of my submission;
- ☐ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

- ☐ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).


 10/9/19 2019

Date:

If you have used extra sheets for this submission please attach them to this form and indicate this below:

- ☒ Yes, I have attached extra sheets ☐ No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

SUBMISSIONS ON VARIATION 7

Introduction

1. Stephenson Transport and the Stephenson Family Trust support the proposal to allow large scale seasonal workers accommodation in the General Industrial Zones and we agree with Council that the Irongate General Industrial Zone is ideal for this type of accommodation due to its central location and the availability of land.
2. **However, these proposals are not likely to work in Irongate because of the wastewater limits imposed by Rule 14.1.6A.10.**
3. The following submissions relate to Policy IZP17B, the Section 32 Evaluation and the need to re-word Rule 14.1.6A.10.

Policy IZP17B

4. For the reasons stated below, this Explanation for this policy needs to be reviewed.
5. As there is no definition for the term "dry industry" it should be deleted.
6. The current lack of capacity is due to an engineering decision which is now unfairly restricting landowner who wishes to take up the opportunity to establish seasonal workers accommodation at Irongate.
7. Assuming the "formula" refers to the restrictions imposed by Rule 14.1.6A.10, no attempt seems to have been made to ensure that the objective of allowing camp style seasonal workers accommodation at Irongate can be met and if not, whether this "formula" needs to be amended.

Section 32 Evaluation

8. The statements in paragraph 7.2.5 and consideration of the options in Table 5 of the Evaluation do not seem to have taken the limit of 0.04L/sec per hectare into account.
9. The Evaluation should have pointed out that this limit would result in a minimal number of seasonal worker applications at Irongate.

Rule 14.1.6A.10

10. Assuming an average of 200 litres of wastewater is produced per person per day, the limit of 0.04 L/sec per hectare per day will only allow a maximum of 17 persons per hectare.
11. This means that it is highly unlikely that of the large scale seasonal workers "camp" type accommodation envisaged by the Council will ever be built in Irongate unless Rule 14.1.6A.10 is amended.

Can the Limit be Changed?

12. The figure of 0.04L/sec first appeared in the Irongate Pressure Sewer Advisory Note dated 31 March 2017. The limit is a result of the decision by the engineers to choose this type of reticulation system over the traditional gravity system but no reasons were given as to why this was the type that was needed.
13. There is nothing to suggest that a pressurised system was chosen in order to address any adverse effects or that it was selected because it met Council's Objectives and Policies for the General Industrial Zone.
14. Instead, Council seems to have selected the type of reticulation system first and then imposed restrictions on the type of activities permitted in the zone. From an RMA perspective, that seems the wrong way around.
15. The solution lies in revising the current limit of 0.04L/sec and to lift it at least to the level that would permit camp style RSE accommodation for up to 300 persons, subject to a successful Restricted Discretionary application.
16. The design engineers will probably argue that there is no ability to change the limit of 0.04L/sec but the details shown in the Advisory Note indicate that there is spare capacity. For example, no allowance has been made for discharges to occur at night and there are a number of properties that will never use the system.

Submission #3

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, 24 September 2019 9:01 AM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#2]

1. Your Jan Sutherland
 details:

Name: *

Postal



Address: * 174 Twyford Road Hastings
 Hastings 4175
 New Zealand

Email: * jan.sutherland3@gmail.com

Phone +64 27 3742865

Number:

2. The POLICY PPP5

specific Seasonal worker RSE accommodation should NOT be allowed to be located on primary production
 parts of land.

Variation 7 A principal dwelling plus a limited floor area supplementary residential building should be the only
 that my allowed buildings on primary production land.

submission

relates to

are:. *

3. My submission is that: *

Seasonal worker RSE accommodation should only be allowed on Industrial Land where there is the appropriate
 infrastructure to handle this intensive housing.

The environmental affects of RSE and intensive housing is not sustainable on Primary land.

As identified during the Havelock North water crisis the Hawke's Bay ground water is closely connected to the
 surface water. a large proportion of the rural communities (especially in the Twyford district) rely on private wells
 for their drinking and house water and are not connected to sterilization plants.

Intensive housing of 10, 20 - 80+ people is going to create a substantial amount of sewerage and unless

connected to town supplies will require large septic tanks generating grey water and will rely on them working correctly.

The minute these do not work correctly; power cut, and when the ground is at saturation point with no where for the grey water to go to there will be a another water crisis, not to the scale of the Havelock North crisis but it will feel as bad to the local residents who's drinking water is no longer safe to drink and not able to be connected to a public sterilization plant.

There is also the rubbish that will be generated from this intensive housing that need to be considered and the impact on the rural roads from the increased traffic.

4. I/We seek the following decision: *

I seek that Seasonal Worker (RSE) housing is limited to industrial land that has the appropriate services to handle the environmental impact that these facilities will create.

Roading, Sewerage and waste.

Existing local rural communities need their interests and health protected.

primary production land needs to be protected.

5. Please indicate whether you wish to be heard in support of your submission: *

I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case: *

If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

How did you hear about this opportunity

Word of mouth

Submission #4

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Thursday, 26 September 2019 8:53 AM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#3]

1. Your John Roil
 details:

Name: *

Postal



Address: * P O Box 2543 Stortford Lodge
 HASTINGS 4153
 New Zealand

Email: * john@pmhb.nz

Phone 0274491526
 Number:

2. The RSE seasonal workers
 specific Within Industrial zones
 parts of In Plains zone.
 Variation 7 6.2
 that my 7.5
 submission 14.1
 relates to 331.1
 are: *

3. My submission is that: *

The RSE workers provide a vital labour force to support the Horticultural Industry of Hawkes Bay. HDC has recognized the importance of this by providing the opportunity for the Public to submit on the Variation to the current District Plan, under the proposed variation No 7.

The following factors need to be considered;

Plains Production Zone

1. Sites less than 12ha should be considered suitable for RSE accommodation.
2. There is the opportunity that some Plains Zone sites that are adjacent to Industrial sites with Council reticulated services could provide a suitable site, even though the sites will be a split zone. These sites will be very suitable for

larger scale facilities, i.e greater than 80 without taking up valuable industrial sites.

3. Purpose built facilities for RSE accommodation should/ could be accommodated within Plains zone.

4. The quality of soil in the assessment criteria should be taken into consideration when considering RSE accommodation.

5. Provision should be made available for a boundary adjustment to enable poor quality land to be linked to an industrial site, but retaining the Plains Zone status. The benefit to this is that valuable industrial land is not used for RSE accommodation, however the connection to Council reticulated services could be made available along with access through existing roading networks of the industrial zone.

Irongate Industrial Zone

1. Some land at Irongate could be providing RSE accommodation however the Council should be upgrading their wastewater infrastructure to support this growth whilst not reducing the facility.

General;

The area of 10m2 for outdoor area is in excess of what is required. A major outdoor activity is volleyball which is not included with appropriate activities.

4. I/We seek the following decision: * To allow Plains Zone land to be used for RSE accommodation linked to Industrial sites (and services) forming a split zone, by utilising poor quality land.

5. Please indicate whether you wish to be heard in support of your submission: * I wish to speak at the Hearing in support of my submission; or

6. Please indicate if you wish to make a joint case: * If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

How did you hear about this opportunity stakeholder

Submission #5

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'

**HASTINGS**
DISTRICT COUNCIL

Item 2

Submissions can be:

Posted to:

Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
Hastings 4156

Delivered to:

Civic Administration Building
Hastings District Council
Lyndon Road East
Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name:

Turners & Growers New Zealand Limited (a subsidiary of T&G Global Limited) hereafter referred to as "T&G"

Postal Address: PO Box 279, Hastings 4156Email: rebecca.blunden@tandg.globalPhone: (06) 871 5600**2. The specific parts of Variation 7 that my submission relates to are: (Give Details).**See attached pages**3. My submission is that:**

*(State the nature of your submission, clearly indicating **whether you support or oppose** the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).*

Turners & Growers New Zealand Limited – submission on Variation 7

Attachment C

See **attached** pages

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

See **attached** pages

5. Please indicate whether you wish to be heard in support of your submission:

- ☒ I wish to speak at the Hearing in support of my submission; or
- ☐ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

- ☒ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

Turners & Growers New Zealand Limited – submission on Variation 7

7. Signature of person making submission or person authorised to sign on behalf of person making submission:

(A signature is not required if you make your submission by electronic means).



Bruce Beaton
Authorised Signatory, Turners & Growers New Zealand Limited
Date: 26.9.19

If you have used extra sheets for this submission please attach them to this form and indicate this below:

☒ Yes, I have attached extra sheets
sheets

☐ No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

Turners & Growers New Zealand Limited – submission on Variation 7

The specific parts of Variation 7 that Turners & Growers New Zealand Limited's submission relates to are:

- All of it. Turners & Growers New Zealand Limited supports the initiative to provide for seasonal workers accommodation in a range of zones throughout the district.
- However, it seeks specific changes to some of the provisions proposed in the Variation (as set out below).

Turners & Growers New Zealand Limited's submission is that:

- It supports the intent of the proposed variation but seeks further changes to some of the proposed provisions (as set out in the next section).
- Turners & Growers New Zealand Limited is a subsidiary of T&G Global Limited ("T&G") and is a Recognised Seasonal Employer. For the 2019/2020 apple season¹ T&G intends to employ 448 seasonal workers in Hawke's Bay from the Philippines, Fiji, Papua New Guinea, Solomon Islands, Samoa, Tonga and Vanuatu². These workers are intended to be accommodated in 19 different accommodation venues.
- In recent years, T&G Global Limited has invested significantly in orchard development (and continues to do so) primarily planting its flagship apple brands EnvyTM and JazzTM. As those orchards reach full production T&G will be required to increase the number of seasonal (RSE) workers that it employs.³
- Those seasonal workers require accommodation and that accommodation is in short supply. Under the Proposed District Plan, seasonal workers accommodation is a permitted activity within the Plains Production Zone and then only if the maximum floor area is less than 125m², the building is at least 15 metres from the boundary and any new buildings are relocatable. It is not specifically provided for in the Industrial Zone and is a non-complying activity.
- Variation 7 proposes to amend Chapter 6.2 (Plains Production Zone) to provide for seasonal workers accommodation in that zone with a maximum of 80 persons as a restricted discretionary activity. Accommodation for more than 80 persons would be a non-complying activity.
- The Variation proposes to make seasonal workers accommodation in the Omahu and Irongate General Industrial zones a restricted discretionary activity, with no limits as to floor area or numbers of persons.
- Finally, seasonal workers accommodation in the Residential zones will be permitted provided that the accommodation is for a maximum of 8 persons per site.

¹ Which will commence in November 2019.

² Subject to receiving approval from the Labour Inspectorate for these RSE's, which is an increase from the 2018/2019 apple season.

³ Turners & Growers New Zealand Limited has applied for increases each year.

Turners & Growers New Zealand Limited – submission on Variation 7

Turners & Growers New Zealand Limited seeks the following decision:

- That the definition of 'residential activity' be amended to allow seasonal workers accommodation for a maximum of 10 or 12 persons per site. (The maximum proposed in Variation 7 is 8 persons per site). This would allow T&G to accommodate a team of seasonal workers on one site (RSE's are usually divided into teams of 10 or 12). The site would need to meet MBIE and the Labour Inspectorate's requirements around site suitability and size. Ten or twelve seasonal workers would seem to be more practical and efficient from an operational point of view than eight.
- That the activity status for seasonal workers accommodation in the Omaha and Irongate General Industrial Zones be permitted or controlled (rather than restricted discretionary, as Variation 7 proposes).
- That Variation 7 be extended to include the Whakatu Industrial Zone for the following reasons:
 - That the Irongate and Omaha Road zones are limited. The addition of Whakatu provides greater land area and options for Employers, and
 - Several large Recognised Seasonal Employers are located in Whakatu and have existing land holdings. It would be practical to allow RSE accommodation on these sites.

Turners & Growers New Zealand Limited wishes to be heard in support of its submission.

Turners & Growers New Zealand Limited – submission on Variation 7

Submission #6

Chris Lambourne & Brenda Armstrong
 m. (+64) 027 58 22 134
 e. c@lambourne@gmail.com

Item 2

Submission to Hastings District Council Regarding Changes to the District Plan for RSE
 Housing – Variation 7

This submission does not support the proposed changes in the Hastings District Plan as provided for in Variation 7 **UNLESS** specific provision is also made for “social support” for the RSE workers.

We wish to make a verbal presentation to support this submission.

Summary

1. The technical and legal approach to allowing additional housing in orchards, vineyards and industrial areas is not being commented on.
2. Our prime concern is that unless the social support of RSE workers is put in place then there will be negative ramifications on the Hastings District.
3. The HDC acknowledges the necessity of having social/pastoral support plans in place through the proposal to have Management Plans for sites with more than 300 people resident. The issue with this is that:
 - a. This threshold is too high and should be set at 6 people;
 - b. The objectives of these management plans are not clear;
 - c. There is no mechanism for checking that the management plans are in place, of sufficient quality or consistently implemented
 - d. Nor is there the opportunity to enforce management plans
4. Special rates and developer levies should be applied to buildings permitted under these District Plan changes. That this should initially be struck at \$5 per person (who uses the accommodation) per week. Funds gathered should be ring-fenced for the provision of social support (by the HDC or contracted third parties.)
5. The purpose of the special rate is to diminish the impact that current RSE worker numbers, and the anticipated large increase of RSE worker number has on the Hastings District.
6. That RSE social support, funded by the special rates should include the appointment of community/social worker/s specific to RSE workers, independent of the horticulture sector, to ensure RSEs workers:

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Chris Lambourne and Brenda Armstrong

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- a. Are included and consulted on issues that affect them
- b. Have an advocate for consideration of their needs across a range of services and agencies
- c. Are aware of and have access to community services, places and events

Have an advocate for their inclusion in the wider community. This role would also be well placed to assist with liaison and coordination between services and agencies that interact with the RSE workforce

- 7. We note that RSE employers are still required to provide pastoral care under provisions of being a RSE employer. Any special rates and HDC activities are not intended to diminish that obligation.
- 8. The voice of RSE workers is difficult to find in the processes, and the evaluation of changes to the District Plan. This is a failing in the stakeholder engagement process.

Background

- 9. The HDC is to be congratulated on its role in seeking to improve the amount of residential accommodation available for RSE workers. The impact of large numbers of RSE workers coming to the Hawkes Bay impacts on the availability of rental housing available for all other people requiring rental accommodation by increasing scarcity, increasing rental prices and increasing the insecurity of renters who are in accommodation that could be used for RSE workers.
- 10. There are many RSE employers who do a great job looking after their RSE employees. However, there are others who do not. Stories have been shared with us of what has occurred, and some of the stories appear to be against the RSE employer obligations and may be illegal.
- 11. Local commentary on the RSE programme anticipates that the number of RSE workers for horticultural and viticultural purposes will climb from 4,000 to 8,000. Additional RSE workers are also being sought by the meat processing plant in Flaxmere. This increase will have a noticeable effect on the Hastings District. We anticipate that some of those effects will create social and criminal problems. We ask the Council to recognise these issues and introduce methods of avoiding, reducing and managing such problems.
- 12. RSE employers are still required to provide pastoral care under provisions of being a RSE employer. Employers are required to ensure workers have an induction programme and suitable accommodation, transport to work, access to health insurance and banking and opportunity for recreation and religious observance.
- 13. However, there is limited monitoring of by central government of the RSE programme. Workers are regularly required to work on Sundays, which many would normally observe as the Sabbath and a day of rest. They are often not able to attend church services, due to

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Chris Lambourne and Brenda Armstrong

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working and/or a lack of transport. Both factors can have a serious impact on workers spiritual and social well-being.

14. They work very long hours and some employers restrict their access to evening education programmes as they consider they will be too tired to attend. Last year there was one Labour Inspector from MBIE to cover the entire area for all RSE Employers and RSE Workers.

15. The HDC acknowledges the necessity of having social/pastoral care plans in place through the proposal to have Management Plans for sites with more than 300 people resident. The issue with this is that:

- a. This threshold is too high and should be set at 6 people;
- b. The objectives of these management plans are not clear;
- c. There is no mechanism for checking that the management plans are in place, of sufficient quality or consistently implemented
- d. Nor is there the opportunity to enforce management plans

The deficiencies in the management plan concept need to be addressed as part of the proposed plan change.

16. RSE workers are typically in a submissive power relationship with employers. The RSE workers are in a foreign country, removed from their cultural support, have spent a considerable amount of money to get to New Zealand, and need the revenue gained from working here. What's more, if the employment is terminated, then the RSE worker is required to leave New Zealand within two days; and termination can be for a wide variety of reasons. All in all, this makes them a compliant workforce.

17. A compliant work force means that the RSE workers often do not voice issues that they face. Given the absence of information or comments from RSE workers on the proposals (as opposed to potential developers, orchardists, packhouses and viticulturalists) it appears that the HDC has not included them in the development of the proposed plan changes. I am predicting that this stakeholder will make no submissions on the plan change even though it will intimately affect them every day for years. In the absence of RSE worker engagement as a key stakeholder, the HDC is creating a substantially deficient process.

18. The issues that are raised by locating RSE workers on orchards already includes:

- a. **Isolation** of workers from sources of food, banking, social interaction, training and church worship. Some of these issues can be overcome by employers supplying vehicles though there are reports of different employers offering quite different access to vehicles. Access varies from:
 - i. some employers allow personal use of work vehicles (for uses like going shopping for food, attendance at church.)
 - ii. others require workers to pay for mileage costs when vehicles are not used for work purposes,
 - iii. still others will withdraw vehicles from workers and require them to walk from the country into town on their day off: there instances of RSE workers having to walk 8km to go to church.
 - iv. At times vehicles or drivers are not available, meaning for logistical reasons workers do not have access to transport. Limited numbers of licensed drivers mean they are under a lot of pressure to drive others.

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- b. **Isolation** of workers will hide issues where dangerous or illegal activity occurs. Human trafficking and slavery occurred here in the Hawkes Bay, with a conviction earlier this year. This is not an isolated incident and is highly likely to be under-reported.

Human Trafficking in New Zealand

'There was a perception that trafficking doesn't happen in New Zealand. The 2009 Trafficking Plan of Action says that "there are no incidences of trafficking in New Zealand". More recently, we've turned over the stone and realised that, of course there is trafficking happening here in New Zealand. But we're still at an awareness-raising stage,' says Rebecca.

In December 2016, the first conviction in New Zealand for trafficking was a painfully typical example of modern-day slavery. Raroz Ali, a Fijian national with New Zealand residency, set himself up as a family business and ran an advert in Fiji selling a dream: working in God's Own Country and earning seven times what they could at home.

'They paid a lot of money upfront for food and accommodation, but once they arrived in New Zealand they were put to work [in Ali's construction business and picking fruit in the Bay of Plenty] for little or nothing at all. They were forced to sleep in one room with no bedding—men and women together,' says Rebecca.

'It wasn't until they were given the opportunity to go to church that it came to the surface.' A church member struck up a conversation with one of the Fijian workers, and the story started to unfold. Sensing that something was amiss, the member had the tenacity to contact their MP, who then reached out to Immigration New Zealand.

It took two years and around 6000 hours to build the case against Ali, who was convicted of 15 counts of human trafficking and sentenced to nine years, six months in jail.

Source - Salvation Army - <https://www.salvationarmy.org.nz/our-community/faith-in-life/soul-food/slavery-in-NZ>

- c. **Sickness and Injury.** Coming from the tropics, and working long hours in cold climate, working long hours racing to fill quotas, sees illness and injury occur. Living on site means getting access to medical support is difficult.
- d. **Personal Safety.** With large numbers living in rural and industrial areas, they may be prone to being targeted by thieves, drug dealers and sex workers. RSE women may be more vulnerable to mistreatment by RSE men – this is perhaps a sensitive issue to raise, and women could be considered to be vulnerable anywhere, but misogyny is a more commonly accepted attitude in some pacific areas and women are often vulnerable.
- e. **Stress.** Diminished ability of RSE workers to de-stress: your work mates are also your house mates. Keeping people in small groups will produce tensions in the group, and these may have dangerous consequences.
19. **The future.** The buildings all have to be removable or able to be re-purposed, but there is a risk down the track that these accommodation sites will be used as general housing stock for marginalised people, as has happened in Europe with temporary housing built on the outskirts of towns after WW2, to house migrant workers to help rebuild, now slum areas.
20. The problem the Hastings District faces is that the social impacts are local, while the RSE policy and management of the RSE policy is undertaken by central government. We believe that MBIE and MFAT fail to dedicate sufficient resource to the Hawkes Bay to adequately support the existing 4,000 RSE workers, and they are unlikely to provide suitable support for an increased number of 8,000 RSE workers. This then becomes the Hastings District's problem. Waiting and lobbying central government for central government support of local

Chris Lambourne and Brenda Armstrong

government has historically not proven that productive. The HDC has the opportunity to put in place a solution for this area, and we should not let it go by.

21. Other District Councils have taken the opportunity to dedicate special development charges for social purposes. For example, the Queenstown Lakes District Council directs a percentage of development fees for the creation of social housing. Precedence exists for Councils to put special charges against developers (parties who benefit from plan changes) to meet social objectives.
22. Provision for a special rate or development fee should be levied to diminish the impact that current RSE worker numbers, and the anticipated large increase of RSE worker number has on the Hastings District. Special rates and developer levies should be applied to buildings permitted under these District Plan changes. We suggest that this should initially be struck at \$5 per person (who uses the accommodation) per week.
23. Funds gathered should be ring-fenced for the provision of social support (by the HDC or contracted third parties.)
24. That RSE social support, funded by the special rates should include the appointment of community/social worker/s specific to RSE workers, independent of the horticulture sector, to ensure RSEs workers:
 - a. Are included and consulted on issues that affect them
 - b. Have an advocate for consideration of their needs across a range of services and agencies
 - c. Are aware of and have access to community services, places and events
 - d. Have an advocate for their inclusion in the wider community
25. This role would also be well placed to assist with liaison and coordination between services and agencies that interact with the RSE workforce. It is important that people in these roles are independent from the horticulture sector, to enable workers to have an avenue where voicing any complaints or concerns does not mean they worry they are jeopardising their future employment as an RSE worker.
26. RSE workers recreational needs should be acknowledged. While working in the hot sun during summer is tiring, there is still a need for recreation. Putting a few RSE houses onto a site in an orchard does not address recreation at all. This is an area that requires further consideration and development.

Conclusion

27. Substantial benefit will accrue to owners of accommodation built under Variation 7.
28. It is highly probable that adverse social issues will be created for RSE workers by remote or concentrated housing arrangements.
29. The social issues will not be limited to the RSE workers but will flow into the Hastings District

Chris Lambourne and Brenda Armstrong

30. It is appropriate that that developers and owners of RSE housing be levied a special development fee, or special rate, to permit the HBC to address social issues created by the proposed plan change.
31. The opportunity exists for HDC to develop mechanisms that can address social and pastoral issues address for RSE workers before they become issues that affect the district.

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Submission #7

Jo

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'

**HASTINGS**
DISTRICT COUNCIL

Item 2

Submissions can be:

Posted to:

Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
Hastings 4156

Delivered to:

Civic Administration Building
Hastings District Council
Lyndon Road East
Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name: _____ Johanna Croskery

Postal Address: _____ 352 Twyford Road .Hastings

Email: jcroskery@gmail.com _____

Phone: 0273581371 _____

2. The specific parts of Variation 7 that my submission relates to are: (Give Details).

Proposed RSE accommodation on Twyford Road, property ref: 54917, and the loss of prime versatile soil.

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).

I oppose the building of RSE accommodation in Twyford Road.

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The loss of versatile land is of serious concern.

We are losing more and more of our unique Twyford soil, that will never be regained due to intensive housing. I would propose the use of light industrial land, where there is infrastructure to support the large numbers of RSE workers, that are indeed needed to support our horticultural industry.

Intensive housing of 75 people will have a substantial impact on our local environment.

The wastewater treatment systems will need to be massive to deal with this number of people in such a small space, also the fresh water supply. We need to be mindful of our Aquifer, we don't want another Havelock North when these systems fail.

Rubbish/waste, how will this be managed? We already have a rubbish problem in our area, will this be made worse?

What impact of more traffic on our rural roads?

What impact on our property values?

The noise from 75 people living in close quarters.

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

I would like to see this housing kept to light industrial areas, not on prime horticultural land.

5. Please indicate whether you wish to be heard in support of your submission:

☐

☐ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

☐

If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

25/09 / 2019

Date:

If you have used extra sheets for this submission, please attach them to this form and indicate t

☐

No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

Submission #8

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Thursday, 26 September 2019 5:38 PM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#5]

1. Your details: Dianne Vesty

Name: *

Postal 

Address: * Hawkes Bay Fruitgrowers Association Inc p o BOX 689
 HASTINGS 4156
 New Zealand

Email: * office@hbfruitgrowers.co.nz

2. The specific parts of Variation 7 that my submission relates to are: *

3. My submission is that: *

The Hawkes Bay Fruitgrowers Association supports Variation 7 to the Hastings District Plan, including changes made to:

14.1 Industrial
 331.1 Definitions
 6.2 PPZ
 7.5 LIZ

We agree with the officers summary and conclusions in the Section 32 Evaluation: to Amend the provisions of the Proposed District Plan to provide for seasonal workers accommodation at a scale that meets the demands of stakeholders is required to ensure the sustainable management of the horticulture industry within the district. It

has the added benefit of providing for the social wellbeing of the wider community through reducing the pressure on the existing rental housing resource.

The Fruitgrowers' Association thanks council for their recognition of the importance of Recognised Seasonal Employee labour force to the Horticulture industry.

4. I/We We seek that the variation be accepted in full.
seek the
following
decision: *

5. Please I wish to speak at the Hearing in support of my submission; or
indicate
whether
you wish to
be heard in
support of
your
submission:
*

6. Please If others make a similar submission please tick this box if you would consider presenting a joint case
indicate if with them at the Hearing.
you wish to
make a
joint case: *

How did Council Staff
you hear
about this
opportunity
to provide
feedback?

Item 2

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Submission #9

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'



Item 2

 Submissions can be:
Posted to:

Variation 7
 Environmental Policy Manager
 Hastings District Council
 Private Bag 9002
 Hastings 4156

Delivered to:

Civic Administration Building
 Hastings District Council
 Lyndon Road East
 Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name: John O'Sullivan and Ben Hamelink representing Navilluso Holdings Limited & Longlands Properties Limited

Postal Address: PO Box 2308, Stortford Lodge, Hastings 4153

Email: john.osullivan@tumu.co.nz; ben.hamelink@tumu.co.nz

Phone: 027 247 3664

2. The specific parts of Variation 7 that my submission relates to are: (Give Details).

Section 14.1 General Industrial Zone

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).

We support seasonal workers accommodation becoming a Restricted Discretionary Activity in the Irongate General Industrial Zone however we would prefer that tighter performance standards are put in

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place in relation to the year-round utilisation of the seasonal workers accommodation, the quality of buildings and screening of the accommodation.

As existing landowners, we feel it is important for the quality of accommodation being established in Irongate to be of a high standard to continue to attract high quality dry industrial land users to the area. It is vital that any residential activity in the industrial zone does not restrict adjoining industrial activities in their ability to undertake their day to day activities. Provisions should be put in place over the land associated with the seasonal workers accommodation to ensure there are no future restrictions to industrial activity. The potential conflict between industrial and residential activities needs to be well managed.

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

We seek an amendment be made to the Specific Performance Standards and Terms 14.1.7.9

Seasonal Workers Accommodation in the Omaha & Irongate Industrial Zones, with the addition of *(in italics):*

(C) All buildings which are part of the seasonal workers accommodation shall be newly constructed relocatable buildings or new buildings with the ability to be reconfigured to an industrial purpose.

(d) Seasonal workers accommodation shall not be used for emergency housing or any other accommodation other than for the seasonal workforce which specifically serves the primary production industry.

(e) Appropriate screening shall be constructed within the boundaries of seasonal workers accommodation to limit reverse sensitivity effects and ensure that the ability of adjoining industrial activities to continue their day to day activities is not compromised.

5. Please indicate whether you wish to be heard in support of your submission:

☒ I wish to speak at the Hearing in support of my submission; or

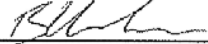
☐ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

☒ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

27/9/19  Date:

If you have used extra sheets for this submission please attach them to this form and indicate this below:

Yes, I have attached extra sheets

☒ No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

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Submission #10

Item 2



27 September 2019

Hastings District Council
Private Bag 9002
HASTINGS 4156

Attn: Rowan Wallis

Via email to policyteam@hdc.govt.nz

Dear Mr Wallis

Submission on Proposed District Plan Variation 7 by Hastings District – Seasonal Workers
Accommodation

Thank you for the opportunity to make a submission on proposed Variation 7 to the Hastings District Plan. HBRC generally supports Variation 7 (V7) but wish to make the following comments.

Heretaunga Plains Urban Development Strategy

As you are aware, Hastings District Council, Napier City Council and the Regional Council are partners to the Heretaunga Plains Urban Development Strategy (HPUDS). We support V7 insofar as it will enable provision of different forms of housing and living environments to meet some of the demands for residential accommodation in the wider Hastings/Napier area.

The Regional Council also supports the inclusion of provisions intended to stop unnecessary urban development encroachment on versatile soils of the Heretaunga Plains in accordance with provisions of the Regional Policy Statement (RPS), namely POL UD1.

Stormwater and wastewater provisions

The Heretaunga Plain Unconfined Aquifer and the Hastings drinking water Source Protection Zone overlay with areas of the Plains Production Zone and Industrial Zones which fall within the scope of V7 (utilising the HBRC Heretaunga Plains Groundwater numerical model which is proposed within the TANK Plan Change (PC9)). Although provision is given for connection to existing stormwater and wastewater infrastructure, we believe that deeper acknowledgement and consideration of potential risks to the unconfined aquifer and the Hastings drinking water source protection zone is required. HBRC also wish to ensure that there is capacity within the current District Council network for such developments and that the District Council is able to consider the cumulative impact of developments.

Industrial areas of Omaha Road and Irongate - we understand that both wastewater and stormwater can be provided for by the District Council network at Omaha Road. Meanwhile at Irongate, albeit maximum wastewater discharge volume is limited as per 14.1.6A.10, it too can be provided for by the District Council's network. However stormwater must be provided

Enhancing our environment together | Te whakapapa kōwhiri | Te mātauranga

06 835 9200 | info@hbrc.govt.nz | 159 Dalton Street, Napier 4110 | Private Bag 6005, Napier 4142

hbrc.govt.nz

Attachment C

for on-site. For ease of use by potential applicants, we request that this is made more explicit through appropriate performance standards and terms, assessment criteria or advice notes.

We note that there is reference within this section of the District Plan to contamination risk from industrial uses and development (Policies IPZ7, IPZ18) but note that there is nothing within Variation 7 about contamination arising from the RSE accommodation. It is considered that there is opportunity to consider contamination risk and appropriate management in more detail. The potential contamination issues are not just limited to the built form in terms of ground floor area and impervious surfaces, but also from the density of people proposed to reside within the accommodation and the impacts from their activities, such as car parking, car washing, waste collection and disposal etc. As well as the increased areas of impervious surfaces resulting in increased stormwater runoff and potential overflows from wastewater networks into stormwater if capacity becomes an issue.

Ideally, we would like to see Hastings District Council extend reticulated systems to service RSE developments to remove the need to discharge into these sensitive receiving environments. For the purposes of V7, we request that Hastings District Council include Advice Notes highlighting the need for applicants to seek resource consents from the Regional Council in regards to wastewater and stormwater discharges.

We also note that wastewater discharges from RSE facilities can be relatively large, and that if consent is to be granted for these, a high standard of wastewater treatment is likely to be required where these discharges occur over the unconfined aquifer or within SPZ's. HBRC is also cognisant that there will be cumulative effects from discharges of this nature, and that consent may be granted where the discharge will have, or contribute to adverse environmental effects.

OUTCOME: Applicants have a clear understanding of stormwater and wastewater requirements and groundwater and drinking water quality is protected.

On 25 September 2019, the Hawke's Bay Regional Council agreed to publically notify Plan Change 9 (commonly referred to as the "TANK" Plan Change, encompassing the Tūtaekurī, Ahuriri, Ngaruroro and Karamu catchments). We believe it would be opportune for Hastings District Council to ensure that any changes made through this Variation align with the proposed TANK Plan Change, insofar as is practicable given the Plan Change is not yet notified. There is opportunity to provide wording in 14.1.8.4 similar to that within TANK Policy 6 b):

- b) regulating activities within the unconfined aquifer that may actually or potentially affect the quality of the source water or present a risk to the supply of safe drinking water because of;*
 - (i) direct or indirect discharge of a contaminant to the source water including by overland flow or percolation to groundwater;*
 - (ii) an increased risk to the safety of the water supply as a result of a non-routine event*
 - (iii) potentially impacting on the level or type of treatment required to maintain the safety of the water supply;*

- (iv) shortening or quickening the connection between contaminants and the source water, including damage to a confining layer;
- (v) in the case of groundwater abstraction, the rate or volume of abstractions causing a change in groundwater flow direction or speed and/ or a change in hydrostatic pressure that is more than minor

OUTCOME: Regional and District plan provisions are aligned.

Provision of drinking water

We recognise that the residents of these types of development will require provision of drinking water. It is uncertain whether Seasonal Workers Accommodation developments are to be accommodated by municipal supply or on-site provision. As you will be aware, the Heretaunga Aquifer is currently over-allocated and, in accordance with RPS OBJ LW1 2B¹, over-allocation is being phased out through the TANK Plan Change.

If it is not possible for RSE developments to join the municipal supply, we request that Hastings District Council include an Advice Note highlighting that applicants may need to transfer an existing permit or provide drinking water within existing consented allocations. Furthermore it would be advisable to note to applicants that the provision of drinking water will need to meet the requirements of the NZ Drinking Water Standards and Health Act.

OUTCOME: RSE accommodation is appropriately serviced and groundwater quantity is maintained.

The Regional Council wishes to be heard in support of this submission and does not wish to present a joint submission.

The Regional Council's address for service in relation to this submission is:

Hawke's Bay Regional Council
 159 Dalton Street
 Private Bag 6006
 Napier 4110
 Attn: Ellen Humphries
 Phone: 06 835 9200 extn. 9379
 Email: ellen.humphries@hbrc.govt.nz

Should you have any queries with regards to the content of this submission please do not hesitate to contact Ellen Humphries, as above.

¹ Integrated management of fresh water and land use and development Fresh water and the effects of land use and development are managed in an integrated and sustainable manner which includes... establishing where over-allocation exists, avoiding any further over-allocation of freshwater and phasing out existing over-allocation.

Yours sincerely



Ceri Edmonds
Manager Policy & Planning
Strategic Planning Group
Phone (06) 835 2952
Email: ceri.edmonds@hbrc.govt.nz

Submission #11

Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Schedule 1

Form 5

Submission on publicly notified proposal for policy statement or plan

*Clause 6 of First Schedule, Resource Management Act 1991***To** Hastings District CouncilPosted to:Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
Hastings 4156Delivered-to:Civic Administration Building
Hastings District Council
Lyndon Road East
Hastingspolicyteam@hdc.govt.nz**Name of submitter:** A & J Maurenbrecher & Others

This is a submission on the Hastings District Council proposed plan change **Variation 7 Seasonal Workers Accommodation** to the Hastings District Plan (the **proposal**):

Background information – The documents available to the submitter at the time of Notification on the Councils Website and as downloaded are:

- a) *Amended Plan Provisions for Variation 7 Seasonal Workers Accommodation 14.1 Industrial (PDF | 1.5 MB)*
- b) *Amended Plan Provisions for Variation 7 Seasonal Workers Accommodation 331.1 Definitions (PDF | 61 KB)*
- c) *Amended Plan Provisions for Variation 7 Seasonal Workers Accommodation 6.2 PPZ (PDF | 1.4 MB)*
- d) *Amended Plan Provisions for Variation 7 Seasonal Workers Accommodation 7.5 LIZ (PDF | 262 KB)*
- e) *Discussion Document (PDF | 4.1 MB)*
- f) *Public Notice - Hawke's Bay Today (24.8.2019) (PDF | 241 KB)*
- g) *Section 32 Evaluation Report Variation 7 Seasonal Worker Accommodation (PDF | 1.4 MB)*

The specific provisions of the proposal that my submission relates to are:

The submitter supports the provision of Seasonal Workers Accommodation in the Hastings District but **opposes** the changes to specific provisions of the District Plan as they are currently worded for the parts notified (listed above) and opposes any consequential change resulting to the plan as a result of Variation 7 text amendments.

My submission is:

The submitter is directly affected by the **Proposal** and has a concern that the **Proposal** is not an appropriate method of achieving the purpose of the RMA. While the s 32 assesses the District Plan Objectives and Policies for each section in a manner that claims to demonstrate consistency with Part 2 and Section 32 of the current planning provisions, it does not address whether the Plan

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Schedule 1

Resource Management (Forms, Fees, and
Procedure) Regulations 2003

Item 2

Objectives and Policies themselves continue to give effect to the RPS. The assessment should reflect the underlying land in terms of the appropriateness of the Alternative Assessment.

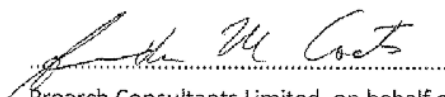
I seek the following decision and relief from the local authority:

That the **Proposal** is declined in its entirety.

Failing the **Proposal** being declined in its entirety, the submitter request that the proposed text be amended inclusive of consequential changes and definitions to enable existing undersized PPZ lots of inferior soils to be utilised for Seasonal Workers accommodation and for other accommodation purposes in the offseason, subject to existing Building Act 2004 provisions. The submitter maintains that the use of inferior soils inadvertently captured by zoning that is contrary to the properties of the land itself under the RPS is a valid alternative and has not been considered under the s32 analysis.

I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



Proarch Consultants Limited, on behalf of the Maurenbrechers & Others
(person authorised to sign on behalf of submitter)

Date: 27 September 2019

(A signature is not required if you make your submission by electronic means.)

Address for service of submitter:	Proarch Consultants Limited
Telephone:	021517955
Fax/email:	amanda@proarch.co.nz
Contact person:	Amanda Coats, Planning Consultant

Attachment C

Submission #12



Item 2

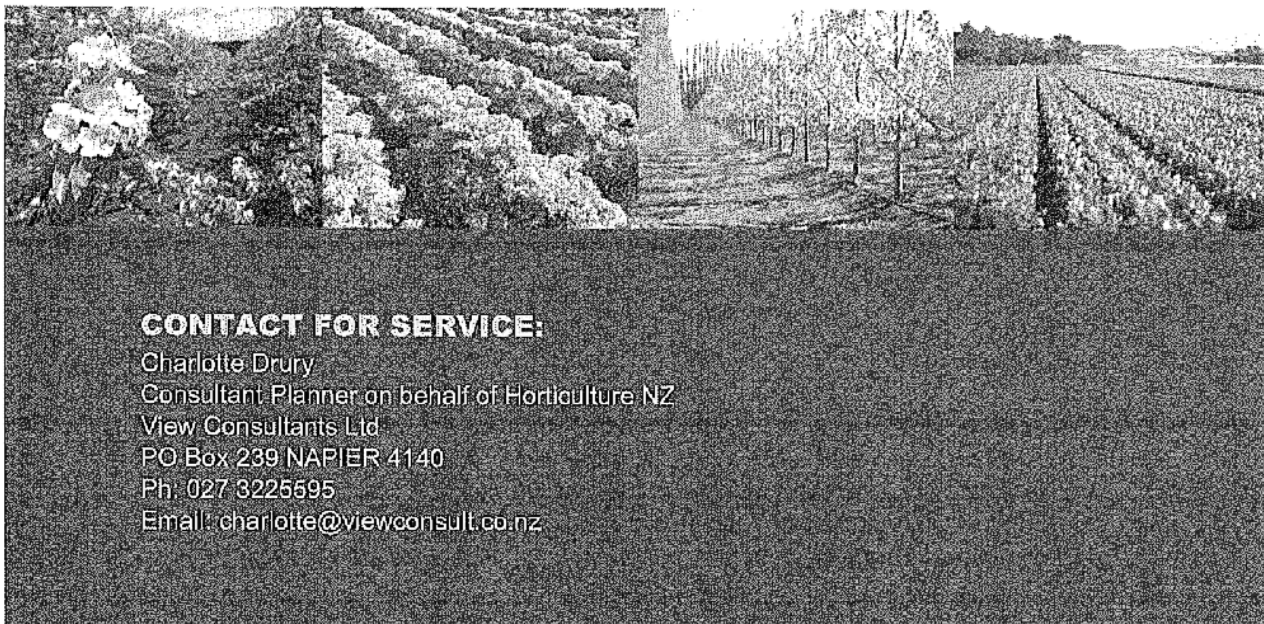
SUBMISSION ON Hastings District Council Variation 7

September 2019

TO: Hastings District Council

NAME OF SUBMITTER: Horticulture New Zealand

Attachment C



CONTACT FOR SERVICE:

Charlotte Drury
Consultant Planner on behalf of Horticulture NZ
View Consultants Ltd
PO Box 239 NAPIER 4140
Ph: 027 3225595
Email: charlotte@viewconsult.co.nz

Introduction

Horticulture New Zealand (HortNZ) thanks Hastings District Council for the opportunity to submit on Variation 7 and welcomes any opportunity to work with Hastings District Council and to discuss our submission.

HortNZ could not gain an advantage in trade competition through this submission.

HortNZ wishes to be heard in support of our submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

The details of HortNZ's submission and decisions we are seeking from Council are set out below.

Background to HortNZ

HortNZ was established on 1 December 2005, combining the New Zealand Vegetable and Potato Growers' and New Zealand Fruitgrowers' and New Zealand Berryfruit Growers Federations.

HortNZ represents the interests of 5000 commercial fruit and vegetable growers in New Zealand, who grow around 100 different crop types and employ over 60,000 workers. Land under horticultural crop cultivation in New Zealand is calculated to be approximately 120,000 hectares.

The horticulture industry value almost \$5.7 billion and is broken down as follows:

Industry value	\$5.68bn
Fruit exports	\$2.82bn
Vegetable exports	\$0.62bn
Total exports	\$3.44bn
Fruit domestic	\$0.97bn
Vegetable domestic	\$1.27bn
Total domestic	\$2.24bn

For the first time New Zealand's total horticultural produce exports in 2017

exceeded \$3.44bn Free On Board value, 83% higher than a decade before.

It should also be acknowledged that it is not just the economic benefits associated with horticultural production that are important. The rural economy supports rural communities and rural production defines much of the rural landscape. Food production values provide a platform for long term sustainability of communities, through the provision of food security.

HortNZ's mission is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand to achieve the industry goal (a \$10 billion industry by 2020).

HortNZ's Resource Management Act 1991 Involvement

On behalf of its grower members HortNZ takes a detailed involvement in resource management planning processes around New Zealand. HortNZ also works to raise growers' awareness of the Resource Management Act 1991 (RMA) to ensure effective grower involvement under the Act.

The principles that HortNZ considers in assessing the implementation of the RMA include:

- The effects based purpose of the RMA;
- Non-regulatory methods should be employed by councils;
- Regulation should impact fairly on the whole community, make sense in practice, and be developed in full consultation with those affected by it;
- Early consultation of land users in plan preparation;
- Ensuring that RMA plans work in the growers interests both in an environmental and sustainable economic production sense.

Horticulture in Hastings District



The current state

Horticulture is hugely important to the Hawke's Bay region. Around 16,800 ha of commercial fruit and vegetable production is undertaken on the Heretaunga Plains. HortNZ represents around 250 horticultural growers that live within the Hastings District.

Seventy percent (70%) of all apples produced in New Zealand are grown in the Hawke's Bay, with the vast majority of those orchards located within the Plains Production Zone of the Hastings District. Summerfruit, green beans, sweetcorn, squash and onions are other significant crops for the region, with large areas of summerfruit in particular being grown within the Hastings District.

Specialised post-harvest pack houses add significant value after the farm gate and many growing organisations are now integrated into the post-harvest chain. There are two significant international fruit and vegetable processing facilities located in Hastings (Heinz Wattie's and McCain's), and those post-harvest processing facilities alone employ over 1800 people.

Hawke's Bay produces significant quantities of food for domestic supply, which is important for the health and well-being of all New Zealanders. Hawke's Bay's contribution to the domestic food supply is particularly important because of the warmer climate which means that it can provide fresh produce when other regions are not able to provide fruit and vegetables into the supply chain.

There is also extensive export production within the region, which provides employment opportunities for many people. The Heretaunga Plains are a nationally significant source of highly productive land and significant protection of this land has been regulated within district and regional planning tools due to pressures from urbanisation. Food and fibre production are recognised as a significant value within the Regional Policy Statement and as 'primary values and uses' for the Greater Heretaunga/Ahuriri.



HortNZ's Submission on Hastings District Plan Variation 7

Given the critical importance of the RSE (Recognised Seasonal Employer) Scheme providing labour for the horticultural sector, HortNZ is generally very supportive of the proposed plan variation, and thank Hastings District Council for taking the time to address an issue which is so critically important to the horticultural sector, in the more integrated manner that a plan variation enables, rather than trying to develop an approach and then apply that approach through decisions on individual resource consents. The promulgation of a plan variation provides the opportunity for the public to provide their views on the proposal and those views taken into account in Council's final decision on the plan variation.

It is relevant to note that Horticulture New Zealand was instrumental in working with Central Government to help establish the RSE scheme, and continues to work with government to review the scheme and ensure it is fit for purpose. As stated in the Section 32 report for Variation 7, industry has sought an increase in the number of RSE workers who can work in New Zealand each season. The current government has also adopted a number of approaches in an effort to try and address the current stresses on the country's housing stock, and are actively trying to make more homes available, particularly for those in need. These factors, being an increase in the number of RSE workers who need to be accommodated within Hawke's Bay, and a desire to reduce the number of RSE workers who are housed in existing rental stock within residential zones, have aligned to make what was already a pressing issue, an even greater priority for the Hastings District.

One of the main challenges for this plan variation, from a HortNZ perspective, is that it strikes an appropriate balance between providing additional options for sites that can be utilised for seasonal worker accommodation (SWA) that meet the needs of both growers and seasonal workers; and also ensuring that unnecessary expansion of buildings on to highly productive land¹ is avoided. These matters are discussed in some further detail below:

SWA that meets the needs of seasonal workers and growers

Seasonal workers come from many nations in the Pacific, and the opportunity to be part of New Zealand's RSE scheme is considered to be life changing opportunity for those people that satisfy the strict acceptance criteria and are selected to come to New Zealand. The RSE scheme has been running since 2006, and over the 13 years it has been operating, the scheme has been tweaked and developed as those involved have developed a greater understanding of the culture of the workers who come, the way that they live, and what is most important to them. For example, it is recognised that bringing larger groups of people who already know each other, perhaps because they are all from the same village, or church; and housing them together is the best approach, rather than randomly selecting individuals to live together, who are all the same age for example. This is because there can be tension between people from different villages/islands. Housing groups of workers together who have established relationships also means that they can support each other living away from home, the leaders within those groups can assume their established leadership role, and for those who are here for the first time, people that they already know can help them learn about and adapt to living in a very different environment to which they are used to. The culture shock that coming to New Zealand presents is one of the reasons that providing seasonal worker

¹ It is noted that the Hastings District Plan refers to 'versatile soils' however given the timing of this submission period falling after the notification of the Proposed National Policy Statement for Highly Productive Land, HortNZ supports the use of the term utilized in that document, which is 'highly productive land' rather than versatile land.

accommodation options outside of the residential zones is good – the physical separation of SWA in the Plains Production Zone in particular can mean it is easier for workers to avoid the temptations that town locations can make easier to access, and workers also tend to feel safer, as particularly in the early days of the scheme, some workers unfortunately were subject to racial abuse.

RSE workers are accustomed to a more communal manner of living than what many New Zealanders are used to, and the provision of smaller sleeping areas, and larger communal spaces such as kitchens etc are important to them. For these reasons, housing seasonal workers in existing residences (within residential zones) is not a great long term option, and enabling the establishment of bigger, purpose built facilities, will help ensure that the pastoral care needs of workers are met. Larger SWA sites are also more likely to have other facilities such as well set up recreational areas such as volleyball courts, and also classrooms. MFAT² funds training courses for seasonal workers in subjects such as English literacy, numeracy and financial literacy, and the availability of classroom space at their accommodation location increases the likelihood that workers will be able to undertake this additional training. The ability to complete such training has positive social benefits for workers, and means that they return to their homes not only with new skills learnt on the job in New Zealand, but other skills that they can use to assist the development of their villages. Additional vehicle movements that would be necessary to transport workers to a classroom location if one is not available are also avoided with larger accommodation complexes.

The construction of new, purpose built facilities to provide seasonal worker accommodation also means that they are generally of a higher standard, and in particular are warmer, which is important for workers who all come from significantly warmer climates.

Ensuring unnecessary expansion of buildings onto highly productive land

As the national organisation representing horticultural interests, HortNZ is very mindful of the need to avoid the unnecessary spread of additional buildings across the highly productive land of the Heretaunga Plains. Enabling the establishment of seasonal worker accommodation within the Plains Production Zone is supported, as seasonal workers are an essential component of the success of the horticultural industry, however, limits do need to be placed on the extent to which this is allowed. However, there also needs to be some flexibility to enable land that is perhaps not as suitable for primary production for some reason to be used for seasonal worker accommodation given the very high demand for it.

Matters of clarification

There are several matters within the suite of documents available on the HDC Variation 7 web page that require some clarification, and these are listed below, with further explanation provided where necessary.

- The Discussion Document (Section 7 summary) talks about seasonal worker accommodation within the Plains and Rural Zones being a restricted discretionary activity up to 80 persons, and also less than 2500m²GFA, however the amended plan provisions available on the website only relate to the Plains Production Zone. Are changes to the Rural Zone rules still being proposed or not?

It is HortNZ's submission that increasing the number of options available for locating seasonal worker accommodation (within certain criteria as proposed through the restricted discretionary activity status) is a positive change, and should help ensure

² MFAT – Ministry of Foreign Affairs and Trade

that it is as appropriately located as possible. Increasing the number of zones in which seasonal worker accommodation can be more easily established will also assist with the vacation of residential accommodation, freeing it up for other users, which is one of the key outcomes sought by this plan variation, therefore we seek that amendments to the Rural Zone are included, if that is still within the scope of this plan variation.

- Section 7 of the Discussion Document also indicates that if seasonal worker accommodation cannot comply with all of the relevant performance standards then it falls to be considered as a discretionary activity, however Option 3 (which is selected as the favoured option) of Section 7.2.5.3 of the Section 32 Evaluation indicates that activities that exceed 80 people in the PPZ would assume a non-complying activity status. Table 6.2.4 of the amended plan provisions for the Plains Production Zone also does not make explicitly clear what the activity status becomes.

HortNZ submits that falling to a discretionary activity status would be more appropriate, as this still gives Council the ability to exercise their discretion in deciding whether or not to grant a consent application, and over what it imposes as conditions. HortNZ believes that the establishment of seasonal worker accommodation within the PPZ for over 80 workers would not be contrary to the policies of the plan, and therefore any analysis would focus on the effects of a particular proposal which could be fully considered within the ambit of a discretionary activity status in the same manner as they could be for a non-complying activity. We suggest that defaulting to a non-complying activity status would also act as a disincentive for people to apply for resource consent for such activities when it may be appropriate in a particular location. In any event, the activity status of seasonal worker accommodation for over 80 workers and/or over 2500m² GFA needs to be clarified.

- In Section 7 of the Discussion Document seasonal worker accommodation for up to 300 people within Industrial Zones is proposed to be classified as a restricted discretionary activity, however the Amended Industrial Zone provisions nor the Amended Light Industrial Zone provisions make reference to the 300 person limit, therefore it is unclear whether or not this is still being proposed. This needs to be clarified. The Discussion Document indicates that non-compliance with the 300 worker limit would result in consideration as a discretionary activity, however the amended plan provisions seem to indicate that such activities would fall to be considered as a non-complying activity.

It is understood that the 300 person limit came about as a result of discussions with industry. HortNZ believes that a limit is appropriate, and we suggest that the 300 person limit is added to the activity description for a restricted discretionary activity.

HortNZ has no specific comment on the activity status to which a SWA within the industrial zone falls in the event that it does not meet the Restricted Discretionary Activity standards, provided it is not prohibited.

In the case of the Light Industrial Zones however, given the more limited range of activities that can establish within Light Industrial Zones, making them more appropriate for residential type activities, we believe that in this instance a default activity status for activities that cannot comply with the restricted discretionary performance standards should be assessed as discretionary activities.

- The current limit of the GFA of permitted seasonal worker accommodation within the Plains Production Zone is 125m². At least 4.5m² floor area must be provided for sleeping for each worker, therefore this limit means that permitted seasonal worker accommodation is unlikely to exceed twenty-odd workers once space is allowed for communal kitchen, laundry and bathroom facilities. The justification for this 125m² limit is not clear in the documentation that supports this plan variation, and therefore HortNZ suggests that an additional option that could be considered as part of this plan variation is also an increase in the gross floor area of SWA permitted within the Plain Production Zone (in addition to the other changes already considered and explored in the Section 32 report). Such an increase would provide for slightly bigger numbers of seasonal workers to be accommodated within the Plains Production Zone as a permitted activity, which again goes some way to addressing the capacity problem that the district currently faces.
- The reason for the minimum site area of under 12ha within the Plains Production Zone is not clear from the documentation accompanying this plan variation and HortNZ questions whether this is necessary and/or appropriate. Given that it does not apply to SWA at or below the 125m² size threshold, the activity would be subject to assessment through a resource consent process during which the effects of the SWA would be considered. An alternative to the minimum site area could be the inclusion of an additional matter of discretion that specifically considers the area of the site that will be removed from primary production, relative to the total area of the site, however we suggest that matters of discretion (a), (b), (d) and (h) allow this to be considered in any event.

In summary, HortNZ is supportive of Variation 7 as it addresses a matter that is critically important to the ongoing prosperity of the horticultural industry within the Hastings District, and the wider Hawke's Bay Region. A plan variation approach that considers the provision of seasonal worker accommodation across a range of zones is a constructive approach, and we believe will lead to better outcomes than the consideration of seasonal worker accommodation provisions within single zones, as has been done by other districts throughout New Zealand.

For the sake of clarity, we clearly outline in the following table the specific decisions that we seek in relation to seasonal worker accommodation within each relevant zone of the Hastings District Plan:

Zone	Support/oppose	Decision sought	Reason
Residential	Support	Definition of residential activity is amended to state that a maximum of 8 seasonal workers can be accommodated at a site.	A limit clarifies what is permitted, and 8 workers is considered to be an appropriate limit that could be reasonably accommodated within a 4 bedroom home.

Rural	Propose amendments as per Plains Production Zone	As per decisions sought for Plains Production Zone	Enabling SWA to be established in a range of zones will help ensure that it is constructed in a range of appropriate locations.
Plains Production Zone	Support in part	<ul style="list-style-type: none"> • <u>GFA threshold</u> for a permitted activity is <u>increased</u> from 125m². • <u>Minimum size of 12ha is deleted.</u> • Activity status if performance standards for restricted discretionary activity cannot be complied with becomes <u>discretionary</u> (not non-complying). 	As discussed above, HortNZ's proposed amendments would better enable the establishment of SWA on appropriate sites within PPZ.
Light Industrial Zone	Support in part	<u>SWA for up to 300 workers</u> is allowed as a restricted discretionary activity. If the performance standards cannot be complied with, the activity falls to a <u>discretionary activity</u> status.	Believe use of zone is appropriate, but limits should be specified.
Industrial Zone	Support in part	SWA is allowed as a restricted discretionary activity but <u>limited to a maximum of 300 workers.</u>	As above, believe some use of zone is appropriate, but limits should be specified.

Submission #13

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'



Item 2

Submissions can be:

Posted to:

Variation 7
 Environmental Policy Manager
 Hastings District Council
 Private Bag 9002
 Hastings 4156

Delivered to:

Civic Administration Building
 Hastings District Council
 Lyndon Road East
 Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name:

Robert Douglas Griffiths

Postal Address:

5 Evans Road, RD5 Hastings, 4175

Email: r.griffiths@airnet.net.nz Phone: 0212499771**2. The specific parts of Variation 7 that my submission relates to are: (Give Details).**

I oppose RSE accommodations on rural horticultural land.

3. My submission is that:

*(State the nature of your submission, clearly indicating **whether you support or oppose** the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).*

R.S.E accommodation is typically built for large numbers of staff and if permitted to proceed on good horticultural land there are many issues to consider.

1. The waste of good productive horticultural land is like urban sprawl and should be directed to other areas.

Attachment C

2. High density accommodation requires massive septic tanks to deal with sewage and grey water that then leaches into the land and the aquifer. Hastings has already many problems with a clean water supply and these developments will add to that problem.
3. R.S.E workers are from Pacific Islands and discipline is not as we know it and as they will throw rubbish out of vehicles and like loud thumping music.
4. Large groups like RSE create a great deal of noise problems as they like to party and play loud music and should not be housed on orchards and near lifestyle communities.
5. These types of developments if situated in rural developments must not be permitted for other commercial use.
6. Large concentration of R.S.E staff cause security issues and crime rates increase.
7. Although I agree with the wish to remove the bulk of the workers out of city housing zones should be created in and near industrial areas so that developments can be connected to city infrastructure and noise then is not an issue and our precious horticulture land will be saved for future production.

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

That large accommodation developments are not a permitted activity on rural land and that these developments be redirected to industrial or similar zones so that issues with RSE accommodation can be controlled in an easier environment and that services can be connected to city infrastructure.

5. Please indicate whether you wish to be heard in support of your submission:

- ☐ I wish to speak at the Hearing in support of my submission; or
- ☒ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

- ☐ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

Robert Griffiths Date: 27 /09/ 19

If you have used extra sheets for this submission please attach them to this form and indicate this below:

☐ Yes, I have attached extra sheets

☒ No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

Item 2

Attachment C

Submission #14

27th September 2019

Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
HASTINGS 4156

Via email: policyteam@hdc.govt.nz

Dear Sir / Madam,

Submission to Variation 7 – Seasonal Workers Accommodation

Surveying the Bay have been involved in the preparation of a large number of applications for Resource Consent to establish RSE facilities in both Plains and Industrial areas of Hastings District as well as a smaller number in Napier City. We support the aim of Variation 7 and agree there is a need to provide a greater range of RSE accommodation options throughout the District.

In general we have found Council to be proactive in their processing of these applications, often in the absence of an appropriately developed rule framework. We therefore support this drive for clarity.

It is worth stressing that Council's concerns around loss of versatile soils are shared by many RSE providers. All facilities we have been involved with have been carefully designed to minimize the impact on the productive potential of the orchard lands. For this reason many small camps have been established in and around existing dwellings or buildings and only infrequently have involved the removal of trees and. Up until recently these camps would generally sleep around 20 RSE employees within the 125 m² floor area limit. Recent Department of Labour changes to the per employee sleeping area requirements have meant on orchard camps consented and constructed to accommodate around 20 employees could only accommodate around two thirds of that number.

The 20 worker accommodation model appears to have worked well and is of sufficient scale to justify the infrastructure required (eg on site services), can generally be located within existing dwellings or curtilages and normally without the loss of land to production.

We request that the 125 m² gross floor area limit (PP9) be increased to 200 m² to provide for the 20 worker on orchard model as a Permitted Activity in the Plains zone. This would offset the capacity "lost" to the new per employee sleeping area requirements but not to the extent that the camps would encroach significantly onto productive land.

We support the introduction of PP23 allowing for up to 80 workers as a Restricted Discretionary Activity but feel an anomaly has (inadvertently) arisen. For example an RSE accommodation facility of (say) 250 m² floor area on a 9 hectare site would exceed the footprint limits of PP9 but also not meet the 12 hectare requirement of 6.2.6K. Therefore such an application would be classed as Non-Complying, which we believe is inconsistent with the overall purpose of Variation 7.

Napier
11 Dorian St. PO Box 12253, Ahuriri, Napier 4144
P: 06 836 5721 0800 787 842 F: 06 870 4042
info@surveyingthebay.co.nz

Hastings
311, Eartbourne Street, West, PO Box 811, Hastings 4156
P: 06 870 4048 0800 787 842 F: 06 870 4042
info@surveyingthebay.co.nz

www.surveyingthebay.co.nz


Item 2

Attachment C

We therefore request that an additional Restricted Discretionary Activity category be provided for allowing for RSE accommodation for up to 40 Workers on a site between 6 and 12 hectares.

We would like the opportunity to speak at Council's hearing in support of this submission

Yours faithfully
Surveying the Bay Ltd


Andrew Taylor
Registered Professional Surveyor

Napier
11 Oaslan St, PO Box 12263, Ahuriri, Napier 4144
P: 06 835 6721 CDD 787 842 F: 06 870 4042
info@surveyingthebay.co.nz

Hastings
311 Eastbourne Street West, PO Box 611, Hastings 4156
P: 06 870 4048 CDD 787 842 F: 06 870 4042
info@surveyingthebay.co.nz

www.surveyingthebay.co.nz

Submission #15

Yvonne Moorcock

From: Wufoo <no-reply@wufoo.com>
Sent: Friday, 27 September 2019 9:18 PM
To: Policy Team
Subject: HDC - Variation 7 Seasonal Workers Accommodation [#6]

1. Your Victor Saywell
 details:

Name: *

Postal 

Address: * 31 Stock Road RD5
 Hastings 4175
 New Zealand

Email: * saywellvandh@gmail.com

Phone 021 2668691

Number:

2. The I have not had time to go through all the papers thoroughly. However, my concerns are that whatever
 specific rules are put in place they not only relate to initial plans and facilities, but principles and rules to:
 parts of – prevent exploitation of seasonal workers
 Variation 7 – prevent undermining of responsible employers and seasonal accommodation providers by other
 that my poor operators who flout rules or manage poorly
 submission – ensure regular monitoring of standards, purpose and rules to see they are being complied with
 relates to – ensure adverse impacts do not occur for neighbours and nearby activities
 are: *

3. My submission is that: *

Appropriate seasonal accommodation needs to be available in sensible locations. However it is important that it is well planned, managed, maintained, used for purpose, meet reasonable needs of workers and be monitored. It should become permanent, tourism or other accommodation through unintended changes in use, lack of monitoring, etc.

Only suitable people should be allowed to be involved in managing and owning such seasonal accommodation. Failure to comply on significant matters, or on more than infrequent non-compliance should be grounds to close down operations.

The seasonal accommodation should be fit for purpose and provide for the reasonable needs of workers with respect to sleeping, cooking and living, including accessibility to recreation, shopping and community activities and facilities. This may be via a combination of location and transport.

The cost of rent, food, transport, internet, power and other necessities for seasonal workers should be subject to limits, perhaps in relation to wages to prevent exploitation.

Regular inspection and unannounced visits, together with wellness checking of seasonal workers, needs to occur over the year.

For plains areas, seasonal accommodation should not take total gfa over 2,500 sqm in total when combined with other buildings on site and both the activities and labour on site should relate primary industries on that site and nearby (say 5 –8 kms, not 20 or more kms)

4. I/We seek the following decision: * That decisions made support appropriate wellness for seasonal workers, activities of well managed operations that comply with rules and are in line with the purpose for which they are approved. Equally poor operators are brought into line promptly or lose the ability to operate.

5. Please indicate whether you wish to be heard in support of your submission: * I wish to speak at the Hearing in support of my submission; or

6. Please indicate if you wish to make a joint case: * If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

How did you hear about this opportunity to provide feedback? Talking to a town planning consultant about issues with an existing seasonal worker accommodation provider

Submission #16

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 7 'Seasonal Workers Accommodation'



Item 2

 Submissions can be:
Posted to:

Variation 7
 Environmental Policy Manager
 Hastings District Council
 Private Bag 9002
 Hastings 4156

Delivered to:

Civic Administration Building
 Hastings District Council
 Lyndon Road East
 Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019
1. Your details:

Full Name: Greg Honnor; Omahu Land Trust & Irongate Way Ltd

Postal Address: 58 Equestrian Lane, Hastings

Email: gphonnor@gmail.com

Phone: 0272439007

2. The specific parts of Variation 7 that my submission relates to are: (Give Details).

General Industrial – Irongate Zone

3. My submission is that:

*(State the nature of your submission, clearly indicating **whether you support or oppose** the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).*

We oppose accommodation in an Industrial area.

Attachment C

Recent consent has been given to RSE accommodation in the heart of a new Industrial Precinct. We believe this will be detrimental to the intent for the newly designated General Industrial Zone within Irongate. There is a very strong possibility that the area will lose its appeal for significant investment for quality Industrial and Commercial builds should further intensive accommodation be approved without further consultation.

Whilst we understand the necessity of being able to create the required accommodation.

The implications such as allowing the recent Non-notified newly-consented RSE complex in Irongate, we believe is not in an appropriate location for this area & could be detrimental to the future development nearby. Given the large parcel of land available in this instance, a better outcome could have been achieved if positioned differently. We would like to see Planners be more pro-active regarding positioning in these areas.

Our submission is based on the positioning & consideration for affected parties. Better positioning will produce superior results.

IZP1; The proposed changes tend to contradict the intent – in particular the reverse sensitivity.

IZP17A; This clause requires clarification. More info regarding how the Reverse Sensitivity is going to be addressed for Irongate & Omaha. Both Whakatu & Tomoana have better waste water services – yet not considered suitable for other reasons.

GI9A; should not be implemented without better consultation

GI16; Need to get the wording correct. This also needs to be clarified, specifically relating to Irongate whereby increased Wastewater demands could be problematic

Provision for (high) quality standards relating to build quality, amenities, positioning and suitable screening.

Restrictions for RSE accommodation only. No opportunity to change type of accommodation use in the future – ever.

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

Positioning is important. New proposals should consider Reverse sensitivity as a priority.

Location options on large sites need to be planned for minimal neighboring impact.

Screening; plantings take time to mature. A combination of planting & instant perimeter shielding in high visibility areas should be implemented. (within new Industrial zones.)

IZP1; RSE positioning should not be granted in the Heart of an Industrial Zone. Accommodation could be considered on the periphery of an industrial area only– not within the main Industrial heart or main arterial routes.

IZP17; Reverse Sensitivity is a Big issue. This is an important opportunity to set guidelines so as not to end up with an Ad-hoc subdivision. In Irongate, Considerable effort has been expended by HDC, Stakeholders & the Community to get Irongate as the new Hub for Industry. Let's not allow unintentional development to proceed without correct RS considerations.

GI9A; this clause should not be included without more specific inclusions.

GI16; Re -wording required. Intent needs to be appropriate for services available.

5. Please indicate whether you wish to be heard in support of your submission:

Yes ☐ I wish to speak at the Hearing in support of my submission; or

☐ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

Yes ☐ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

2/ 10 / 19

Date:

If you have used extra sheets for this submission please attach them to this form and indicate this below:

☐ Yes, I have attached extra sheets

☐ No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

Item 2

Attachment C

Submission #17

SUBMISSION FORM 5

Submission on Proposed District Plan
Variation 7 'Seasonal Workers Accommodation'



Submissions can be:

Posted to:
Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
Hastings 4156

Delivered to:
Civic Administration Building
Hastings District Council
Lyndon Road East
Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Friday 27th September 2019

1. Your details:

Full Name:

Andrew Ayre

Postal Address:

P.O Box 2502 - Starford Lodge

Email:

andrew@cncprocut.co.nz

Phone:

0274514615

2. The specific parts of Variation 7 that my submission relates to are: (Give Details).

~~1A~~

70 Wargate Road.

3. My submission is that:

Item 2

Attachment C

(State the nature of your submission, clearly indicating **whether you support or oppose** the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).

I definitely oppose the decision to place an N.S.E camp in an Industrial Area. They are proposed for plain zone. we have so much trouble with noise complaints now in Douglas RD. It has completely defaced the entire Industrial Area of which we have now decided not to build there and put our Property back on the market.

4. I/We seek the following decision: (Please give precise details, this section must be completed to ensure a valid submission).

we seek that this N.S.E Camp be stopped and put to a Notified consent process and all future N.S.E Camps be Notified =

5. Please indicate whether you wish to be heard in support of your submission:

- ☒ I wish to speak at the Hearing in support of my submission; or
☐ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

YES - Greg Hornor

☒ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

8/11/19  _____ Date:

If you have used extra sheets for this submission please attach them to this form and indicate this below:

☐ Yes, I have attached extra sheets

☒ No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.



29th October 2019

Environmental Policy Manager
Hastings District Council
Private Bag 9002
HASTINGS 4156

Attention: Rowan Wallis

Dear Sir,


Further Submission - Variation 7 – Seasonal Workers Accommodation

Submitter Name: Mr Apple NZ Ltd
Contact: Alistair Jamieson
Ph. (027) 497 1837
Alistair.jamieson@mrapple.biz

Mr Apple is one of the largest employers of RSE staff throughout Hawkes Bay and operate numerous accommodation facilities in Hastings District, Napier City and Central Hawkes Bay. Mr Apple NZ Ltd therefore feels they have a greater interest in Proposed Variation 7 than the general public.

My Apple hold resource consents for these facilities and are generally supportive of this variation. The RSE scheme provides crucial support to the apple industry and Mr Apple would like to be part of the hearing process and record particular support of the matters raised by Surveying the Bay Ltd (Submission No. 7).

Yours faithfully
Surveying The Bay Ltd


Andrew Taylor
Registered Professional Surveyor

cc. Alistair Jamieson

3308 19.10.29 Further

Napier
11 Ossian St PO Box 12253 Ahuriri Napier 4144
P: 06 835 5721 0800 787 842 F: 06 870 4042
info@surveyingthebay.co.nz

Hastings
311 Eastbourne Street West PO Box 611, Hastings 4156
P: 06 870 4048 0800 787 842 F: 06 870 4042
info@surveyingthebay.co.nz

www.surveyingthebay.co.nz

Item 2

Attachment D

Item 2

Attachment D

FS 2

Item 2

Further Submissions on Hastings District Council Variation 7

29 October 2019

To Hastings District Council

Posted to:
Variation 7
Environmental Policy Manager
Hastings District Council
Private Bag 9002
Hastings 4156

policyteam@hdc.govt.nz

Delivered-to:
Civic Administration Building
Hastings District Council
Lyndon Road East
Hastings

Name of submitter: A & J Maurenbrecher & Others

A & J Maurenbrecher & Others are Submitter 11 to HDC Variation 7 as notified. The A & J Maurenbrecher & Others further submission relies on the summary having been prepared accurately in accordance with Clause 7(1) in Schedule 1 of the RMA 1991. This further submission orders the submissions with the same reference number as the Summary.

Submission 1 Diane Joyce

A & J Maurenbrecher & Others **supports** allowing development of housing for RSE workers on the properties on which they are going to work in terms of layout, including on Rural Zoned Land and land zoned Plains Production Zone, and on lots smaller than 12 hectares provided it can be demonstrated that the land is not LUC Class 1 and 2, and subject to unusual restrictions on the land in terms of productive use. opposes the opinion that landowners will logically choose the least useful land. A & J

A & J Maurenbrecher & Others **oppose** the submission that landowners will logically choose the least useful land. We do not consider that this will occur where the landowner restricted by proximity to road and a tendency to isolate workers accommodation from residential.

A & J Maurenbrecher & Others **support** (with some reservations) that positively impact on the district's housing situation by taking pressure off the rental market as there is limited information contained in the notified documents to reach this conclusion.

A & J Maurenbrecher & Others **oppose** the submission in relation to pastoral care but **support** relevant consideration for the social effects under the RMA including reverse sensitivity on farming activities and the living environment of adjoining landowners regardless of zoning. We also **oppose** the submission that the dwellings are required to be designed to be removable and **support** that the buildings constructed for RSE Workers should be made available for emergency housing in a state of emergency declared by a Minister or by Civil Defence and Emergency Services more locally under the relevant Acts.

Attachment D

To do otherwise would be contrary to any assessment of Councils Plan Change under an RMA Schedule 1 Process.

Submission 2 Bruce Stephenson Family Trust & Stephenson Transport Limited

A & J Maurenbrecher & Others **oppose** Submitter 2's submission. Land in the Industrial Zone and Irongate General Industrial Zone has not been zoned to include Residential activities as a permitted use within those zones. This further submission is linked to Submitter 11 (A & J Maurenbrecher & Others primary relief that the PC Variation 7 should be declined in full unless further amended through the hearings and text). The proposition that Industrial Zoned land would be suitable for RSE accommodation when it is not deemed suitable for residential appears contrary to the Proposed District Plan and is **opposed**, the effects on the integrity of the district plan in terms of precedent effects are not assessed in the notified Variation 7 documents.

Submission 3 Jan Sutherland

A & J Maurenbrecher & Others **supports** Submitter 3's submission. Seasonal worker RSE accommodation should NOT be allowed to be located on primary production parts of land. However, our further submission is that the establishment of Seasonal workers RSE accommodation should not be established on LUC Class 1 & 2 land regardless of the lands underlying zoning.

A & J Maurenbrecher & Others **oppose** Submitter 3's that Seasonal Worker (RSE) housing is limited to industrial land that has the appropriate services to handle the environmental impact that these facilities will create Roading, Sewerage and waste.

Submission 4 John Roil

A & J Maurenbrecher & Others **supports** Submitter 4's submission in relation to the PPZ summarised points 1 to 4. A & J Maurenbrecher & Others **opposes** Submitter 4's submission point 5 (with reservations as the underlying zoning) and 6 as we disagree that disagree that industrial land for residential use.

Submission 5 Turners and Growers NZ Limited

A & J Maurenbrecher & Others **oppose** Submitter 5's that Seasonal Worker (RSE) housing should be established on Whakatu Industrial Zone. The submitter supports that RSE Seasonal Works should be extended the same amenity for residential use for (RSE) Housing. Use of Seasonal Worker (RSE) should be in sympathy with the cultural aspirations of both the visiting worker with relevant consideration under the RMA1991. A & J Maurenbrecher & Others **opposes** Special rates and developer levies should be applied to buildings permitted under these District Plan changes. That this should initially be struck at \$5 per person (who uses the accommodation) per week. Funds gathered should be ring-fenced for the provision of social support (by the HOC or contracted third parties.). If this is considered, then this should be primarily from an

independent RSE representative NOT primarily from NZ community workers. We support point 8 of the submission, Present systems do not enable RSE representatives.

Submission 6 Chris Lambourne & Brenda Armstrong

No further submission.

Submission 7 Johanna Croskery

A & J Maurenbrecher & Others **supports** Submitter 7 submissions that the loss of versatile land is a concern, but consider that amended wording to the proposed plan can mitigate adverse effects. We **oppose** other aspects of the submission.

Submission 8 Hawke's Bay Fruitgrowers Association Inc.

No further submission.

Submission 9 Navilluso Holdings and Longlands Properties Limited

We **oppose** parts of in relation to the establishment on industrial land and that where seasonal workers land is established it cannot be used for emergency housing.

Submission 10 Hawke's Bay Regional Council

We oppose parts of this submission to the same extent as set out in relation to other submissions.

Submission 11 A & J Maurenbrecher & Others

Our primary submission sought to decline the proposal in its entirety for the reasons set out in responses to other submissions unless further modified and refined through the hearing process to address the issues raised.

Submission 12 Horticulture New Zealand

We **oppose** the parts of this submission in relation to the standards of accommodation which should be in accordance with building codes of NZ. May not be the case if the architecture is not in sympathy with the worker's cultural background. We support the point that there also needs to be some flexibility to enable land that is perhaps not as suitable for primary production for some reason to be used for seasonal worker accommodation given the very high demand for it. Increasing the number of zones in which seasonal worker accommodation can be more easily established will also assist with the vacation of residential accommodation, freeing it up for other users, which is one of the key outcomes sought by this plan variation, therefore we seek that amendments to the Rural Zone are included, if that is still within the scope of this plan variation. We agree that the reason for

the minimum site area of under 12ha within the Plains Production Zone is not clear from the documentation accompanying this plan variation and HortNZ questions whether this is necessary and/or appropriate.

Submission 13 Robert Griffiths

We **support** point 1 of this submission but **oppose** points 2, 4 and 5.

Submission 14 Surveying the Bay

We generally support this submission but oppose the 6 Ha limit proposed. Smaller sites should be considered with appropriate wording for assessment.

Submission 15 Victor Saywell

We generally agree with this submission.

Submission 16 Greg Honnor, Omaha Land Trust & Irongate Way Limited

No further submission.

Proarch Consultants Limited, on behalf of the Maurenbrechers & Others

(the person authorised to sign on behalf of submitter)

Date: 29 October 2019

(A signature is not required if you make your submission by electronic means.)

Address for service of submitter: Proarch Consultants Limited

Telephone: 021517955

Fax/email: amanda@proarch.co.nz

Contact person: Amanda Coats, Planning Consultant



Item 2

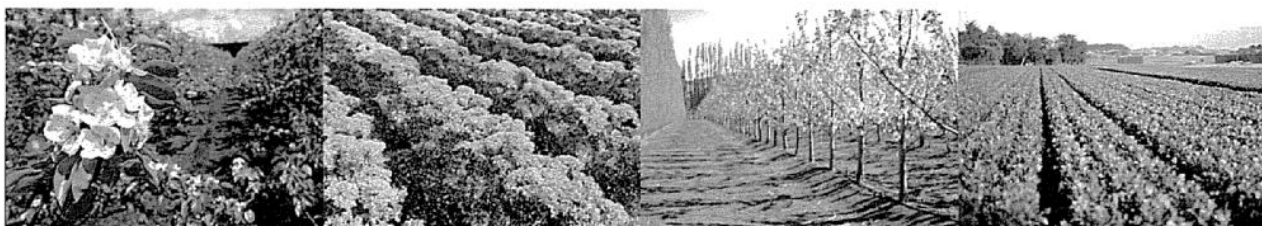
Further Submissions on Hastings District Council Variation 7

October 2019

TO: Hastings District Council

NAME OF SUBMITTER: Horticulture New Zealand

Attachment D



CONTACT FOR SERVICE:
Charlotte Drury
Consultant Planner on behalf of Horticulture NZ
View Consultants Ltd
PO Box 239 NAPIER 4140
Ph: 027 3225595
Email: charlotte@viewconsult.co.nz

HortNZ's Further Submissions on Hastings District Plan Variation 7

HortNZ would like to thank Hastings District Council (HDC) for the opportunity to provide comment on the submissions of other parties lodged on Variation 7 through this further submission process, and provide comments on matters of particular interest raised in several of the submissions below.

HortNZ shares the views expressed by a number of submitters that there is an important need for RSE workers to be provided with adequate pastoral care to ensure they are safe and suitably cared for during their time in New Zealand. We note that the RSE scheme is administered by MBIE and is therefore independent of Hastings District Council, and HDC is limited by statute in what it can do in this regard, particularly through this variation to the rules of the District Plan which is confined to provisions related to seasonal worker accommodation. As noted in HortNZ's original submission, the organisation applauds HDC for advancing this plan change in an effort to provide a clearer and more enabling planning framework related to seasonal worker accommodation within the Hastings District.

Submission 2

- Don't express a particular opinion about the specific wastewater allowance per person, but note the importance of ensuring that any seasonal worker accommodation that is built within the Irongate industrial area is appropriately serviced, and agree that unnecessary and/or unjustified restrictions should not be placed on the use of Irongate industrial zoned land for SWA.

Submission 3

- Disagree with suggestion to limit seasonal worker accommodation to industrial zoned land. As outlined in our original submission, providing for SWA at a range of scales, across a range of zones, is critically important to meeting the needs of the horticultural community, and also ensuring that SWA is as appropriately located as possible.

Submission 4

- Agree that sites less than 12ha could be suitable for seasonal worker accommodation, and therefore should not be excluded through the specific performance standards and terms set out in Section 6.2.6K(4) of the proposed plains production zone amendments.
- Agree that soil quality underlying proposed SWA within the plains production zone should be considered as part of a consenting process, and believe that this already forms part of the assessment criteria – specifically Sections 6.2.8J(d) and (h).

Submission 6

- Disagree that there is a need to specify outdoor recreational areas in the plains production zone, given the large areas of productive land that surround such accommodation facilities, and understand that the need to specify them within industrial zones is driven by a need to maintain open space – the same need does not exist within rural zones.

Submission 7

- Disagree that all SWA should be built in industrial areas. Believe that it can be appropriately sited within rural zones, and that the proposed plan change strikes a reasonable balance in providing multiple options for accommodation across a range of zones, including on plains production zoned land, where primary productive values will not be adversely affected.

Submission 9

- Agree that reverse sensitivity issues within industrial zones do need to be managed, but believe that the assessment criteria set out in Section 14.1.8.4 of the proposed industrial zone will enable this to be considered as part of the resource consent process.

Submission 10

- Appreciate the potential issues that discharges from SWA accommodation sites that are not connected to reticulation could present but believe that these can be appropriately managed with well designed wastewater and stormwater systems.
- Believe that given the urgency with which the SWA shortage needs to be addressed that the feasibility of having all sites serviced by reticulated systems is simply not realistic at this time, and given the acceptability of well designed, installed and maintained wastewater and stormwater infrastructure, question whether or not this could be justified for all sites in any event.
- Agree that where possible alignment with the proposed TANK Plan Change provisions should be achieved, but also note the need to progress with Variation 7 in a timely fashion to enable the SWA shortage to be addressed.

Submission 11

- Disagree with the request to decline the variation in its entirety. Believe it is appropriate for a planning framework to consider use of the plains production zone for SWA.

Submission 13

- Disagree that all SWA should be located within industrial zones, and believe that it can be suitably provided for within the plains production zone, and possibly also the rural zone, where performance standards can be met, and its effects are considered to be appropriate within the relevant receiving environment.

Submission 14

- Agree with the request for an increase in the 125m² gross floor area limit.
- Disagree with the request for the inclusion of an additional activity category, as HortNZ's submission sought that the 12ha minimum site area limit is deleted entirely from the proposed amendments.

Submission 16

- Agree that reverse sensitivity is a matter that needs to be considered as part of a consenting process, and believe that the matters of discretion already specified for the industrial zones enable that.

Item 2

Attachment D

FS4

Rowan Wallis

From: Wufoo <no-reply@wufoo.com>
Sent: Wednesday, 30 October 2019 3:26 PM
To: Rowan Wallis
Subject: HDC - Variation 7 –Seasonal Workers Accommodation [#1]

HDC – Variation 7 –Seasonal Workers Accommodation #1


DATE CREATED – PUBLIC
28 Oct 2019 at 6:56
6:56:30 AM UTC+12:00

Name * Michael Sutherland

I am: (choose one) * A person who has an interest in the proposal that is greater than the interest the general public has.

In this case, also specify the grounds for saying that you come within this category I reside in the Twyford area and the consequences of RSE accommodation in my neighbourhood could have a detrimental impact on my livelihood.

**I support (or oppose) the submission of:
Name and address of original submitter: *** Robert Griffiths

Address 
5 Evans Road RD5
Hastings, 4175
New Zealand

**Submission number of original submission
if available:**

**The particular parts of the submission I
support (or oppose) are: *** The concern raised by My Griffiths regarding large scale septic systems and the risk of polluting the local aquifer.

**The reasons for my support (or opposition)
are: *** I would like to offer my support to submission provided by Mr Griffiths and in particular the concerns raised by Mr Griffiths regarding the risks posed by effluent waste streams. In the cases where RSE accommodation is built on sites without the possibility to connect to a towns sewage system, large volume septic tanks will be needed.

Whilst design standards in New Zealand for septic systems generally provide for a satisfactory level of containment and protection, design standards do not cater for all situations and eventualities. Such systems can and do fail due to issues such as design faults and flaws, incorrect installation, physical damage etc. They are also reliant on being routinely emptied and where filters and the like are fitted,

routine maintenance. In small domestic type systems, the impacts on the environment of failure are less and thus the risks lower; this will not be the case with systems sized for 70 person accommodation units.

In properties not serviced by a towns sewage system the risk to the aquifer posed by large scale accommodation units and effluent waste streams should not be underestimated. The consequences of a failed system or system not properly maintained could be severe, particularly in Twyford where there is a high reliance on bore water for potable water purposes.

Hastings City Council would be remise to ignore the risks associated with 70 person accommodation units on sites without a towns sewage connection and it is my suggestion that accommodation of such scale should only be built on properties serviced by towns sewage connection.

I wish to be heard in support of my further submission	No
If others make a similar submission, I will consider presenting a joint case with them at a hearing.	
Contact person: [name and designation, if applicable] *	Michael Sutherland
Your phone number	
Your email address *	mike.sutherland@outlook.com
Your postal address *	<div></div> 174 Twyford Road RD5 Hastings, 4175 New Zealand
IP ADDRESS: 82.67.151.41	

Rowan Wallis

From: Wufoo <no-reply@wufoo.com>
Sent: Wednesday, 30 October 2019 3:26 PM
To: Rowan Wallis
Subject: HDC - Variation 7 –Seasonal Workers Accommodation [#3]

HDC – Variation 7 –Seasonal Workers Accommodation #3


DATE CREATED – PUBLIC
29 Oct 2019 at 2:53
2:53:32 AM UTC+12:00

Name * Michael Sutherland

I am: (choose one) * A person who has an interest in the proposal that is greater than the interest the general public has.

In this case, also specify the grounds for saying that you come within this category I live in the Twyford area and will be impacted if accommodation is built for larger numbers of RSE workers in my neighbourhood.

I support (or oppose) the submission of: Name and address of original submitter: * Johanna Croskery

Address 
352 Twyford Road
Hastings,
New Zealand

Submission number of original submission if available:

The particular parts of the submission I support (or oppose) are: * The potential negative impacts on the local community of providing RSE accommodation remote from public amenities.

I would like to offer my support to the submission provided by Johanna Croskery and in the concerns raised by Johanna Croskery regarding the locating of large numbers of RSE workers away from public amenities.

The reasons for my support (or opposition) are: * My concerns relate primarily to the Twyford area.

Providing accommodation for large numbers of RSE workers away from amenities such as public transport, supermarkets, shops, pharmacies, and forms of entertainment will likely cause the workers hardship as historically most workers do not have their own means of transportation due to the temporary nature of their stay and employer provided transportation is haphazard at best.

An added problem to the hardship caused to the workers is the impact on the local community of having large numbers of workers effectively cut off from public services and shops the problems this will create.

I wish to be heard in support of my further submission

No

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Contact person: [name and designation, if applicable] *


Michael Sutherland

Your phone number

Your email address *

michael.sutherland3@outlook.com

Your postal address *



174 Twyford Road RD5
Hastings, 4175
New Zealand

IP ADDRESS: 77.136.42.39

FS 5

Rowan Wallis

From: Wufoo <no-reply@wufoo.com>
Sent: Wednesday, 30 October 2019 3:26 PM
To: Rowan Wallis
Subject: HDC - Variation 7 –Seasonal Workers Accommodation [#4]

HDC – Variation 7 –Seasonal Workers Accommodation #4


DATE CREATED – PUBLIC
29 Oct 2019 at 1:33
1:33:15 PM UTC+12:00

Name * Stuart Burden

I am: (choose one) * A person who has an interest in the proposal that is greater than the interest the general public has.

In this case, also specify the grounds for saying that you come within this category Lives in the Plains zone.

**I support (or oppose) the submission of:
Name and address of original submitter: *** Jan Sutherland

Address 
174 Twyford Road
Hastings, Hawkes Bay 4175
New Zealand

Submission number of original submission if available:

The particular parts of the submission I support (or oppose) are: * 1) Limit RSE Accomodation to industrial land.

The reasons for my support (or opposition) are: * The productivity of the Heretaunga plains is being severely compromised by existing rules and allowances which are leading to increased numbers of houses. For example thousands of historic bare land titles without houses, where house building often leads to lifestyle uses of the land rather than productive, and the building of secondary dwellings.

It is unlikely that land used for RSE accomodation will ever be reused for growing due to soil contamination resulting from housing, vehicles and septic systems. It is best kept to industrial or urban land.

Existing plains residents have a right for their living environment to not be impacted by the effects of large scale RSE development.

Item 2

Attachment D

I wish to be heard in support of my further submission

No

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

No

Contact person: [name and designation, if applicable] *

Jan Sutherland


Your phone number

068700508

Your email address *

stu456@gmail.com

Your postal address *



300 Lawn Road
Hastings, Hawkes Bay 4180
New Zealand

IP ADDRESS: 161.29.48.86

Item 2

Attachment D

FS 6

Rowan Wallis

From: Rowan Wallis
Sent: Wednesday, 30 October 2019 3:35 PM
To: Executive Officer (office@hbfruitgrowers.co.nz)
Subject: FW: HDC - Variation 7 –Seasonal Workers Accommodation [#5]

Hi Dianne

Please find attached a copy of your further submission. The comms team is going to look into the issue that you raised about not being able to print a copy.


Best regards

Rowan

From: Wufoo [mailto:no-reply@wufoo.com]
Sent: Wednesday, 30 October 2019 3:26 PM
To: Rowan Wallis <rowanw@hdc.govt.nz>
Subject: HDC - Variation 7 –Seasonal Workers Accommodation [#5]

HDC – Variation 7 –Seasonal Workers Accommodation #5

DATE CREATED – PUBLIC
29 Oct 2019 at 3:33
3:33:40 PM UTC+12:00

Name *	Dianne Vesty
I am: (choose one) *	A person who has an interest in the proposal that is greater than the interest the general public has.
In this case, also specify the grounds for saying that you come within this category	In my role as Executive Officer of the Hawke's Bay Fruitgrowers' Association, this further submission is lodged on behalf of the Associations Members.
I support (or oppose) the submission of: Name and address of original submitter: *	Dianne Vesty
Address	 P O Box 689 Hastings, 4156 New Zealand
Submission number of original submission if available:	1345671415
The particular parts of the submission I support (or oppose) are: *	1. Dianne Joyce

Support in part,

3. Jan Sutherland

Oppose in part,

4. John Roil, – 1 support in part with change;

5. Turners & Growers NZ Ltd – Support

6. Chris Lambourne & Brenda Armstrong – Oppose

7. Horticulture NZ Support with changes:

a. Residential 8 worker maximum –

b. Plains production zone –

14 Surveying the Bay –

a. support in part with amendment + further info needed.

15 Victor Saywell – Oppose

1. Dianne Joyce

Support in part, but there are substantial pastoral care requirements for RSE accredited employers. Detailed information about pastoral care employer conditions/responsibilities can be found in the Immigration NZ website, or by contacting the appropriate section of the Ministry of Social Development.

3. Jan Sutherland

Oppose in part, Recognized Seasonal Employees live and work in groups and generally travel in vans or combined transport which effectively reduces the number of traffic movements compared to individual locals or backpackers driving individually to and from workplaces and accommodation.

The reasons for my support (or opposition) are: *

4. John Roil, – 1 support in part with change; Sites less than 12ha can be suitable for worker accommodation but should also comply with site coverage standards.

– 7. Support, 10m2 per person outdoor recreation standard is prescriptive, and high quality recreation could be possible in a much smaller area.

5. Turners & Growers NZ Ltd – Support, 1. If any residence complies Worksafe NZ Worker Accommodation standards (i.e. for floor area and facilities per person) we agree there should be the ability to accommodate 10 to 12 persons per site as a residential activity. 3.

Would like Council to consider including the Whakatu Industrial Zone under the variation.

6. Chris Lambourne & Brenda Armstrong – Oppose, the topics discussed in this submission are largely around pastoral care of workers. The RSE Scheme is regulated by central government departments. If there are issues with pastoral/social care the the government departments responsible for administering and enforcing the requirements of the scheme is where pastoral and social issues must be addressed.

7. Horticulture NZ Support with changes:

a. Residential 8 worker maximum – should the home have more bedrooms and also meet the Worksafe Standards for worker accommodation the residence should be able to accommodate the number of people the building is suitable for (say up to 10 – 5 or 12)

b. Plains production zone – delete minimum size 12ha but ensure usual site coverage rules apply.

14 Surveying the Bay –

a. support in part with amendment – 20 worker accommodation models do work well and there could be room to consider a slightly larger footprint but only applicable to Recognised Seasonal Employee quarters.

b. Would like further clarification about the anomaly discussed in the submission.

15 Victor Saywell – Oppose, the topics discussed in this submission are largely around pastoral care of workers. The RSE Scheme is regulated by central government departments. If there are issues with pastoral/social care the the government departments responsible for administering and enforcing the requirements of the scheme is where pastoral and social issues must be addressed.

I wish to be heard in support of my further submission

Yes

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Yes

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Attachment D

Proposed Hastings District Plan

Proposed Variation 7: Seasonal Workers Accommodation

Item 2

Section 32 Summary Evaluation Report

Attachment E

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1 Introduction

1.1 Purpose of this Report

This report presents the summary evaluation of proposed Variation 7 to the Proposed Hastings District Plan (Proposed Plan), in accordance with Section 32 of the Resource Management Act 1991 (RMA).

Proposed Variation 7 provides for a greater level of certainty around seasonal worker accommodation within the Plains and Industrial zones of the Proposed District Plan.

This report is required to accompany proposed Variation 7 at the time of public notification under Schedule 1 of the RMA.

1.2 Outline of Proposed Variation 7 to the Proposed Hastings District Plan

Seasonal workers accommodation is currently provided for in the Proposed District Plan however it is the scale of this resource that has changed significantly since the proposed plan was notified. As a medium growth authority Council must take into account its obligations under the National Policy Statement for Urban Development Capacity to provide for sufficient land capacity to meeting its housing demands. Part of meeting these demands is ensuring that the different accommodation needs of the district are provided for. The demand for workers to service the horticulture industry cannot be met by the local workforce and therefore workers from overseas largely fill this deficit. These workers must be housed and the demand for seasonal worker accommodation has placed significant strains on the districts existing rental housing stock. There is a local housing shortage with never before encountered numbers of people relying on emergency housing, through the Ministry of Social Development.

The provisions associated with this variation will provided certainty to the providers of seasonal workers accommodation. Certainty around the process that is to be followed and the information that is required to be lodged, is what the stakeholders have advised Council is required.

The Proposed Variation sets out to amend the provisions of the Plains Production Zone and the General and Light Industrial Zones (Sections 6.2, 7.5 and 14.1) to provide for a wider range of workers accommodation in recognition of the special needs of the recognised seasonal employers (RSE) scheme. Currently the plan provisions for on-site workers accommodation does not meet the scale of development required by the industry. This has resulted in seasonal and RSE workers accommodation needs being provided for in the residential environments with consequential impacts on the residential rental market. The Variation also proposes a change to the definition of residential activity to clarify the scale of seasonal workers accommodation that is appropriate in the residential zones.

In summary, the proposed variation involves:

- i) Reviewing the policy for seasonal workers accommodation
- ii) Reviewing the activity status for seasonal workers accommodation
- iii) Reviewing the standards and terms and assessment criteria for seasonal workers accommodation.
- iv) Consequential amendments to the Proposed Plan.

2 Section 32 Evaluation Requirements

Clause 5(1) of Schedule 1 of the RMA, requires preparation of an evaluation report for any proposed plan (including any proposed variation to a proposed plan) in accordance with section 32, and for Council to have particular regard to that report when deciding whether to proceed with the statement or plan.

Section 32 evaluations effectively ‘tell the story’ of what is proposed and the reasoning behind it. The Section 32 evaluation aims to communicate the thinking behind the proposal to the community and to decision-makers. The evaluation also provides a record for future reference of the process, including the methods, technical studies, and consultation that underpin it, including the assumptions and risks.¹

An evaluation report is required to examine both:

- the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)); and
- whether the provisions in the proposal are the most appropriate way in which to achieve the objectives in terms of their efficiency and effectiveness by identifying other reasonably practicable options for achieving the objectives; assessing the efficiency and effectiveness of the provisions in achieving the objectives; and summarizing the reasons for deciding on the provisions (s32(1)(b)).

The evaluation report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal (s32(1)(c)).

Such an evaluation must take into account:

- the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment that are anticipated to be provided or reduced (s32(2)(a)) and, if practicable, quantify them (s32(2)(b)); and
- the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (s32(2)(c)).

In this case, proposed Variation 7 (the proposal) does not, for the main part, contain ‘objectives’. Therefore, pursuant to section 32(6), ‘objectives’ in this setting relate to ‘the purpose of the proposal’, which is:

Purpose of the Proposal:

To provide for the accommodation resource needs for seasonal workers to assist with, and at the same time protect, the sustainable management of the natural and physical resources of the Heretaunga Plains and reduce the pressure on the existing residential rental stock.

Similarly, the ‘provisions’ to be evaluated are essentially:

Provisions: i) the Plains Production zone provisions as they relate to seasonal worker accommodation activities;

¹ Ministry for the Environment. 2014. *A guide to section 32 of the Resource Management Act: Incorporating changes as a result of the Resource Management Amendment Act 2013*. Wellington: Ministry for the Environment.

- ii) *The Light Industrial and General Industrial Zone provisions as they relate to seasonal worker accommodation activities;*
- iii) *The proposed amendment to the definition of 'residential activity' to specifically include seasonal workers accommodation for up to 8 persons within residential zones .*

The first part of the evaluation has to address whether the purpose of the proposal, as set out above, is the most appropriate way to achieve the purpose of the RMA.

Secondly, the evaluation must consider whether the provisions are the most appropriate way to achieve the purpose of the proposal, by identifying other reasonably practicable options for achieving the purpose, assessing the provisions' efficiency and effectiveness in achieving the purpose, and must summarise the reasons for deciding on the provisions.

The following evaluation fulfils Council's statutory obligations under Clause 5(1) of Schedule 1 of the RMA, in accordance with section 32, for proposed Variation 7 to the Proposed Plan.

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3 Statutory Basis for Seasonal Workers in the District Plan

Section 74 of the RMA outlines the requirements for District Councils in terms of the preparation of, and any change to, their district plan in accordance with their functions under section 31 and the provisions of Part 2 of the RMA.

3.1 Part 2 (Purpose & Principles) of the RMA

Managing the provision for long term land-use and infrastructure aligns closely with the purpose of the RMA, which is *‘the sustainable management of natural and physical resources’*. Section 5 of the RMA defines ‘sustainable management’ as:

“managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, while:

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;*
 - (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*
-

Proposed Variation 7 directly relates to section 5 in that it seeks to make provision for seasonal workers accommodation so that workers are available to assist with the management of land that is used for primary production purposes. Part 2 requires that this occurs in a way and at a rate which enables people and communities to provide for their social, economic and cultural wellbeing, and meeting the reasonably foreseeable needs of future generations; safeguarding the life-supporting capacity of air, water, soil and ecosystems; and addressing adverse effects on the environment. As a result Variation 7 protects the versatile land of the Plains Production zone from large scale seasonal workers accommodation facilities by making any development over 80 workers a non-complying activity. There are no matters of National Importance under Section 6 of the RMA that need to be taken into account in the Section 32 Report.

Section 7 identifies other matters requiring particular regard. Of particular relevance are:

-
- b) the efficient use and development of natural and physical resources;*
 - ba) the efficiency of the end use of energy;*
 - c) the maintenance and enhancement of amenity values;*
 - f) maintenance and enhancement of the quality of the environment;*
 - g) any finite characteristics of natural and physical resources.*

The purpose of Variation 7 is to ensure that the versatile land resource that significantly contributes to the base of the Hastings District economy can operate in an efficient manner. Being unable to appropriately provide for the accommodation needs of workers means that the sustainable management of the land will not be achieved and the community will be less able to provide for its social, economic and cultural wellbeing.

Seasonal and RSE accommodation has a direct influence on housing availability within the Hastings District. The season requires workers for up to 8 months of the year and this impacts on the established rental housing market. Variation 7 will facilitate the provision of purpose built seasonal and RSE worker accommodation thereby taking pressure off the existing residential rental market.

The functions of the District Council in section 31 of the RMA also provide a clear mandate for addressing the integrated management of natural and physical resources in a District Plan.

In particular:

- “(1)(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
- (aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district.*
- (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
- (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
- ...*
- (d) the control of the emission of noise and the mitigation of the effects of noise:*
- (2) the methods used to carry out any functions under subsection (1) may include the control of subdivision.”*

Proposed Variation 7 expressly seeks to establish and implement plan provisions to achieve integrated management of the versatile land of the Heretaunga Plains.

The variation will also indirectly assist in achieving the objectives and policies that relate to ensuring that there is sufficient development capacity to meet the housing needs of Hastings District as a medium growth authority under the National Policy Statement for Urban Development Capacity. Better provision for seasonal worker accommodation is likely to result in less pressure being put on traditional residential rental property. However the variation also includes rules that assist in ensuring that land is used in the most efficient and effective manner. While there is a need to provide for on-site seasonal worker accommodation the effects on the versatile soil form part of the assessment criteria, to ensure that loss of versatile land is avoided to the extent practicable.

3.2 Hawke’s Bay Regional Policy Statement

In addition, Section 75 of the RMA states that a district plan ‘*must give effect to*’ any regional policy statement (RPS).

The Key Regional Policies are;

OBJ 1 To achieve the integrated sustainable management of the natural and physical resources of the Hawke's Bay region, while recognising the importance of resource use activity in Hawke's Bay, and its contribution to the development and prosperity of the region.

OBJ 2 To maximise certainty by providing clear environmental direction.

OBJ 3 To avoid the imposition of unnecessary costs of regulation on resource users and other people.

Variation 7 is considered consistent with Objective 1 as seasonal workers make a valuable contribution to the economic prosperity of the region, and providing for their accommodation is part of the sustainable management of both the housing and versatile

land resources. The long term provision of accommodation needs for the land based primary production sector is most closely aligned with RPS objectives around 'Managing the Built Environment' (Chapter 3.1B of the RPS).

This includes planned provision for urban development and integration of land use with significant infrastructure. The relevant objectives of the RPS are:

Objective UD1 Establish compact, and strongly connected urban form throughout the Region, that:

- Achieves quality built environments that ;
 - (i) Provide for a range of housing choices and affordability,
 - (ii) Have a sense of character and identity,
 - (iii) Retaining heritage values and values important to tangata whenua,
 - (iv) Are healthy, environmentally sustainable, functionally efficient and economically and socially resilient, and
 - (v) Demonstrates consideration of principles of urban design.
- Avoids, remedies or mitigates reverse sensitivity effects in accordance with objectives and policies in Chapter 3.5 of the Regional Resource Management Plan;
- Avoids remedies or mitigates reverse sensitivity effects on existing strategic and other physical infrastructure in accordance with objectives and policies in Chapter 3.5 and 3.13 of this plan;
- Avoids unnecessary encroachment of urban activities on the versatile land of the Heretaunga Plains and ;
- Avoids or mitigates increasing the frequency or severity of risk to people and property from natural hazards.

Objective UD2 Provide for residential growth in the Heretaunga Plains sub-region through higher density development in suitable locations.

Objective UD3 Identify and provide for the land requirements for the growth of business activities in the Heretaunga Plains in a manner that supports the settlement pattern promoted in Obj UD1

Objective UD4 Enable urban development in the Heretaunga Plains sub-region, in an integrated planned and staged manner which;

- *Allows for the adequate and timely supply of land and associated infrastructure; and*
- *Avoids inappropriate lifestyle development, ad hoc residential development and other inappropriate urban activities in rural parts of the Heretaunga Plains sub-region.*

Making provision for the accommodation of seasonal and RSE workers may be interpreted as support for land based primary production rather than directly being a housing issue. However, this issue is one which directly impacts on the housing issues of the district as seasonal worker accommodation is impacting on the availability of rental housing within the district.

Relevant Anticipated Environment Results in the RPS include:

AER UD1 *Availability of sufficient land to accommodate population and household growth, as and where required, while retaining versatile land for existing and foreseeable future*

	<i>primary production.</i>
AER UD2	<i>Balanced supply of affordable residential housing and locational choice in the Heretaunga Plains subregion.</i>
AER UD3	<i>More compact, well-designed and strongly connected urban areas.</i>
AER UD6	<i>The retention, as far as is reasonably practicable, of the versatile land of the Heretaunga Plains for existing and foreseeable future primary production.</i>
AER UD7	<i>Efficient utilisation of existing infrastructure.</i>
AER UD9	<i>Increased use of public transport and active transport modes (cycling, walking), reduced dependency on the private motor vehicle and reduced energy use.</i>
AER UD12	<i>Urban development is avoided in areas identified as being at unacceptable risk from natural hazard (flooding, coastal inundation, coastal erosion, liquefaction, land instability).</i>
AER UD13	<i>New development is appropriately serviced by wastewater, stormwater, potable water and multi-modal transport infrastructure.</i>

The preparation of Variation 7 to the Proposed Hastings District Plan is subject to a statutory obligation to give effect to the above.

In summary, the RPS sets a vision for planned, compact and well-designed urban development within defined urban limits on the Heretaunga Plains with limited encroachment on the versatile soils of the Plains. Accommodation for seasonal workers sits somewhat outside objectives and policies related to urban development, as it is directly related to carrying out land based primary production.

Providing for seasonal worker accommodation within the Industrial Zones also results in the efficient utilization of existing infrastructure without the effects of complete on-site services.

‘Giving effect to’ the RPS is addressed in section 6 of this report.

4 Background – Current status of Seasonal Worker Accommodation in the Hastings District

4.1.1 Plains Production Zone

The Proposed District Plan currently provides specifically for seasonal workers accommodation only within the Plains Production Zone. This provision was provided through the last review of the District Plan. Provision for a building of up to 125m² was provided for as a permitted activity. One of the standards to be met as a permitted activity is for the building to be relocatable and it must also be located a minimum distance of 15 metres from the boundary. If those standards (or other general or specific performance standards) are not met, the activity becomes restricted discretionary. There is presently no scale limit beyond which the proposal requires discretionary or non-complying consent.

The review of the District Plan also provided a definition of Seasonal Workers accommodation which is;

“Seasonal Worker Accommodation: means any premises used for accommodation purposes directly associated with the seasonal labour requirements of the Districts horticulture, viticulture, and cropping industries and includes both new and existing permanent buildings and relocatable structures.”

The overriding objective of the Plains Production strategic management areas is that the land based productive potential and open nature of the Plains environment is retained.

4.1.2 General Industrial Zone

Within the General Industrial Zone seasonal worker accommodation is not specifically provided for and as such it is a non-complying activity.

Proposed Variation 7 will change provisions both within the Plains Production Zone and also within the General Industrial Zone and the Light Industrial zone to make provision for seasonal worker accommodation that is more ‘fit for purpose’ while also ensuring that the appropriate level of environmental mitigation is achieved.

4.1.3 Residential Zones

The scale of the activity is the important determinant for seasonal workers accommodation within residential zones. Up to a certain scale there is no differentiation in the level of effects between this type of activity and traditional residential activities such as a larger family, or flatting situation.

Currently seasonal workers accommodation is interpreted as a residential activity up to a certain threshold, and as an activity not provided for if the scale of the activity is considered not in keeping with residential amenity. However this approach is not legally set out in the Proposed District Plan and the variation will amend the definition of residential activity within the Plan to provide a fixed level of seasonal workers accommodation that is comparable to other residential activity in terms of scale. The identified level is 8 persons, on the basis that this is equivalent to a large household, or a 4 bedroom house. Beyond that level, the scale of accommodation is considered to go beyond what is reasonably anticipated as residential activity in residential zones, and full assessment would be required as a non-complying activity (as an activity not provided for in the zone).

4.2 Strategies and Plans relevant to Variation 7

The Rural and Urban Strategy section of the Proposed District Plan is relevant to Variation 7 as the aim of the provisions for seasonal worker accommodation in the Plains Production

zone is to protect the versatile land resource while enabling the sustainable operation of primary production activities.

Urban Strategy

- 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.
- To retain and protect the versatile land resource that is the lifeblood of the local economy from ad hoc development.

Rural Strategy

- To promote the maintenance of the life-supporting capacity of the Hastings District's rural resources at sustainable levels.
- To enable the effective operation of primary production activities within established amenity levels in the rural areas of the Hastings District.

4.2.1 Heretaunga Plains Urban Development Strategy (HPUDS)

The guiding principles of the HPUDS document that are relevant are:

"Community and physical infrastructure that is planned, sustainable and affordable", and

"Productive value of its versatile land and water resources are recognised and provided for and used sustainably." and

"Quality living environments with high levels of amenity and thriving communities."

"A growing and resilient economy which promotes opportunities to Live, Work, Invest and Play."

This last guiding principle is of particular relevance to the provision for seasonal worker accommodation as it recognises the significance of the land based economy and encourages its further development. However it also recognises that while there should be opportunities to utilise the versatile soil resources, the loss of versatile land for productive purposes must be minimised.

While HPUDS does not specifically consider seasonal workers accommodation, it is a form of residential use that needs to be catered for in considering the growth needs of the district. This proposal is consistent with all of the above-mentioned Objectives and Guiding Principles. It is an efficient way of providing accommodation needs in the District that will mitigate the effect on the traditional housing stock which is already in short supply. It will also assist with ensuring that the productive value of the district's versatile land are managed in a sustainable manner.

4.2.2 Hastings Long Term Plan 2018-2028

The recently adopted Long Term Plan 2018-2028 sets out the following objective for Future Focus and Investment.

"Ensure a range of housing options are available to meet the need of a changing community whilst protecting our valuable soils"

Seasonal worker accommodation is a component of the housing needs of the district and has a direct impact on the availability of housing for the wider community. It is evident that without specific provision for seasonal worker accommodation the impacts on the existing rental market are significant. The variation will also assist in placing an appropriate limit on the amount of versatile land that might be utilized for seasonal workers accommodation.

5 Community Engagement Process & Results

Hastings primary producers have been reliant on seasonal workers to harvest their produce for a significant number of years. Originally these employees were overseas travellers or students. However as the volume of produce grew it became clear that the gaps could no longer be filled from this source and this resulted in sourcing labour needs from the Pacific Island communities. This was the emergence of the Recognised Seasonal Employer programme.

At the time that district plan was being reviewed submissions were received requesting that specific provision be made for seasonal worker accommodation within the Plains Production Zone. The scale of this accommodation was set at a level that would be realistic at the time as the vast majority of the workers were housed in accommodation within the city limits. However the number of workers required to meet the increased volumes of produce has increased significantly and this along with a strong economy has placed too much pressure on the existing housing resource.

This variation has arisen in response to industry concern about the shortage of accommodation and the likely future numbers of RSE workers required to meet the demand.

The Council set up a meeting with a number of Industry representatives to discuss the issues that they face with providing accommodation of the RSE workers and to ascertain what models of accommodation they would like to adopt.

A discussion document was drafted following a series of meetings in late 2017 and early 2018 and this covered the main points raised by the industry as set out below;

5.1.1 Specific engagement with key stakeholders, 2017

As outlined above meetings were held with representatives of the principal providers of RSE accommodation within the district. This included Turners and Growers, Mr Apple, Thornhill Horticultural Contracting Ltd, Bostock New Zealand, Crasborn Group/Freshmax, Hawke's Bay Fruitgrowers, and Apples and Pears Ltd.

The purpose of these meetings was to identify the main issues around seasonal worker and RSE accommodation and for the group to become a reference group on any documentation that was to be sent out to the general horticultural community for wider consultation.

5.1.2 What the industry representatives told us

- Need to provide for a doubling of numbers by 2022.
- Provide certainty on the consenting requirements.
- Larger accommodation models are required.
- On site models are preferred.

The pipfruit industry is undergoing a considerable growth in demand and over a million new trees were planted in the 2018 planting season. This will translate to an estimated doubling in the number of RSE Workers by 2022, taking the total to approximately 8000. The industry states that the existing accommodation models will not be able to meet any increase in demand.

Stakeholders suggested that there were two models that were most attractive to them. The first was a large 'camp style' model that would comprise large dormitory buildings housing

up to 300 workers accompanied by large community facilities such as kitchens, and dining areas all of which surround outdoor recreation areas. The scale of these activities is such that they would negatively impact on the versatile soils which they are designed to service.

The second model, on site accommodation, is a preferred model by the recognised seasonal employers. This type of model has the benefit of not having to transport workers around, and it allows for easier pastoral care which is a requirement for the employers. However there is a balance that needs to be achieved between the scale of the activity and the degree of impact that it has on the versatile land.

The other issue is that the stakeholders want certainty as to the nature of the resource consent that will be required. Central to this is certainty on the type of information that will be required to accompany the resource consent application.

6 Matters for Consideration

6.1 Regional Policy Statement (RPS) Considerations

The RPS has objectives and policies for the territorial authorities to consider during preparation of any variation or plan change for development of land within the Region. This variation is not of a regionally significant scale and therefore does not warrant a detailed assessment against the list of matters identified in Section 3.1. However, the Regional Plan provides some broad objectives and policies that are useful in providing guidance for urban development initiatives such as this.

The Policies in providing for development are:

PROVISION FOR URBAN ACTIVITIES

POL UD1 In providing for urban activities in the Heretaunga Plains sub-region, territorial authorities must place priority on ;

- *The retention of the versatile land of the Heretaunga Plains for existing and foreseeable future primary production, and*
- *Ensuring efficient utilisation of existing infrastructure, or*
- *Ensuring efficient utilisation of planned infrastructure already committed to by a local authority, but not yet constructed.*

MATTERS FOR DECISION-MAKING (REGION)

POL UD12 In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:

- a) The principles of the New Zealand Urban Design Protocol (Ministry for the Environment, 2005); ...*
 - b) New Zealand Standard NZS4404:2010 Land Development and Subdivision Infrastructure, and subsequent revisions;*
 - c) Good, safe connectivity within the area, and to surrounding areas, by a variety of transport modes, including motor vehicles, cycling, pedestrian and public transport, and provision for easy and safe transfer between modes of transport;*
 - d) Location within walkable distance to community, social and commercial facilities;*
-

- e) *Provision for a range of residential densities and lot sizes, with higher residential densities located within walking distance of commercial centres;*
- f) *Provision for the maintenance and enhancement of water in waterbodies, including appropriate stormwater management facilities to avoid downstream flooding and to maintain or enhance water quality;*
- g) *Provision for sufficient and integrated open spaces and parks to enable people to meet their recreation needs, with higher levels of public open space for areas of higher residential density;*
- h) *Protection and enhancement of significant natural, ecological, landscape, cultural and historic heritage features;*
- i) *Provision for a high standard of visual interest and amenity;*
- j) *Provision for people's health and well-being through good building design, including energy efficiency and the provision of natural light;*
- k) *Provision for low impact stormwater treatment and disposal;*
- l) *Avoidance, remediation or mitigation of reverse sensitivity effects arising from the location of conflicting land use activities;*
- m) *Avoidance of reverse sensitivity effects on existing strategic and other physical infrastructure, to the extent reasonably possible;*
- n) *Effective and efficient use of existing and new infrastructure networks, including opportunities to leverage improvements to existing infrastructure off the back of proposed development;*
- o) *Location and operational constraints of existing and planned strategic infrastructure;*
- p) *Appropriate relationships in terms of scale and style with the surrounding neighbourhood; and*
- q) *Provision of social infrastructure.*

In 'giving effect to' the RPS, consideration needs to be given to the unique nature of the seasonal workers accommodation. In this respect a number of the matters raised in Policy UD12 are less relevant to this proposal than others, given the fact that this accommodation is of a temporary nature, does not have ownership rights attached and the residents will be homogenous in nature.

However there a number of these principles that still have particular relevance to the provision of seasonal worker accommodation. This includes:

- c) Good safe connectivity to surrounding areas by a variety of transport modes.
- f) Provision for the maintenance and enhancement of water in waterbodies, including appropriate stormwater management facilities to avoid downstream flooding and to maintain or enhance water quality.
- g) Provision for sufficient and integrated open spaces and parks to enable people to meet their recreation needs, with higher levels of public open space for areas of higher residential density.
- h) Protection and enhancement of significant natural, ecological, landscape, cultural and historic heritage features.

- i) Provision for a high standard of visual interest and amenity.
- j) Provision for people's health and well-being through good building design, including energy efficiency and the provision of natural light.
- l) avoidance, remediation or mitigation of reverse sensitivity effects arising from the location of conflicting land use activities.

The provision for RSE accommodation models sought by the employers is of a scale that could potentially impact on Policy UD1 in that they could have a negative impact on future primary production in the Plains Production zone. The challenge is to find the most appropriate scale for on-site development i.e. finding a model that is efficient in providing for a number of employees on-site while also safeguarding the versatile land for productive purposes. The variation provides for accommodation for up to 80 workers on-site along with the necessary ablution and communal blocks. The MBIE standard is for 4.5m² of bedroom space per worker plus additional floor area for the ablution and kitchen/dining facilities. At this level of development it will provide for seasonal accommodation around 4 times the current size provided for as permitted in the Plains Production zone (i.e. approximately 400m² compared to 125m² currently provided for as a permitted activity). This is exclusive of the service and shared space areas.

The matters that are included under Policy UD12 are as relevant to a large scale accommodation model as proposed by the RSE Stakeholders as they are for a rezoning for a greenfield development. The accommodation needs to ensure that it has connectivity to the various transport modes, that its stormwater does not negatively impact on waterways and downstream properties and it should provide a high standard of visual interest and amenity and ensure that it does not result in reverse sensitivity effects.

6.2 Connectivity, Social Infrastructure and Open Space

Relevant RPS provisions:

POL UD12 *In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:*

- c) *Good, safe connectivity within the area, and to surrounding areas, by a variety of transport modes, including motor vehicles, cycling, pedestrian and public transport, and provision for easy and safe transfer between modes of transport;*
- d) *Location within walkable distance to community, social and commercial facilities;*
- g) *Provision for sufficient and integrated open spaces and parks to enable people to meet their recreation needs, with higher levels of public open space for areas of higher residential density;*
- p) *Provision of social infrastructure;*

POL UD10.4 *Notwithstanding Policy UD10.1, in developing structure plans for any area in the Region, supporting documentation should address:*

- c) *How effective provision is made for a range of transport options and integration between transport modes;*

AER UD3 *More compact, well-designed and strongly connected urban areas.*

AER UD9 *Increased use of public transport and active transport modes (cycling, walking), reduced dependency on the private motor vehicle and reduced energy use.*

AER UD13 New development is appropriately serviced by wastewater, stormwater, potable water and multi-modal transport infrastructure.

Again while seasonal workers accommodation is not strictly urban development this policy does provide some useful guidance for its establishment. Transport considerations are an important component for accommodation locations. The Recognised Seasonal Employers provide transport for their employees so access to alternative transport modes does not have the same level of importance for seasonal workers accommodation. Transport efficiencies will be obtained through providing for large scale activities rather than having a large number of smaller accommodation units spread across the district. The centralized locations within the Omahu and Irongate industrial zones will also ensure that transportation efficiencies are gained. The Recognised Seasonal Employers have a duty to provide for the pastoral needs of their employees and this includes meeting their transport needs. Similarly the open space/recreational needs of the employees form part of the pastoral care responsibilities and the new developments will provide for their own open space/recreational needs.

Therefore, Proposed Variation 7 ensures that proper regard has been had to connectivity to surrounding areas, and that it will provide for an appropriate level of social infrastructure.

Services Infrastructure

Relevant RPS provisions:

POL UD12 In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:

- a) New Zealand Standard NZS4404:2010 Land Development and Subdivision Infrastructure, and subsequent revisions;*
- f) Provision for the maintenance and enhancement of water in waterbodies, including appropriate stormwater management facilities to avoid downstream flooding and to maintain or enhance water quality;*
- k) Provision for low impact stormwater treatment and disposal;*
- n) Effective and efficient use of existing and new infrastructure networks, including opportunities to leverage improvements to existing infrastructure off the back of proposed development;*
- o) Location and operational constraints of existing and planned strategic infrastructure;*

POL UD10.4 Notwithstanding Policy UD10.1, in developing structure plans for any area in the Region, supporting documentation should address:

- a) The infrastructure required, and when it will be required to service the development area;*
- b) How development may present opportunities for improvements to existing infrastructure provision;*
- d) How provision is made for the continued use, maintenance and development of strategic infrastructure;*
- e) How effective management of stormwater and wastewater discharges is to be achieved;*

The two options for seasonal workers (RSE) accommodation will have different servicing requirements. The larger camp models are to be provided for in the general industrial zones of Omahu and Irongate, where the servicing of them can be provided through council infrastructure, with the exception of stormwater disposal which is to be provided for in Omahu and Irongate by the individual property owners. There is also a recognised limitation associated with the capacity of the wastewater system as it applies to Irongate. A wastewater threshold has been put in place to recognise this limitation. This applies to any activity locating at Irongate. Depending on the size of the site this will place some restriction on the size of the seasonal workers accommodation that can be accommodated on the site. However generally seasonal workers are able to be accommodated by Council infrastructure. Where facilities are provided for within the Plains Production zone the servicing of these sites is to be provided for on-site.

The above confirms that the proposed type of activity can effectively and efficiently connect to existing public infrastructure where it is available and can be appropriately self-serviced in other regards.

6.3 Noise Effects

Relevant RPS provisions:

POL UD12	<i>In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:</i>
	<i>1) Avoidance, remediation or mitigation of reverse sensitivity effects arising from the location of conflicting land use activities;</i>

Reverse sensitivity applies to situations where a potentially incompatible land use is proposed to be sited next to an existing land use. The expansion of residential type activity into industrial zones has previously been avoided as this may result in conflict at the residential/industrial interface (e.g. amenity standards expected by new residential dwellers could place constraints on existing permitted commercial activities. Typically, concerns revolve around noise.

6.3.1 Noise

The Proposed Plan addresses noise sensitive activities in commercial zones with Specific Performance Standard 25.1.7C. This provision requires that Minimum External Sound Insulation Level Standards apply to all habitable spaces within industrial zones. This ensures that noise sensitive activities, such as residential living are insulated to mitigate the effects of high background noise levels. These provisions are relatively recent (reviewed as part of the District Plan review) and are based on best practice.

Therefore, the provisions of the Proposed Hastings District Plan provides sufficient ability to avoid or mitigate reverse sensitivity effects arising from permitting residential activity, a noise sensitive activity in the industrial zone.

6.4 Benefits and Costs

Section 32 requires consideration of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated as a result of adoption of the plan variation, including opportunities for economic growth and employment that are anticipated to be provided or reduced (s32(2)(a)). These are considered for each option in the tables to follow.

Making provision for residential accommodation for seasonal workers is considered a critical part of ensuring the sustainable management of the soils resource to the regional economy. The region is heavily reliant on seasonal and RSE workers for the successful management of the pipfruit and viticulture industries. Variation 7 makes provision for seasonal worker accommodation within zones where it would otherwise have a more stringent activity status under the RMA. The economic costs of this lie in the loss of opportunity to use the land for the purpose for which it was zoned, which are the Plains Production and the General Industrial zones. However it can equally be argued that without the seasonal workers these zones could not achieve their full productive potential. The produce from the Plains land is reliant on the seasonal workers and equally many of the industrial activities within the region are directly linked to the produce from the Plains Production zone. The only other obvious economic cost to the provision of seasonal workers accommodation is the cost of the infrastructure required to service the development. Within the Industrial zones this is provided by the Council and paid for through the development contributions when the land is developed. Within the Plains Production zone the servicing of the accommodation facilities would be met by the landowner/developer.

The provision of seasonal workers accommodation presents significant economic benefits to primary producers to enable them to maintain and harvest their crops in the most efficient and cost effective manner. There will also be direct economic benefits to landowners, developers and the building sector, through improved capital values for landowners and through economic growth and employment resulting from subsequent development and construction opportunities. There is also a real benefit to the rental housing market as currently many RSE workers are accommodated within housing that would otherwise have been available to the market.

Providing for seasonal workers accommodation will also have flow on economic benefits to the wider Hastings and Hawke's Bay community, through the creation of a more resilient primary production economy.

There will be environmental benefits arising from the variation as a result of limits being placed on the number of seasonal workers able to be accommodated on Plains Zoned land. This will ensure that the amount of versatile land removed from production will be limited. It will also ensure that the larger camp models are provided for in areas where they can connect to Council infrastructure and do not have to rely on on-site servicing, which could be problematic if the numbers catered for in the Plains Production zone were to be too large.

6.5 Conclusion as to Suitability

The above assessment confirms that there are no other significant factors that suggest the proposed areas subject to the variation are unsuitable for seasonal workers accommodation development.

7 Appropriateness, Efficiency & Effectiveness of Proposed Variation 7 in Achieving the Purpose of the RMA

7.1 Is the Proposal the Most Appropriate Way to Achieve the Purpose of the RMA?

As outlined in section 2 of this report, the first part of this evaluation is whether the purpose of the proposal is the most appropriate way to achieve the purpose of the RMA. The purpose of the proposal is:

Purpose of the Proposal:

To provide for the accommodation resource needs for seasonal workers to assist with, and at the same time protect, the sustainable management of the natural and physical resources of the Heretaunga Plains and reduce the pressure on the existing residential rental stock.

The assessments above in section 3 to 6 of this report, demonstrate the following:

1. The proposal will assist in ensuring that accommodation needs of seasonal and RSE workers can be met to assist with maintaining the economic well-being of the district.
2. The provision of greater certainty for seasonal workers accommodation will assist with meeting the heightened demand for housing in the Hastings District thereby taking pressure off the existing residential rental housing resource.
3. The proposal amends the Proposed Plan in a way that will achieve integrated management of the effects and use of the land for residential purposes, by ensuring that the labour resource required to sustainably manage the Plains Production zone is provided for. In this way the proposal seeks to enable people and communities to provide for their social and economic wellbeing.
4. The requirement to 'protect' the sustainable management of the Heretaunga Plains appropriately balances the provision of seasonal workers accommodation with the protection of the versatile soils on productive sites.
5. The concept of seasonal accommodation is well accepted by the community and is seen as vital to the social, cultural and economic wellbeing of the district.
6. The results of the stakeholder engagement process during preparation of proposed Variation 7 suggests general overall acceptance and a level of support for the proposal.

Ultimately, the proposal gives effect to the RPS, and is efficient and effective in providing for the sustainable management of the natural and physical resources of the Heretaunga Plains in a way which enables people and communities to provide for their social, economic and cultural wellbeing; meets the reasonably foreseeable needs of future generations; safeguards the life-supporting capacity of air, water, soil and ecosystems; and avoids, remedies or mitigates adverse effects on the environment.

The proposal is confirmed as representing the most appropriate way to achieve the purpose of the RMA, specifically by providing for the sustainable management of the District's resources with particular reference to the physical land resource of the Heretaunga Plains.

7.2 Are the Provisions the Most Appropriate Way to Achieve the Purpose of the Proposal?

The following evaluation examines whether the provisions in the proposal are the most appropriate way in which to achieve the purpose of the proposal as well as the existing relevant objectives of the District Plan.

Case law on s 32 has interpreted 'most appropriate' to mean "suitable, but not necessarily superior"². Therefore, the most appropriate option does not need to be the most optimal or best option, but must demonstrate that it will meet the objectives in an efficient and effective way.

As a variation to a proposed plan, this is regarded as an 'amending proposal' under Section 32 of the RMA. In terms of section 32(1)(a) no objectives are proposed and the existing objectives of Section 6.2 Plains Production Zone, Section 7.5 Light Industrial Zone and Section 14.1 Industrial Zone of the Proposed Plan are relevant.

The focus of this evaluation is on the differences between what was adopted under the Proposed Plan and what is now being proposed under Variation 7.

It is important to note that the provisions of Section 6.2 Plains Production Zone, Section 7.5 Light Industrial Zone and Section 14.1 Industrial Zone that are not being altered by the Variation do not need to be reconsidered.

This evaluation will assess the following aspects of the Variation:

- The scale of seasonal worker accommodation permitted in the Plains Production, Light Industrial and General Industrial zones.
- The activity status for seasonal workers accommodation in the Plains Production, Light Industrial, General Industrial zones.
- The most appropriate location for the model of development that is being sought by stakeholders.
- The most appropriate method for dealing with seasonal worker accommodation in Residential zones.

And is at a level of detail that corresponds to the scale and significance of the effects anticipated from implementation of the proposal.

Much of the background and assessment in the preceding sections of this report contributes to the overall evaluation of the specifics of this proposal.

7.2.1 Place limits on the scale of Seasonal Worker Accommodation facilities within the Plains Production Zone.

7.2.1.1 Options

Options are:

1. **Do Nothing** – this option would involve retaining the permitted activity status for seasonal workers accommodation up to 125m² in floor area within the Plain Production Zone and restricted discretionary status for anything larger than that limit;
2. **Provide for seasonal workers accommodation in the Plains Production Zone with a maximum of 80 persons.**– this option involves amending the Rules applying to seasonal worker accommodation Plains Production Zone; or

² Rational Transport Soc Inc v New Zealand Transport Agency HC Wellington CIV-2011-485-2259, 15 December 2011.

3. **Place no limit on the scale of seasonal workers accommodation within the Plains Production zone** – this option involves amending the Rules applying to seasonal worker accommodation Plains Production Zone to make them much more permissive.

7.2.2 Activity status for seasonal workers accommodation in the Plains Production and Industrial Zones

7.2.2.1 Options

Options are:

1. **Do Nothing** – this option would involve retaining permitted activity status up to the floor limits within the Plains Production zone, and restricted discretionary over that; and non-complying activity within the Industrial zones;
2. **Provide for Controlled activity status within the zones.**– this option involves amending the provisions applying to seasonal worker accommodation in the Plains Production and Industrial zones to require controlled activity consent; or
3. **Provide for Restricted Discretionary activity status within the zones-** this option involves amending the provisions applying to seasonal worker accommodation in the Plains Production and Industrial zones.

7.2.3 Consider the most appropriate location of accommodation models

7.2.3.1 Options

Options are:

1. **Do Nothing** – this option would involve no changes to the existing provisions and not making provision for seasonal worker accommodation within the Industrial Zones; or
2. **Providing for seasonal Workers accommodation only on the site to which they are required (Plains Production zone sites)-** this option involves amending the provisions for the Plains Production zone ; or
3. **Providing for seasonal workers accommodation in a mix of zones according to scale. -** this option involves amending the provisions of the Plains Production, Light Industrial and General Industrial zones.

7.2.4 Providing certainty for Seasonal Workers Accommodation in Residential Zones.

7.2.4.1 Options

Options are :

1. **Do Nothing** – this option would involve no changes to the existing provisions which do not making specific provision for seasonal worker accommodation within the Residential Zones but where it is treated as a residential activity with only guideline limits on the numbers; or
2. **Amend the definition of Residential activity to include seasonal worker accommodation with limits set for the number of seasonal workers where it occurs in a Residential Zone.** This option involves making provision for seasonal workers as part of normal residential activity where the scale is analogous to ordinary residential activity anticipated in a residential zone.
3. **Provide for seasonal worker accommodation as a restricted discretionary activity** – This option involves amending the provisions of the residential zones to provide for seasonal worker accommodation as a restricted discretionary activity. Note that separate consideration was not given to making seasonal worker accommodation a

permitted activity in residential zones as the same result is considered to be achieved through Option 2.

7.2.5 Servicing Limits for Wastewater at Irongate

7.2.5.1 Options

Options are:

1. **Do Nothing** – this option would involve no changes to the existing provisions which do not require any specific consideration to be given to the effects of wastewater on the Irongate infrastructure network. This would result in the seasonal workers being a non-complying activity; or
2. **Limit the range of activities that are provided for in the General Industrial zone at Irongate to ensure that the activities are compatible with the limits of the wastewater network. This will result in seasonal workers accommodation being non-complying.** This option involves amending the provisions of the general industrial zone to identify only those activities with minor levels of wastewater discharge.
3. **Establish a threshold for the volume of wastewater discharge from a site at Irongate and provide for seasonal worker accommodation as a restricted discretionary activity in the zone with a requirement to meet the performance standard and non-complying if the threshold standard is exceeded.** – This option involves amending the provision of the General Industrial zone as it directly applies to Irongate to introduce a rule for the maximum volume of wastewater that can be produced from a site. It provides for seasonal worker accommodation as a restricted discretionary activity where it meets the threshold, and non-complying beyond that.

7.2.5.2 Evaluation of Options

Table 1: Issue: Residential Extent: Option Evaluation:

	OPTION 1: NO CHANGE Retain the Seasonal Accommodation Rule PP9 So That seasonal workers accommodation remains a permitted activity up to a maximum floor area of 125m ² and restricted discretionary above that.	OPTION 2: 80 WORKER LIMIT Provide for seasonal workers accommodation in the Plains Production zone with a maximum of 80 persons as a restricted discretionary activity and as a non-complying activity above 80 persons.	OPTION 3: NO LIMIT ON SCALE Place no limit on the scale of seasonal workers accommodation in the Plains Production Zone.
EFFECTIVENESS In achieving: - the purpose of the Proposal; and - existing relevant objectives of the District Plan.			

	OPTION 1: NO CHANGE Retain the Seasonal Accommodation Rule PP9 So That seasonal workers accommodation remains a permitted activity up to a maximum floor area of 125m ² and restricted discretionary above that.	OPTION 2: 80 WORKER LIMIT Provide for seasonal workers accommodation in the Plains Production zone with a maximum of 80 persons as a restricted discretionary activity and as a non-complying activity above 80 persons.	OPTION 3: NO LIMIT ON SCALE Place no limit on the scale of seasonal workers accommodation in the Plains Production Zone.
COSTS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural			
BENEFITS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural			

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	OPTION 1: NO CHANGE Retain the Seasonal Accommodation Rule PP9 So That seasonal workers accommodation remains a permitted activity up to a maximum floor area of 125m ² and restricted discretionary above that.	OPTION 2: 80 WORKER LIMIT Provide for seasonal workers accommodation in the Plains Production zone with a maximum of 80 persons as a restricted discretionary activity and as a non-complying activity above 80 persons.	OPTION 3: NO LIMIT ON SCALE Place no limit on the scale of seasonal workers accommodation in the Plains Production Zone.
EFFICIENCY In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.			
OVERALL APPROPRIATENESS In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.			
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)			

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7.2.5.3 Evaluation of Options

Table 2: Issue: Activity status for Seasonal Workers Accommodation

	OPTION 1: Retain permitted activity status up to the 80 person limit option in the Plains Production zone (and restricted discretionary beyond this) and for an unlimited floor area in the Industrial zones.	OPTION 2: Controlled activity up to the 80 person limit option in the Plains Production zone (and restricted discretionary beyond this) and for an unlimited floor area in the Industrial zones.	OPTION 3: Provide for restricted activity status up to the 80 person limit option in the Plains Production zone (and non-complying beyond this) and for an unlimited floor area in the Industrial zones.
EFFECTIVENESS In achieving: - the purpose of the Proposal; and - relevant objectives of the District Plan.			
COSTS Effects anticipated from implementation, including:			

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	OPTION 1: Retain permitted activity status up to the 80 person limit option in the Plains Production zone (and restricted discretionary beyond this) and for an unlimited floor area in the Industrial zones.	OPTION 2: Controlled activity up to the 80 person limit option in the Plains Production zone (and restricted discretionary beyond this) and for an unlimited floor area in the Industrial zones.	OPTION 3: Provide for restricted activity status up to the 80 person limit option in the Plains Production zone (and non-complying beyond this) and for an unlimited floor area in the Industrial zones.
<div><div>- Environmental</div><div>- Economic (incl. on economic growth & employment)</div><div>- Social</div><div>- Cultural</div></div>			
<div>BENEFITS</div> <div>Effects anticipated from implementation, including:</div> <div><div>- Environmental</div><div>- Economic (incl. on economic growth & employment)</div><div>- Social</div><div>- Cultural</div></div>			
<div>EFFICIENCY</div> <div>In achieving:</div> <div><div>- the purpose of the Proposal;</div><div>and</div><div>- existing relevant objectives of the District Plan.</div></div>			
<div>OVERALL APPROPRIATENESS</div> <div>In achieving:</div> <div><div>- the purpose of the Proposal;</div><div>and</div><div>- existing relevant objectives of the District Plan.</div></div>			

	OPTION 1: Retain permitted activity status up to the 80 person limit option in the Plains Production zone (and restricted discretionary beyond this) and for an unlimited floor area in the Industrial zones.	OPTION 2: Controlled activity up to the 80 person limit option in the Plains Production zone (and restricted discretionary beyond this) and for an unlimited floor area in the Industrial zones.	OPTION 3: Provide for restricted activity status up to the 80 person limit option in the Plains Production zone (and non-complying beyond this) and for an unlimited floor area in the Industrial zones.
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)			

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7.2.5.4 Evaluation of Options

Table 3: Issue: Consideration of Most Appropriate Location of Models

	OPTION 1: No change Retain the Seasonal Accommodation Rule PP9 so that seasonal workers accommodation remains a permitted activity up to a maximum floor area of 125m² the Plains Production zone and is permitted within the residential zones to an informal threshold level.	OPTION 2: Providing for seasonal workers accommodation only on the site for which they are required (Plains Production zone sites)	OPTION 3: Providing for seasonal workers accommodation in a mix of zones according to scale.
EFFECTIVENESS In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- relevant objectives of the District Plan.			
COSTS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural			

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	OPTION 1: No change Retain the Seasonal Accommodation Rule PP9 so that seasonal workers accommodation remains a permitted activity up to a maximum floor area of 125m ² the Plains Production zone and is permitted within the residential zones to an informal threshold level.	OPTION 2: Providing for seasonal workers accommodation only on the site for which they are required (Plains Production zone sites)	OPTION 3: Providing for seasonal workers accommodation in a mix of zones according to scale.
BENEFITS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural			
EFFICIENCY In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.			
OVERALL APPROPRIATENESS In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.			
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)			

7.2.5.5 Evaluation of Options

Table 4 Issue of Seasonal Worker Accommodation in the Residential Zone

	OPTION 1: Amend the definition of Residential activity to include seasonal worker accommodation with limits set for the number of seasonal workers.	OPTION 2: Retain the status quo where seasonal worker accommodation is treated as a residential activity with no specific limit set down in the District Plan.	OPTION 3: Make seasonal worker accommodation a restricted discretionary activity in the residential zones, with discretion exercised around scale.
EFFECTIVENESS In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.			Option 3 will be partially effective in meeting the purpose of the proposal in that, by requiring resource consent for seasonal workers accommodation within the general residential zone this will take pressure off the existing residential rental stock. It may also be effective in protecting the Plains Production zone through providing a real alternative to on site accommodation models although it is likely that the scale that would be appropriate in the residential environment is likely.
COSTS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural			
BENEFITS Effects anticipated from implementation, including:			

	OPTION 1: Amend the definition of Residential activity to include seasonal worker accommodation with limits set for the number of seasonal workers.	OPTION 2: Retain the status quo where seasonal worker accommodation is treated as a residential activity with no specific limit set down in the District Plan.	OPTION 3: Make seasonal worker accommodation a restricted discretionary activity in the residential zones, with discretion exercised around scale.
<div>- Environmental</div> <div>- Economic (incl. on economic growth & employment)</div> <div>- Social</div> <div>- Cultural</div>			
<div>EFFICIENCY</div> <div>In achieving:</div> <div>- the purpose of the Proposal; and</div> <div>- existing relevant objectives of the District Plan.</div>			The effects of small scale seasonal workers accommodation are likely to be no different to those of any other residential activity and this lowers the efficiency of this option.
<div>OVERALL APPROPRIATENESS</div> <div>In achieving:</div> <div>- the purpose of the Proposal; and</div> <div>- existing relevant objectives of the District Plan.</div>			
<div>RISK OF ACTING OR NOT ACTING</div> <div>(if uncertain or insufficient information)</div>			

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Table 5 Issue : Servicing Limits for Wastewater at Irongate

	OPTION 1: Retain the status quo whereby seasonal worker accommodation remains as non-complying at Irongate.	OPTION 2: Limit the range of activities that are provided for in the general industrial zone at Irongate to ensure that the activities are compatible with the limits of the wastewater network. This would result in seasonal workers accommodation being a non-complying activity.	OPTION 3: Establish a threshold for the volume of wastewater discharge from a site at Irongate and provide for seasonal worker accommodation as a restricted discretionary activity in the zone, with a requirement to meet the performance standard and non-complying if the threshold standard is exceeded.
EFFECTIVENESS In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.			<p>Option 3 will be effective in meeting the purpose of the proposal in that, by providing for seasonal workers accommodation within the general industrial zone at Irongate this will take pressure off the existing residential rental stock.</p> <p>It will also be effective in protecting the Plains Production zone through providing a real alternative to on site accommodation models. However the effectiveness will be slightly reduced by the wastewater threshold limiting the full development potential of some sites.</p> <p>This option will be effective in meeting the objectives of the industrial zone especially Objective IZO4 <i>To enable the efficient and effective use and the sustainable management of the District’s resources by providing for the development of new industries in accordance with the Hastings Industrial Strategy.</i></p> <p>The threshold set for wastewater at Irongate will ensure that the wastewater infrastructure provided for at Irongate will be sustainable for the activities provided for in the zone.</p>
COSTS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural			
BENEFITS Effects anticipated from implementation, including:			

	OPTION 1: Retain the status quo whereby seasonal worker accommodation remains as non-complying at Irongate.	OPTION 2: Limit the range of activities that are provided for in the general industrial zone at Irongate to ensure that the activities are compatible with the limits of the wastewater network. This would result in seasonal workers accommodation being a non-complying activity.	OPTION 3: Establish a threshold for the volume of wastewater discharge from a site at Irongate and provide for seasonal worker accommodation as a restricted discretionary activity in the zone, with a requirement to meet the performance standard and non-complying if the threshold standard is exceeded.
- Environmental - Economic (incl. on economic growth & employment) - Social - Cultural			
EFFICIENCY In achieving: - the purpose of the Proposal; and - existing relevant objectives of the District Plan.			Efficient
OVERALL APPROPRIATENESS In achieving: - the purpose of the Proposal; and - existing relevant objectives of the District Plan.			
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)			

8 Risk of Acting or not Acting

Section 32 (2) (c) of the Resource Management Act requires that the assessment of the efficiency and effectiveness of the provisions in achieving the objectives must assess the risks of acting or not acting if there is insufficient information about the subject matter of the provisions.

In this case there is considered to be sufficient information, so this consideration does not arise.

9 Summary & Conclusions

Amending the provisions of the Proposed District Plan to provide for seasonal workers accommodation at a scale that meets the demands of stakeholders is required to ensure the sustainable management of the horticulture industry within the district. It has the added benefit of providing for the social wellbeing of the wider community through reducing the pressure on the existing rental housing resource.

This section 32 summary evaluation confirms the following:

1. That seasonal workers accommodation is an important requirement for the sustainable management of the horticulture industry within the district.
2. That seasonal workers accommodation can be provided for at the scale of development required by the industry without the need to adversely impact on the versatile land of the Heretaunga Plains.
3. That the provisions included through Variation 7 provide the certainty that is required for those landowners and businesses utilizing seasonal workers to service the horticulture industry while at the same time safeguarding the effects on versatile land and the Plains Production and Industrial environments.
4. Having a limit on the scale of seasonal worker accommodation, through limits on number of persons to be accommodated, in the residential zones will ensure that the amenity of the residential environment is maintained.
5. That the effects on infrastructure is a necessary factor in the consideration of the appropriateness of seasonal workers accommodation within the industrial zones.
6. Making specific provision for seasonal worker accommodation within the proposed district plan is the most appropriate way to provide for the sustainable management of the horticultural land resource and the social needs (housing) of the community.

Therefore, adoption of proposed Variation 7 to the Proposed Hastings District Plan is efficient, effective, and appropriate in terms of section 32 of the RMA and in achieving the objectives of the proposal and the purpose of the Resource Management Act.

Appendices

9.1

Providing Future RSE Accommodation Needs – Discussion Document ENV-9-18-4-18-109

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Brief of Evidence for Variation 7 - Seasonal Workers Accommodation

Introduction

My full name is Brett Frederick King Chapman and I reside in Hastings. I have a NZCE - Civil Engineering and I have a total of 41 years of experience in the Engineering field. I have experience in the investigation, design and construction of drinking water, wastewater and stormwater projects (referred to as '3 waters') and in the management and delivery of 3 waters services to urban communities.

I have been employed by the Hastings District Council since August 2006 in the position of Water Services Manager. I am primarily responsible for the Council's service delivery of 3 waters services across the Hastings District.

Scope and Summary of Evidence

In my evidence I will address the provision of water, wastewater and stormwater services to the Omaha and Irongate industrial areas. I will outline the extent and capacity of the services that are currently available in these areas, describe any limitations or constraints to supporting the inclusion of RSE accommodation and respond to the points on servicing raised in the submissions by Bruce Stephenson Transport, John Roil, Navilluso Holdings Ltd and Greg Honnor, and in relation to the submission by HB Regional Council in regard to stormwater and wastewater discharges to land in the Heretaunga Plains Unconfined Aquifer zone.

Background to Services in Omaha Rd and the Irongate Industrial Area

Omaha Rd

The Omaha Rd industrial area comprises ribbon development on the southern and northern flanks of Omaha Rd, between Wilson Rd and Kirkwood Rd in Hastings. This area comprises a mix of commercial and industrial activities (both wet and dry) with food processing being the predominant wet industrial activity in the zone.

HDC provides reticulated drinking water and firefighting, domestic wastewater, trade waste and stormwater services within the Omaha industrial area. Large volume process water is self-supplied via bores into the Heretaunga Plains Aquifer which are consented by the HB Regional Council.

Reticulated drinking water is available to all properties from the Hastings water supply and firefighting is provided via a series of hydrants located within Omaha Rd and at the rear of the Omaha North industrial area. Domestic wastewater is via a conventional gravity pipe network and there is a separate trade waste system that provides significant capacity for existing and future wet industry needs. All wastewater is conveyed to the East Clive Wastewater Treatment Plant where it is treated prior to discharge via a 2.75km ocean outfall into Hawke Bay.

Stormwater in the southern Omaha zone comprises a mix of private onsite and HDC piped systems and is jointly managed by HDC and the HB Regional Council. Discharges to land can be problematic when the capacity of onsite systems is exceeded giving rise to the release of contaminants via overland flow. These exceedance flows generally enter into the HDC stormwater system via the roading network and are discharged to the receiving environment.

Stormwater in Omaha North is managed through a series of onsite detention areas which are owned and managed by HDC. Stormwater discharges are managed under the HDC Consolidated Bylaw 2016

which enables each discharge to be assessed for compliance against the quantity and quality performance specifications.

Irongate

The Irongate Industrial area comprises drinking water and firefighting services, a domestic only wastewater network and individual onsite stormwater systems. The treated drinking water network is connected to the Hastings urban supply and firefighting provides up to FW4 (100 l/s) sufficient to provide essential support for the intended scale of development. The water supply provides drinking water for human consumption and ablutions but it is not intended to provide significant quantities of water for processing or wet industry applications.

A pressure sewer system provides for the collection and disposal of human wastes generated from typical dry industrial and commercial developments. Wastewater is pumped from individual properties into a common rising main which then discharges to the Hastings gravity sewer system at Francis Hicks Ave.

The capacity of the Irongate wastewater system was determined from an assessment of the expected population (EP) derived from the types of industrial and commercial activities that could be reasonably anticipated within Irongate. No additional allowance was provided for trade waste capacity as wet industries were not expected within the Irongate industrial area.

Several alternative systems were also considered in the early stages of the wastewater design. These included a conventional gravity collection system with staged pumping back to Hastings and individual onsite private wastewater systems which were strongly preferred by many Irongate landowners.

The conventional gravity system was discounted on the basis that it would be expensive to build and operate, require infrastructure upgrading to the Hastings network and was out of step with landowner expectations. An assessment of individual onsite systems also raised concerns that this would not provide a robust and enduring solution for the proposed development area.

There is no community stormwater network in Irongate. Stormwater services in Irongate are via individual onsite land based solutions consented by the HB Regional Council. HDC manages stormwater within the road corridor and does not accept any piped or overland flows from adjacent properties. Design criteria require stormwater solutions that account for quantity mitigation and the treatment of contaminants up to a 1 in 50 year rain event.

Response to submissions

Bruce Stephenson: Request to lift the flow limit from 0.04 litres per second per hectare to 0.12 l/s/ha.

The Irongate pressure sewer wastewater design assumptions are as follows:

Unit	Value	Reference
EP / Ha	80	Table E3: EP of Non-Residential EP/Ha Classifications, HDC Code of Practice* ¹
L / day / EP	40	Table 6.2, Commercial Flow Allowances for Standard Fixtures, Day Staff, Auckland Regional Council Technical Publication No. 58 (TP 58)* ²

The equivalent population (EP) and litres per person per day are representative of dry industrial and commercial operations. The design has been guided by the HDC Engineering Code of Practice, the

Water Services Association of Australia's "WSA-07 Pressure Sewer Code of Australia" and the Auckland Regional Council Technical Publication No. 58.

Appendix B of the Irongate Pressure Sewer Advisory Note sets out the property demands based on land area, the EP/Ha and the l/day/EP.

Location #	Property Number (or Reference)	Area (Ha)	Average Flow over 24 hours (L/s)	24 hour Minimum Storage Required (m³)
1	SUNFRUIT	8.01	0.30	25.6
2	IA	1.02	0.04	3.3
3	LOT 2	2.00	0.07	6.4
4	BOSTOCK	9.12	0.34	29.1
5	70	5.73	0.21	18.3
6	IB	3.21	0.12	10.3
7	JARA LOT 1	1.00	0.04	3.2
8	JARA LOT 2	1.09	0.04	3.5
9	JARA LOT 3	1.00	0.04	3.2
10	JARA LOT 4	1.00	0.04	3.2
11	JARA LOT 5	3.50	0.13	11.2
12	JARA LOT 6	1.00	0.04	3.2
13	22	8.56	0.32	27.4
14	20	2.00	0.07	6.4
15	18	3.28	0.12	10.5
16	15	0.48	0.02	1.5
17	ID	0.40	0.01	1.3
18	LOT 4	9.70	0.36	31.0
19	MA	5.58	0.21	17.8
20	MB	0.33	0.01	1.1
21	1229	10.91	0.40	34.9
22	1219	0.42	0.02	1.3
23	MC	2.15	0.08	6.9
24	MD	1.78	0.07	5.7
25	1215	1.07	0.04	3.4
26	ME	1.15	0.04	3.7
27	MF	3.96	0.15	12.7
28	1194	2.62	0.10	8.4
29	MG	5.67	0.21	18.1
30	MH	1.32	0.05	4.2
31	8	4.43	0.16	14.2
32	1139	4.06	0.15	13.0
33	MI	1.90	0.07	6.1
34	1168	3.21	0.12	10.3
35	1166	4.96	0.18	15.9

The demand calculations equate to an Average Dry Weather Flow (ADWF) of 3200 L/day/Ha or 0.037 L/s/Ha and the Property Owner is required to include an emergency storage volume that is capable of retaining at least 24 hours of average dry weather flow (ADWF) sewage for the site. The maximum head within the system is limited to 87 m to protect the pipelines.

An increase from 0.04 l/s to 0.12 l/s is not able to be accommodated with the current infrastructure. Pipe sizes, pumping arrangements and operating pressures present physical limitations that can only be overcome if additional (new) infrastructure is built to cater for the increased wastewater discharge volumes and flow rates that are generated from large scale RSE worker accommodation. These developments were never anticipated and are inconsistent with the existing development (commercial and dry industries) and the original wastewater design.

Night pumping (as suggested) assumes that there is currently no pumping during these hours. The scheme relies on buffering via onsite storage which means that pumping can and does occur during "off peak" hours. The scheme is not as yet at peak operation however the rate of development has

exceeded Council's original predictions. It is likely that commercial and industrial development will continue in the foreseeable future and we expect that full scheme capacity could be reached within the next 5 to 10 years.

John Roil: The submitter is requesting that Plains Zone land adjacent to Industrial Zone land be permitted to connect to existing reticulated services.

The impact on existing services from new demand needs to be carefully considered on a site by site basis by the utility operator. New developments have the potential to adversely affect existing services (and customers) and increase demand beyond the network infrastructure's capabilities so it is important that any proposal is properly assessed and planned before granting any service extensions. The ability to extend services into new areas is not constrained by the underlying zoning of any land.

Service extensions require capital investment and consideration of the upstream and downstream effects to existing network performance. As an example, the additional demand on drinking water supplies from new developments will at some point require new water sources to be found, increased reservoir storage and pumping capacity to maintain supply to existing customers and be able to deliver the same level of service to new and future customers.

Specifically, the submitter is requesting that land adjacent to the Irongate Industrial area be permitted to connect to the Irongate wastewater scheme to support RSE worker accommodation. My evidence has already explained the constraints of the existing wastewater pressure sewer system which is fully allocated to the land within the Irongate Industrial zone and has no spare allocable capacity to extend beyond the zone.

It is however feasible to extend drinking water and firefighting capability without compromising the exiting water supply system and stormwater can be adequately managed via an onsite disposal system as long as it meets the specified quality and quantity outcomes.

Navillus Holdings Ltd: The submitter supports the inclusion of RSE worker accommodation as long as it does not restrict the ability for industrial activities to continue to undertake their day to day activities.

From a servicing perspective, the constraints with the pressure wastewater system will inhibit large scale RSE worker accommodation in Irongate. This type of activity is beyond the scope of the existing sewer pressure system and is likely to exceed the current wastewater allocation assigned to properties within the industrial area. If RSE worker accommodation is permitted, then the allocation set aside for industrial and commercial activities will not be available for its intended use.

It has been suggested that unused capacity could be re-allocated to properties that want to initiate more intensive or larger scale development but will exceed their current wastewater allocation. Total system capacity has been allocated to each property on a per hectare basis and properties that have not yet developed are not currently utilising their allocation but can take up that allocation at any time. Council has no ability to arbitrarily redistribute unused capacity unless there was a willingness within the scheme to implement these changes. The consequence for some property owners is that they would then be unable to service their property if and when they wished to do so, and the redistribution may be limited by the scheme design and pipe capacity in any case. Ultimately, a redistribution proposal could result in a loss of rezoned land being available for commercial and dry industrial development in Irongate.

The consideration of stormwater and wastewater discharges from RSE worker accommodation has been raised in the HB Regional Council submission and will be addressed in my response to that submission.

Greg Honnor: The submitter raises concerns about the increased wastewater demands on the Irongate system and suggests that other areas (Tomoana and Whakatu) have better wastewater services.

The Tomoana and Whakatu industrial areas are situated adjacent to the HDC industrial and domestic sewer trunk mains. These mains convey all separated trade waste and domestic wastewater from Hastings to the East Clive wastewater treatment plant and provide significant capacity for wet industry and commercial operations.

There is no public reticulated water supply in either industrial area. Water supply for processing, firefighting and drinking water is via individual onsite bores and requires a consent for the HB Regional Council. More recently a moratorium has been placed on the granting of any new consents to abstract water from the Heretaunga Plains aquifer, limiting the potential for any further large scale development to occur.

Stormwater is via a combination of public and private systems that ultimately discharge to the rural drainage networks that are managed by the HB Regional Council.

The township of Whakatu is fully serviced for drinking water, firefighting, domestic wastewater (via a conventional piped network) and urban stormwater reticulation.

HB Regional Council: The submission seeks to minimise the impact of wastewater and stormwater discharges on the Heretaunga Plains groundwater aquifer. Specifically, their concerns are in relation to the potential for contaminants from discharges to land within the unconfined area and HDC drinking water source protection zones to adversely affect groundwater quality.

Large scale RSE worker accommodation has the potential to generate increased volumes of wastewater. The treatment and disposal of human waste in un-reticulated areas of the district is primarily through onsite wastewater systems. These systems rely on the disposal of effluent to ground (typically after solids separation) via a disposal field. The extent of contaminant mitigation is a function of volumes, flow rates and contaminant load (biological and chemical) in conjunction with the soils ability to adsorb and treat these contaminants on an ongoing basis.

The disposal of stormwater via onsite soakage, detention and/or controlled release requires specific design to ensure that as much as possible, harmful contaminants are removed within the treatment train to minimise effects in the receiving environment. The efficiency of these systems can be compromised where there is insufficient land available to retain stormwater flows in heavy rain events resulting in the flushing out of captured contaminants and uncontrolled overland flow.

As a drinking water supplier, HDC has legal obligations to ensure that its drinking water sources are protected and the establishment of source protection zones (SPZs) delineate those areas where drinking water is sourced from. Our obligations (and those of the HB Regional Council as the consenting authority) extend to ensuring that the impacts of activities and land uses within these zones do not adversely affect source water quality. Both agencies (HDC and HBRC) work collaboratively to manage these areas and account for sources of drinking water in the assessment of applications requiring consent.

The provision of reticulated wastewater and stormwater services reduces the potential for contaminants to be discharged to land. The intensity and nature of development activities will have a bearing on the suitability of reticulated networks in preference to individual onsite systems. For land that is adjacent to existing reticulated networks the decision to extend services can be influenced by these and other factors.

In Omaha, HDC has extended or built new infrastructure to accommodate development and minimise the impact of wastewater and stormwater discharges in the unconfined areas of the Heretaunga Plains aquifer. In Irongate, wastewater services were established to manage domestic wastewater on the basis that no trade waste or larger volumes of wastewater needed to be catered for. The limited extent of wastewater services was also in keeping with landowner expectations and their strong preference for onsite systems as an alternative means of servicing development.

HDC originally intended to construct a standalone stormwater network within Irongate consisting of a combination of onsite systems discharging to a public drainage and detention network. This proposal was met with significant opposition from stakeholders and eventually an alternative fully individual onsite solution was agreed to by HDC and the HB Regional Council. This necessitates resource consent for each development with mitigation requirements for stormwater quantity and quality.

In summary, the ability to provide drinking water, wastewater and stormwater services through reticulated networks in preference to discreet onsite systems is ultimately influenced by many factors. The ability to service larger scale developments such as RSE worker accommodation requires careful consideration of the proximity of existing networks and the available capacity in relation to existing and new demand. Alternative onsite solutions can be successful but the scale and intensity of development can be problematic in their design and in the performance of these systems in the long term.