

Monday, 2 March 2026

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council**  
**Hearings Committee Meeting**

*Kaupapataka*  
**Agenda**

**Private Plan Change 9 - Brookvale East**  
**137-161 BROOKVALE ROAD, HAVELOCK NORTH**  
**(METLIFECARE LIMITED) (RMA20230358) (PID 58825)**

*Te Rā Hui:*  
Meeting date: **Commencing on Monday, 2 March 2026**

*Te Wā:*  
Time: **9.30am**

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

*Te Hoapā:*  
Contact: **Democracy and Governance Services  
P: 06 871 5000 | E: [democracy@hdc.govt.nz](mailto:democracy@hdc.govt.nz)**

*Te Āpiha Matua:*  
Responsible Officer: **Group Manager: Planning & Regulatory Services - John O'Shaughnessy**

## Hearings Committee – Terms of Reference

### Fields of Activity

The Hearings Committee is established to assist the Council by hearing and determining matters where a formal hearing is required in respect of a planning or regulatory function of the Council, including under the provisions of the:

- Resource Management Act 1991
- Building Act 2004
- Health Act 1956
- Dog Control Act 1996
- Litter Act 1979
- Hastings District Council Bylaws
- Local Government Act 1974
- Local Government Act 2002; and
- Hastings District Council Class 4 Gambling Venue Policy.

### Membership - Up to 10 Hearings Commissioners (comprising up to 7 elected members of Council and at least 3 external appointed Independent Hearings Commissioners)

- Chair appointed by Council from the membership including external appointed members.
- Deputy Chair appointed by the Council from the membership including external appointed members.
- Under s. 39B of the Resource Management Act, the Chair must be accredited, and unless there are exceptional circumstances, appointees on hearings panels must have accreditation to make decisions on:
  - Applications for Resource Consents.
  - Notice of Requirements given under s. 168 or 189 of the Resource Management Act.
  - Requests under clause 21(1) of Schedule 1 of the Resource Management Act for a change to be made to a Plan (Private Plan Changes).
  - Reviews of Resource Consents.
  - Applications to change or cancel Resource Consent Conditions.
  - Any hearing of an objection under s. 357C of the Resource Management Act.
  - Proposed Policy Statements and plans that have been notified (Council Initiated Plan Changes).

### Quorum

- a) For Hearings other than Council Initiated and Private Plan Change hearings, a maximum of three members including the Chair (or Deputy Chair, in the Chair's absence) to meet for any one hearing.
- b) For Private Plan Change hearings a maximum of five members including the Chair (or Deputy Chair, in the Chair's absence) to meet for any one hearing.
- c) For Council Initiated Plan Change hearings, all members may attend and take part in the decision-making process unless the Chair exercises the power of delegation to assign any function, power or duty of the Hearings Panel to any one or more Commissioners.
- d) For Hearings other than Council Initiated and Private Plan Change hearings the quorum shall be two members.
- e) For Council Initiated and Private Plan Change Hearings, the quorum shall be three members.
- f) Members to sit on any hearing other than a Council Initiated Plan Change Hearing shall be selected by agreement between the Chair (or Deputy Chair, in the Chair's absence) and the Group Manager: Planning and Regulatory Services.

- g) For the purpose of hearing any objection in respect of the matters detailed under the Dog Control Act 1996 the Hearings Committee will consist of any three members selected by the Chair.

#### **Casting Vote**

- a) In line with Council's Standing Orders (19.3) the Chair would have a casting vote at all hearings, in the event that the vote of the panel was tied.

## *Kaupapataka*

# Agenda

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*Ngā mema o te Komiti*

**Panel Members:**

**Hearing Panel Members:**

Chair: George Lyons (Commissioner Chair - External appointee)

Bill Wasley (Independent External appointee)

Councillors Hana Montaperto-Hendry and Heather Te Au-Skipworth

---

*Apiha Matua*

**Officer Responsible:**

Group Manager: Planning and Regulatory Services - John O'Shaughnessy

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**Reporting Planner**

Senior Environmental Planner, Policy – Rebecca Hill

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*Te Rōpū Manapori me te  
Kāwanatanga*

**Democracy**

**Governance Services**

Christine Hilton (chrisah@hdc.govt.nz)



## Te Rārangī Take

# Order of Business

### Apologies & Leave of Absence – Ngā Whakapāhatanga me te Wehenga ā-Hui

- 1.0** At the close of the agenda no apologies or requests for leave of absence had been received from the panel members.

### Private Plan Change 9 – Brookvale East, 137-161 Brookvale Road, Havelock North (Metlifecare Limited) (RMA20230358) (PID 58825)

- 2.0** **DOCUMENTS CIRCULATED FOR HEARING - COMPILED AS TWO SEPARATE DOCUMENTS**

#### **This part of the agenda contains the following :**

<b><u>Document 1</u></b>	The covering administrative report	<b>Pg 1</b>
<b><u>Attachment A</u></b>	Private Plan Change 9 Brookvale East - Section 42A Report	<b>Pg 3</b>

The information relating to the plan change is available on the website via this main link [Private Plan Change 9 - Brookvale East | Hastings District Council](#)

From here you can access the following:

- Plan Change Request and Section 32 Report [Plan-Change-Request-and-Section-32-Report.pdf](#)
- Appendix 1 Rezoning Plan [BM220703 Proposed zoning plan 20250919](#)
- Appendix 2 Revised Brookvale Structure Plan [Appendix-2-Revised-Brookvale-Structure-Plan.PDF](#)
- Appendix 3 Changes to Appendix 13B Brookvale Structure Plan [Appendix-3-Changes-to-Appendix-13B-Brookvale-Structure-Plan.pdf](#)
- Appendix 4 Consequential Changes to Hastings District Plan [Appendix-4-Consequential-Changes-to-Hastings-District-Plan.pdf](#)
- Appendix 5 Geotechnical Assessment [Microsoft Word - 1482-01-23 rpt plan change area](#)
- Appendix 6 Contamination Report [Appendix-6-Contamination-Report.PDF](#)
- Appendix 7 Land Productivity Assessment [Appendix-7-Land-Productivity-Assessment.PDF](#)
- Appendix 8 Records of Title [HB100 50 Title Search Copy](#)
- Appendix 9 Infrastructure and Civil Design Assessment [Microsoft Word - J5957 - Servicing Report PPC Area-DE Rev E CPreview](#)
- Appendix 10 Economic Assessment [Appendix-10-Economic-Assessment.PDF](#)
- Appendix 11 Urban Design and Landscape Assessment [Brookvale Road Private Plan Change](#)
- Appendix 12 Transport Assessment [Appendix-12-Transport-Assessment.PDF](#)
- Appendix 13 Archaeological Assessment [1](#)
- Appendix 14 Consultation Letter and Map [Microsoft Word - Information about Proposed Residential Rezoning at Brookvale Road Havelock North LH edits](#)
- Appendix 15 Tracked Changes to Appendix 13B of the Hastings District Plan [Tracked-Changes-Appendix-13B.pdf](#), Tracked Changes to Section 2.4 of the Hastings District Plan [Tracked-Changes-Section-2.4.pdf](#), Tracked Changes to Section 8.2 of the Hastings District Plan [Tracked-Changes-Section-8.2.pdf](#)

- Appendix 16 Submissions - Submission 1 [Wufoo · Entry Detail](#), Submission 2 [Wufoo · Entry Detail](#), Submission 3 [Wufoo · Entry Detail](#), Submission 4 [Wufoo · Entry Detail](#), Submission 5 [5-CDL-Land-New-Zealand-Ltd.PDF](#), Submission 6 [6-Paul-Maurice-Stevenson.PDF](#), Submission 7 [7-Landsdale-Developments-Ltd.PDF](#), Submission 8 [8-Tony-Suzy-Martin.pdf](#)
- Appendix 17 Summary of Submissions by Submitter [Summary-of-Submissions-by-Submitter.pdf](#)
- Appendix 18 Summary of Submissions by Topic [Summary-of-Submissions-by-Topic.pdf](#)
- Appendix 19 Further Submission 1 [Further-Submission-1-Jeremy-Haines.PDF](#)

Monday, 2 March 2026

Item 2

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: Hearings Committee Meeting***Te Rārangi Take*

# Report to Hearings Committee

**Nā:**  
**From:** **Christine Hilton, Democracy and Governance Advisor**

**Te Take:** **Private Plan Change 9 – Brookvale East, 137-161 Brookvale Road,**  
**Subject:** **Havelock North (Metlifecare Limited) (RMA20230358) (PID 58825)**

## 1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This is a covering report relating to the Proposed Hastings District Plan hearing – Plan Change 9 – Brookvale East.
- 1.2 The agenda documents and submissions can be viewed on the Council's website.
- 1.3 There are a large number of separate documents that make up the application and these are already on the Council's website. The links to these documents are also included in the agenda.

## 2.0 Recommendations - *Ngā Tūtohunga*

This covering report titled Private Plan Change 9 – Brookvale East, 137-161 Brookvale Road, Havelock North (Metlifecare Limited) (RMA20230358) (PID 58825), is used to enable the report and associated attachments, for the hearing commencing on 2 March 2026, to be put onto the Council website so they can be viewed by the public.

### Attachments:

<a href="#">A</a>	Private Plan Change 9 Brookvale East - Section 42A Report	ENV-17-9-06-26-0008	
<a href="#">B</a>	Attachment B - Summary of Recommendations on Submissions and Further Submissions	ENV-17-9-06-26-0007	Document 2
<a href="#">C</a>	Attachment C - Technical Memo - 3 Waters	ENV-17-9-06-26-0006	Document 2
<a href="#">D</a>	Attachment D - Technical Memo - Transport	ENV-17-9-06-26-0005	Document 2



Section 42A Report for Private Plan Change 9: Brookvale East

Attachments

- Attachment A – Section 42A Report from Hastings District Council’s Senior Environmental Planner (Policy)
- Attachment B – Summary of Recommendations on Submissions and Further Submissions
- Attachment C – Technical Memorandum from Hastings District Council’s 3 Waters Growth and Planning Manager
- Attachment D – Technical Memorandum from Hastings District Council’s Transportation Policy and Planning Manager

Item 2

Attachment A

Section 42A Report for Private Plan Change 9: Brookvale East

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Section 42A Report for Private Plan Change 9: Brookvale East

1 Executive Summary

- 1.1.1 Private Plan Change 9 (PPPC9) known as Brookvale East seeks to rezone 137-145 Brookvale Road, Havelock North, from Plains Production Zone to Havelock North General Residential Zone and Open Space Zone and 155-161 Brookvale Road to Deferred General Residential Zone to facilitate the development of a retirement village and future residential development.
- 1.1.2 This report provides an assessment of the private plan change request, evaluates submissions and further submissions, examines the potential environmental effects, and considers the proposal against the relevant statutory framework.
- 1.1.3 This report concludes that:
  - Potential adverse effects, including traffic, stormwater, infrastructure capacity, soil contamination, reverse sensitivity, and amenity, can be appropriately avoided, remedied, or mitigated through the proposed plan provisions and recommended modifications.
  - PPPC9 is consistent with the Resource Management Act 1991, the Hastings District Plan, and higher-level planning instruments, including the National Policy Statement on Urban Development (NPS-UD), the Hawke’s Bay Regional Policy Statement and the Napier-Hastings Future Development Strategy 2025 (FDS).
  - Development can be serviced in a manner that is integrated and efficient, provided that key infrastructure upgrades, such as the wastewater pump station installation and stormwater detention, are implemented prior to occupation and funded by the developer.
  - The rezoning aligns with the FDS and supports the district’s ability to meet housing demand, including the growing need for retirement living options, while maintaining a logical and well-sequenced pattern of urban growth.
- 1.1.4 Having considered the above matters, I recommend, under Clause 29(4) of Schedule 1 to the RMA, that PPPC9 be **approved** with the modifications set out in this report, which include refinements to stormwater and wastewater servicing provisions and updates to the Brookvale Structure Plan.

2 Introduction

- 2.1 Overview
  - 2.1.1 Metlifecare Limited (Metlife) lodged a private plan change request – Private Plan Change 9 (PPPC9) – to rezone 9.1 hectares being 137-161 Brookvale Road, Havelock North, from Plains Production Zone to Havelock North General Residential, Deferred Residential and Open Space Zone in the Operative Hastings District Plan (HDP) under the Resource Management Act 1991 (RMA).
  - 2.1.2 The PPPC9 provisions seek to enable a retirement village development (Area D) and future residential development (Area E). The planned yield for Area D is 92 units being a mix of 2 bedroom, 2 + study, and 3 bedroom units while allowing for a care centre, stormwater detention area and Crombie Drain Reserve.
  - 2.1.3 This private plan change was lodged with the Hastings District Council on 7 December 2023. A request for further information was made on 27 February 2024 and the full response to the further information request was received on 19 September 2025. Council Officers then accepted the private plan change for notification on 22 September 2025 under delegated authority.
  - 2.1.4 PPPC9 was publicly notified by Hastings District Council on 4 October 2025. The period for

**Section 42A Report for Private Plan Change 9: Brookvale East**

making submissions closed on 4 November 2025 and further submissions were able to be made until 28 November 2025. Six submissions, two late submissions and one further submission were received.

- 2.1.5 A Hearings Panel has been appointed by the Council to hear from the Requestor (Metlife), the Council, and submitters, and to then make a decision in accordance with Clause 29(4) of Schedule 1 to the RMA. The hearing is scheduled for 2-3 March 2026.

**2.2 Purpose of this Report**

- 2.2.1 This report has been prepared in accordance with Section 42A of the Resource Management Act to assist the Hearings Panel in their consideration of the proposed plan change (PPPC9) and the matters raised in submissions and further submissions. It addresses the requested changes, the relevant statutory and policy framework, and the key issues identified through submissions on PPC9. The report provides an assessment of these matters and offers recommendations for the Panel's consideration.

- 2.2.2 The conclusions and recommendations in this report are advisory only and are not binding on the Hearings Panel. The Hearings Panel must consider all submissions and evidence presented at the hearing. It should not be assumed that, after reviewing all evidence, the Panel will reach the same conclusions as those expressed in this report.

- 2.2.3 In preparing this report, I have:

- Undertaken a site visit to the Plan Change area and surrounding area;
- Reviewed the original private plan change request, the further information request, and the updated plan change documentation that was provided in response, including the supporting technical reports;
- Read and considered all the submissions received on PPC9;
- Considered the statutory framework and relevant planning documents;
- Considered, and where necessary, relied on the expert advice of Council specialists on technical matters. Their input helped guide and inform the assessment of the Plan Change Request and the recommendations on the submissions and further submissions.

- 2.2.4 This report is intended to be read in conjunction with the notified PPC9 documents, which include the Plan Change Request and Section 32 Assessment Report and supporting appendices. These documents are available on the 'Private Plan Change 9 – Brookvale East' page of Council's website.

- 2.2.5 This report should also be read in conjunction with the following technical advice, as follows:

- Technical Memorandum from Kelly Nikora, Council's 3 Waters Growth and Planning Manager (attached to this report as Attachment C).
- Technical Memorandum from Bruce Conaghan, Council's Transportation Policy and Planning Manager (attached to this report as Attachment D).

- 2.2.6 I confirm I have based my opinion on the sources of information identified in this report.

**2.3 Qualifications and Experience of Author**

- 2.3.1 My name is Rebecca Mary Hill. I hold a Bachelor of Social Science with Honours and a Post Graduate Diploma in Resource and Environmental Planning from Waikato University. I am a full member of the New Zealand Planning Institute (NZPI).

**Section 42A Report for Private Plan Change 9: Brookvale East**

2.3.2 I hold the position of Senior Environmental Planner (Policy) at Hastings District Council. I have experience in both policy development, consenting and strategic planning. I worked on the rezoning projects for Lyndhurst and Arataki New Urban Development Areas and more recently on developing a structure plan for Lyndhurst Extension. I am familiar with the Hastings District Plan, the associated statutory and policy settings, and with the Hastings District and its environment.

2.3.3 My role has involved:

- assessing the updated private plan change request documentation for completeness,
- making a recommendation to accept the request pursuant to Clause 25,
- recommending and undertaking notification of the request, and
- preparation of the Section 42A report assessing the request, analysing submissions, and making recommendations to the Hearings Panel.

## 2.4 Code of Conduct

2.4.1 I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. This technical report has been prepared in accordance with that code.

2.4.2 I confirm that I have considered all material facts relevant to the opinions expressed in this report. These opinions are within my area of expertise, except where I have expressly relied on the opinions of others.

2.4.3 I attended a comprehensive site visit to the Plan Change area on 30 September 2025.

## 2.5 Conflict of Interest

2.5.1 I confirm that I have no real or perceived conflict of interest in the matters addressed by this Report.

## 3 Purpose of Proposed Private Plan Change

3.1.1 Section 2.2 of the 'Plan Change Request & S32 assessment report' (Plan Change Request) outlines the Requestor's stated purpose and objectives for the proposed private plan change, as follows:

1. *'Facilitate urban development on the subject land including for a retirement village as a Comprehensive Residential Development,*
2. *Provide for a well-functioning, connected and pleasant living environment in Brookvale, and*
3. *Integrate land use development on the subject land with the efficient provision of infrastructure.'*

Section 42A Report for Private Plan Change 9: Brookvale East



Figure 1: Proposed Zoning Plan for Brookvale East

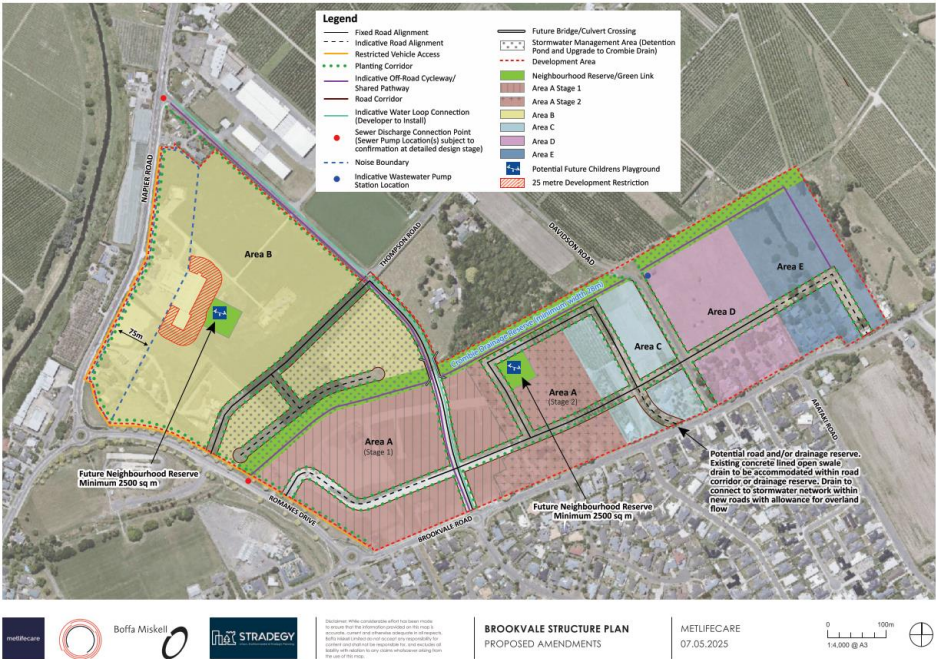


Figure 2: Proposed Structure Plan for Brookvale East.

Section 42A Report for Private Plan Change 9: Brookvale East

4    Background

4.1    Plan Change Area Description

- 4.1.1    The Plan Change area is approximately 9.1 hectares (comprising 6 titles). The area has frontage to Brookvale and Davidson Roads and the Crombie Drain. The landholdings can be characterised as lifestyle sites with residences grouped along the Brookvale Road frontage. The land falls from Brookvale Road down to the Crombie Drain. Vegetation across the area is mainly pasture with shelter plantings along boundaries and garden plantings around the existing houses.
- 4.1.2    The land subject to the Request adjoins the Brookvale and Arataki Urban Development Areas in Havelock North and is shown as the ‘Future Stage as identified in HPUDS’ in the Brookvale Structure Plan (Appendix 13B of the Operative Hastings District Plan). The plan change area is shown as ‘HN6’ and ‘New / Expanded Residential Areas’ in the Napier-Hastings Future Development Strategy 2025 (FDS). The FDS estimates the expected yield from this area as 125 residential units allowing space for in zone stormwater detention and plains/urban boundary setbacks.
- 4.1.3    Within the Plan Change area, there is an existing drain known as the Crombie Drain which is a farm drain that flows into the Karituwhenua Stream and then the Karamu Stream.
- 4.1.4    Hawke’s Bay Hazards Portal information identifies an area of flooding risk along the Crombie Drain. The area is identified in the Hazards Portal as being subject to medium liquefaction vulnerability and mostly alluvial sand, silt and gravel with some compact alluvial sand, silt and gravel.

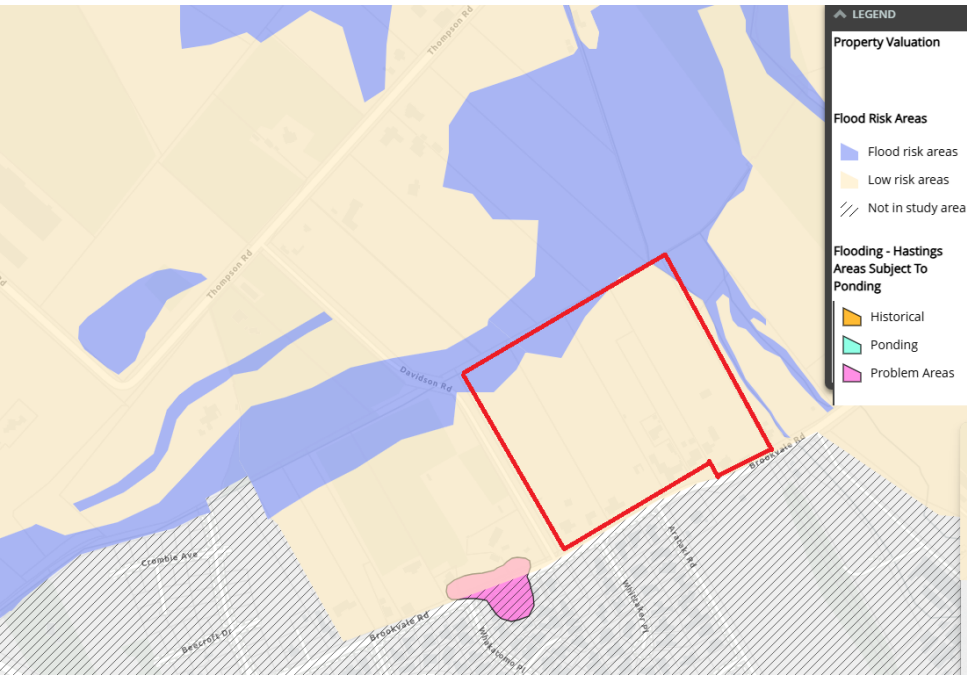


Figure 3: Hawke’s Bay Hazard Portal – Flood Risk Areas



Section 42A Report for Private Plan Change 9: Brookvale East

## 4.2 Wider Environment

- 4.2.1 The Plan Change area adjoins the Brookvale Urban Development Area to the west across Davidson Road which is currently being developed and subdivided. The land directly across Davidson Road is the subject of a resource consent granted to Metlife for a retirement village.
- 4.2.2 The land to the north and east is Plains Production land used primarily for grazing and orcharding.
- 4.2.3 The land to the south includes the Arataki Urban Development Area which is developed with established homes and the Arataki Extension Area that is the subject of a Fast Track Approvals application to undertake a residential subdivision.

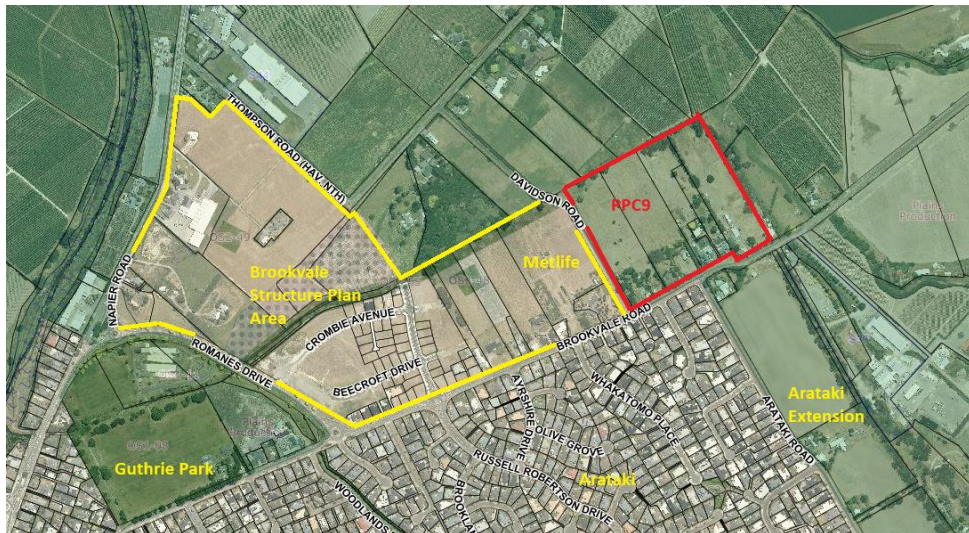


Figure 4: Plan Change Area – Wider Environment.

## 5 Existing Plan Provisions

- 5.1.1 The Plan Change area comprises approximately 9.1 hectares of land currently zoned 'Plains Production'. The Plains Production Zone applies to the area of the Hastings District that contains the versatile land resource on which the District relies, and surrounds the urban areas of Hastings, Havelock North, and Flaxmere, and also includes parts of the Esk, Tutaekuri, and Ngaruroro river valleys.
- 5.1.2 The primary focus is on land based primary production, particularly for cropping, viticulture and orcharding. The Plains Production Zone recognises 'the growing powerhouse of the District' in maintaining the economy of the District, and retaining this land for primary production purposes is a principle that forms one of the Council's cornerstones for sustainability of the District's natural and physical resources.
- 5.1.3 The Plains Production Zone provisions focus on:
- Protecting versatile land: Ensuring the Heretaunga Plains' highly productive soils are not fragmented or compromised by development.
  - Enabling primary production: Supporting land-based primary production and associated activities while maintaining rural character.
  - Managing building scale: Limit the number and size of buildings to avoid adverse

Section 42A Report for Private Plan Change 9: Brookvale East

effects on soil productivity.

- Controlling subdivision: Preventing subdivision that reduces the potential for productive use of versatile land.
- Providing flexibility: Allowing for activities that add value to primary production (e.g., processing, storage) within strict scale limits.
- Maintaining rural character and amenity: Retaining the open, low-scale nature of the Plains and manage noise and other effects.
- Supporting integrated management: Collaborating with Hawke's Bay Regional Council to manage land and water resources sustainably.
- Recognising existing infrastructure: Providing for long-established infrastructure and community facilities within the zone.
- Enabling wineries: Allowing wineries to integrate activities related to grape production without compromising soil values.
- Protecting aquifer and Mana Whenua values: Sustaining the life-supporting capacity of the Heretaunga Plains aquifer and upholding kaitiakitanga principles.

5.1.4 Examples of Permitted activities in this Zone (subject to meeting relevant performance standards and terms), include:

- land based primary production,
- one residential building per site, and one supplementary residential building per site,
- small-scale commercial and industrial activities,
- processing, storage, and/or packaging of crops or produce,
- wineries,
- seasonal workers accommodation,
- existing Places of Assembly and educational facilities – alterations or addition of new buildings only,
- Scheduled Activities – as outlined in Appendix 26 Table of Scheduled Activities, and
- marae.

5.1.5 Permitted activities in the Zone that exceed the specified limits or that are unable to meet all the performances standards and terms, are assessed as a restricted discretionary, discretionary, or non-complying activity.

5.1.6 Other specified restricted discretionary and discretionary activities in the Zone include:

- intensive rural production,
- forestry,
- dairy processing plants,
- rural transport depots.

5.1.7 Subdivision in the Plains Production Zone has a minimum lot size of 12 hectares, and lifestyle site subdivision in this Zone is a non-complying activity – except for a lifestyle site around an existing dwelling, provided the balance lot retains 12 hectares or more, and the number of lots remains the same, which is a discretionary activity.

Section 42A Report for Private Plan Change 9: Brookvale East

## 6 Proposed Plan Change Provisions

### 6.1 Plan Change Provisions Detail

- 6.1.1 Proposed Plan Change 9 was submitted by Metlifecare Limited (Metlife) as a private plan change request. The plan change seeks to rezone the land at 137-145 Brookvale Road, Havelock North from 'Plains Production Zone' to 'Havelock North General Residential Zone'. 'and 'Open Space Zone' and 155-161 Brookvale Road, Havelock North, from 'Plains Production Zone' to 'Deferred Residential Zone'.

- 6.1.2 Section 1 of the Plan Change Request provides a broad statement on the proposed plan change provisions, as follows:

*'The proposal seeks to rezone approximately 4.7 hectares of land from the Plains Production Zone to the Havelock North General Residential Zone and Open Space Zone; and 4.4 hectares from the Plains Production Zone to the Deferred Residential Zone. It also seeks to incorporate this land into the Brookvale Structure Plan (Appendix 13B) and to make related amendments to the Hastings District Plan to enable efficient, integrated residential development.'*

*The Brookvale East Plan Change directly delivers on the Hastings District Council's strategic aspirations for the land, as outlined in the Heretaunga Plains Urban Development Strategy (HPUDS), the draft Future Development Strategy (FDS), and the Long-Term Plan (LTP). The land is identified in HPUDS and the draft FDS as a priority greenfield growth area, earmarked for residential development in the short-medium term (within 10 years). By rezoning the Plan Change area for immediate and future urban use, and integrating it into the Brookvale Structure Plan, the Plan Change enables a well-functioning, connected, and high-amenity neighbourhood that aligns with Council's vision for resilient urban growth. It also supports the delivery of diverse housing options, including a comprehensively planned retirement village, addressing a critical and growing need in the Napier-Hastings urban area.*

*The Plan Change is underpinned by infrastructure planning and investment already signalled in the LTP, including funding for transport upgrades. It facilitates standalone stormwater management solutions and provides for an integrated wastewater network including a new pump station. The Plan Change provisions ensure development will be coordinated with infrastructure provision and reflect best-practice urban design principles. In doing so, it gives effect to the strategic direction of HPUDS, the draft FDS, and the RPS, and represents a proactive, integrated response to the region's housing and demographic needs.'*

- 6.1.3 The following changes to the District Plan are proposed:

- Rezone land east of Davidson Road and north of Brookvale Road from:
  - Plains Production Zone to Havelock North General Residential Zone (Area D) and Havelock North Deferred Residential Zone (Area E); and
  - Plains Production Zone to Open Space Zone and Brookvale Structure Plan – Stormwater Management Area at the north of the site adjoining Crombie Drain (28m width).
- Amend the Brookvale Structure Plan in Appendix 13B to:
  - Incorporate the land at 137 and 145 Brookvale Road as "Area D" to the Brookvale Structure Plan;
  - Incorporate the land at 155, 157, 159 and 161 Brookvale Road as "Area E" to the Brookvale Structure Plan;
  - Extend the east-west spine road to the east of Davidson Road through Areas D and E, and show an indicative future road connection back to Brookvale Road further to the south-east; and



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- Show indicative north-south cycle/walking connections between the spine road and the Crombie Drainage Reserve through Area E.
- Amend the design outcomes and associated objectives in Appendix 13B to reflect the above amendments to the Brookvale Structure Plan and to enable an updated, integrated Stormwater Management Plan to be provided at each resource consent stage.
- Amend 8.2.4.3 to enable ongoing interim use of land zoned Havelock North Deferred Residential (Area E) until such time as a plan change is completed to uplift the deferred status and enable the land to be zoned as Havelock North General Residential Zone.
- Add a new clause to the Havelock North Residential Environment – Structure Plans standard (8.2.6G) to require that no new residential buildings are occupied in Area D until a new wastewater pump station is available to service the Site in accordance with the Brookvale Structure Plan, or an alternative servicing solution provided.

6.2 Documents and Technical Reports Provided

- 6.2.1 Metlife provided a range of documents and technical reports with their Request, including a ‘Plan Change Request & Section 32 Assessment Report’ (Plan Change Request).
- 6.2.2 The Plan Change Request appended the following technical reports:
- Appendix 5 – Geotechnical Assessment.
  - Appendix 6 - Soil Contamination Assessment.
  - Appendix 7 – Land Productivity Assessment.
  - Appendix 9 – Infrastructure and Civil Design Assessment.
  - Appendix 10 – Economic Assessment.
  - Appendix 11 - Urban Design and Landscape Assessment.
  - Appendix 12 – Integrated Transport Assessment.
  - Appendix 13 – Archaeological Assessment.

7 Plan Change Process

- 7.1.1 The process for making a plan change request and how this is to be processed is set out in Schedule 1 to the RMA.
- 7.1.2 Below is a chronology of the process to-date for PPPC9 proceedings:

Status	Date
Private Plan Change Request Lodged with Hastings District Council	7 December 2023
Clause 23 Request for Further Information	27 February 2024
Clause 23 Further Information Response	19 September 2025 (full response received)
Clause 25 Acceptance	22 September 2025
Notification Period	4 October 2025 – 4 November 2025
Further Submission Period	15 November 2025 – 28 November 2025

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Hearing Dates	2-3 March 2026
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8 Submissions

8.1 Submissions and Further Submissions

- 8.1.1 A total of eight submissions were received, two of which were late.
- 8.1.2 One further submission was received from a party who was not an original submitter.

Submission Number	Submitter
Submitter 1 (S1)	Conrad and Verena Waitoa
Submitter 2 (S2)	Sam Newbigin
Submitter 3 (S3)	Gerald Mulinder
Submitter 4 (S4)	Pip and Dan Taylor
Submitter 5 (S5)	CDL Land New Zealand Limited
Submitter 6 (S6)	Paul Maurice Stevenson
Submitter 7 (S7)	Landsdale Developments Ltd (late)
Submitter 8 (S8)	Tony & Suzy Martin (late)
Further Submitter 1 (FS1)	Jeremy Haines

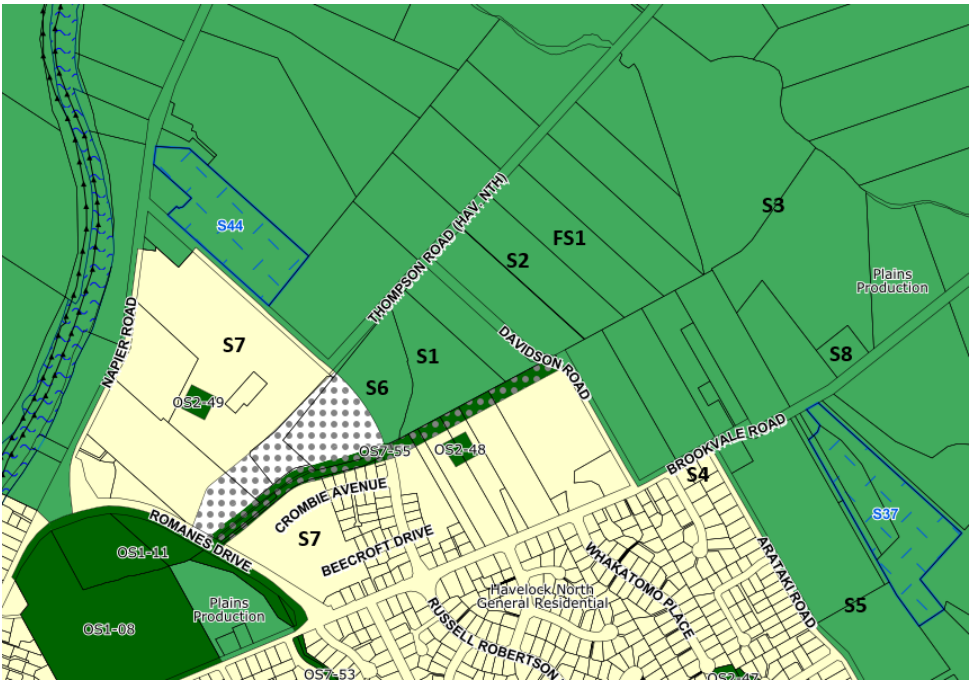


Figure 5: Location of submitters.

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## 8.2 Procedural Matters

- 8.2.1 Two submissions were lodged after the closing date, one from Landsdale Developments Ltd (S7) and one from Tony & Suzy Martin (S8). Both submissions were received in time to be included in the summary of submissions prior to notification for further submissions.
- 8.2.2 Under the RMA, late submissions cannot be accepted automatically and require a formal decision by the Hearings Panel.
- 8.2.3 Section 37 allows for the time period to be extended to accept late submissions, subject to consideration of the matters in Section 37A(1) of the RMA.
- 8.2.4 In making this decision, the Hearings Panel should consider:
- Whether any party may be prejudiced by accepting the late submissions.
  - The significance of the issues raised in the late submissions.
  - The overall interests of justice and fairness in the context of the hearings process.
  - The duty to avoid unreasonable delay.
- 8.2.5 If the panel decides to accept the late submissions, they will be treated as if they were lodged within the statutory timeframe and will have full standing in the hearings process.
- 8.2.6 To assist the panel in making their decision the following observations are made:
- Both late submissions were received within a week of the closing date, allowing their inclusion in the Summary of Submissions without delaying notification for further submissions.
  - Their inclusion in the Summary provided all parties the opportunity to lodge further submissions in opposition if they considered themselves prejudiced.
  - Accepting the late submissions best serves the interests of justice and fairness.
  - The submissions raise matters relevant to these proceedings, and their inclusion will assist in ensuring all relevant issues are considered.

## 8.3 Recommended Decision

- 8.3.1 That the Hearings Panel exercises its discretion under Section 37 of the RMA to accept the late submissions from Landsdale Developments Ltd and Tony & Suzy Martin and that these submissions are thereby given full standing in the hearing process as if lodged within the statutory timeframe.

## 9 Statutory Considerations

- 9.1.1 Section 73(2) of the RMA allows for any person to request that a change be made to the District Plan, in accordance with the process set out in Part 2 or Part 5 of Schedule 1. Part 5 of Schedule 1 is not relevant to PPC9 as it relates to the use of the 'streamlined planning process', which is not proposed in this instance.
- 9.1.2 Clause 21(2) of Part 2 of Schedule 1 requires that the plan change request: explain the purpose of, and reasons for, the proposed change and contain an evaluation report prepared in accordance with Section 32 of the RMA; and where environmental effects are anticipated, describe those effects in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the changes proposed. The plan change request considered the actual and potential effects of the plan change on the environment and, where relevant to matters raised in submissions, I discuss these further in Sections 10-26 of this report.

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- 9.1.3 My understanding of the matters set out in Part 2 of Schedule 1 to the RMA is that the plan change request requires assessment in terms of the following statutory matters, being:
- a) Whether it is in accordance with Council’s functions under section 31 (s74(1)(a));
  - b) Whether it is in accordance with the provisions of Part 2 of the RMA (s74(1)(b));
  - c) That it must give effect to any national policy statement, national planning standard, and any regional policy statement (s75(3)(a), (ba), and (c));
  - d) That the objectives of the proposal (in this case, being the stated purpose of the proposal) are the most appropriate way to achieve the purpose of the RMA (s32(1)(a));
  - e) That the proposed provisions are the most appropriate way to achieve the objectives of the District Plan and the purpose of the proposal (s32(1)(b)).
- 9.1.4 In addition, the plan change request must also have regard to:
- a) any management plans and strategies prepared under other Acts (s74(2)(b)(i));
  - b) the extent to which the plan change is consistent with the plans of adjacent territorial authorities (s74(2)(c));
  - c) any emissions reduction plan, and any national adaptation plan made in accordance with the Climate Change Response Act 2002 (s74(2)(d) & (e)); and
  - d) in terms of any proposed rules, the actual or potential effect on the environment of activities including, in particular, any adverse effect (s76(3)).
- 9.1.5 These matters are considered in more detail in the following sections of this report.

10 Assessment of Environmental Effects and Matters Raised in Submissions

10.1 Environmental Effects Raised Through Submissions

- 10.1.1 This part of the report assesses the environmental effects of the proposal and matters raised in submissions, in a manner that corresponds with the scale and significance of the potential effects arising from proposed PPC9.
- 10.1.2 To assist with this assessment, the submissions have been grouped according to the following relevant topics, and where necessary, that generally coincide with the various actual and potential environmental effects identified:
- Topic 1: Traffic Impacts
  - Topic 2: Stormwater
  - Topic 3: Soil Contamination
  - Topic 4: Highly Productive Land
  - Topic 5: Infrastructure
  - Topic 6: Cultural Values
  - Topic 7: Reverse Sensitivity
  - Topic 8: Zone Extent
  - Topic 9: Amenity
  - Topic 10: Construction Impacts

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- Topic 11: Structure Plan
- Topic 12: Residential Development
- Topic 13: Consultation
- Topic 14: Staging
- Topic 15: Commercial Services

## 10.2 Other Environmental Effects

10.2.1 In addition to the effects raised in submissions on the topics above, I consider there are other environmental effects, which I address as follows:

- Geotechnical Matters and Natural Hazards:

A Preliminary Geotechnical Assessment report by Wentz-Pacific Ltd was submitted in support of the plan change request which finds that;

*'No active faults or fault exclusion / setback zones have been identified.*

*The liquefaction hazard is considered to be low under both SLS1 and ULS (IL2) levels of ground shaking.*

*The fine-grained near-surface soils are unlikely to consistently meet the criteria for 'good ground' as defined in NZS 3604; primarily due to low strength (particularly when wet), and also as a result of soil expansivity (in some locations).*

*Some flooding / inundation may occur along the lower-lying northern portion of the site – near the open channel drain that runs along the northern land boundary. Groundwater levels may rise to within 1 m or less of the existing ground surface in areas.*

*Soakage capacity is anticipated to be low to very low in areas where silt/clay soils or Havelock 'pan' is present.*

The report concludes that *"the land is considered to be suitable, from a geotechnical perspective, for residential-type development provided that the issues identified in this report are considered during the consenting, design and construction phases of any development."*

Council's 3 Waters Growth & Development Manager confirmed that flood hazard can be suitably managed through stormwater design, earthworks and minimum floor levels.

I am satisfied that any flood and earthquake risks can be adequately avoided or remediated at the detailed design phase for any subsequent development of the plan change area, should PPPC9 be approved.

- Archaeological Effects:

An Archaeological Assessment prepared by Heritage Services Hawke's Bay Ltd accompanied the Plan Change Request and assesses the archaeological values and effects on the plan change area.

The Archaeological Assessment recommends;

*'An archaeological authority is applied for under s. 48 of the Heritage New Zealand Pouhere Taonga Act 2014.*

*An archaeological management plan is prepared to guide the work required. This will*

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*include protocols to be followed in the event of the discovery of koiwi tangata.*

*That the archaeologist is provided with a minimum of two weeks’ notice of the intended start date.*

*That the removal of any topsoil from earthworks or trenching associated with the development are monitored by an archaeologist.*

*Any sub-surface archaeological features encountered are investigated by an archaeologist using accepted archaeological methods. Any taonga tuturu encountered are reported to the hapū and then registered with the Ministry for Culture and Heritage within 28 days of completing the fieldwork.*

*The archaeological material including faunal material uncovered is identified and analysed by appropriate specialists.*

*If material that will provide information about the approximate age of the site is encountered samples are taken and sent away for C14 analysis.*

*A final report is prepared for HNZPT within 6-12 months of the fieldwork being completed.’*

For the purposes of a plan change, I am satisfied that any potential archaeological effects can be suitably managed through the above measures and standard accidental discovery protocols that would apply to future residential development.

11 Topic 1: Traffic Impacts

11.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S1.1 S1.2 S1.3	Conrad and Verena Waitoa	Oppose / Support with Amendment
S4.4 S4.7 S4.8	Pip and Dan Taylor	Oppose
S8.1 S8.2	Tony & Suzy Martin	Support with Amendment

11.2 Overview of Submissions on this Topic

- 11.2.1 Three submitters raised traffic concerns in relation to PPC9, which can be summarised as follows:
- Safety and capacity on Davidson Road and Brookvale Road - Urban-standard frontage and intersection upgrades on Brookvale and Davidson Road as a precondition to development east of Davidson Road (S1.1).
  - Intersection safety and the local speed environment - Lowering the speed limit along Brookvale Road near the residential zone (S1.2 & S8.1).
  - Walking, cycling, and public-transport readiness - Controlled crossings and shared-path links are delivered in the initial stages (S1.3).

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- Construction impacts on neighbours - Strict construction management conditions be applied to protect neighbours' amenity. Strict limits on construction hours (weekday daytime only), mandatory dust suppression and vibration monitoring, advance notice to residents of major works and a Construction Traffic Management Plan (CTMP) before any works commence (S4.4).
- No access be allowed from Brookvale Road. Main site access be via Davidson Road, not Brookvale Road (S4.7).
- Comprehensive traffic and environmental assessments be completed (S4.8).
- Providing safe walking and cycling infrastructure to the Eastern end of Brookvale Road (S8.2).

### 11.3 Analysis

11.3.1 A Traffic Impact Assessment Report (Traffic Report) prepared by Stantec New Zealand accompanied the Plan Change Request, outlining traffic generation and travel patterns resulting from the proposed development, the traffic and safety effects, and recommendations in terms of internal road and intersection location.

11.3.2 The Traffic Report concludes (page 26) as follows:

*'It is considered that the proposed changes to the Structure Plan to provision for residential development of the Site are appropriate and will ensure that it is well-connected with the surrounding communities and beyond for both vehicular and active mode travel.*

*Upgrades to Brookvale Road and Davidson Road in conjunction with development of the Site will be necessary to urbanise the roads, ensuring accessibility for active mode travel, and to accommodate increased vehicular usage, including that generated by development of the Site and the CDL Arataki Road subdivision, safely and efficiently. In the wider area, the Council-led Brookvale Road Development project will provide intersection upgrades to ensure safe and convenient access to and from the wider Brookvale Structure Plan area and the proposed CDL Arataki Road subdivision will be possible. Beyond the frontage road improvements to Brookvale Road and Davidson Road, no other road upgrades have been identified as necessary to allow the Site to be developed for residential use.'*

11.3.3 The Plan Change Request proposes the following:

- Area D includes a proposed road alignment extending from Areas A and C parallel with Brookvale Road to provide integration across Davidson Road and access to the Deferred Residential area to the east (Area E).
- Upgrades to the existing roads in the Structure Plan area including Brookvale and Davidson Roads as the area transitions from rural to urban. An indicative cross section is proposed for the structure plan.
- Amended design criteria for Beecroft Drive to remove cycle lanes, provision of parking within the road carriageway or indented bays and traffic calming measures. Beecroft Drive will be within a 15m corridor with a cross-section included in the structure plan.

11.3.4 As part of this s42A report, Council's Transportation Policy and Planning Manager has provided a technical memo (attached as Attachment D) providing a review of the Traffic Report by Stantec New Zealand, and a review of the submissions related to traffic impacts. The memo concludes that, on the basis that the recommendations in the Traffic Report are adopted, *'the Site can be rezoned for residential use as envisaged by the Proposed Plan Change'*.

11.3.5 The memo notes the submissions that relate to traffic impacts and makes the following comments:

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- The development will be required to create an urbanised environment consistent with the requirements of Council's Engineering Code of Practice 2020.
- Network modelling indicates that there is sufficient capacity in the roading network to maintain a high level of service.
- Safety of all road users is a key consideration with new developments. The urbanisation will be key to achieving a lower speed environment as will lowering the speed limit (on Davidson Road).
- Where practicable and safe, crossings and shared path links would be provided. With the urbanisation, footpaths would be required.
- January 2026 will see bus services travelling via Arataki Road, Brookvale Road, and Russell Robertson Drive to serve this area.
- A Construction Traffic Management Plan (CTMP) will likely be required as a condition of consent.
- Council will be consulting early 2026 on lower speed limits to cater for residential development in the District including the Brookvale area.

11.3.6 Based on the information provided, I am satisfied that an appropriate intersection and internal roading network can be designed and constructed to accommodate the proposed level of development and the anticipated traffic volumes.

11.3.7 Furthermore, I consider that the proposed provisions will enable the roading infrastructure to be implemented in a manner that is generally consistent with the recommendations outlined in the Traffic Report accompanying the Plan Change Request.

## 11.4 Recommendations

11.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S1.1	Conrad and Verena Waitoa	Accept in part	The proposed planning provisions will require the upgrade of Davidson and Brookvale Roads.
S1.2	Conrad and Verena Waitoa	Accept in part	The proposed planning provisions will require the upgrade of Davidson and Brookvale Roads. Council will be consulting early 2026 on lower speed limits to cater for residential development in the District including the Brookvale area.
S1.3	Conrad and Verena Waitoa	Accept in part	Where practicable and safe, crossings and shared path links would be provided. With the urbanisation, footpaths would be required. January 2026 will see bus services travelling via Arataki Road, Brookvale Road, and Russell Robertson Drive to serve this area.
S4.4	Pip and Dan Taylor	Reject in part	A Construction Traffic Management Plan (CTMP) will likely be required as a condition of consent along with conditions on construction hours, dust suppression etc.
S4.7	Pip and Dan Taylor	Reject	While the main access from Area D will be from Davidson Road, access to Brookvale Road will still be permitted where ECOP is met.
S4.8	Pip and Dan Taylor	Reject	Network modelling indicates that there is sufficient capacity in the roading network to maintain a high



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			level of service. No further traffic assessments are required to inform this plan change.
S8.1	Tony & Suzy Martin	Accept in part	Council will be consulting early 2026 on lower speed limits to cater for residential development in the District including the Brookvale area.
S8.2	Tony & Suzy Martin	Accept in part	The proposed planning provisions will require the upgrade of Davidson and Brookvale Roads. With the urbanisation, footpaths would be required.

## 12 Topic 2: Stormwater

### 12.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
<b>S1.4</b>	Conrad and Verena Waitoa	Oppose / Support with Amendment
<b>S2.1</b>	Sam Newbigin	Support with Amendment
<b>S3.2</b>	Gerald Mulinder	Support with Amendment
<b>FS1</b>	Jeremy Haines	Supports S3.2
<b>S6.1</b>	Paul Maurice Stevenson	Oppose
<b>S7.3</b>	Landsdale Developments Ltd	Oppose / Support with Amendment

### 12.2 Overview of Submissions on this Topic

#### 12.2.1 Five submitters raised stormwater concerns in relation to PPPC9, which can be summarised as follows:

- Stormwater quality – stormwater design should achieve clear water quality outcomes, sediment control and cultural-health monitoring. Stormwater Management Plans should have performance standards for turbidity, metals and gross pollutants (S1.4).
- Sufficiency of land set aside for stormwater management - That sufficient stormwater management land be set aside so that neighbours are not affected by stormwater runoff and that HDC will not try to forcibly acquire our land at a later date (S2.1).
- Discharge of stormwater – pipe stormwater away from 134 Thompson Road (S3.2).
- Our property (98 Thompson Road) lies directly downslope of the proposed development area. We seek assurance that stormwater discharge patterns, overland flow paths, and catchment design will not: increase flood risk on our land, cause erosion or saturation issues, or lead to requests for access, easements, or compulsory acquisition for stormwater control. Given the scale and intensity of the development, these matters must be addressed with great care at both plan-change and engineering-design stages (FS1).
- Inadequacy of detention in the wider area and lack of capacity in the Karamu Stream in a major event (S6.1).

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- Stormwater solution for Areas A and B yet to be completed. Any updated Stormwater Management Plan must retain sufficient detention and conveyance capacity for Areas A and B and not allow Area D/E to occupy that capacity prematurely (S7.3).
- Three options have been presented as part of the servicing report prepared by Strata Group. A confirmed solution should be selected at the time of structure planning. One of the options presented (Option 3) intends to utilise land outside of the proposed structure plan area on Plains Production land. This discrepancy with the Structure Plan requires resolution (S7.3).
- The proposed stormwater solutions should be tested through detailed 1d and/or 2d modelling to properly assess the impacts of the proposed solutions, including the assessment of backwater effects from the Karamu and Karituwhenua catchments to the west, as well as the Taco Stream to the east (S7.3).
- No assessment of stormwater quality management has been provided. This requires consideration and incorporation into a proposed structure plan solution (S7.3).
- Should there be any required modification to the Drain where it has detrimental effects on other landowners (including Landsdale) this needs to be properly defined and understood and all adverse effects should be avoided, remedied or mitigated (S7.3).

### 12.3 Analysis

12.3.1 A Servicing Report by Strata Group accompanied the Plan Change Request and concludes;

- *"The analysis and reporting confirms that all Civil Engineering aspects of residential development including three waters and transportation services can, in principle, be provided at extended areas, and designed and constructed to the local authority guidelines, standards and codes of practice.*
- *Therefore, a change of land use of Area D from "Plains Production" to "Havelock North General Residential" zoning and Area E from "Plains Production" to "Differed (sic) Residential" zoning will not adversely affect the neighboring properties or the surrounding environment.*
- *In particular, the reporting has demonstrated that the existing overland flow from Arataki Catchment, over Brookvale Road, can be conveyed and managed within the PPC area and not worsen pre-development effects of flooding on those downstream.*
- *The stormwater detention options discussed in the Section 3.4 demonstrates that there are solutions to meet HBRC 80% Rule. Thus, we can endorse the servicing strategy as outlined within this report to apply the PPC as described in the proposed Brookvale Structure Plan."*

12.3.2 It is noted that the Strata Group Report discusses three potential options for stormwater detention. Option 1 involves detention wholly within Area D, Option 2 involves detention within Areas D and E, while Option 3 involves detention outside of the rezoning area on Plains Production Zone land. The focus of this analysis is Option 1 given that this solution is contained within Area D, in other words, it does not rely on land outside the Requestor's ownership.

12.3.3 The following advice was received by Council's 3 Waters Growth & Development Manager in response to the points raised in submissions;

- Any urban development that discharges into the HDC urban stormwater network will be required to comply with the conditions and standards imposed through the HDC Stormwater Network consent and the Brookvale Stormwater Management Plan. This

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- ensures that appropriate stormwater quality and quantity controls are in place to mitigate the impacts of development on the receiving environment.
- Any required regional consents required for stormwater discharge will likely set enforceable water-quality performance outcomes (including, where relevant to the risk profile, parameters such as turbidity/sediment, metals, and gross pollutant controls), plus maintenance and monitoring requirements that are capable of audit and reporting through the relevant HDC/HBRC consent pathways.
  - Any development enabled by the plan change will be required to demonstrate, at subdivision and/or land-use consent stage, that sufficient land and infrastructure are provided within the development footprint to manage stormwater effects.
  - Hastings District Council is not proposing, nor intending, to pursue compulsory acquisition of neighbouring land under the Public Works Act (or any similar legislation) to enable stormwater management for this rezoning.
  - The responsibility for stormwater mitigation sits with the developer, who must provide a self-sufficient stormwater solution that avoids adverse effects on neighbouring properties.
  - Detailed stormwater design will be required to show that:
    - Post-development stormwater runoff does not worsen pre-development conditions on adjacent land.
    - Adequate detention, conveyance, and overland flow paths are provided to manage storm events in accordance with HDC standards.
    - Stormwater can be managed without reliance on additional land outside the rezoning area or the Council's existing stormwater network capacity.
    - If a compliant stormwater solution cannot be achieved within the land subject to the plan change (or land otherwise controlled by the applicant), development would not be supported.
  - This ensures that neighbouring properties are protected from increased stormwater runoff effects and that Council is not required to seek additional land to enable development.
  - Strata have demonstrated through their infrastructure report that stormwater can be fully managed and contained within the footprint of the Private Plan Change area. Council supports this approach, as it provides a self-sufficient stormwater solution that does not rely on land outside the plan change area.
  - Council does not support Option 3, which proposes stormwater mitigation to be achieved outside the PPC footprint, as this approach relies on land beyond the plan change area and introduces uncertainty regarding delivery and land control.
  - Urban development proposals are required to demonstrate that stormwater quantity and overland flow effects are appropriately managed so that development does not result in increased flood risk, nuisance, or adverse effects on neighbouring properties.
  - Any development enabled by the plan change will be required, at subdivision and/or land-use consent stage, to comply with Hastings District Council's Engineering Code of Practice (ECOP) and the stormwater performance requirements imposed through Council's stormwater network discharge consent framework. This includes demonstrating that:
    - Post-development stormwater runoff does not worsen pre-development conditions for downstream and adjacent properties;
    - Overland flow paths are clearly identified, appropriately designed, and managed within the development footprint or designated drainage reserves; and

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- Stormwater is conveyed via engineered pipe networks, detention basins, and controlled outlets, rather than being allowed to discharge in an uncontrolled manner onto neighbouring land.
- Detailed stormwater design will be required to confirm that runoff is appropriately collected, conveyed, and attenuated, with pipe sizing, detention storage, and surface flow controls designed in accordance with HDC standards. Where overland flow must be accommodated during large rainfall events, this will be managed through defined and engineered flow paths that avoid adverse effects on neighbouring properties.
- Accordingly, the plan change does not enable uncontrolled stormwater discharge toward neighbouring land. Instead, it requires that stormwater effects be resolved through detailed engineering design and consenting, ensuring that development can proceed without increasing stormwater runoff impacts on adjacent properties.
- The submitter's concerns are acknowledged, particularly in relation to past experiences and the adequacy of stormwater detention in the wider area.
- The existing Brookvale stormwater management system has been designed and modelled to provide sufficient detention and mitigation up to 80% of the 1 in 100-year flood for development enabled under the Brookvale Structure Plan within an existing flood plain, hence the large basin requirement.
- It should be noted that downstream effects resulting from the Karamu flood heights were considered and modelled to determine Karamu flood height boundary conditions and how they impact the Karituwhenua and Crombie drains (backwater). This design has informed Council's stormwater planning and consenting framework for the area.
- The proposed plan change does not rely on additional detention capacity within the existing stormwater management system, nor does it require the use or acquisition of neighbouring land and any development enabled by the plan change must provide a self-sufficient stormwater solution, including on-site detention, that does not worsen flood risk or downstream effects.
- Council is not proposing to acquire additional private land to facilitate stormwater detention for this development. If adequate detention cannot be achieved within the plan change area (or land otherwise controlled by the developer), development would not be supported.
- Accordingly, the plan change framework ensures that stormwater effects must be appropriately managed without increasing pressure on downstream waterways or impacting neighbouring landowners.
- The existing 28 m Crombie Drain reserve functions as the primary trunk corridor for stormwater servicing within the Brookvale Structure Plan catchment. Importantly, the stormwater management system planned and delivered by Council has been designed to service development enabled under the existing Structure Plan only. It has not been designed or sized to accommodate additional development enabled through this plan change.
- Accordingly, development enabled by the plan change for Areas D and E cannot rely on, occupy, or pre-empt stormwater detention or conveyance capacity intended for Areas A and B and any stormwater solution for Areas D and E must be stand-alone and self-sufficient, achieving equivalent performance outcomes without consuming capacity within the existing or planned public stormwater system.
- Three stormwater detention options have been presented in the applicant's servicing report. Council does not support Option 3, which relies on land outside the plan change and Structure Plan area, as this approach is inconsistent with enabling

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development through a plan change and introduces uncertainty regarding land control and delivery.

- Council's assessment proceeds on the basis that any acceptable solution must be contained within the plan change footprint (or land otherwise lawfully secured by the developer).
- While detailed stormwater quality investigations and design have not been provided at plan-change stage, this is not unusual as these matters will be appropriately addressed through subdivision and land-use consenting where sw quality compliance with Council standards and regional requirements will need to be demonstrated.
- No modifications to the Crombie Drain within the extents of the existing Brookvale Structure Plan area or reliance on Landsdale land are required to enable the plan change.

12.3.4 Concerns have been raised by submitters that in my opinion require modifications to the plan provisions proposed. These relate to development in Areas D and E taking up capacity within the identified Stormwater Management Area within Area B. Whilst it is the Requestor's intention that Areas D and E be self-sufficient with regards to stormwater the proposed Structure Plan provisions lack clarity in this regard. Rather than amending the design outcome (BRSP-O5) to suit all areas it is recommended to keep the existing wording unchanged for Areas A, B & C and add specific wording for Areas D & E. This wording provides clarification on the vesting of detention areas outside of the Crombie Drain Reserve. Vesting is required as this detention area will be part of a Council network of public roads and drainage reserves. Land needs to be vested at no cost to Council. Modifications are recommended below.

12.3.5 Based on the technical report from Strata Group and the advice of Council's 3 Waters Growth & Development Manager, I am satisfied that any adverse effects relating to the management of stormwater can be suitably mitigated through the proposed plan provisions with modifications.

## 12.4 Recommendations

12.4.1 Modifications to the proposed provisions are recommended as follows;

Proposed Provision	Recommended Modifications
<p>Appendix 13B Brookvale Structure Plan Design Outcomes Infrastructure Services BRSP-O5 Stormwater: Stormwater is to be managed and treated by means of a low impact stormwater system that includes an upgrade to the existing Crombie Drain <del>and</del>, a detention pond to the north of the Crombie Drain and adjacent to the Russell Robertson Drive extension, <u>and where required, additional stormwater detention areas including within the proposed Crombie Drainage Reserve.</u> Both of these <del>These</del> areas have been identified on the Brookvale Structure Plan (Appendix 13B, Figure 1) as Stormwater Management Areas. All areas needed for stormwater management purposes will be vested in Council. Roadside drainage features will be used to convey stormwater runoff to the Crombie drain. The final width of the Drainage Reserve (28 metre minimum) and location and size of the ponds/wetlands/<u>detention areas</u> constructed within these Stormwater Management Areas will be confirmed during the first subdivision as part of the</p>	<p>Appendix 13B Brookvale Structure Plan Design Outcomes Infrastructure Services BRSP-O5 Stormwater: <u>Areas A, B &amp; C</u> Stormwater is to be managed and treated by means of a low impact stormwater system that includes an upgrade to the existing Crombie Drain and a detention pond to the north of the Crombie Drain and adjacent to the Russell Robertson Drive extension. Both of these areas have been identified on the Brookvale Structure Plan (Appendix 13B, Figure 1) as Stormwater Management Areas. All areas needed for stormwater management purposes will be vested in Council. Roadside drainage features will be used to convey stormwater runoff to the Crombie drain. The final width of the Drainage Reserve (28 metre minimum) and location and size of the ponds/wetlands constructed within these Stormwater Management Areas will be confirmed during the first subdivision as part of the preparation of a complete Stormwater Management Plan for the entire Brookvale Structure Plan Area [1].</p>

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<p>preparation of a complete Stormwater Management Plan for the entire Brookvale Structure Plan Area [1] <u>and/or through subsequent Stormwater Management Plans for each stage of development which demonstrate integration with the overall approach for the structure plan. Alternative stormwater management areas may be identified and included within the Stormwater Management Plan at resource consent stage.</u></p> <p>Remaining land that is not required for stormwater management purposes within the identified stormwater management area (including access for maintenance and for public safety) can then be utilised in accordance with its underlying zoning. This approach is covered under Rule 30.1.7Z(8). The stormwater system is to meet 'the design principles for stormwater attenuation and treatment' set out in the Hawkes Bay Regional Council, April 2009, Hawkes Bay Waterway Guidelines. The system is to achieve best practice from source through to discharge at the boundary so as to mitigate the effects of urban development on stormwater quality and quantity. In particular the system is to: Be in general accordance with the Brookvale Structure Plan map (Appendix 13B) including the cross section minimum width of 28 metres and the Crombie Drain profile attached to this Structure Plan text as Figure 3; Attenuate stormwater in order to achieve a discharge at the boundary of the developed area that is not greater than predevelopment flow; Individual site stormwater shall be designed to comply with the HDC Engineering Code of Practice/ District Plan ; The Drainage Reserve and stormwater management ponds / wetlands [or the specific mitigation devices to be advised] are to be vested in Hastings District Council upon subdivision;</p> <p><del>At the time of the first subdivision for Stage 1 of Area A, a 'Stormwater Management Plan' (SMP) is to be provided prepared for the entire Brookvale Structure Plan area.</del> <u>Subsequent SMPs may be prepared for each stage of development providing that integration with the overall approach for the structure plan is demonstrated.</u> The SMP(s) will demonstrate how 'stormwater neutrality' is to be achieved such that existing rates of runoff are not exceeded. The SMP(s) will specify the mix of measures to be employed including, but not necessarily limited to: <u>Any communal measures and, their capacity, design, management and ownership; Any areas of the proposed Crombie Drain Reserve that will be set aside for flood storage and mitigation, and associated indicative cross-sections;</u> Land within the stormwater management areas that is not required for stormwater management purposes but is required for access for maintenance and public safety; The Whakatomo Place existing overland flowpath and existing concrete lined open swale drain which discharges to the Crombie Drain.</p>	<p>Remaining land that is not required for stormwater management purposes within the identified stormwater management area (including access for maintenance and for public safety) can then be utilised in accordance with its underlying zoning. This approach is covered under Rule 30.1.7Z(8). The stormwater system is to meet 'the design principles for stormwater attenuation and treatment' set out in the Hawkes Bay Regional Council, April 2009, Hawkes Bay Waterway Guidelines. The system is to achieve best practice from source through to discharge at the boundary so as to mitigate the effects of urban development on stormwater quality and quantity. In particular the system is to: Be in general accordance with the Brookvale Structure Plan map (Appendix 13B) including the cross section minimum width of 28 metres and the Crombie Drain profile attached to this Structure Plan text as Figure 3; Attenuate stormwater in order to achieve a discharge at the boundary of the developed area that is not greater than predevelopment flow; Individual site stormwater shall be designed to comply with the HDC Engineering Code of Practice/ District Plan ; The Drainage Reserve and stormwater management ponds / wetlands [or the specific mitigation devices to be advised] are to be vested in Hastings District Council upon subdivision;</p> <p>At the time of the first subdivision for Stage 1 of Area A, a 'Stormwater Management Plan' (SMP) is to be provided for the entire Brookvale Structure Plan area. The SMP will demonstrate how 'stormwater neutrality' is to be achieved such that existing rates of runoff are not exceeded. The SMP will specify the mix of measures to be employed including, but not necessarily limited to: Land within the stormwater management areas that is not required for stormwater management purposes but is required for access for maintenance and public safety; The Whakatomo Place existing overland flowpath and existing concrete lined open swale drain which discharges to the Crombie Drain. Included in this aspect of the assessment consideration needs to be given to the height of Brookvale Road and surrounding properties to alleviate ponding. The existing concrete lined open swale drain or approved alternative is to be accommodated within road corridor or drainage reserve and vested in Council.</p> <p>[1]The stormwater management solution shall have the endorsement of the Hawkes Bay Regional Council prior to it being lodged as part of this application.</p> <p><u>Area D &amp; E</u> <u>Stormwater management for Areas D and E will be managed independently from the Stormwater Management Plan (SMP) prepared for Areas A, B, and C, while still meeting the same level of service. The Stormwater Management Area within Area B</u></p>
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Included in this aspect of the assessment consideration needs to be given to the height of Brookvale Road and surrounding properties to alleviate ponding. The existing concrete lined open swale drain or approved alternative is to be accommodated within road corridor or drainage reserve and vested in Council. [1]The stormwater management solution shall have the endorsement of the Hawkes Bay Regional Council prior to it being lodged as part of this application.	<p><u>was not designed to accommodate runoff from Areas D and E; therefore, these areas must implement self-sufficient stormwater solutions.</u></p> <p><u>For Area D, the stormwater management approach will include a Crombie Drain Reserve with a minimum width of 28 metres, along with an additional detention area located within the development site. Both the Crombie Drain Reserve and the detention area will be vested as drainage reserves at no cost to the Council.</u></p>
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12.4.2 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S1.4	Conrad and Verena Waitoa	Accept in part	Any urban development discharging into the HDC stormwater network must comply with the HDC Stormwater Network consent and Brookvale Stormwater Management Plan, ensuring appropriate quality and quantity controls to protect the receiving environment. Regional discharge consents will set enforceable water-quality standards (e.g., turbidity, sediment, metals, gross pollutants) along with maintenance and monitoring requirements, subject to audit through HDC/HBRC consent processes.
S2.1	Sam Newbiggin	Accept in part	The application for rezoning of Areas D and E will require an independent developer led solution. HDC is not intending to acquire more land for detention within the Brookvale Stormwater Management Plan area on behalf of the applicant.
S3.2	Gerald Mulinder	Accept in part	Urban development proposals must show stormwater quantity and overland flow are managed to avoid increased flood risk, nuisance, or adverse effects on neighbouring properties.
FS1	Jeremy Haines	Accept in part	As above
S6.1	Paul Maurice Stevenson	Reject	Council is not proposing to acquire additional private land to facilitate stormwater detention for this development.
S7.3	Landsdale Developments Ltd	Accept in part	BRSP-05 is recommended to be amended to clarify that Areas D and E are independent of the SMP for Areas A, B & C and that any detention areas are to be vested at no cost to Council.

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## 13 Topic 3: Soil Contamination

### 13.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S1.5	Conrad and Verena Waitoa	Oppose / Support with Amendment

### 13.2 Overview of Submissions on this Topic

13.2.1 One submitter raised soil contamination concerns in relation to PPPC9, which can be summarised as follows:

- Development must require verified NESCS compliance, a discovery protocol, and disposal pathways for soils that exceed background or ecological guideline values before bulk earthworks commence. Remediation should restore balance and health to the soil before construction proceeds to ensure a safe and enduring foundation for future residents (S1.5).

### 13.3 Analysis

13.3.1 A Detailed Site Investigation Report prepared by EAM NZ Ltd (EAM) accompanied the Plan Change Request and reviews the following in relation to Area D of the Structure Plan:

- *'The type, extent, and level of contamination, if any, within the site.'*
- *'Whether contaminants of concern identified present an unacceptable risk to human health or identified environmental receptors.'*
- *'Whether the soils remaining on-site are suitable for the proposed end use.'*

13.3.2 The Report states that the area is considered more likely than not to be a Hazardous Activities and Industries List (HAIL) site, with *'contaminants of concern identified for this property included lead-based paint on historical sheds, and residual asbestos, from chicken houses which were identified at the property from property files, from at least 1964, through to at least 1977. A small burn pile also suggests potential release of metals such as copper, chromium, and arsenic, as a result of burning of tanalised timber'*.

13.3.3 The Report concludes that *'based on the analytical results, the site has been impacted by HAIL uses, however the concentrations reported by the laboratory suggest that they are within acceptable standards for the proposed development. The properties at 137, 143 and 145 Brookvale Road are considered highly unlikely to pose a risk to human health'*.

13.3.4 In relation to Area E (Deferred Residential) the Plan Change Request & S32 Assessment Report outlined that *'a desktop study and site visit identified potential sources of asbestos and lead paint from historic buildings/structures and a burn pile at 155 Brookvale Road'*. The report concludes that more detailed investigations will be needed for Area E prior to any subsequent rezoning but that *'any impacts can likely be addressed through appropriate site management.'*

13.3.5 For the purposes of this plan change, I consider this approach for Areas D and E to be appropriate, as any contaminated soils requiring disturbance can be removed, remediated, or otherwise managed to ensure that human health is adequately protected.

### 13.4 Recommendations

13.4.1 The following recommendations are made on the submission points.



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Sub Point	Submitter / Further Submitter	Recommendation	Comment
S1.5	Conrad and Verena Waitoa	Accept in part	Compliance with NES-CS and discovery protocols will be required.

14 Topic 4: Highly Productive Land

14.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S1.6	Conrad and Verena Waitoa	Oppose / Support with Amendment
S4.5	Pip and Dan Taylor	Oppose

14.2 Overview of Submissions on this Topic

14.2.1 Two submitters raised highly productive land concerns in relation to PPPC9, which can be summarised as follows:

- The land is LUC 3S1, characterised by shallow stoniness and a shallow clay horizon, which limit productivity and uniform growth. Notably, there are no current irrigation consents, and HBRC is not issuing new ones, making commercial horticulture unsuitable. This supports rezoning in this location rather than displacing higher-class soils elsewhere. This must be transparently recognised in the decision and monitoring to align with national policy intent and the FDS (S1.6).
- The Plains Production Zone is intended to protect versatile land for primary production and avoid irreversible loss of productive soils. The National Policy Statement on Highly Productive Land (2022) requires councils to protect such land from urban development. This rezoning would conflict with both (S4.5).

14.3 Analysis

14.3.1 The National Policy Statement for Highly Productive Land (NPS-HPL), which came into effect in October 2022, seeks to protect highly productive land (HPL), particularly Land Use Capability (LUC) Classes 1, 2, and 3, for land-based primary production. It responds to the ongoing loss of productive soils to urban development and rural lifestyle subdivision. As at 15 January 2026 the NPS-HPL was amended to remove some of the restrictions for urban rezonings on LUC3 land.

14.3.2 In the case of the Brookvale East area, the NPS-HPL is acknowledged but does not directly apply under the transitional definition of HPL, as the area was identified in strategic planning documents (HPUDS) as future urban development land at the commencement date of NPS-HPL. This excludes it from being classified as HPL during the transitional period.

14.3.3 The land’s strategic identification for urban growth means that the rezoning does not conflict with the intent of the NPS-HPL. Nonetheless, the principles of the NPS-HPL remain relevant in ensuring that:

- The loss of productive land is minimised and justified;
- Reverse sensitivity effects with adjoining Plains Production Zone land are appropriately managed;

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- The rezoning is consistent with the NPS-UD, which requires councils to provide sufficient development capacity in well-functioning urban environments.
- 14.3.4 An Assessment of the Productive Capability of the Land Report by Fruition was submitted in support of the Plan Change Request. This report identifies the land's main limitations as shallow stoniness, shallow clay horizon in the rooting zone and no current water allocation for irrigation. While the land does have some productive potential, it is comparatively low when assessed against other greenfield urban growth options within the Hastings–Havelock North catchment. The rezoning sticks to the logical boundaries first identified in HPUDS and reaffirmed in the FDS being the Crombie Drain and the change in level between 161 and 163 Brookvale Road.
- 14.3.5 Reverse Sensitivity effects are discussed below as Topic 7. The proposed Crombie Drain Open Space Reserve achieves a suitable buffer for Area D. Similar provisions would be likely for Area E (to be confirmed as part of a subsequent plan change).
- 14.3.6 An Economic Assessment by Property Economics was submitted in support of the Plan Change Request. This report concludes that *'the proposed PPC and subsequent retirement village development plan offer a promising response to the challenge of accommodating the expected growth in the senior population over the next 30 years. While the PPC alone does not fully address the shortfall, it represents a positive step towards meeting this demand.'*
- 14.3.7 The rezonings consistency with the FDS and the NPS-UD is key. The Future Development Strategy (FDS) identifies Brookvale East as a priority greenfield growth area (HN6) required within the life of the strategy. Rezoning this land now ensures that Hastings District can meet housing demand and maintain a competitive, responsive land supply, as required by Policy 1 and Policy 2 of the NPS-UD.
- 14.3.8 The rezoning aligns with regional and district growth strategies, including the Hawke's Bay Regional Policy Statement and the FDS, which promote planned, staged development within defined urban limits. By concentrating growth in an identified area, PPPC9 avoids ad hoc expansion and supports efficient use of land and infrastructure.
- 14.3.9 The inclusion of a retirement village within the rezoning responds to the documented need for housing and care options for an ageing population, consistent with Policy 1 of the NPS-UD, which requires councils to provide for a range of housing types and choices.
- 14.3.10 In summary, while the Brookvale East area contains LUC3 land, its status as future urban land under the region's strategic planning framework means it is not subject to the constraints of the NPS-HPL under the transitional definition of HPL. The rezoning proposal remains consistent with national policy direction when considered alongside the NPS-UD and the FDS.

#### 14.4 Recommendations

- 14.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S1.6	Conrad and Verena Waitoa	Accept in part	Limitations of the sites are recognised and status as future urban development land.
S4.5	Pip and Dan Taylor	Reject	The rezoning is considered consistent with NPS-HPL, Hastings District Plan and RMA.

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## 15 Topic 5: Infrastructure

### 15.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S1.7	Conrad and Verena Waitoa	Oppose / Support with Amendment
S4.8	Pip and Dan Taylor	Oppose
S7.1 S7.4 S7.6	Landsdale Developments Ltd	Oppose / Support with Amendment
S8.3	Tony & Suzy Martin	Support with Amendment

### 15.2 Overview of Submissions on this Topic

#### 15.2.1 Four submitters raised infrastructure concerns in relation to PPC9, which can be summarised as follows:

- The S32 report proposes that no occupation in Area D occurs until a new wastewater pump station is available or an alternative solution is provided. That condition must be strengthened, with equivalent certainty for all critical network upgrades, including roading, stormwater detention, and intersection works, before titles or CCC are issued (S1.7).
- Cumulative impacts from new developments in the wider Havelock North area (including the Middle Road/Iona area) may exceed the capacity of existing infrastructure and roads (S4.8).
- Landsdale Developments Ltd supports the orderly urban expansion of Brookvale but opposes PPC9 unless modified to secure integrated servicing, fair capacity allocation, and the staging sequence that has previously established through the Environment Court. The Council's delay in delivering stormwater infrastructure has already constrained its development. PPC9 changes servicing timing and priority in ways that could further delay or increase costs for Areas A and B (S7.1).
- Rule 8.2.6G links occupation in Area D to availability of a new pump station but does not appear to provide a mechanism to guarantee capacity for earlier stages. A parallel control should confirm equitable timing and allocation for Areas A and B. The costs sharing associated with this should also be clarified, as should the point of discharge to the network within the Structure Plan (S7.4).
- Landsdale has already borne delays and cost due to Council's servicing program. PPC9 must not shift infrastructure burdens or re-prioritise delivery to the detriment of Landsdale (S7.6).
- Tony & Suzy Martin (owners of 185 Brookvale Road) understands the new development includes an upgrade to the wastewater system extending to approximately 161 Brookvale Road. *'We would appreciate clarification on whether properties beyond this point, such as ours at 185 Brookvale Road, will have the opportunity to connect to the new system in future'* (S8.3).

### 15.3 Analysis

#### 15.3.1 A Servicing Report by Strata Group accompanied the Plan Change Request and concludes;

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- *“The analysis and reporting confirms that all Civil Engineering aspects of residential development including three waters and transportation services can, in principle, be provided at extended areas, and designed and constructed to the local authority guidelines, standards and codes of practice.*
- *Therefore, a change of land use of Area D from “Plains Production” to “Havelock North General Residential” zoning and Area E from “Plains Production” to “Differed (sic) Residential” zoning will not adversely affect the neighboring properties or the surrounding environment.”*

15.3.2 The following advice was received by Council’s 3 Waters Growth & Development Manager in response to submissions;

- **Stormwater** - The Brookvale Stormwater Management design provides sufficient storage and mitigation up to 80% of the 1 in 100-year rain event to support discharges from existing and planned future development within the Brookvale Structure Plan area upstream of Romanes Drive. The application for rezoning of areas D and E has not been considered in the Brookvale Stormwater Management Area solution and will therefore require an independent developer led solution that achieves the same performance outcomes without consuming capacity or having a detrimental effect to the current stormwater service area. Landsdale’s position is noted. However, it is important to clarify the stormwater servicing context and the relationship between PPC9 and Council’s wider capital programme.
  - First, the existing Council stormwater network in the Brookvale Structure Plan catchment was not designed or sized to accommodate the additional development enabled through PPC9. The current network has been modelled and planned around the Brookvale Structure Plan assumptions and associated staging. As such, any development that proceeds under PPC9 cannot rely on the public stormwater system to provide capacity beyond what has already been planned.
  - PPC9 proponents will need to demonstrate that stormwater can be managed independently (stand-alone) within their own development footprint and discharge arrangement, in a way that does not create adverse effects on the downstream public system or wider catchment.
  - Second, PPC9 does not change, re-prioritise, or otherwise affect Council’s existing capital works programme. The variation is a planning framework change; it does not redirect funding, alter project sequencing, or reduce Council’s obligations to deliver infrastructure. All current HDC capex projects—including stormwater infrastructure that have been identified to enable the Brookvale Structure Plan remain governed by Council’s adopted Long Term Plan / Annual Plan, business cases, and delivery timelines. In short, PPC9 has no bearing on other HDC capex projects, including stormwater, and it should not be interpreted as either accelerating or displacing Council-led infrastructure delivery elsewhere.
  - So, while Landsdale is correct that it sits within an integrated servicing environment given the receiving environment is the Combine Drain, the practical implication is this:
    - The public stormwater network was not built to absorb development pressure within the PPC9 area, therefore PPC9-enabled development must be serviced on a self-sufficient basis for stormwater; and

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- PPC9 does not alter Council's capital delivery commitments for Brookvale or any other growth area. Existing HDC stormwater capex remains as programmed and funded independently of PPC9.
- **Water** - Extensive water-supply modelling was undertaken as part of the Brookvale Structure Plan. In response, water infrastructure has been upsized along Karituwhenua Drive and Romanes Drive to ensure adequate supply. The final stage of the Romanes Drive watermain upgrade is currently under construction, with completion forecast for later this year which completes the water infrastructure upgrades to enable development. On 6 June 2025, sensitivity modelling was completed to test the effects of increased development across the wider area. This assessment included growth within Brookvale Areas D and E, as well as Arataki Extension. For future developments, additional dwellings were added to the model and assessed. The modelling also compared projected 2045 demand under a high-growth scenario for the broader Brookvale area (1,035 properties modelled) against HPUDS expectations for Brookvale (575 properties). Results confirm that wider network impacts are minimal. No significant capacity constraints were identified in terms of pressure or flow. While minor operational adjustments at pump stations and PRVs could be made if required to maintain current levels of service, the predicted effects are less than minor, and no operational changes are proposed at this time.
- **Wastewater** - Extensive wastewater modelling confirms there is sufficient capacity in the 375 mm wastewater main fronting the Brookvale Road development, provided the planned upgrades at the Napier Road bifurcation chamber are completed. These upgrades will allow a controlled overflow into the reserve DN600 trunk main, effectively doubling downstream capacity and reducing surcharging across the Romanes / Brookvale Road network. A full modelling review and on-site fatal flaws/constructability assessment has been completed. HDC is now finalising detailed design, with budget allocated in this financial year to construct the solution. The modelling has considered the entire Brookvale Structure Plan catchment, including this development and Arataki Extension. Landsdale's comments are noted. From a wastewater perspective, however, PPC9 sits outside and does not interact with Landsdale's integrated servicing, capacity allocation, or staging pathway.
  - First, PPC9 does not propose, require, or enable any integration of wastewater servicing with Landsdale's landholdings or future developments. The PPC9 site is serviced independently through a pumped direct connection to the HDC wastewater network on Brookvale Road. This connection does not traverse or depend on Landsdale infrastructure, nor does it form part of a shared servicing solution.
  - Second, HDC's wastewater modelling has specifically assessed the receiving 375 mm Brookvale Road main and the downstream network, including the planned augmentations. The modelling confirms there is sufficient capacity to service PPC9 without adverse effects elsewhere in the catchment. While there is no formal or pre-assigned wastewater "capacity allocation" for Landsdale within the public network, the capacity assumptions that can reasonably be inferred from the Structure Plan modelling for Areas A and B are not diminished or constrained by PPC9.
  - Third, because PPC9 discharges directly into the HDC public main at Brookvale Road and does not rely on any shared or intermediary wastewater infrastructure, it does not alter:
    - the integrated servicing approach for Landsdale land,

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- the capacity allocation assumptions underpinning the Structure Plan and Environment Court staging, or
- the sequencing and delivery pathway established for Areas A and B.
- In short: PPC9 is serviced independently, proven to fit within the wastewater capacity envelope already modelled for the wider Brookvale catchment, and has no bearing on Landsdale’s integrated servicing, capacity allocation, or staging sequence.

Landsdale’s comments on Rule 8.2.6G are noted. However, a parallel control to guarantee capacity for earlier stages is not required in this instance for the following reasons;

- First, the new pump station referenced in Rule 8.2.6G is specific to servicing the area associated with PPC9 and is a standalone asset. It is not part of, nor reliant on the Landsdale pump station and downstream servicing solution intended to serve Areas A and B. In practical terms, the Area D pump station functions as an independent servicing pathway for the catchment of PPC9, with its own capacity envelope and discharge configuration.
- Second, there is no impact on Areas A and B capacity or timing because the Area D pump station is stand-alone, its delivery (and the occupation trigger tied to it) does not consume, pre-empt, or otherwise affect the wastewater capacity available to Areas A and B as areas A and B remain serviced through the Landsdale pump station. Therefore, there is no need for an additional rule mechanism to “guarantee” capacity for earlier stages of Areas A and B, as that capacity is not contingent on the Area D pump station being delivered.
- Third, given the separation of servicing pathways cost sharing for the Area D pump station rests with the Area D development (or its proponents). It does not impose any cost burden on Landsdale’s Areas A and B, and it is not integrated with the Landsdale pump station in any way. Accordingly, no cost contribution or compensation to Landsdale for use of their pump station or wastewater infrastructure delivered via their developments is required or justified. The point of discharge for Area D is determined through its own servicing design and approvals, consistent with Council’s infrastructure standards. It is not tied to, nor does it reconfigure, the Landsdale discharge location already established for Areas A and B under the Structure Plan.

In response to Submission Point 8.3, Council has no plans to extend the wastewater network further along Brookvale Road.

- **Infrastructure Costs and Delivery** - Landsdale’s concerns are understood. From an infrastructure and delivery perspective, however, PPC9 does not create the outcomes Landsdale is worried about.
  - First, PPC9 does not re-prioritise Council infrastructure delivery as PPC9 is a planning framework change only. It does not alter HDC’s adopted capital programme, budget allocations, or delivery sequencing for Brookvale or any other growth area. Council stormwater, wastewater, and transport projects remain governed by the LTP/Annual Plan. Accordingly, PPC9 cannot shift priority or timing of Council works to the detriment of Landsdale.
  - Second, the onus sits with the PPC9 proponent to provide a self-sufficient/mitigated solution. In other words, PPC9-enabled development must “carry its own weight” and cannot rely on Landsdale infrastructure or consume capacity allocated for the Brookvale Structure Plan.
  - Third, Landsdale’s servicing pathway remains unchanged Landsdale’s developments in Areas A and B continue to be serviced through the

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established pump station and Brookvale Structure Plan network. PPC9 does not connect into, depend on, or draw from that servicing solution, and therefore does not affect the feasibility, timing, or cost of Landsdale's delivery pathway.

15.3.3 Further to the concerns raised by Landsdale relating to development in Areas D and E shifting an infrastructure burden onto developers within the existing Structure Plan area, any infrastructure required to service Areas D and E including the wastewater pump station and stormwater detention areas needs to be solely funded by the developer. These are not infrastructure items in Council's LTP and therefore should be funded by the proponents of the plan change. Section 2.5 of HDC's Development Contributions Policy relates to works within a development site and states that *"Within the boundaries of the development site, the developer shall provide the following as part of the cost of development...wastewater network"*. Note 1 goes on to state that *"A reduction in development contributions may be applied if any internal infrastructure includes a proportion of "up-sizing" required by the Council beyond that required to service the subject development"*. In this case Council is not requiring the upsizing of the wastewater pump station therefore there is no financial implications for Council's LTP.

15.3.4 On this basis there would be no cost on Council nor on developers within the existing Structure Plan Area. Modifications are recommended below to provide clarification on this matter.

15.3.5 Based on the technical report from Strata Group and the advice of Council's 3 Waters Growth & Development Manager, I am satisfied that any adverse effects relating to the management of stormwater, wastewater and water can be suitably mitigated through the proposed plan provisions with modifications.

## 15.4 Recommendations

15.4.1 Modifications to the proposed provisions are recommended as follows;

Proposed Provision	Recommended Modifications
Appendix 13B Brookvale Structure Plan Design Outcomes Infrastructure Services BRSP-O5 Wastewater  There are fixed points for wastewater connection at Romanes Drive and Napier Road, which are identified on the Structure Plan diagram (Appendix 13B, Figure 1). The existing wastewater services network will need to be extended and upgraded along Davidson Road to slightly north of the Crombie Drain then run west back to the identified point of connection on Romanes Drive. Services can run either within the Drainage Reserve itself or alternatively easements will be required. All other new service infrastructure will be constructed by the developer. Two key features of the wastewater servicing design will be two new pump stations to manage wastewater flow back to the existing HDC network. The location of these pump stations will not be known until detailed design work is carried out but indicatively are needed within <del>Stage Area B and C (or alternatively within the 'future stage as identified by HPUDS')</del> D. The pump stations will have all equipment located below ground level except	Appendix 13B Brookvale Structure Plan Design Outcomes Infrastructure Services BRSP-O5 Wastewater:  There are fixed points for wastewater connection at Romanes Drive and Napier Road, which are identified on the Structure Plan diagram (Appendix 13B, Figure 1). The existing wastewater services network will need to be extended and upgraded along Davidson Road to slightly north of the Crombie Drain then run west back to the identified point of connection on Romanes Drive. Services can run either within the Drainage Reserve itself or alternatively easements will be required. All other new service infrastructure will be constructed by the developer. Two key features of the wastewater servicing design will be two new pump stations to manage wastewater flow back to the existing HDC network. The location of these pump stations will not be known until detailed design work is carried out but indicatively are needed within <del>Stage Area B and C (or alternatively within the 'future stage as identified by HPUDS')</del> D. The pump stations will have all equipment located below ground level except

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for an equipment box which will be screened by landscaping on all sides except the road frontage to maintain access for maintenance purposes. <u>Legal access to the wastewater pumpstation for Area E will be provided through Area D to future proof this area for residential development.</u> All extension <del>upgrades</del> need to be constructed in accordance with the HDC Engineering Code of Practice. Sewer reticulation layouts will require a mix of gravity and rising mains due to the naturally sloping ground of the development area towards the Crombie Drain.	for an equipment box which will be screened by landscaping on all sides except the road frontage to maintain access for maintenance purposes. <u>Legal access to the wastewater pumpstation for Area E will be provided through Area D to future proof this area for residential development. The pump station within Area D shall be fully funded by the developer.</u> All extension <del>upgrades</del> need to be constructed in accordance with the HDC Engineering Code of Practice. Sewer reticulation layouts will require a mix of gravity and rising mains due to the naturally sloping ground of the development area towards the Crombie Drain.
Section 30.1 Subdivision and Land Development  30.1.7Z Subdivision within the Brookvale Urban Development Area (Appendix 13B, Figure 1)  e. Identify any Stormwater Management Areas required including drains, detention ponds, wetlands and conveyance systems to achieve stormwater neutrality and define the extent to which the Stormwater Management Areas are needed as a result of development within the structure plan area;  <i><u>Note: Land required for stormwater management and detention purposes and which is not part of the Crombie Drainage Reserve shall be acquired by Council by agreement or in accordance with the Public Works Act 1981.</u></i>	Section 30.1 Subdivision and Land Development  30.1.7Z Subdivision within the Brookvale Urban Development Area (Appendix 13B, Figure 1)  e. Identify any Stormwater Management Areas required including drains, detention ponds, wetlands and conveyance systems to achieve stormwater neutrality and define the extent to which the Stormwater Management Areas are needed as a result of development within the structure plan area;  <i><u>Note: Land required for stormwater management and detention purposes within Area B and which is not part of the Crombie Drainage Reserve shall be acquired by Council by agreement or in accordance with the Public Works Act 1981. The Crombie Drain Reserve and detention areas within Areas D &amp; E shall be vested at no cost to Council.</u></i>

15.4.2 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S1.7	Conrad and Verena Waitoa	Accept in part	The proposed planning provisions tie occupation to servicing readiness.
S4.8	Pip and Dan Taylor	Reject	Modelling indicates that there is sufficient capacity in the infrastructure network to maintain a high level of service. No further servicing assessments are required to inform this plan change.
S7.1 S7.4 S7.6	Landsdale Developments Ltd	Accept in part	BRSP-05 is recommended to be modified to clarify that the wastewater pump station for Area D will be developer funded. Modifications are recommended to 30.1.7Z(e) to clarify that detention ponds in Areas D & E and the Crombie Drain Reserve are to be vested at no cost to Council.
S8.3	Tony & Susan Martin	Accept in part	Council has no plans to extend wastewater services further down Brookvale Road.



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## 16 Topic 6: Cultural Values

### 16.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S1.8	Conrad and Verena Waitoa	Oppose / Support with Amendment

### 16.2 Overview of Submissions on this Topic

#### 16.2.1 One submitter raised cultural values in relation to PPC9, which can be summarised as follows:

- Te ao Māori values and kaitiakitanga - The S32 acknowledges engagement with mana whenua and concerns about cumulative sedimentation. The Plan Change should embed requirements for cultural health indicators for the Crombie Drain and for partnership approaches to stormwater and erosion controls during earthworks. This responds to obligations to actively protect taonga and waterways through practical conditions and monitoring (S1.8).

### 16.3 Analysis

16.3.1 Cultural health indicators, such as monitoring the mauri and ecological condition of waterways, are most appropriately managed by the Regional Council. This is because freshwater management, including water quality, discharges, and sedimentation controls, falls within the scope of the Hawke's Bay Regional Resource Management Plan (RRMP) and associated consent processes.

16.3.2 While PPC9 does not impose cultural monitoring requirements at the plan change stage, the proposal does not preclude such measures being implemented through regional consenting processes for stormwater discharge and earthworks.

16.3.3 At the district level, sedimentation and erosion effects will be managed through conditions imposed on subdivision and land development consents, including requirements for Construction Management Plans (CMPs) and Erosion and Sediment Control Plans. These conditions typically require best-practice controls to prevent sediment entering waterways, dust suppression, and monitoring during construction. Collectively, these mechanisms ensure that adverse effects on water quality and ecological health are avoided or mitigated, while cultural values may be addressed through partnership approaches at the regional consenting stage.

### 16.4 Recommendations

#### 16.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S1.8	Conrad and Verena Waitoa	Accept in part	Sedimentation and erosion effects will be managed through conditions imposed on subdivision and land development consents, including requirements for Construction Management Plans (CMPs) and Erosion and Sediment Control Plans. Cultural values may also be addressed through partnership approaches at the regional consenting stage.

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## 17 Topic 7: Reverse Sensitivity

### 17.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S3.1	Gerald Mulinder	Support with Amendment
FS1	Jeremy Haines	Supports S3.1

### 17.2 Overview of Submissions on this Topic

17.2.1 One submitter and one further submitter raised reverse sensitivity concerns in relation to PPPC9, which can be summarised as follows:

- We (Gerald Mulinder) own the land (134 Thompson Road) 16.8Hec that boundaries some of this block of land in question. We support the change, with the condition that our orcharding operation is unhindered. We don't want the situation where we are forced to cease our operation as has happened across the road at the mushroom factory where the new activity encroached on their operation then homeowners and or residents complained and shut his operation down, which was hugely unfair and unjust. The mushroom farm was there long before houses were put there (S3.1).
- That the rezoning goes through with the condition not to hinder our current land use as a functioning orchard operation with trucks, tractors spraying machines and other machinery any time of the day or night (S3.1).
- Our property contains a long-established burn pile used for lawful disposal of green waste associated with horticultural use on both our property and adjoining orchards for decades. It is located on the least productive part of our land, and historically there has been a significant rural buffer separating us from any residential activity (FS1).
- With the proposed high-density aged-care and retirement development being constructed directly against our boundary, it is inevitable that smoke, odour, noise, and normal rural activity will occasionally be detectable across the boundary, even when fully compliant with the Hastings District Plan (FS1).
- No matter what reverse-sensitivity provisions are included, it is realistic to expect that residents of aged-care units—many of whom may be more sensitive to smoke and odour—will lodge complaints, potentially jeopardising activities we have lawfully undertaken for years (FS1).
- It is essential that the Plan Change includes strong, enforceable reverse-sensitivity protections so that lawful primary production activities, including green-waste burning and future horticultural operations, are not compromised or forced to cease due to complaints from new residents (FS1).

### 17.3 Analysis

17.3.1 The Plan Change Request and Section 32 Report notes that Plains/Urban building setbacks are addressed by existing District Plan provisions. Currently, the Hastings General Residential Section requires a 30m setback for new urban areas adjoining the Plains Production Zone. In the Havelock North Residential Section, Brookvale Structure Plan sites on Thompson Road are required to have a combined 30m setback (10m building setback plus 20m road reserve). The intent of these rules is to maintain a 30m separation between Plains Production properties

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and new residential development with the following stated outcomes;

- An open space buffer will be provided which maintains on site and neighbourhood amenity.
- This setback will ensure that a 30m buffer is maintained between the Plains Production zoned properties and new residential development.

- 17.3.2 Objective HNRO6A is ‘To ensure that potential conflicts over zone *boundaries* are addressed, in advance of any new residential development occurring within the Brookvale Romanes Urban Development Area’.
- 17.3.3 The associated policy HNRP10B states ‘Along the urban/rural interface, separate potentially incompatible activities such as *residential activities* and productive rural *uses* through interface buffers or special *yard* requirements to minimise nuisance or conflicts’.
- 17.3.4 The accompanying explanation states ‘Potential exists for nuisance and conflict along the urban/rural interface due to activities such as spraying, *use* of bird scarers or hail cannons. Separation or buffering is an effective mitigation option available to minimise conflict.’
- 17.3.5 Although these current rules do not apply to Area D, the proposed plan change includes a 28m-wide open space reserve along the Plains Production Zone boundary, supplemented by a 1m yard setback. Together, these measures would achieve a similar buffering effect.
- 17.3.6 The future rezoning of Area E would also be required to address reverse sensitivity effects on the two sides that front the Plains Production Zone. While no treatment is discussed through this proposal, there are a number of options that could be considered to ensure appropriate separation between conflicting activities. This would be the subject of a future plan change.
- 17.3.7 A 30m buffer is consistent with advice from industry advocates, Hort NZ. Whilst a 30m buffer cannot guarantee no conflict between land uses the District Plan recognises it as an effective mitigation and it is unlikely that additional measures could be justified.

17.4 Recommendations

- 17.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S3.1	Gerald Mulinder	Accept in part	The Open Space Zone will provide a suitable setback for Area D. Area E will need to address reverse sensitivity as part of a future plan change.
FS1	Jeremy Haines	Accept in part	As above.

18 Topic 8: Zone Extent

18.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S3.3	Gerald Mulinder	Support with Amendment
FS1	Jeremy Haines	Supports S3.3

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## 18.2 Overview of Submissions on this Topic

18.2.1 One submitter and one further submitter raised zone extent matters in relation to PPPC9, which can be summarised as follows:

- That 134 Thompson Road be considered for residential rezoning at this time (S3.3).
- That Council consider the appropriateness of rezoning surrounding rural land (including Plains Production land) when intensification is occurring directly adjacent (FS1).
- Our property (98 Thompson Road) is directly affected by the loss of the long-standing rural buffer. The proximity of a sensitive, high-density aged-care development against an operating rural property substantially alters the long-term character, viability, and expectations for land use on the adjoining sites (FS1).
- It is reasonable for Council to consider—at minimum—whether certain adjoining areas may also be appropriate for future rezoning, boundary adjustments, or transitional zoning mechanisms to ensure integrated development outcomes and avoid perpetual reverse-sensitivity conflict (FS1).

## 18.3 Analysis

18.3.1 Submissions have sought the consideration of rezoning additional sites at 134 and 98 Thompson Road (shown in red) which adjoins the plan change area (shown in yellow).

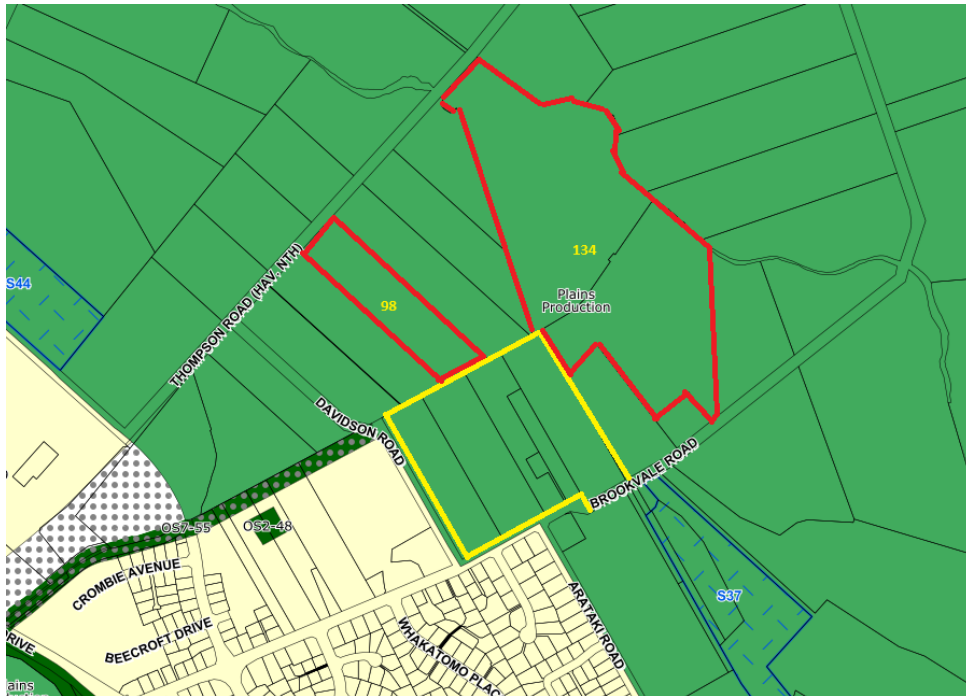


Figure 6: Additional areas for consideration (red) and plan change area (yellow).

18.3.2 These suggested areas are not identified for urban growth in the current Future Development Strategy (FDS). Significant analysis would be required to assess their suitability, including infrastructure capacity, environmental constraints, and alignment with strategic growth objectives.

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18.3.3 Furthermore, it is unlikely that consideration could be given to rezoning these sites in isolation without also evaluating the adjacent properties fronting Brookvale and Thompson Road, that are between these sites and the existing urban area. It is noted that this area includes Highly Productive Land (LUC1).

18.3.4 Given these considerations, a future FDS review is the appropriate mechanism for considering further expansion of the urban boundary, rather than as part of the current plan change.

**18.4 Recommendations**

18.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S3.3	Gerald Mulinder	Reject	Expansion of the rezoning extent is not recommended. Any future consideration of expanding the urban boundary should occur through the next review of the growth strategy to ensure a comprehensive and integrated approach.
FS1	Jeremy Haines	Reject	As above.

**19 Topic 9: Amenity**

**19.1 Submitters and Further Submitters on this Topic**

Sub Point	Submitter / Further Submitter	Position of Submitter
S4.1 S4.2 S4.3	Pip and Dan Taylor	Oppose

**19.2 Overview of Submissions on this Topic**

19.2.1 One submitter raised amenity concerns in relation to PPPC9, which can be summarised as follows:

- We (Pip & Dan Taylor) are concerned about the loss of our semi-rural outlook, privacy, the impact of years of construction activity directly opposite our home at 144 Brookvale Road and traffic safety. The recent Middle Road/Iona development demonstrated how large-scale projects can cause long-term disruption and amenity loss for nearby residents (S4.1).
- We strongly oppose any buildings higher than single storey. Multi-storey buildings would block sunlight, dominate the streetscape, and compromise privacy and the semi-rural outlook enjoyed by existing homes. The District Plan's amenity objectives (Sections 8.2–8.3) aim to maintain privacy, outlook and character. This proposal would undermine those values. We ask that these effects be fully assessed and mitigated before any rezoning is granted (S4.2).
- Rezoning this land from productive rural use to intensive residential will permanently erode the semi-rural character of the Brookvale area. Residents currently enjoy open space, light and rural views - all of which contribute to wellbeing and property value. This proposal represents unnecessary urban sprawl inconsistent with the Hastings

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District Plan and the purpose of the Resource Management Act 1991 (Section 5 - sustainable management). We ask that these effects be fully assessed and mitigated before any rezoning is granted (S4.3).

19.3 Analysis

- 19.3.1

The concerns raised regarding the potential loss of semi-rural outlook, privacy, and amenity effects during construction are acknowledged. Large-scale developments inevitably involve periods of earthworks and building activity, which can result in temporary disruption for nearby residents. However, these effects are generally managed through conditions on resource consents, including requirements for erosion and sediment control, dust suppression, noise limits, and construction traffic management plans. While the experience of the Middle Road/Iona development is noted, mitigation measures will be applied to manage construction effects and maintain road safety.
- 19.3.2

The submission’s concerns regarding building height, sunlight access, privacy, and the semi-rural outlook are acknowledged. The District Plan’s amenity objectives in Sections 8.2 seek to maintain privacy, outlook, and character within residential environments, and these principles have informed the assessment of the proposed rezoning.
- 19.3.3

The plan change does not propose specific height controls beyond those already provided in the General Residential Zone, which typically allows for two-storey development. While multi-storey buildings can alter streetscape and outlook, these effects are managed through existing District Plan provisions, including yard setbacks, recession planes, and site coverage limits, which are designed to protect sunlight access and reduce dominance. At the subdivision and development stage, further assessment will occur to ensure compliance with these standards.
- 19.3.4

The Brookvale East area has been signalled as an area for urban expansion in HPUDS, the District Plan and more recently the FDS. The rezoning of Brookvale East from Plains Production Zone to Residential will inevitably alter the amenity of the area, transitioning it from a predominantly rural and lifestyle landscape to one characterised by urban living. While this change may be perceived as a loss of rural character, it is a natural and expected consequence of urban expansion and land use change. Importantly, this shift does not equate to a decline in amenity; rather, it introduces a new form of amenity that supports residential life, including access to infrastructure, services and places to live.

19.4 Recommendations

- 19.4.1

The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S4.1 S4.2 S4.3	Pip & Dan Taylor	Reject	The RMA and District Plan do not protect residents from a change in amenity from rural to residential. The Havelock North General Residential Zone provisions will be relied upon to manage amenity impacts.

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## 20 Topic 10: Construction Impacts

### 20.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S4.4	Pip and Dan Taylor	Oppose

### 20.2 Overview of Submissions on this Topic

20.2.1 One submitter raised construction impact concerns in relation to PPPC9, which can be summarised as follows:

- As directly opposite neighbours, we (Pip & Dan Taylor) are very concerned about years of disturbance from construction noise, heavy vehicles, dust and vibration. Sections 16 and 17 of the Resource Management Act require the avoidance or mitigation of unreasonable noise and adverse effects. We ask that these effects be fully assessed and mitigated before any rezoning is granted. If granted, Strict construction management conditions be applied to protect neighbours' amenity. Strict limits on construction hours (weekday daytime only), mandatory dust suppression and vibration monitoring, advance notice to residents of major works and a Construction Traffic Management Plan (CTMP) before any works commence (S4.4).

### 20.3 Analysis

20.3.1 The Hastings District Plan does not have a blanket rule requiring Construction Management Plans (CMPs) for all subdivisions, but CMPs are commonly imposed as conditions of resource consent for larger subdivision and land development projects. Typical conditions cover the following;

- Construction Management & Timing
  - Hours of work: Limited to 7:00 am–5:00 pm (Mon–Fri) and 8:00 am–5:00 pm (Sat) to reduce noise and disturbance.
  - Noise control: Must comply with NZS 6803:1999 for construction noise.
  - Comprehensive management plan: Required before works start, covering; construction and earthworks methodology, erosion and sediment control, traffic management, noise and vibration management, site management for contaminated soils.
- Dust, Sediment & Spill Control
  - No airborne or deposited dust beyond the site that is “noxious, offensive or objectionable.”
  - Sediment control measures must be installed and certified by a qualified engineer.
  - Machinery must operate to prevent hazardous substance spills (fuel, oil, concrete products).
- Traffic & Access
  - Construction Traffic Management Plan required to maintain safe access and minimize disruption.
  - No obstruction of public footpaths, berms, private properties, or public utilities.
  - Materials and equipment must be stored within site boundaries.
- Earthworks & Clean Fill

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- Earthworks must avoid obstructing overland flow paths.
  - Imported fill must meet “cleanfill” standards (stable, inert, no hazardous substances).
  - Written confirmation required that only clean fill is imported.
- Monitoring & Compliance
  - Monitoring inspector must be notified at least two working days before earthworks start.
  - A monitoring deposit is payable to cover compliance checks.
  - Any deposition of earth or debris on roads must be immediately removed without washing into stormwater systems.

20.3.2 These measures collectively address the main sources of construction disturbance—noise, dust, traffic, and safety—while requiring professional oversight and Council approval at key stages. If adhered to, they keep effects on neighbours to a minimum.

20.4 Recommendations

20.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S4.4	Pip & Dan Taylor	Reject in part	Construction impacts are managed through resource consent conditions requiring Construction Management Plans, hours of operation, dust suppression etc.

21 Topic 11: Structure Plan

21.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S4.6	Pip and Dan Taylor	Oppose
S5.4	CDL Land New Zealand Limited	Support
S7.5	Landsdale Developments Ltd	Oppose / Support with Amendment

21.2 Overview of Submissions on this Topic

- 21.2.1 Three submitters raised structure plan matters in relation to PPPC9, which can be summarised as follows:
- The proposal lacks comprehensive structure planning, consultation, and infrastructure assessment that supported the Iona/ Middle Road Residential rezoning. The Middle Road/Iona development has shown how large-scale rezoning and subdivision can create years of construction activity, traffic disruption, and loss of amenity for surrounding residents. Council should take those impacts into account before permitting another major development on the opposite side of Havelock North (S4.6).



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- CDL considers that continued coordination between developers in the area, Hastings District Council, and Hawkes Bay Regional Council will be important to ensure that infrastructure, transport connections, and urban design outcomes are aligned and that growth is delivered in a well-sequenced manner (S5.4).
- Appendix 13B requires development in general accordance with staging and integrated servicing. These provisions must remain so that later rezonings cannot undermine the logical and well-ordered progression endorsed by the Environment Court. Landsdale should not be adversely affected (both economically and infrastructurally) in terms of this staging in achieving the orderly and currently permitted development of this area. Insert a policy in Section 8.2 ensuring logical and well-ordered progression of development consistent with Appendix 13B (S7.5).

21.3 Analysis

- 21.3.1 A submission highlights the different approaches in structure planning between Brookvale and Iona/Middle Road areas. The Iona/Middle Road rezoning was a significantly larger and more complex project, requiring an entirely new structure plan to enable development. In contrast, the current proposal is modest in scale and is an addition to an existing structure plan, which already provides a framework for land use, infrastructure, and integration with surrounding areas.
- 21.3.2 CDL’s submission highlights the need for continued coordination to achieve good outcomes for the area. Council’s Growth and Development Team are charged with implementation of structure plans and undertake this coordination role within Council.
- 21.3.3 Landsdale’s submission seeks assurance that development will follow the established staging and integrated servicing principles. Staging is addressed in Topic 14, but several structure plan elements provide for integration across the wider area.
- 21.3.4 The updated Structure Plan retains the integrated roading framework of the existing plan while extending it to include Area D. With direct frontage to Davidson Road, Area D can be serviced independently and developed without reliance on the completion of other stages.
- 21.3.5 The Stormwater Management Plan applies only to Areas A, B, and C and is not yet fully implemented, while Areas D and E are required to be self-sufficient for stormwater management. Despite this, the design treatment of the Crombie Drain Reserve remains consistent, as are the required standards and outcomes.
- 21.3.6 For wastewater, the existing structure plan anticipates gravity-fed services to a pump station in Area A – Stage 1. Areas D and E will operate independently, with a new pump station in Area D discharging to Brookvale Road. This pump station is also intended to service Area C, allowing development to proceed ahead of Area A – Stage 2. This approach does not compromise the integrity of the structure plan, as an additional pump station was always a likely requirement to enable development east of Davidson Road.
- 21.3.7 There is no planning or infrastructure justifications for delaying Area D. Servicing can be achieved logically and independently, without affecting existing structure plan elements. Furthermore, none of the original structure plan areas remain deferred.

21.4 Recommendations

- 21.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
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S4.6	Pip and Dan Taylor	Reject	Brookvale East represents a modest extension to the existing structure plan, with planning provisions appropriately scaled to reflect the size and nature of the proposed development.
S5.4	CDL Land New Zealand Limited	Accept	Council's Growth and Development Team are charged with implementation of structure plans and undertake this coordination role within Council.
S7.5	Landsdale Developments Ltd	Reject	The staging within the existing structure plan has played out with all deferments now uplifted. There are no planning or infrastructure justifications for delaying Area D.

22 Topic 12: Residential Development

22.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S5.1	CDL Land New Zealand Limited	Support

22.2 Overview of Submissions on this Topic

- 22.2.1 One submitter raised residential development matters in relation to PPPC9, which can be summarised as follows:
- CDL supports the intent and direction of the Brookvale East Plan Change as it complements and reinforces the planned pattern of residential development along the eastern edge of Havelock North (S5.1).

22.3 Analysis

- 22.3.1 The proposed rezoning aligns with the strategic growth pattern identified in the Future Development Strategy (FDS) and supports existing and planned residential development along the eastern edge of Havelock North.

22.4 Recommendations

- 22.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S5.1	CDL Land New Zealand Limited	Accept	The rezoning aligns with the FDS and the planned residential development for Havelock North.

23 Topic 13: Consultation

23.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S3.4	Gerald Mulinder	Support with Amendment

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Sub Point	Submitter / Further Submitter	Position of Submitter
S5.2 S5.3	CDL Land New Zealand Limited	Support
S7.2	Landsdale Developments Ltd	Oppose / Support with Amendment

## 23.2 Overview of Submissions on this Topic

23.2.1 Three submitters raised consultation matters in relation to PPPC9, which can be summarised as follows:

- Gerald Mulinder wishes to be “completely kept in the loop on any issue which may affect our property and ourselves as landowners” (S3.4).
- CDL confirms that Section 6.6 of the Plan Change Request Application correctly records the engagement that has occurred between Metlifecare and CDL to date (S5.2).
- CDL also acknowledges the ongoing dialogue between the two parties continues in a constructive and collaborative manner, reflecting a shared commitment to ensuring integrated outcomes for the broader Havelock North area (S5.3).
- Landsdale have not been formally consulted as part of this plan change prior to its notification (S7.2).

## 23.3 Analysis

23.3.1 There is no statutory obligation on applicants of private plan changes to consult although it is recommended as pre-notification consultation helps identify issues early.

## 23.4 Recommendations

23.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S3.4	Gerald Mulinder	Accept in part	Metlife has been advised.
S5.2 S5.3	CDL Land New Zealand Limited	Accept	As above.
S7.2	Landsdale Developments Ltd	Reject	As above.

## 24 Topic 14: Staging

### 24.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S7.1	Landsdale Developments Ltd	Oppose / Support with Amendment

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24.2 Overview of Submissions on this Topic

24.2.1 One submitter raised staging concerns in relation to PPC9, which can be summarised as follows:

- Landsdale Developments Ltd supports the orderly urban expansion of Brookvale but opposes PPC9 unless modified to secure integrated servicing, fair capacity allocation, and the staging sequence that has previously established through the Environment Court. Landsdale is directly affected by PPC9 because its land is within the same integrated servicing network (stormwater, wastewater, transport). The Council’s delay in delivering stormwater infrastructure has already constrained its development. PPC9 changes servicing timing and priority in ways that could further delay or increase costs for Areas A and B. Retain and strengthen Appendix 13B staging and servicing requirements to ensure that any adverse effects on Landsdale are adequately avoided, remedied and /or mitigated (S7.1).

24.3 Analysis

24.3.1 The Brookvale Structure Plan Area is divided into areas and sub-stages (Area A – Stage 1, Area A – Stage 2, Area B and Area C). Area A – Stage 2 and Area C were zoned Deferred General Residential with trigger dates that saw the automatic uplifting of the deferments with Area C being the final deferment uplifting in early 2025.

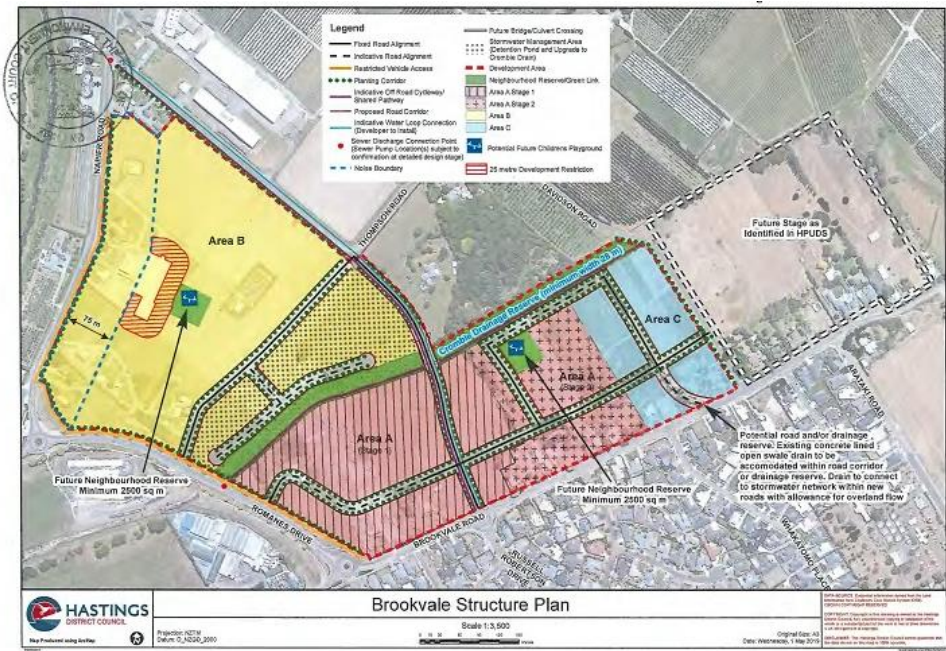


Figure 7: Current Brookvale Structure Plan.

24.3.2 Area A – Stage 2 is broken up into several long narrow landholdings which remain in separate ownership. Anecdotally the fractured land holdings have hampered the ability to develop this area.

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Figure 8: Zone map showing Area A – Stage 2 outlined in red.

- 24.3.3 Metlife has proceeded with gaining a resource consent for Area C ahead of any development of Area A – Stage 2. Without wastewater services being available through Area A – Stage 2, Area C has been designed to pump wastewater to Brookvale Road. Similarly, stormwater is detained on site ahead of the Stormwater Management Area being developed.
- 24.3.4 Without designated road and service corridors, developers often face delays caused by downstream developers and landowners unless alternative roading and servicing solutions are secured to bypass these constraints.
- 24.3.5 Metlifecare has already implemented alternative servicing solutions for Area C, and similar approaches can be applied to Areas D and E. Given this, it would be unreasonable for Council to restrict development in these areas until Area A – Stage 2 progresses, provided that developers can demonstrate appropriate servicing arrangements. Pursuing compulsory acquisition of land or infrastructure corridors under the Public Works Act is not being considered by Council, primarily due to the significant financial implications.

24.4 Recommendations

- 24.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S7.1	Landsdale Developments Ltd	Reject	The staging within the existing structure plan has played out with all deferrals now uplifted. There are no planning or infrastructure justifications for delaying Area D.

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25 Topic 15: Commercial Services

25.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position of Submitter
S8.4	Tony & Suzy Martin	Support with Amendment

25.2 Overview of Submissions on this Topic

- 25.2.1 One submitter raised concerns about the lack of commercial services in relation to PPPC9, which can be summarised as follows:
- With more than a thousand new households expected across the Brookvale East and Arataki developments, we feel it is important to provide local amenities to support this growing community. Facilities such as a service station, dairy, or small food market located along Napier Road would significantly enhance convenience for residents and reduce the need for frequent travel into town for basic needs. Planning needed for appropriate local amenities to support the growing population (S8.4).

25.3 Analysis

- 25.3.1 The desire for local amenities to support the growing Brookvale East and Arataki communities is acknowledged. While the submission raises a valid point and there may be a shortfall in suburban commercial provision, this matter is outside the scope of the current plan change.
- 25.3.2 The suggested location of additional facilities lies outside of the plan change area. The appropriate mechanism for addressing any potential shortfall of suburban commercial land is Council’s Commercial Strategy Review, which is currently underway.
- 25.3.3 The current proposal is focused on residential development within an existing albeit expanded structure plan area and does not include commercial zoning. Any change to enable commercial activity would require a separate plan change and a comprehensive assessment of effects, including infrastructure, transport, and urban design considerations.
- 25.3.4 In summary, while the need for amenities is understood, this proposal is not the appropriate mechanism to introduce commercial zoning. Such decisions are best addressed through broader strategic planning, such as the Commercial Review, to ensure alignment with the District Plan and integrated development outcomes across commercial areas.

25.4 Recommendations

- 25.4.1 The following recommendations are made on the submission points.

Sub Point	Submitter / Further Submitter	Recommendation	Comment
S8.4	Tony & Suzy Martin	Accept in part	This is out of scope for this plan change. Provision of commercial amenities is best addressed through broader strategic planning, such as the Commercial Review, to ensure alignment with the District Plan and integrated development outcomes across commercial areas.

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## 26 Overall Conclusion of Assessment of Effects and Matters Raised in Submissions

- 26.1.1 I am satisfied that any potential adverse effects on the environment can be adequately avoided, remedied or mitigated through the proposed plan provisions with modifications as recommended.

## 27 Assessment of Statutory Documents

- 27.1.1 The following assesses PPC9 against the relevant statutory matters:

a) Functions of Territorial Authorities

b) Part 2 of the RMA

c) Statutory Documents:

a. NPS-UD

b. NPS-HPL

c. NPS-FM

d. NPS-IB

e. National Planning Standards

f. NESCS

g. Napier-Hastings Future Development Strategy

h. LTP

h. Hawke's Bay Regional Policy Statement

i. Hastings District Plan

j. Emissions Reduction Plan & National Adaptation Plan.

d) Section 32 of the RMA

- 27.1.2 In addition, the following also considers the Freshwater NES, NESCS, Hawke's Bay Regional Resource Management Plan, 'Mana Ake – An expression of Kaitiakitanga, Ngā Hapu o Heretaunga', and applicable statutory acknowledgements.

### 27.2 Functions of Territorial Authorities

- 27.2.1 The functions of Council, as set out in s31 of the RMA, include the establishment, implementation and review of objectives, policies and methods to:

a. achieve integrated management of the effects of the use, development and protection of land and associated natural and physical resources; and

b. control any actual or potential effects of the use, development or protection of land.

- 27.2.2 The plan change proposes to apply the same District Plan framework currently used for the Havelock North General Residential Zone and the Brookvale Structure Plan Area. This framework has already been assessed under the Resource Management Act (RMA) and confirmed as fit for purpose in terms of achieving the functions of Council.



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27.2.3 Another of the Council's functions (under s31(1)(aa) of the RMA) is to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district. The FDS has identified this land as being required within the life of the strategy (30 years) and indicated for the short term. The implementation plan that will follow will confirm whether the area is required in the short term (next three years), medium term (3-10 years) or long term (10-30 years). Further analysis of this is included in the FDS assessment below.

27.3 Part 2 of the RMA

27.3.1 Under s 74(1)(b), any changes to the District Plan must be in accordance with the provisions of Part 2 of the RMA. This sets out the purpose of the RMA (s5), matters of national importance that must be recognised and provided for (s6), and other matters that particular regard is to be had to (s7), as well as the requirement to take into account the principles of the Treaty of Waitangi (s8).

27.3.2 I consider that the purpose of the Act is already reflected in the established objectives and policies of the District Plan, which PPPC9 does not propose to materially amend. Instead, PPPC9 seeks to alter the existing zoning pattern within the Plan.

27.3.3 The proposed plan change for Brookvale East is consistent with the purpose of the RMA (Section 5), which seeks to promote the sustainable management of natural and physical resources. By enabling residential development in a location identified within the FDS, the proposal aligns with strategic growth planning and demonstrates responsiveness to the NPS-UD.

27.3.4 This consistency ensures that the plan change supports well-functioning urban environments while managing potential adverse effects through an established District Plan framework. In doing so, it achieves an appropriate balance between enabling development and safeguarding environmental values, thereby giving effect to sustainable management as required by the RMA.

27.3.5 I concur with the Part 2 assessment in the Plan Change Request on the following points;

- *'...that the proposed Plan Change accords with the sustainable management principles outline in Part 2 of the RMA...'*
- The proposed plan change is consistent with the FDS, which was developed collaboratively with iwi authorities. This partnership approach reflects the principles of the Treaty of Waitangi and demonstrates that the proposal gives effect to Section 8 of the Resource Management Act 1991, which requires decision-makers to take into account the principles of the Treaty. By aligning with the FDS, the plan change supports a growth framework that incorporates iwi perspectives and aspirations.

27.3.6 I differ from the Part 2 assessment in the Plan Change Request on the following points;

- *'It is considered that the objectives of the Plan Change are the most appropriate way to achieve the purpose of the RMA.'*
- The objectives of the Operative Hastings District Plan (Section 2.4 Urban Strategy, Section 8.2 Havelock North General Residential Zone, Section 30.1 Subdivision and Land Development and the Brookvale Structure Plan) are the objectives that this rezoning should be assessed against.

27.4 Statutory Documents

27.4.1 The District Plan (including as amended by any plan change) must:

- (a) give effect to any operative national policy statement (s75(3)(a)) and any regional policy statement (s75(3)(c));



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- (b) have regard to any management plan or strategy prepared under other Acts (s74(2)(b)(i));
- (c) take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (s75(2A)); and
- (d) must not be inconsistent with any regional plan (s75(4)(b)).

27.4.2 I agree with the Requestor on the statutory documents considered relevant to PPPC9. Rather than repeat the entirety of the analysis contained in the Plan Change Request, I have chosen to focus on the areas where my analysis differs. To this end, I have read and generally concur with the analysis of the Request against the following statutory planning documents:

- **National Policy Statement – Urban Development (NPS-UD)** – The Plan Change Report concludes that the proposed Plan Change *‘achieves the key objectives and policies of the NPS:UD’* by enabling well-functioning urban environments, supporting housing choice including retirement living, and integrating development in a strategic growth location. The proposal aligns with local growth strategies while meeting short- to medium-term housing demand for retirement living.
- **National Policy Statement – Highly Productive Land (NPS-HPL)** – The Plan Change Report concludes that *‘the subject land is exempt from the transitional definition of HPL in the NPS:HPL. Therefore, the objectives, policies and implementation criteria of the NPS:HPL do not apply to the subject land’*.
- **National Policy Statement – Indigenous Biodiversity (NPS-IB)** – The Plan Change Report concludes that *‘there are no significant ecological areas or areas of indigenous biodiversity that will be affected by the Plan Change’* and that any *‘effects on the Crombie Drain from earthworks and/or stormwater discharge can be assessed through the resource consent process’*.
- **National Planning Standards** – The Plan Change has not adopted the National Planning Standards; instead, it has intentionally maintained the existing structure and terminology of the Hastings District Plan. This approach aligns with recent amendments to the Resource Management Act, which include a halt on implementing National Planning Standards.
- **National Environmental Standard for Contaminants in Soil (NESCS)** – The Plan Change Report concludes that the concentrations of contaminants *‘do not preclude rezoning’* with Resource Consent *‘required at the time of development’*.
- **Napier-Hastings Future Development Strategy (FDS)** – The Plan Change Report states that the land is *‘identified in the FDS as a ‘New/Expanded Residential Area’ (HN6)’* and that the *‘Plan Change has been prepared to enable urban development of the subject land to occur in advance of the FDS implementation being progressed by HDC, including through undertaken council-led structure plans and plan changes. This is due to the significant demand for retirement village living opportunities in the region as canvassed elsewhere in this report. Further, there is a long lead time for new development.’*
- **Hawke’s Bay Regional Policy Statement (RPS)** – The Plan Change Report concludes that *‘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; and a staged approach to the release of land for greenfield growth which ensures balanced supply (both in terms of price and location) and the efficient, planned provision of public infrastructure. Overall, the Plan Change is consistent with the policy direction of the RPS.’*

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- **Hastings District Plan** - The Plan Change Report concludes that *'the proposed changes to the District Plan sought through this Plan Change will be consistent with the operative objectives and policy direction.'*
- 27.4.3 The following statutory documents are those where I differ in my analysis and/or overall conclusions:
- **National Policy Statement on Freshwater Management (NPS-FM)**
  - **Long Term Plan (LTP)**
- 27.4.4 My own assessment of PPC9 against these documents is provided below.
- 27.5 National Policy Statement – Freshwater Management
- 27.5.1 The Plan Change Report highlights Clause 3.5(1)(d) of the National Policy Statement for Freshwater Management 2020 states that local authorities must “encourage the coordination and sequencing of regional or urban growth and infrastructure provision with water management” as part of an integrated approach to managing freshwater.
- 27.5.2 The Plan Change Report cites two main examples of this coordinated infrastructure provision. Firstly, the Crombie Drain within a dedicated 28m wide drainage reserve maintains separation between development and the freshwater body. For this example, I am in agreement with the Plan Change Report.
- 27.5.3 The second example is *'the co-ordinated approach to stormwater management, including providing for iterative updates to the Stormwater Management Plan to enable flexibility while maintaining integration...'* Council Engineers have determined that the Plan Change Area needs to be self-sufficient in terms of stormwater management and cannot be incorporated into the Stormwater Management Plan that applies to the existing Brookvale Structure Plan. Whilst our conclusions are the same that the Plan Change is consistent with the NPS-FM, it is important to note this difference.
- 27.6 Long Term Plan
- 27.6.1 The Requestor’s assessment notes that investments outlined in the Long-Term Plan (LTP) will *“facilitate the development planned within the existing Brookvale Structure Plan area and enable cumulative effects on the infrastructure network from the Plan Change to be managed.”*
- 27.6.2 While these improvements may provide benefits to the Plan Change Area, it is important to clarify that the LTP investment for stormwater relates to the existing Brookvale Structure Plan Area only. The Plan Change Area must manage its own stormwater independently. Any Council investment in a Stormwater Management Area for the existing Brookvale Structure Plan is not intended to accommodate stormwater from the Plan Change Area. Council has no planned infrastructure upgrades for this new area, and any infrastructure (3 waters and roading) required as a result of the plan change must be funded by the Requestor or subsequent developer.
- 27.6.3 The rezoning should place no financial burden on Council.
- 27.7 Overall Conclusion of Assessment of Statutory Documents
- 27.7.1 Although clarification has been provided on stormwater management and infrastructure funding, I consider the plan change to be consistent with the applicable statutory framework.
- 27.8 Assessment of the Section 32 Assessment Report
- 27.8.1 Clause 22 of Schedule 1 of the RMA requires any person requesting a private plan change to prepare an evaluation report under Section 32.

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- 27.8.2 Under Section 32(1)(a), the evaluation report must assess the extent to which the objectives of the plan change are the most appropriate way to achieve the purpose of the Act.
- 27.8.3 Section 32(1)(b) requires the report to examine whether the provisions of the plan change are the most appropriate way to achieve the objectives by:
- Identifying other reasonably practicable options;
  - Assessing the efficiency and effectiveness of the provisions; and
  - Summarising the reasons for selecting those provisions.
- 27.8.4 Where the proposal amends an existing plan, Section 32(3) requires the examination under Section 32(1)(b) to address:
- The provisions and objectives of the amending proposal; and
  - The objectives of the existing plan to the extent that they: (i) relate to the objectives of the amendment; and (ii) would remain if the amendment takes effect.
- 27.8.5 Section 8 of the Plan Change Request states the objectives of the plan change are to;
- *'Facilitate urban development on the subject land including for a retirement village as a Comprehensive Residential Development,*
  - *Provide for a well-functioning, connected and pleasant living environment in Brookvale, and*
  - *Integrate land use development on the subject land with the efficient provision of infrastructure.'*
- 27.8.6 In my opinion, the Plan Change Request should have adopted the existing objectives in the Operative Hastings District Plan, in particular those in Section 2.4 Urban Strategy, Section 8.2 Havelock North Residential Environment, Section 30.1 Subdivision and Land Development and the Brookvale Structure Plan.
- 27.8.7 If a plan change adopts the existing objectives of the District Plan without altering them, the Section 32 report does not need to re-evaluate those objectives in detail. Instead, the report should confirm that the existing objectives remain the most appropriate way to achieve the purpose of the Act, even if unchanged and assess the proposed provisions against those existing objectives for efficiency and effectiveness.
- 27.8.8 If any objectives are being amended, then a full evaluation of those changes is required.
- 27.8.9 For this Plan Change no changes are proposed to the objectives in Section 2.4 Urban Strategy, Section 8.2 Havelock North Residential Environment (except adding a new Objective HNRO10), Section 30.1 Subdivision and Land Development and the Brookvale Structure Plan (except amendments to Objective BRSP-O3).
- 27.8.10 The focus of the analysis is on whether these existing objectives remain the most appropriate way to achieve the purpose of the Act and assess the rezoning and provisions against these objectives.

**Section 2.4 Urban Strategy**

<b>Objectives</b>	<b>Does this objective remain the most appropriate way to achieve the purpose of the Act?</b>	<b>Assessment of rezoning and provisions against this objective.</b>
UD01 To reduce the impact of urban development on the resources of the Heretaunga Plains in accordance with the recommendations of the adopted Heretaunga Plains	Reducing the impact of urban development on the Heretaunga Plains aligns with protecting high-value soils and avoiding unnecessary resource loss, which supports	The plan change area is identified in the FDS as a priority greenfield growth area (HN6) and was previously signalled in HPUDS as future urban land. This

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Urban Development Strategy (HPUDS).	sustainable management. Aligns with sustainable management principles under s5. HPUDS has been superseded by the FDS but both strategies seek to reduce the impact of urban development on the resources of the Heretaunga Plains.	strategic identification ensures that rezoning occurs in a planned manner, minimizing the loss of highly productive soils elsewhere and avoiding fragmented development. By maintaining buffering to adjoining Plains Production land, it is consistent with UDO1's intent to manage urban expansion in a way that reduces impacts on the Heretaunga Plains resource base.
UDO2 To ensure that new urban development is planned for and undertaken in a manner that is consistent with the matters outlined in the Hawke's Bay Regional Policy Statement.	Promotes integrated planning across regional and district levels. Supports sustainable management under s5. Ensures consistency with statutory instruments required by the Act.	The proposed rezoning is consistent with the RPS direction for planned greenfield growth within identified urban limits. PPPC9 integrates land use with infrastructure planning through the Brookvale Structure Plan and maintains buffering to adjoining Plains Production land. These measures reflect the RPS objectives for efficient, coordinated growth and avoidance of ad hoc expansion.
UDO3 To establish an effective and sustainable supply of residential and business land to meet the current and future demands of the Hastings District Community.	Supports sustainable management by ensuring land supply meets community needs while considering long-term resource use. It balances social, economic, and environmental well-being. Aligns with the NPS-UD, which requires councils to provide sufficient development capacity for housing and business land. It also complements regional growth strategies.	The proposed rezoning directly contributes to an effective and sustainable supply of residential land by enabling development in a location identified in the FDS as a priority greenfield growth area (HN6). PPPC9 provisions allow for a mix of housing types, including a retirement village, addressing demographic trends and housing choice. Supports the district's ability to meet housing demand in a planned and efficient manner.
UDO4 To retain and protect the versatile land resource that is the lifeblood of the local economy from ad hoc urban development.	Supports sustainable management by safeguarding highly productive soils, which are a finite natural resource essential for economic and social well-being. Aligns with the NPS-HPL, which prioritizes the protection of versatile soils from inappropriate subdivision and	The site contains LUC 3 soils; however, the site was identified in HPUDS and the FDS as future urban land prior to the commencement of the NPS-HPL, meaning the transitional definition of Highly Productive Land does not apply. Strategic identification for urban growth ensures that rezoning

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	development. It also reflects regional strategies like FDS.	occurs in a planned manner, minimizing the loss of more productive soils elsewhere and avoiding fragmented development.
UD05 To promote the redevelopment of existing residential areas.	Supports sustainable management by encouraging efficient use of existing urban land and infrastructure, reducing pressure on greenfield areas and protecting natural resources. Aligns with the NPS-UD, which promotes well-functioning urban environments and intensification where appropriate. Redevelopment helps achieve compact urban form and reduces reliance on new land.	Not applicable.
UD06 To minimise the risk of biosecurity incursions of an unwanted organism in the district and enable response to any such biosecurity incursions.	Biosecurity is a critical component of resource management, supported by the Biosecurity Act 1993 and regional pest management strategies however it is acknowledged that the RMA does not directly regulate biosecurity.	Not applicable.
UD07 To identify the housing bottom lines for Napier-Hastings Urban Environment.	Supports sustainable management by ensuring adequate housing supply to meet community needs, which contributes to social and economic well-being. Aligns with the NPS-UD, which requires councils to set and monitor sufficient development capacity.	The proposed rezoning directly contributes to meeting housing bottom lines by enabling development in a location identified in the FDS as a priority greenfield growth area (HN6). This supports the district's ability to meet housing demand in a planned and efficient manner, consistent with NPS-UD requirements.
UD08 Enable more people, business and community services to live and be located in areas of the Hastings urban environment in which one or more of the following apply: a. the area is in or near a commercial zone or an area with many employment opportunities; b. the area is well-served by existing and planned public and active transport;	Promotes sustainable management by encouraging development in well-served, accessible areas, reducing reliance on greenfield expansion and supporting efficient use of infrastructure. Aligns strongly with the NPS-UD, which directs councils to enable intensification in areas with good access to jobs, services, and transport. It also supports compact urban form	Not applicable.

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c. there is high demand for housing or for business land in the area, relative to other areas in the urban environment.	and reduces environmental impacts.	
UDO9 Infrastructure planning is integrated with land use planning to facilitate efficient and affordable urban growth and development of the District.	Promotes sustainable management by ensuring that infrastructure and land use are planned together, reducing inefficiencies, avoiding environmental harm, and supporting social and economic well-being. Aligns with the NPS-UD, which emphasizes integrated planning for land use and infrastructure to enable well-functioning urban environments. It also supports regional growth strategies and long-term planning obligations under the RMA.	PPPC9 provisions integrate land use with infrastructure planning through the Brookvale Structure Plan, which includes indicative road layouts, stormwater management areas, and wastewater servicing requirements. The plan change requires that no residential occupation occurs until a new wastewater pump station is operational ensuring infrastructure capacity is in place before development proceeds. Stormwater management is addressed through a dedicated drainage reserve and standalone on-site detention requirements, reducing reliance on Council infrastructure and avoiding adverse effects. These measures collectively ensure that urban growth is coordinated with infrastructure provision, consistent with UDO9's intent.

Section 8.2 Havelock North Residential Environment

Objectives	Does this objective remain the most appropriate way to achieve the purpose of the Act?	Assessment of rezoning and provisions against this objective.
HNRO1 New developments will be of a design, scale, layout and intensity that is consistent and compatible with the planned urban built form environment of the relevant Havelock North zone.	Supports sustainable management by ensuring new development fits within the planned urban form, avoiding adverse effects on amenity, infrastructure, and community well-being. Aligns with NPS-UD, which promotes well-functioning urban environments while respecting planned character and infrastructure capacity.	PPPC9 provisions, including indicative road layouts, open space reserves, and design outcomes, and the existing Havelock North General Residential Zone provisions ensure that subdivision and development will be consistent with the planned urban built form for Havelock North. These measures maintain compatibility with existing residential areas and integrate new development

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		into the wider urban environment.
HNRO2 Provide for non-residential activities which are compatible in scale, intensity and character with residential activity and which do not undermine the integrity of the Havelock North Village Centre Zone.	Supports sustainable management by enabling a mix of activities that contribute to social and economic well-being while maintaining residential amenity and avoiding adverse effects. Compliments the NPS-UD.	Not applicable.
HNRO3 To maintain and enhance residential amenity by ensuring adverse noise effects are avoided and mitigated.	Aligns with Section 5, promoting sustainable management by protecting amenity values and mitigating adverse effects on the environment. Gives effect to Section 7(c), which requires particular regard to the maintenance and enhancement of amenity values. Supports the creation of well-functioning urban environments as required by the NPS-UD, ensuring residential areas remain pleasant and healthy.	The proposed rezoning introduces new residential development adjacent to rural activities, increasing potential for reverse sensitivity and construction noise. Buffering, setbacks, and operational controls aimed at maintaining residential amenity and reducing land use conflict ensure that HNRO3 can be achieved.
HNRO4 To recognise and provide for activities that are an existing use or which provide a valuable service to the community or will satisfy a proven community need.	supports the purpose of the RMA (s5) by enabling people and communities to provide for their social, economic, and cultural well-being while ensuring effects are appropriately managed.	Not applicable.
HNRO5 To protect people, property and infrastructure of the community from flooding and ponding effects associated with stormwater runoff.	Consistent with the purpose of the RMA (s5) by safeguarding life, property, and infrastructure from natural hazard risks, which is essential for sustainable management. Gives effect to Section 6(h) (management of significant risks from natural hazards) and supports Section 7(f) (maintenance and enhancement of the quality of the environment). Aligns with NPS-FM, which requires integrated management of land use and water to avoid adverse effects on freshwater systems.	The plan change area includes Crombie Drain and is identified as having flood risk and medium liquefaction vulnerability. The PPPC9 provisions incorporate a 28m-wide drainage reserve along Crombie Drain and require an updated Stormwater Management Plan at subdivision stage. These measures ensure that stormwater is managed on-site, avoiding increased flood risk to adjoining properties and protecting infrastructure. Council engineers have confirmed that the area must be self-sufficient for stormwater management, with detention and

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		conveyance capacity designed to accommodate major events. Overall, the rezoning and associated provisions give effect to HNR05 by embedding stormwater controls and hazard mitigation into the Structure Plan and consent processes.
HNRO6 To ensure that intensification of housing in Havelock North is consistent in its design and location with the planned urban built form environment sought for the zone.	Aligns with Section 5 of the RMA, promoting sustainable management by ensuring that housing intensification occurs in a way that maintains amenity, infrastructure efficiency, and community well-being. It gives effect to Section 7(b) (efficient use and development of natural and physical resources) and Section 7(c) (maintenance and enhancement of amenity values). Supports the NPS-UD, which requires councils to enable well-functioning urban environments while ensuring intensification is integrated with planned urban form and infrastructure capacity.	Not applicable.
HNRO6A To ensure that potential conflicts over zone boundaries are addressed, in advance of any new residential development occurring within the Brookvale Romanes Urban Development Area.	Aligns with Section 5 of the RMA, promoting sustainable management by proactively managing land use conflicts before development occurs. Gives effect to Section 7(b) (efficient use and development of natural and physical resources) and Section 7(c) (maintenance and enhancement of amenity values) by ensuring that zone boundary issues—such as reverse sensitivity and infrastructure integration—are addressed early. This approach reduces environmental and social impacts and supports orderly urban growth.	The proposed rezoning introduces General Residential and Deferred Residential zones adjacent to Plains Production land. Potential conflicts include reverse sensitivity effects on productive rural activities. PPPC9 addresses these through the Brookvale Structure Plan provisions, including a 28m-wide open space reserve along the Plains Production boundary and yard setbacks. These measures ensure that zone boundary conflicts are mitigated in advance of development.
HNRO6B Recognise and enable the housing and care needs of the ageing population.	Aligned with the purpose of the RMA (s5), which seeks to enable people and communities to provide for their social and economic well-being while managing adverse effects. Gives effect to Section 7(b) (efficient use	The proposed plan change explicitly seeks to enable a retirement village as part of a comprehensively planned residential development. This responds to a documented and growing demand for housing and care options for



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	and development of natural and physical resources) by promoting housing solutions that respond to demographic trends and Section 7(c) (maintenance and enhancement of amenity values) by ensuring that care facilities integrate appropriately into residential environments. Supports the NPS-UD, which requires councils to provide for diverse housing needs, including retirement living and aged care.	older people in the Napier–Hastings area.
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Section 30.1 Subdivision and Land Development

<b>Objectives</b>	<b>Does this objective remain the most appropriate way to achieve the purpose of the Act?</b>	<b>Assessment of rezoning and provisions against this objective.</b>
SLDO1 To enable subdivision of land that is consistent with each of the Objectives and Policies for the various SMA, Zones, Precincts, or District Wide Activities in the District Plan.	Supports sustainable management by ensuring subdivision occurs in a manner that reflects the integrated objectives and policies of the District Plan. The objective reinforces internal consistency within the District Plan and ensures that subdivision does not undermine zone-specific outcomes or district-wide resource management goals.	PPPC9 provisions require subdivision and development to occur in general accordance with the Brookvale Structure Plan and the Havelock North Residential Environment objectives. This ensures that subdivision patterns, infrastructure servicing, and design outcomes align with the planned urban form and avoid ad hoc development.
SLDO2 To ensure that sites created by subdivision are physically suitable for a range of land use activities allowed by the relevant Section Rules of the District Plan.	Supports sustainable management by ensuring that subdivided land can be used effectively for its intended purposes without creating environmental or infrastructure issues.	Technical reports accompanying the plan change confirm that the land is suitable for residential development, subject to standard engineering and hazard mitigation measures.
SLDO3 Avoid subdivision in localities where there is a significant risk from natural hazards.	Supports sustainable management by reducing exposure to natural hazards, thereby protecting life, property, and the environment. Aligns with the RMA's purpose of managing risks to people and communities. This objective is consistent with Section 6(h) of the RMA, which requires the management of significant risks from natural	The plan change area includes Crombie Drain and is identified in the Hawke's Bay Hazards Portal as having flood risk and medium liquefaction vulnerability. PPPC9 provisions incorporate a 28m-wide drainage reserve along Crombie Drain and a Stormwater Management Area at subdivision stage. Geotechnical assessments confirm that any liquefaction

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	hazards as a matter of national importance.	risk can be mitigated through standard engineering design. These measures ensure that subdivision avoids or appropriately manages natural hazard risks, consistent with SLDO3's intent.
SLDO4 To ensure that land which is subdivided is, or can be, appropriately serviced to provide for the likely or anticipated use of the land, so as to ensure the health and safety of people and communities, and the maintenance or enhancement of amenity values.	Supports sustainable management by ensuring that subdivision does not create health, safety, or amenity issues. Adequate servicing (water, wastewater, stormwater, access) is essential for well-functioning communities.	PPPC9 provisions require subdivision and development to occur in general accordance with the Brookvale Structure Plan, which includes indicative road layouts, stormwater management areas, and wastewater servicing requirements. These measures collectively ensure that land is appropriately serviced before development proceeds, maintaining health, safety, and amenity values consistent with SLDO4's intent.
SLDO5 To ensure that reverse sensitivity effects are avoided where practicable, or mitigated where avoidance is not practicable.	Supports sustainable management by reducing conflicts between incompatible land uses. This helps protect existing lawful activities and maintain community well-being. Aligns with the NPS-HPL which emphasizes reverse sensitivity management.	The proposed rezoning introduces General Residential and Deferred Residential zones adjacent to Plains Production land, creating potential for reverse sensitivity issues (e.g., complaints about noise, spray drift, and hours of operation). PPPC9 addresses these through the Brookvale Structure Plan provisions, including a 28m-wide open space reserve along the Plains Production boundary and yard setbacks. These measures provide physical separation and buffering, reducing the likelihood of land use conflict.
SLDO6 To create, link, maintain, and enhance, public access to and along the margins of the District's identified significant waterbodies in a manner that is compatible with the preservation of conservation values and adjoining land uses.	Promotes sustainable management by balancing public access with environmental protection and compatible land use. Aligns with Section 6(d) of the RMA, which identifies the maintenance and enhancement of public access to and along waterbodies as a matter of national importance.	Not applicable.
SLDO7 To enable limited lifestyle subdivision for Cyclone Gabrielle affected landowners to provide a permanent housing option where the	Supports sustainable management by addressing social and economic well-being for landowners who have lost the ability to live on their land	Not applicable.

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ability to undertake residential activity has been permanently surrendered.	due to natural hazard impacts. Aligns with the RMA's purpose and hazard management principles under s6(h) (managing significant risks from natural hazards).	
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Brookvale Structure Plan

Objectives	Does this objective remain the most appropriate way to achieve the purpose of the Act?	Assessment of rezoning and provisions against this objective.
BRSP-O1 That the Brookvale Urban Growth Area develops into a pleasant living environment that is well connected to the adjoining neighbourhoods, parks and recreational areas.	Supports sustainable management by promoting a well-functioning urban environment that enhances social well-being and efficient land use. Aligns with the NPS-UD, which emphasizes creating quality urban environments with good accessibility and amenity.	PPPC9 provisions integrate the Brookvale East area into the existing Brookvale Structure Plan, ensuring connectivity through an extended east-west spine road, indicative north-south walking and cycling links, and open space reserves adjoining Crombie Drain. These measures provide physical and functional connections to surrounding neighbourhoods and recreational areas, supporting a pleasant and well-connected living environment consistent with BRSP-O1's intent.
BRSP-O2 That the quality of the environment created within the Brookvale Urban Growth Area reflects best practice urban design outcomes and the New Zealand Urban Design Protocol including the 7C's: Character, Connections, Custodianship, Collaboration, Creativity, Choice, Context.	Promotes sustainable management by ensuring urban development is high quality, well-designed, and enhances social, economic, and environmental well-being. Good design reduces adverse effects and supports efficient resource use. Aligns with the New Zealand Urban Design Protocol and complements the NPS-UD, which seeks well-functioning urban environments.	PPPC9 provisions incorporate indicative road layouts, open space reserves, and design outcomes within the Brookvale Structure Plan to ensure connectivity, amenity, and integration with surrounding neighbourhoods.

- 27.8.11 A full evaluation is required for any objectives that are added or amended. However, for the proposed amendment to BRSP-O3, a detailed evaluation is not considered necessary. The changes simply update references to reflect the NPS-UD and the adoption of the Future Development Strategy (FDS), which replaces HPUDES. The intent and purpose of the objective remain unchanged.

*BRSP-O3 That the development provisions that shape the Brookvale Urban Growth Area seek to assist the Council in the achievement of the objectives of the National Policy Statement on Urban Development Capacity 2016 for the District as a medium growth area 2020 as well as*

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*the objectives of the Regional Policy Statement and the ~~Heretaunga Plains Urban~~Napier-Hastings Future Development Strategy (~~HPUDS~~2025) in terms of development that uses land efficiently while creating a high quality environment.*

- 27.8.12 The plan change request proposes the following objective, policies and accompanying explanation.

*Objective:*

*HNRO10 To identify the opportunity for the expansion of the residential development in planned locations in accordance with a structure plan.*

*Policies:*

*HNRP18 Identify land intended to be developed for residential purposes within the 10 year life of the District Plan by including a Havelock North Deferred Residential Zone in accordance with the Napier-Hastings Future Development Strategy 2025-2054.*

*HNRP19 To ensure that any development that occurs in the Havelock North Deferred Residential Zone does not compromise the future residential growth in accordance with an approved structure plan and that in the meantime this land resource remains available for land based primary production.*

*Explanation:*

*Areas zoned Havelock North Deferred Residential Zone may be rezoned to a full Residential Zone as demand for residential land occurs, or as initiated by a Private Plan Change request. Amongst other environmental and economic assessments, further investigation and servicing of areas will be required, which may include investigations into natural hazard susceptibility, land use compatibility and impacts on landscape quality. Measures to ensure that new development will respect and be compatible with the existing character of the community will need to be incorporated. The Deferred Residential Zone is located in accordance with the Brookvale Structure Plan. This structure plan has been prepared in accordance with the requirements of the Hawke's Bay Regional Policy Statement in order to ensure the orderly and efficient development of the growth node and to identify, where necessary, key structure roads and utilities, public open spaces and reserves and how new infrastructure and resources may interrelate or connect into the existing network and/or environment. In the meantime, the deferred status provides for the continued use of the site for a wide range of rural activities.*

- 27.8.13 The proposed objective (HNRO10), associated policy (HNRP18) and explanation are not recommended for inclusion in the Hastings District Plan for the following reasons.

- This plan change can comfortably fit within the current framework of the District Plan without the proposed objective.
- If included, an objective of this nature would be more appropriately located within the Urban Strategy section of the Plan, as its primary focus relates to implementing the Future Development Strategy (FDS) growth framework.
- The scope of the objective is not limited to PPC9 and has the potential to have unintended consequences relating to other development areas identified within the FDS.
- The objective reads more like a method – “to identify”. Methods explain how policies will be implemented (e.g., through structure plans, zoning changes).

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- The phrase “to identify the opportunity” is vague and action oriented. It describes a process (identifying opportunities) rather than an outcome.
- Objectives should describe the desired outcome or purpose at a higher level — what the plan aims to achieve. Objectives should state what the community wants, not what the Council will “identify.” Objectives should guide decision making whereas this wording feels more like an internal step.
- Structure plans and deferred zoning are already identified as methods in Section 2.4 Urban Strategy.
- Policy HNRP18 does not provide decision makers any useful guidance as again it describes an internal step of Council that goes beyond the scope of PPC9.

27.8.14 It is recommended that the proposed Objective HNRO10, Policy HNRP18 and the explanation **not** be incorporated into the Hastings District Plan.

27.8.15 There is merit in having an Objective and Policy that provide direction for a Deferred Havelock Residential Zone, given that there is presently no zone of this nature. Given this, Policy HNRP19 is recommended for inclusion, with amended wording and numbering for clarity, as well as a proposed associated Objective. Together these will provide valuable direction to decision makers should any applications be made within the proposed deferred area. The following objective and explanation are recommended to accompany this policy under the heading ‘Havelock North Deferred Residential Zone’.

**HAVELOCK NORTH DEFERRED RESIDENTIAL ZONE**

**HNRO10 To ensure that land identified as Havelock North Deferred Residential Zone is managed in a way that maintains its availability for future residential development in accordance with an approved structure plan, while enabling ongoing rural activities that do not compromise the ability to transition to residential use when required.**

**HNRP18 To ensure that activities within the Havelock North Deferred Residential Zone do not compromise the ability to transition the land to residential use in accordance with an approved structure plan, while enabling ongoing rural activities that maintain the productive use of the land until rezoning occurs.**

**Explanation**

**The deferred status ensures that the land remains available for urban growth while enabling its continued use for rural activities that do not compromise future rezoning. This approach provides certainty for long-term planning, avoids ad hoc development, and maintains the integrity of any structure plan by preventing activities that could hinder the logical and efficient transition to residential use. In the interim, rural activities are supported to retain productive use of the land until infrastructure and servicing are in place to enable residential development.**

27.8.16 The above Objective, Policy and Explanation are recommended as they reflect the dual purpose of the deferred zone being protecting future urban growth potential by avoiding incompatible development, while allowing continued rural use, so the land remains productive until rezoning occurs.

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27.9 Analysis of Proposed Provisions

27.9.1 The following table provides analysis of the District Plan provision changes proposed.

Proposed Provision	Analysis	Recommendation
Section 2.4 Urban Strategy 2.4.4 Methods <u>Deferred Residential Zones:...</u> A Structure Plan has also been prepared <u>is in place</u> for the Brookvale urban development area (Appendix 13B). <u>The Deferred Zoning for Area E of the Brookvale Structure Plan will remain until a plan change to rezone to Havelock North General Residential Zone or revert to Plains Production Zone is completed.</u>	Adds clarity around the process for uplifting the deferment.	Accept changes.
Section 8.2 Havelock North Residential Section Policy HNRP1 Explanation <u>Havelock North Deferred Residential Zone</u> <u>The Deferred Residential Zone is applied to land which has been identified as appropriate for future residential use through the Future Development Strategy and where a structure plan has been prepared for residential development of the area, but which is not live zoned due to current unavailability of necessary infrastructure. Areas zoned Deferred Residential will require a plan change to be completed to be rezoned to Havelock North General Residential Zone.</u>	Adds clarity around the reason for deferment and the process for uplifting the deferment.	Accept changes.
Section 8.2 Havelock North Residential Section 8.2.4 Rules 8.2.4.3 <u>Havelock North Deferred Residential Zone</u> <u>The Havelock North Deferred Residential Zone will cease to have effect when it is either rezoned to a full Residential Zone as a result of a Plan Change or rezoned back to Plains Production Zone as a result of a Plan Change.</u>	Repeats the process for uplifting the deferment. It is more of an explanatory note about what happens after a plan change – it doesn't regulate land use or development. Rules in a District Plan should be enforceable standards that apply to activities (e.g., setbacks, height limits, density controls). It duplicates an RMA process. It is redundant as part of a rule because any plan change will affect the change not this rule. Saying the zone "will cease to have effect when rezoned" is redundant because that's exactly what a plan change does by law. It doesn't provide any measurable standard for compliance — you can't "apply" or "breach" this rule.	Accept and Reject changes as follows.  8.2.4.3 Havelock North Deferred Residential Zone <del>The Havelock North Deferred Residential Zone will cease to have effect when it is either rezoned to a full Residential Zone as a result of a Plan Change or rezoned back to Plains Production Zone as a result of a Plan Change.</del>
Section 8.2 Havelock North Residential Section 8.2.4 Rules <u>Rule Table 8.2.4.3 Deferred Residential Zone Activity Status</u> <u>HNDRR1</u>	This is consistent with the current planning framework in the Hastings District Plan Allows landowners to keep operating in accordance with what is permitted in the Plains	Accept changes.

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<p><u>The activities that are Permitted in the Havelock North Deferred Residential Zone shall be those provided as Permitted Activities in the Plains Production Zone (Section 6.2), provided they comply with the General Performance Standards and Terms in Section 6.2.6 and the relevant Specific Performance Standards and Terms in Section 6.2.7 and Specific Performance Standard 8.2.6G.</u></p> <p><u>Activity Status - Permitted</u></p>	<p>Production Zone until infrastructure is complete. The purpose of deferred zoning is to stage growth, not freeze land completely.</p> <p>Allowing underlying zone activities maintains flexibility while still signalling future urban expansion.</p> <p>Compliance with Performance Standard 8.2.6G ensures that the Structure Plan is not compromised by any interim development.</p>	
<p>Section 8.2 Havelock North Residential Section 8.2.4 Rules</p> <p><u>Rule Table 8.2.4.3 Deferred Residential Zone Activity Status</u></p> <p><u>The activities that are controlled in Havelock North Deferred Residential Zone shall be those provided for in the Plains Production Zone (Section 6.2), provided they comply with the General Performance Standards and Terms in Section 6.2.6 and the relevant Specific Performance Standard(s) and Terms in Section 6.2.7 and Specific Performance Standard 8.2.6G.</u></p> <p><u>Activity Status - Controlled</u></p>	<p>As per reasons outlined above. Wording changes suggested – add bolded text.</p> <p>The activities that are controlled in Havelock North Deferred Residential Zone shall be those provided for <b>as Controlled Activities</b> in the Plains Production Zone (Section 6.2), provided they comply with the General Performance Standards and Terms in Section 6.2.6 and the relevant Specific Performance Standard(s) and Terms in Section 6.2.7 and Specific Performance Standard 8.2.6G.</p>	<p>Accept changes with amendments.</p>
<p>Section 8.2 Havelock North Residential Section 8.2.4 Rules</p> <p><u>Rule Table 8.2.4.3 Deferred Residential Zone Activity Status</u></p> <p><u>Any activity which is not provided for as a Permitted or Controlled Activity (for the avoidance of doubt, this includes activities which do not comply with Specific Performance Standard 8.2.6G).</u></p>	<p>Restricts any activities not provided for as permitted or controlled activities in the Plains Production Zone and any activities that are not compliant with the Structure Plan thereby protecting the eventual transition to residential zoned land.</p>	<p>Accept changes.</p>
<p>Section 8.2 Havelock North Residential Section 8.2.6 SPECIFIC PERFORMANCE STANDARDS AND TERMS</p> <p>8.2.6G STRUCTURE PLANS</p> <p><u>No additional residential buildings may be occupied on a site in Area D of the Brookvale Structure Plan (shown in Appendix 13B) until a wastewater pump station becomes available to service the site. The wastewater pump station must be future proofed to enable development in Area E following uplift of the deferred residential status.</u></p>		<p>Accept changes.</p>
<p>Section 8.2 Havelock North Residential Section 8.2.9 COMPREHENSIVE RESIDENTIAL DEVELOPMENTS IN THE BROOKVALE URBAN DEVELOPMENT AREA</p>	<p>Adds area D to these areas within the Brookvale Structure Plan area that the assessment criteria for comprehensive development applies to.</p>	<p>Accept changes.</p>

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<p>8.2.9B COMPREHENSIVE RESIDENTIAL DEVELOPMENTS WITHIN APPENDIX 13B, FIGURE 1</p> <p>a. Consider how the proposed development integrates to the overall suburban development of the relevant stage or area shown on the Brookvale Structure Plan (areas A, B, <del>C</del> or <del>D</del>) within which the proposal is to be located. In particular the following specific matters are relevant to any assessment:</p>		
<p>Appendix 13B Brookvale Structure Plan Introduction</p> <p>... <del>This area has</del> <u>The land on Brookvale Road east of Davidson Road is</u> also been identified within HPUDS as a <del>replacement</del> <u>new residential greenfield development</u> area <del>for under the</del> <u>Arataki Extension due to reverse sensitivity issues impacting on the suitability of this area in the short to medium term Napier-Hastings Future Development Strategy 2025 (as site HN6).</u> ... <del>The Prior to rezoning, the</del> Brookvale Urban Growth Area <del>is currently</del> <u>was</u> zoned Plains Production Zone. Land north of the <del>proposed</del> Drainage Reserve (Crombie Drain) and in the vicinity of Thompson and Davidson Roads continues to be used for productive uses and as such the drain <del>and roads have</del> <u>has</u> been utilised to create a defined urban edge to manage reverse sensitivity effects and protect the versatile land adjoining this area. <del>For the remainder of the area there are a large number of smaller residential sites fronting Brookvale Road.</del> Overall, the Brookvale Romanes Urban Growth Area is a logical and practical extension to the Havelock North Residential area. It is essential however, that the approximately <del>364</del> <u>45</u> hectares of land within this urban growth area is used in an efficient manner (to offset the loss of this versatile land resource) and to create a vibrant and high amenity residential area that caters for the housing needs of a mixed community. The preparation of a Stormwater Management Plan is fundamental to the development of this area, as it sits within a floodplain...</p>	<p>The proposed changes give context and update the introduction to reflect the proposed inclusion of Areas D &amp; E and the recent adoption of the FDS.</p>	<p>Accept changes.</p>
<p>Appendix 13B Brookvale Structure Plan Design Outcomes</p> <p>Transportation and the Street Network BRSP-O2... Transportation connections shown as fixed are those that are critical to achieving the optimum outcome in terms of urban design of this new residential area and are also essential in providing the greatest level of <u>integrated</u> access through the neighbourhood and connections to adjoining areas... <u>Area D includes a proposed road alignment extending from Areas A and C parallel with Brookvale Road to provide integration across Davidson Road</u></p>	<p>The proposed changes emphasise the desired outcome being access that is integrated across the area and that the role through Area D to Area E plays a role in that. This reflects the important to Area E on not having to rely only on Brookvale Road for access.</p>	<p>Accept changes.</p>



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<b><u>and access to the deferred residential growth area to the east (Area E).</u></b>		
Appendix 13B Brookvale Structure Plan Design Outcomes Transportation and the Street Network BRSP-O3 The Transportation network will provide for road vehicles, cyclists and pedestrians and will support the off-road pedestrian cycle links throughout the Structure Plan area as shown that utilise stormwater drainage and reserve areas. Pedestrian, cycle and/or reserve links are required to be enabled, generally in accordance with the Structure Plan, to allow for improved connectivity within the area and to the wider area surrounding this new urban development area. Upgrades to the existing roads within the Structure Plan area ( <del>Thompson</del> <b>Brookvale</b> , Thompson and Davidson Roads) will be required to ensure levels of services are maintained as the area transition from rural to urban.	The proposed change includes Brookvale Road in those roads that require frontage upgrades. It is an important part of residential development to urbanise rural roads at the time of development.	Accept changes.
Appendix 13B Brookvale Structure Plan Design Outcomes Transportation and the Street Network BRSP-O4... At least one through east-west road shall be provided, running from Romanes Drive to Davidson Road <b><u>and extending into Area D (and Area E, subject to a future Plan Change to uplift the Deferred Residential status).</u></b>	The proposed changes emphasise the desired outcome being access that is integrated across the area and that the role through Area D to Area E plays a role in that. This reflects the important to Area E on not having to rely only on Brookvale Road for access.	Accept changes.
Appendix 13B Brookvale Structure Plan Design Outcomes Transportation and the Street Network BRSP-O4...Design Outcome: Russell Robertson Extension & Romanes Drive to Davidson Road Spine Road <b><u>Connector (Beecroft Drive)</u></b> A collector road connection that extends Russell Robertson Drive through to Thompson Road including a bridge/culvert crossing to traverse the Crombie Drain and constructed along the alignment shown on the Brookvale Structure Plan. In the case of the Romanes Drive to Davidson Road spine <b><u>road connector (Beecroft Drive)</u></b> , this is to be constructed on the alignment shown on the Structure Plan. The exception being a short portion of indicative alignment at the Romanes Drive end to provide development flexibility. <b><u>This road is also indicated to extend into Area D to provide an integrated roading network for the extended structure plan area east of Davidson Road.</u></b> Design Criteria: Russell Robertson Extension & Romanes Drive to Davidson Road/ <b><u>Area D</u></b> Spine Connector ( <b><u>Beecroft Drive</u></b> ): Provision of <del>on-street</del> <b><u>carparking and cycle lanes</u></b> and a footpath on both sides of the road; <b><u>Provision of on-street carparking on both sides of the road. A combination of parking within the road carriageway or indented bays is appropriate;</u></b>	<p>The proposed changes emphasise the desired outcome being access that is integrated across the area and that the role through Area D to Area E plays a role in that. This reflects the important to Area E on not having to rely only on Brookvale Road for access.</p> <p>The removal of the need for cycle lanes on Beecroft Drive reflects the treatment that has been applied so far within the existing Brookvale Structure Plan Area.</p> <p>The proposed changes include that on-street carparking can be within the road carriageway or indented bays.</p> <p>The proposed changes include the incorporation of traffic calming measures where appropriate.</p> <p>The proposed changes specify a 15m wide spine road corridor.</p>	Accept changes.

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<p><u><b>Incorporation of traffic calming measures where appropriate;</b></u> Incorporation of 'low impact design' stormwater features within the street design and streetscape as a whole; Street lighting shall be deflected downwards towards the road and footpaths to reduce the impacts of lighting on surrounding properties; and Street trees shall be planted in an avenue style in the road berm areas. Plans outlining the species proposed [1], spacing of trees and location within the berm area shall be provided with any application for subdivision. <u><b>The spine road connector shall generally be provided in accordance with the 15m wide corridor — local road cross-section in Figure 2 unless otherwise approved by HDC. ...</b></u></p>	<p>This is in keeping with already established sections of the road.</p> <p>All changes have been confirmed as appropriate by Council's Transportation Policy &amp; Planning Manager.</p>	
<p>Appendix 13B Brookvale Structure Plan Design Outcomes Transportation and the Street Network BRSP-O4...Davidson Road (adjacent to Area A and the Future Stage as Identified in HPUDS D) The Davidson Road alignment is to remain as existing, but will require upgrades to the road profile, providing new kerb and channel and pedestrian amenities. Design Criteria: <u><b>Provision of a footpath on both sides of the road;</b></u> Provision of on-street carparking <u><b>on both sides of the road, cycle lane/s and a footpath in indented parking bays;</b></u> <u><b>Incorporation of traffic calming measures; ...</b></u> <u><b>The upgrades to Davidson Road shall generally be provided in accordance with the indicative cross-section and plan in Figures 2A and 2B unless otherwise approved by HDC. ...</b></u></p>	<p>The proposed changes reflect the inclusion of Area D and specify the design outcomes and criteria for Davidson Road.</p> <p>All changes have been confirmed as appropriate by Council's Transportation Policy &amp; Planning Manager.</p>	<p>Accept changes.</p>
<p>Appendix 13B Brookvale Structure Plan Design Outcomes Infrastructure Services BRSP-O5 Stormwater: Stormwater is to be managed and treated by means of a low impact stormwater system that includes an upgrade to the existing Crombie Drain <del>and</del>, a detention pond to the north of the Crombie Drain and adjacent to the Russell Robertson Drive extension, <u><b>and where required, additional stormwater detention areas including within the proposed Crombie Drainage Reserve-</b></u> <del>Both of these</del> <u><b>These</b></u> areas have been identified on the Brookvale Structure Plan (Appendix 13B, Figure 1) as Stormwater Management Areas. All areas needed for stormwater management purposes will be vested in Council. Roadside drainage features will be used to convey stormwater runoff to the Crombie drain. The final width of the Drainage Reserve (28 metre minimum) and location and size of the ponds/wetlands/<u><b>detention areas</b></u> constructed within these Stormwater Management Areas will be confirmed during the first subdivision as</p>	<p>Modifications are recommended that provide greater clarity to the different approach being taken for Areas D &amp; E to those areas within the existing Brookvale Structure Plan area.</p>	<p>Reject changes.</p> <p>See modifications recommended below.</p>

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<p>part of the preparation of a complete Stormwater Management Plan for the entire Brookvale Structure Plan Area [1] <u>and/or through subsequent Stormwater Management Plans for each stage of development which demonstrate integration with the overall approach for the structure plan. Alternative stormwater management areas may be identified and included within the Stormwater Management Plan at resource consent stage...</u></p> <p>At the time of the first subdivision for Stage 1 of Area A, a 'Stormwater Management Plan' (SMP) is to be provided prepared for the entire Brookvale Structure Plan area. <u>Subsequent SMPs may be prepared for each stage of development providing that integration with the overall approach for the structure plan is demonstrated.</u> The SMP(s) will demonstrate how 'stormwater neutrality' is to be achieved such that existing rates of runoff are not exceeded. The SMP(s) will specify the mix of measures to be employed including, but not necessarily limited to: <u>Any communal measures and, their capacity, design, management and ownership; Any areas of the proposed Crombie Drain Reserve that will be set aside for flood storage and mitigation, and associated indicative cross-sections;...</u></p>		
<p>Appendix 13B Brookvale Structure Plan Design Outcomes Infrastructure Services BRSP-05 Wastewater</p> <p>There are fixed points for wastewater connection at Romanes Drive and Napier Road, which are identified on the Structure Plan diagram (Appendix 13B, Figure 1). The existing wastewater services network will need to be extended and upgraded along Davidson Road to slightly north of the Crombie Drain then run west back to the identified point of connection on Romanes Drive. Services can run either within the Drainage Reserve itself or alternatively easements will be required. All other new service infrastructure will be constructed by the developer. Two key features of the wastewater servicing design will be two new pump stations to manage wastewater flow back to the existing HDC network. The location of these pump stations will not be known until detailed design work is carried out but indicatively are needed within <del>Stage Area B and C</del> (or alternatively within the 'future stage as identified by HPUDS') D. The pump stations will have all equipment located below ground level except for an equipment box which will be screened by landscaping on all sides except the road frontage to maintain access for maintenance purposes. <u>Legal access to the</u></p>	<p>The proposed changes reflect the plan for a wastewater pump station in Area D and seeks to secure access to this pump station for Area E.</p> <p>Further clarification is needed on the funding of the pump stations with suggested addition to the text outlined below.</p> <p><u>The pump station within Area D will be fully funded by the developer.</u></p>	<p>Accept changes with modifications.</p>

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<p><u>wastewater pumpstation for Area E will be provided through Area D to future proof this area for residential development.</u> All extension <del>upgrades</del> <u>upgrades</u> need to be constructed in accordance with the HDC Engineering Code of Practice. Sewer reticulation layouts will require a mix of gravity and rising mains due to the naturally sloping ground of the development area towards the Crombie Drain.</p>		
<p>Appendix 13B Brookvale Structure Plan Residential Density The Heretaunga Plains Urban Development Strategy (HPUDS) suggests a total indicative yield for the entire Brookvale and Romanes Drive areas of 575 dwellings. With a yield target of 15 dwellings per hectare to achieve this. The total area of the Brookvale Structure Plan area is approximately <del>36.45</del> <u>45</u> hectares <del>of the total</del> <u>approximate 45 hectare area identified in HPUDS. The remaining future stage (as identified on the Structure Plan) will be investigated for rezoning once reverse sensitivity issues are resolved.</u> Detailed structure planning investigations and resultant infrastructure needs can affect yield, but the plan provisions provide the means to achieve the <u>minimum</u> 15 dwellings per hectare target, and specifically include rules that provide opportunities for comprehensive residential development (<u>including retirement villages</u>) to occur.</p>	<p>The proposed changes reflect the increased land area zoned for residential and that retirement villages are defined separately from comprehensive residential development.</p>	<p>Accept changes.</p>
<p>Appendix 13B Brookvale Structure Plan The Green Network — Open Space Zone BRSP-O7C Design Criteria:... That the Drainage Reserve has a minimum width of 28 metres for the full length running from Romanes Drive to Davidson Road as depicted on the Brookvale Structure Plan (Appendix 13B, Figure 1) and have the minimum requirements as depicted in the Crombie Drain profile attached to this Structure Plan as Figure 3 <u>unless an alternative cross-section is approved by Hastings District Council consistent with the Stormwater Management Plan.</u></p>	<p>The proposed changes give flexibility to the design of the Crombie Drain Reserve cross section.</p>	<p>Accept changes.</p>
<p>Appendix 13B Brookvale Structure Plan Figure 1: Brookvale Structure Plan</p>	<p>Structure Plan Elements proposed; Collector Road – A continuation of Beecroft Drive through Area D to Area E. Wastewater Pump Station – Located within Area D with the Crombie Reserve providing legal access to the pump station to Area E. Indicative Off-Road Cycleway / Shared Pathway – This is proposed to provide access</p>	<p>Accept changes.</p>

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	through Area E from Brookvale Road to the Crombie Drain Reserve the through Area D to Davidson Road.	
Appendix 13B Brookvale Structure Plan <b>Figure 2A: Typical Road Section (Davidson Road)</b>	A specific cross section and plan view for Davidson Road upgrade is proposed. All changes have been confirmed as appropriate by Council's Transportation Policy & Planning Manager.	Accept changes.
Appendix 13B Brookvale Structure Plan <b>Figure 2B: Typical Plan View (Davidson Road)</b>	A specific cross section and plan view for Davidson Road upgrade is proposed. All changes have been confirmed as appropriate by Council's Transportation Policy & Planning Manager.	Accept changes.
Appendix 13B Brookvale Structure Plan <b>Figure 3: Crombie Drain Profile</b>	An updated Crombie Drain Profile is proposed. Specific profile design comes with full engineering design at resource consent stage.	Accept changes.

27.9.2 The following table shows the modifications recommended in addition to those proposed.

Recommended Modification	Analysis
<p>Appendix 13B Brookvale Structure Plan Design Outcomes Infrastructure Services BRSP-O5 Stormwater: <b>Areas A, B &amp; C</b></p> <p>Stormwater is to be managed and treated by means of a low impact stormwater system that includes an upgrade to the existing Crombie Drain and a detention pond to the north of the Crombie Drain and adjacent to the Russell Robertson Drive extension. Both of these areas have been identified on the Brookvale Structure Plan (Appendix 13B, Figure 1) as Stormwater Management Areas. All areas needed for stormwater management purposes will be vested in Council. Roadside drainage features will be used to convey stormwater runoff to the Crombie drain. The final width of the Drainage Reserve (28 metre minimum) and location and size of the ponds/wetlands constructed within these Stormwater Management Areas will be confirmed during the first subdivision as part of the preparation of a complete Stormwater Management Plan for the entire Brookvale Structure Plan Area [1]. Remaining land that is not required for stormwater management purposes within the identified stormwater management area (including access for maintenance and for public safety) can then be utilised in accordance with its underlying zoning. This approach is covered under Rule 30.1.7Z(8). The stormwater system is to meet 'the design principles for stormwater attenuation and treatment' set out in the Hawkes Bay Regional Council, April 2009, Hawkes Bay Waterway Guidelines. The system is to achieve best practice from source through to discharge at the boundary so as to mitigate the effects of urban development on stormwater quality and quantity. In particular the system is to: Be in general accordance with the Brookvale Structure Plan map (Appendix 13B) including the cross section minimum width of 28 metres and the Crombie Drain profile attached to this Structure Plan text as Figure 3; Attenuate stormwater in order to achieve a discharge at the boundary of the developed area that is not greater than predevelopment flow; Individual site</p>	<p>Modifications are recommended that provide greater clarity to the different approach being taken for Areas D &amp; E to those areas within the existing Brookvale Structure Plan area.</p> <p>Rather than altering the text that relates to the existing structure plan areas, it is recommended that a separate section be added that outlines the approach for Areas D &amp; E.</p>

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<p>stormwater shall be designed to comply with the HDC Engineering Code of Practice/ District Plan ; The Drainage Reserve and stormwater management ponds / wetlands [or the specific mitigation devices to be advised] are to be vested in Hastings District Council upon subdivision;</p> <p>At the time of the first subdivision for Stage 1 of Area A, a ‘Stormwater Management Plan’ (SMP) is to be provided for the entire Brookvale Structure Plan area. The SMP will demonstrate how ‘stormwater neutrality’ is to be achieved such that existing rates of runoff are not exceeded. The SMP will specify the mix of measures to be employed including, but not necessarily limited to: Land within the stormwater management areas that is not required for stormwater management purposes but is required for access for maintenance and public safety; The Whakatomo Place existing overland flowpath and existing concrete lined open swale drain which discharges to the Crombie Drain. Included in this aspect of the assessment consideration needs to be given to the height of Brookvale Road and surrounding properties to alleviate ponding. The existing concrete lined open swale drain or approved alternative is to be accommodated within road corridor or drainage reserve and vested in Council. [1]The stormwater management solution shall have the endorsement of the Hawkes Bay Regional Council prior to it being lodged as part of this application.</p> <p><b><u>Area D &amp; E</u></b></p> <p><b><u>Stormwater management for Areas D and E will be managed independently from the Stormwater Management Plan (SMP) prepared for Areas A, B, and C, while still meeting the same level of service. The Stormwater Management Area within Area B was not designed to accommodate runoff from Areas D and E; therefore, these areas must implement self-sufficient stormwater solutions.</u></b></p> <p><b><u>For Area D, the stormwater management approach will include a Crombie Drain Reserve with a minimum width of 28 metres, along with an additional detention area located within the development site. Both the Crombie Drain Reserve and the detention area will be vested as drainage reserves at no cost to the Council.</u></b></p>	
<p>Section 30.1 Subdivision and Land Development</p> <p>30.1.7 General Performance Standards and Terms</p> <p>30.1.7Z Subdivision within the Brookvale Urban Development Area (Appendix 13B, Figure 1)</p> <p>e. Identify any Stormwater Management Areas required including drains, detention ponds, wetlands and conveyance systems to achieve stormwater neutrality and define the extent to which the Stormwater Management Areas are needed as a result of development within the structure plan area;</p> <p><i>Note: Land required for stormwater management and detention purposes <b><u>within Area B</u></b> and which is not part of the Crombie Drainage Reserve shall be acquired by Council by agreement or in accordance with the Public Works Act 1981. <b><u>The Crombie Drain Reserve and detention areas within Areas D &amp; E shall be vested at no cost to Council.</u></b></i></p>	<p>There is no intention for Council to acquire detention areas outside of Area B and this should be made clear within the explanatory note.</p>

## 28 Conclusion

- 28.1.1 PPPC9 seeks to rezone 9.1 hectares being 137-161 Brookvale Road, Havelock North, from Plains Production Zone to Havelock North General Residential, Deferred Residential and Open Space Zone in the Operative Hastings District Plan (HDP) under the Resource Management Act 1991 (RMA).
- 28.1.2 The PPPC9 provisions seek to enable a retirement village development and future residential development.
- 28.1.3 Based on my evaluation of the Plan Change Request, the submissions received, the

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assessment of environmental effects, and the analysis against the relevant statutory framework, I conclude that:

- Any potential adverse effects can be sufficiently avoided, remedied or mitigated through the proposed District Plan provisions with recommended modifications.
- The proposed rezoning is consistent with the Operative Hastings District Plan and higher-level documents including the Hawke's Bay Regional Plan, NPS-UD and NPS-HPL.

## 29 Recommendations

- 29.1.1 That the Hearings Panel exercises its discretion under Section 37 of the RMA to accept the late submissions from Landsdale Developments Ltd and Tony & Suzy Martin and that these submissions are thereby given full standing in the hearing process as if lodged within the statutory timeframe.
- 29.1.2 In accordance with Clause 29(4) of Schedule 1 to the Resource Management Act 1991, and for the reasons set out in this report, that PPC9 be **approved** with the following modifications:

~~HNRO10 To identify the opportunity for the expansion of the residential development in planned locations in accordance with a structure plan.~~

~~HNRP18 Identify land intended to be developed for residential purposes within the 10 year life of the District Plan by including a Havelock North Deferred Residential Zone in accordance with the Napier-Hastings Future Development Strategy 2025-2054.~~

~~HNRP19 To ensure that any development that occurs in the Havelock North Deferred Residential Zone does not compromise the future residential growth in accordance with an approved structure plan and that in the meantime this land resource remains available for land based primary production.~~

~~Explanation:~~

~~Areas zoned Havelock North Deferred Residential Zone may be rezoned to a full Residential Zone as demand for residential land occurs, or as initiated by a Private Plan Change request. Amongst other environmental and economic assessments, further investigation and servicing of areas will be required, which may include investigations into natural hazard susceptibility, land use compatibility and impacts on landscape quality. Measures to ensure that new development will respect and be compatible with the existing character of the community will need to be incorporated. The Deferred Residential Zone is located in accordance with the Brookvale Structure Plan. This structure plan has been prepared in accordance with the requirements of the Hawke's Bay Regional Policy Statement in order to ensure the orderly and efficient development of the growth node and to identify, where necessary, key structure roads and utilities, public open spaces and reserves and how new infrastructure and resources may interrelate or connect into the existing network and/or environment. In the meantime, the deferred status provides for the continued use of the site for a wide range of rural activities.~~

~~HAVELOCK NORTH DEFERRED RESIDENTIAL ZONE~~

~~HNRO10 To ensure that land identified as Havelock North Deferred Residential Zone is managed in a way that maintains its availability for future residential development in accordance with an approved~~

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structure plan, while enabling ongoing rural activities that do not compromise the ability to transition to residential use when required.

HNRP18 To ensure that activities within the Havelock North Deferred Residential Zone do not compromise the ability to transition the land to residential use in accordance with an approved structure plan, while enabling ongoing rural activities that maintain the productive use of the land until rezoning occurs.

Explanation

The deferred status ensures that the land remains available for urban growth while enabling its continued use for rural activities that do not compromise future rezoning. This approach provides certainty for long-term planning, avoids ad hoc development, and maintains the integrity of any structure plan by preventing activities that could hinder the logical and efficient transition to residential use. In the interim, rural activities are supported to retain productive use of the land until infrastructure and servicing are in place to enable residential development.

Section 8.2 Havelock North Residential Section

8.2.4.3 Havelock North Deferred Residential Zone

~~The Havelock North Deferred Residential Zone will cease to have effect when it is either rezoned to a full Residential Zone as a result of a Plan Change or rezoned back to Plains Production Zone as a result of a Plan Change.~~

8.2.4 Rules - Rule Table 8.2.4.3 Deferred Residential Zone Activity Status

The activities that are controlled in Havelock North Deferred Residential Zone shall be those provided for **as Controlled Activities** in the Plains Production Zone (Section 6.2), provided they comply with the General Performance Standards and Terms in Section 6.2.6 and the relevant Specific Performance Standard(s) and Terms in Section 6.2.7 and Specific Performance Standard 8.2.6G.

Section 30.1 Subdivision and Land Development

30.1.7 General Performance Standards and Terms

30.1.7Z Subdivision within the Brookvale Urban Development Area (Appendix 13B, Figure 1)

e. Identify any Stormwater Management Areas required including drains, detention ponds, wetlands and conveyance systems to achieve stormwater neutrality and define the extent to which the Stormwater Management Areas are needed as a result of development within the structure plan area;

*Note: Land required for stormwater management and detention purposes **within Area B** and which is not part of the Crombie Drainage Reserve shall be acquired by Council by agreement or in accordance with the Public Works Act 1981. **The Crombie Drain Reserve and detention areas within Areas D & E shall be vested at no cost to Council.***

Appendix 13B Brookvale Structure Plan

Design Outcomes



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Infrastructure Services

BRSP-O5 Stormwater:

**Areas A, B & C**

Stormwater is to be managed and treated by means of a low impact stormwater system that includes an upgrade to the existing Crombie Drain and a detention pond to the north of the Crombie Drain and adjacent to the Russell Robertson Drive extension. Both of these areas have been identified on the Brookvale Structure Plan (Appendix 13B, Figure 1) as Stormwater Management Areas. All areas needed for stormwater management purposes will be vested in Council. Roadside drainage features will be used to convey stormwater runoff to the Crombie drain. The final width of the Drainage Reserve (28 metre minimum) and location and size of the ponds/wetlands constructed within these Stormwater Management Areas will be confirmed during the first subdivision as part of the preparation of a complete Stormwater Management Plan for the entire Brookvale Structure Plan Area [1].

Remaining land that is not required for stormwater management purposes within the identified stormwater management area (including access for maintenance and for public safety) can then be utilised in accordance with its underlying zoning. This approach is covered under Rule 30.1.7Z(8). The stormwater system is to meet 'the design principles for stormwater attenuation and treatment' set out in the Hawkes Bay Regional Council, April 2009, Hawkes Bay Waterway Guidelines. The system is to achieve best practice from source through to discharge at the boundary so as to mitigate the effects of urban development on stormwater quality and quantity. In particular the system is to: Be in general accordance with the Brookvale Structure Plan map (Appendix 13B) including the cross section minimum width of 28 metres and the Crombie Drain profile attached to this Structure Plan text as Figure 3; Attenuate stormwater in order to achieve a discharge at the boundary of the developed area that is not greater than predevelopment flow; Individual site stormwater shall be designed to comply with the HDC Engineering Code of Practice/ District Plan ; The Drainage Reserve and stormwater management ponds / wetlands [or the specific mitigation devices to be advised] are to be vested in Hastings District Council upon subdivision;

At the time of the first subdivision for Stage 1 of Area A, a 'Stormwater Management Plan' (SMP) is to be provided for the entire Brookvale Structure Plan area. The SMP will demonstrate how 'stormwater neutrality' is to be achieved such that existing rates of runoff are not exceeded. The SMP will specify the mix of measures to be employed including, but not necessarily limited to: Land within the stormwater management areas that is not required for stormwater management purposes but is required for access for maintenance and public safety; The Whakatomo Place existing overland flowpath and existing concrete lined open swale drain which discharges to the Crombie Drain. Included in this aspect of the assessment consideration needs to be given to the height of Brookvale Road and surrounding properties to alleviate ponding. The existing concrete lined open swale drain or approved alternative is to be accommodated within road corridor or drainage reserve and vested in Council. [1]The stormwater management solution shall have the endorsement of the Hawkes Bay Regional Council prior to it being lodged as part of this application.

**Area D & E**

**Stormwater management for Areas D and E will be managed independently from the Stormwater Management Plan (SMP) prepared for Areas A, B, and C, while still meeting the same level of service. The Stormwater Management Area within Area B was not designed to accommodate runoff from Areas D and E; therefore, these areas must implement self-sufficient stormwater solutions.**

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**For Area D, the stormwater management approach will include a Crombie Drain Reserve with a minimum width of 28 metres, along with an additional detention area located within the development site. Both the Crombie Drain Reserve and the detention area will be vested as drainage reserves at no cost to the Council.**

Appendix 13B Brookvale Structure Plan

Design Outcomes

Infrastructure Services

BRSP-O5 Wastewater

There are fixed points for wastewater connection at Romanes Drive and Napier Road, which are identified on the Structure Plan diagram (Appendix 13B, Figure 1). The existing wastewater services network will need to be extended and upgraded along Davidson Road to slightly north of the Crombie Drain then run west back to the identified point of connection on Romanes Drive. Services can run either within the Drainage Reserve itself or alternatively easements will be required. All other new service infrastructure will be constructed by the developer. Two key features of the wastewater servicing design will be two new pump stations to manage wastewater flow back to the existing HDC network. The location of these pump stations will not be known until detailed design work is carried out but indicatively are needed within ~~Stage Area B and C (or alternatively within the 'future stage as identified by HPUDS')~~ D. The pump stations will have all equipment located below ground level except for an equipment box which will be screened by landscaping on all sides except the road frontage to maintain access for maintenance purposes. **Legal access to the wastewater pumpstation for Area E will be provided through Area D to future proof this area for residential development. The pump station within Area D will be fully funded by the developer.** All extension ~~upgraded~~ **upgrades** need to be constructed in accordance with the HDC Engineering Code of Practice. Sewer reticulation layouts will require a mix of gravity and rising mains due to the naturally sloping ground of the development area towards the Crombie Drain.

29.1.3 That the following submissions in support of PPC9 be accepted:

Sam Newbiggin

Gerald Mulinder

CDL Land New Zealand Limited

Tony and Suzy Martin

Jeremy Haines

29.1.4 That the following submissions opposing PPC9 be rejected:

Conrad and Verena Waitoa

Pip and Dan Taylor

Paul Maurice Stevenson

Landsdale Developments Ltd

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- 29.1.5 That the following submissions that sought amendments to PPPC9 be accepted in part and rejected in part:
- Conrad and Verena Waitoa
  - Sam Newbigin
  - Gerald Mulinder
  - Pip and Dan Taylor
  - Landsdale Developments Ltd
  - Tony and Suzy Martin
  - Jeremy Haines

Recommended by:



Rebecca Hill  
Senior Environmental Planner – Policy  
Hastings District Council  
14 January 2026

Approved by:



Craig Scott  
Team Leader Environmental Policy  
Hastings District Council  
14 January 2026