

Monday, 20 April 2026

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

*Kaupapataka*  
**Agenda**

**Private Plan Change 7 – Golf Sport Development Limited  
Partnership – Hastings Golf Course - (RMA20230336)  
(Rescheduled Hearing Date)**

*Te Rā Hui:*  
Meeting date: **Commencing on Monday, 20 April 2026**

*Te Wā:*  
Time: **9.00am**

*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: **Environmental Policy Manager – Anna Summerfield**

## 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:**

Chair: Kitt Littlejohn (Commissioner Chair - External appointee)  
George Lyons (External appointee)  
Bill Wasley (External appointee)  
Councillor Heather Te Au-Skipworth

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*Apiha Matua*  
**Officer Responsible:**

Group Manager: Planning and Regulatory Services – John O’Shaughnessy

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**Reporting Planner**

Rowena Macdonald, Sage Planning (Consultant Planner)

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*Te Rōpū Manapori me te  
Kāwanatanga*

**Democracy  
Governance Services**

Caitlyn Dine (caitlynd@hdc.govt.nz)

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## Te Rārangī Take

# Order of Business

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### 1.0 Apologies – Ngā Whakapāhatanga me te Wehenga ā-Hui

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### 2.0 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)

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

<b><u>Document 1</u></b>	The covering administrative report	<b>Pg 1</b>
	Section 42A Report for PPC7	<b>Pg 3</b>

The Private Plan Change Application, Submissions and other associated documents can be viewed on the Council website via the links below.

- Plan Change page [Private Plan Change 7 – Hastings Golf Course | Hastings District Council](#)
- Application - [01-Private-Plan-Change-Request-and-Section-32-Report.pdf](#)
- Submissions - [Private-Plan-Change-7-submissions.pdf](#)
- Further Submissions - [Private-Plan-Change-7-Further-submissions.pdf](#)

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Monday, 20 April 2026

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Hearings Committee Meeting**

*Te Rārangi Take*

# Report to Hearings Committee

Item 2

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**Nā:**  
**From:** Caitlyn Dine, Democracy & Governance Advisor

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**Te Take:** Private Plan Change 7 - Private Plan Change 7 – Golf Sport  
**Subject:** Development Limited Partnership – Hastings Golf Course -  
(RMA20230336)

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

- 1.1 This is a covering report relating to the hearing of Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336) to the operative Hastings District Plan.
- 1.2 The agenda documents can be viewed on the Council’s website.

## **2.0 Recommendations - Ngā Tūtohunga**

That the covering report titled Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336), the hearings report and associated attachments, dated 20 April 2026, be received.

### **Attachments:**

A	Section 42A Report for PPC7 Appendix A - Summary of Submissions	ENV-17-6-25-165 ENV-17-6-25-166	Attachment document
B	Appendix B - Review of Noise Report by Malcolm Hunt Consulting	ENV-17-6-25-164	Attachment document
C	Appendix C - Memo by HDC 3 Waters Growth and Planning Manager	ENV-17-6-25-163	Attachment document
D	Appendix D - Memo by HDC Transportation Policy Planning Manager	ENV-17-6-25-162	Attachment document
E	Appendix E - Memo by HDC Legal Counsel	ENV-17-6-25-161	Attachment document



**Section 42A Report for PPC7**

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Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

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Section 42A Report –

Prepared by:

Rowena Macdonald, Principal Planner/Director

Sage Planning

## Contents

Executive Summary .....	1
<b>1 Introduction.....</b>	<b>2</b>
1.1 Overview.....	2
1.2 Purpose of this Report.....	2
1.3 Qualifications and Experience of Author.....	3
1.4 Code of Conduct.....	4
1.5 Conflict of Interest.....	4
<b>2 Purpose of Proposed Private Plan Change .....</b>	<b>5</b>
<b>3 Background .....</b>	<b>6</b>
3.1 Plan Change Area Description .....	6
3.2 Wider Environment .....	7
3.3 Plan Change Area History .....	8
<b>4 Existing Plan Provisions .....</b>	<b>9</b>
<b>5 Proposed Plan Change Provisions.....</b>	<b>12</b>
5.1 Plan Change Provisions Detail .....	12
5.2 Documents and Technical Reports Provided .....	20
<b>6 Hearings and Decision-Making Considerations .....</b>	<b>22</b>
6.1 Plan Change Process To-Date .....	22
<b>7 Submissions.....</b>	<b>22</b>
7.1 Submissions and Further Submissions .....	22
7.2 Procedural Matters .....	22
<b>8 Statutory Considerations.....</b>	<b>24</b>
<b>9 Assessment of Environmental Effects and Matters Raised in Submissions.....</b>	<b>25</b>
9.2 Other Environmental Effects .....	25
<b>10 Topic 1: Impact on Highly Productive Land / Versatile Soils Resource.....</b>	<b>28</b>
10.1 Submitters and Further Submitters on this Topic.....	28
10.2 Overview of Submissions on this Topic .....	29
10.3 Analysis.....	30
10.4 Recommendations.....	34
<b>11 Topic 2: Reverse Sensitivity Impacts on Land Based Primary Production .....</b>	<b>35</b>
11.1 Submitters and Further Submitters on this Topic.....	35
11.2 Overview of Submissions on this Topic .....	35
11.3 Analysis.....	36
11.4 Recommendations.....	39
<b>12 Topic 3: Economic Impacts and Tourism Potential.....</b>	<b>40</b>
12.1 Submitters and Further Submitters on this Topic.....	40
12.2 Overview of Submissions on this Topic .....	40

12.3	Analysis.....	42
12.4	Recommendations.....	44
<b>13</b>	<b>Topic 4: Golf Course and Facilities .....</b>	<b>45</b>
13.1	Submitters and Further Submitters on this Topic.....	45
13.2	Overview of Submissions on this Topic .....	45
13.3	Analysis.....	46
13.4	Recommendations.....	46
<b>14</b>	<b>Topic 5: Residential Development .....</b>	<b>47</b>
14.1	Submitters and Further Submitters on this Topic.....	47
14.2	Overview of Submissions on this Topic .....	48
14.3	Analysis.....	49
14.4	Recommendations.....	50
<b>15</b>	<b>Topic 6: Impact on Hawke’s Bay Car Club .....</b>	<b>51</b>
15.1	Submitters and Further Submitters on this Topic.....	51
15.2	Overview of Submissions on this Topic .....	52
15.3	Analysis.....	52
15.4	Recommendations.....	53
<b>16</b>	<b>Topic 7: Impact on Hastings / Bridge Pā Aerodrome .....</b>	<b>54</b>
16.1	Submitters and Further Submitters on this Topic.....	54
16.2	Overview of Submissions on this Topic .....	56
16.3	Analysis.....	60
16.4	Recommendations.....	65
<b>17</b>	<b>Topic 8: Infrastructure Impacts .....</b>	<b>67</b>
17.1	Submitters and Further Submitters on this Topic.....	67
17.2	Overview of Submissions on this Topic .....	67
17.3	Analysis.....	67
17.4	Recommendations.....	73
<b>18</b>	<b>Topic 9: Traffic Impacts .....</b>	<b>74</b>
18.1	Submitters and Further Submitters on this Topic.....	74
18.2	Overview of Submissions on this Topic .....	74
18.3	Analysis.....	74
18.4	Recommendations.....	79
<b>19</b>	<b>Topic 10: Cultural Effects .....</b>	<b>80</b>
19.1	Submitters and Further Submitters on this Topic.....	80
19.2	Overview of Submissions on this Topic .....	80
19.3	Analysis.....	81
19.4	Recommendations.....	83
<b>20</b>	<b>Topic 11: Construction-Related Effects, Light, Air Quality, and Aquifer Effects.....</b>	<b>84</b>
20.1	Submitters and Further Submitters on this Topic.....	84
20.2	Overview of Submissions on this Topic .....	84

20.3	Analysis.....	85
20.4	Recommendations.....	87
<b>21</b>	<b>Topic 12: Landscape and Visual Effects.....</b>	<b>88</b>
21.1	Submitters and Further Submitters on this Topic.....	88
21.2	Overview of Submissions on this Topic.....	88
21.3	Analysis.....	88
21.4	Recommendations.....	91
<b>22</b>	<b>Topic 13: Ecological and Biodiversity Effects.....</b>	<b>92</b>
22.1	Submitters and Further Submitters on this Topic.....	92
22.2	Overview of Submissions on this Topic.....	92
22.3	Analysis.....	93
22.4	Recommendations.....	95
<b>23</b>	<b>Topic 14: Impacts for Firefighting Water Supply and Emergency Access.....</b>	<b>96</b>
23.1	Submitters and Further Submitters on this Topic.....	96
23.2	Overview of Submissions on this Topic.....	96
23.3	Analysis.....	98
23.4	Recommendations.....	101
<b>24</b>	<b>Topic 15: Consultation.....</b>	<b>102</b>
24.1	Submitters and Further Submitters on this Topic.....	102
24.2	Overview of Submissions on this Topic.....	102
24.3	Analysis.....	102
24.4	Recommendations.....	102
<b>25</b>	<b>Overall Conclusion of Assessment of Effects and Matters Raised in Submissions.....</b>	<b>103</b>
<b>26</b>	<b>Assessment of Statutory Documents.....</b>	<b>105</b>
26.2	Functions of Territorial Authorities.....	105
26.3	Part 2 of the RMA.....	105
26.4	Statutory Documents.....	106
<b>27</b>	<b>National Policy Statement for Urban Development 2020.....</b>	<b>109</b>
<b>28</b>	<b>National Policy Statement for Highly Productive Land 2022.....</b>	<b>111</b>
28.2	Definition of Highly Productive Land.....	111
28.3	Policy 5 and Clause 3.6.....	114
28.4	Other Relevant Policies.....	124
28.5	Overall Summary & Conclusion.....	125
<b>29</b>	<b>Hawke’s Bay Regional Policy Statement.....</b>	<b>126</b>
29.2	Section 3.1AA Consolidated Regional Policy Statement provisions inserted by various national directions.....	127
29.3	Section 3.1B Managing the Built Environment.....	128
29.4	Section 3.5 Effects of Conflicting Land Use Activities.....	134
29.5	Section 3.13 Maintenance and Enhancement of Physical Infrastructure.....	135
29.6	Overall Summary against RPS.....	135

**Item 2 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)**

**Section 42A Report for PPC7**

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

30	Heretaunga Plains Urban Development Strategy (2017) .....	136
31	Draft Napier-Hastings Future Development Strategy 2023-2053.....	139
31.2	Draft FDS Development Staging .....	139
31.3	Assessment against the Draft FDS.....	140
31.4	Officer Reply – Report for the Hearings Panel, and Independent Hearings Panel Recommendations.....	143
31.5	Summary.....	146
32	Emissions Reduction Plan and National Adaptation Plan .....	147
33	Overall Conclusion of Assessment of Statutory Documents.....	148
34	Assessment of the Section 32 Evaluation Report .....	149
35	Overall Conclusion and Recommendations.....	153
35.2	Recommendation .....	154

**Appendices:**

- Appendix A – Summary of Recommendations on Submissions and Further Submissions by Topic
- Appendix B – Independent Technical Review of Noise Report by Malcolm Hunt Consulting
- Appendix C – Technical Memorandum from Hastings District Council’s 3 Waters Growth and Planning Manager
- Appendix D – Technical Memorandum from Hastings District Council’s Transportation Policy and Planning Manager
- Appendix E – Legal Memorandum from Hastings District Council’s Legal Counsel

## Executive Summary

PPC7 seeks to rezone the Hastings golf course site to facilitate future upgrading of the existing golf club facilities on-site, and to introduce approximately 170 residential dwellings and short-stay visitor accommodation and future commercial areas to encourage and support golf tourism.

This report outlines my assessment of the Plan Change Request, consideration of submissions and further submissions, assessment of environmental effects, and assessment against the statutory framework. The outcome of my assessment is summarised as follows:

1. PPC7 will have economic benefits and may lead to potential growth in tourism for the Hawke's Bay Region, and potential ecological benefits in offering ecological restoration of the small wetlands within the plan change area (currently of low ecological significance).
2. Subject to careful review and amendment of the proposed provisions to ensure they reflect the outcomes sought in the development concept and accompanying Structure Plan framework, and adoption of the recommendations in the technical assessments supporting the Private Plan Change Request, I am satisfied that the following potential adverse effects on the environment can be adequately avoided, remedied or mitigated:
  - o geotechnical matters,
  - o soil contamination effects,
  - o natural hazard effects,
  - o infrastructure impacts,
  - o effects on the Heretaunga Plains aquifer,
  - o traffic impacts,
  - o light and glare effects,
  - o air quality effects,
  - o landscape and visual effects,
  - o ecological and biodiversity effects, and
  - o archaeological effects.
3. However, in my view, the following adverse effects may not be able to sufficiently avoided, remedied or mitigated, and could be significant:
  - o adverse effects on the wider Heretaunga Plains versatile land resource;
  - o incompatibility with horticultural and agricultural activities in the vicinity; and
  - o reverse sensitivity and safety risks, potentially compromising the long-term viability of the Hastings/Bridge Pā Aerodrome, being existing strategic infrastructure of regional significance.
4. In the context of the relevant higher order statutory documents, and relevant strategies, I have also concluded that PPC7:
  - o does not give effect to the NPS-HPL (and relevant matters in the NPS-UD),
  - o does not give effect to the RPS,
  - o is not consistent with HPUDES,
  - o is not consistent with the overarching vision and strategic objectives of the (yet to be adopted) Draft FDS.
5. I also consider the stated objectives for PPC7 are not the most appropriate way to achieve the sustainable management purpose of the RMA, and therefore do not satisfy section 32(1)(a) of the RMA.

On the basis of the above, pursuant to clause 29(4) of Schedule 1 to the RMA, I recommend that PPC7 be **declined**.

## 1 Introduction

### 1.1 Overview

1.1.1 Golf Sport Development Limited Partnership (GSDLP) lodged a private plan change request – Private Plan Change 7 (PPC7) – to rezone the 82.2-hectare Hastings Golf Course site at Bridge Pā to the south-west of Hastings, from ‘Plains Production Zone’ to ‘Sport and Active Recreation Zone’ with a unique ‘Heretaunga Golf and Leisure Precinct’ overlay and accompanying Precinct Plan in the Operative Hastings District Plan (HDP) under the Resource Management Act 1991 (RMA).

1.1.2 The PPC7 provisions seek *‘to enable a masterplan development that will deliver a high-class golfing facility and approximately 170 residential buildings with visitor accommodation within a portion of those buildings’*<sup>1</sup>.

1.1.3 This private plan change was lodged with Hastings District Council on 20 November 2023. A request for further information was made on 15 January 2024 and the (full) response to the further information request was received on 23 May 2024. The Council commissioned a report on 10 July 2024, which was received on 4 September 2024. GSDLP provided modified plan provisions on 28 October 2024, and the Council then accepted the private plan change for notification on 15 November 2024. A final set of modified plan change documents was received on 17 January 2025.

1.1.4 PPC7 was publicly notified by Hastings District Council on 25 January 2025. The period for making submissions closed on 24 February and further submissions were able to be made until 21 March 2025. 97 submissions and 7 further submissions were received. A hearing panel has been appointed by the Council to hear from the Requestor (GSDLP), 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 11, 12 & 16 June 2025.

### 1.2 Purpose of this Report

1.2.1 This report has been prepared to meet the requirements of section 42A of the RMA to assist the Hearing Commissioners in considering the request (PPC7), and issues or subjects raised in submissions and further submissions. This report considers the changes requested, the relevant statutory and policy framework, and the primary topics or matters raised in submissions on PPC7, and provides an assessment and preliminary recommendations to the Hearing Commissioners on these matters.

1.2.2 Any conclusions reached or recommendations made in this report are not binding on the Hearing Panel. The Hearing Commissioners are required to consider all submissions and evidence presented at the hearing. It should not be assumed that the Hearing Panel, having considered all the evidence brought before them, will reach the same conclusions that I have.

1.2.3 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 commissioned report, and the updated and subsequently modified plan change documentation that was provided in response, including the supporting technical reports;

<sup>1</sup> Section 1.4, Part A, of the Plan Change Request and Section 32 Evaluation Report.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

- Read and considered all the submissions and further submissions received on PPC7;
  - Considered the statutory framework and relevant planning documents;
  - Considered, and where necessary, relied on the expert advice of Council specialists and consultants engaged by Council 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. Specifically, expert advice has been provided regarding Topics 6, 7, 8, 9 and 23.
- 1.2.4 This report is intended to be read in conjunction with the notified PPC7 documents, which include the Plan Change Request and Section 32 Evaluation Report and supporting appendices. These documents are available on the 'Plan Change 7' page of Council's website.
- 1.2.5 This report should also be read in conjunction with the following technical and legal advice, as follows:
- Independent Technical Review from Malcolm Hunt of Malcolm Hunt Consulting (attached to this report as Appendix B)
  - Technical Memorandum from Kelly Nikora, Council's 3 Waters Growth and Planning Manager (attached to this report as Appendix C)
  - Technical Memorandum from Bruce Conaghan, Council's Transportation Policy and Planning Manager (attached to this report as Appendix D)
  - Legal Memorandum from Asher Davidson, Council's Legal Counsel (attached to this report as Appendix E)
- 1.2.6 I confirm I have based my opinion on the sources of information identified in this report.
- 1.3 Qualifications and Experience of Author
- 1.3.1 My name is Rowena Clare Macdonald. I hold a Bachelor of Resource and Environmental Planning from Massey University, with Honours.
- 1.3.2 I hold the position of Principal Planner and am one of the founding Directors at Sage Planning HB Limited. Sage Planning has been operating in Hawke's Bay since August 2015. Prior to that I held various planning positions at Opus International Consultants Limited (a multidisciplinary consultancy firm, now 'WSP') for over 20 years.
- 1.3.3 I have experience in both policy development and consenting, particularly in District Plan policy development. I have contributed to district plan processes including the first-generation district plans for Wairoa and Hastings in the 1990s, and the recently-completed comprehensive review of the Central Hawke's Bay District Plan. In all these cases, I have contributed significantly as a s42A reporting planner.
- 1.3.4 I have also contributed to regional policy development, including Change 4 to the Hawke's Bay Regional Policy Statement in 2014, which introduced policy to embed the Heretaunga Plains Urban Development Strategy (HPUDS) for the management of the built environment across the Region, but primarily on the Heretaunga Plains.
- 1.3.5 I was also commissioned by Hastings District Council to prepare Variation 3 to the Proposed Hastings District Plan in 2015, to provide for the Howard Street Residential Development Area and accompanying Structure Plan. This area had been identified as a greenfield growth area in HPUDS.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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- 1.3.6 I was also commissioned by Hawke’s Bay Regional Council to prepare the revised Heretaunga Plains Urban Development Strategy document in 2017 (HPUDS 2017), following the first review of HPUDS by the contributing Councils.
- 1.3.7 In addition to my policy experience, I have processed a number of resource consents for Napier City Council, Wairoa District Council, and Hastings District Council over the years. This has included consents for two Kainga Ora comprehensive residential developments in urban Hastings, and a non-complying resource consent application for the James Wattie Retirement Village on Plains Production-zoned land on the outskirts of Havelock North, for Hastings District Council. More recently, I have acted as the s42A reporting officer for Hastings District Council for a notified non-complying resource consent application for medium density residential development on Plains Production-zoned land in Havelock North (Oderings).
- 1.3.8 I am therefore familiar with the Hastings District Plan, the associated statutory and policy setting, and with the Hastings District and its environment.
- 1.3.9 I have been engaged by the Council to assist with processing PPC7, and to act as the reporting planner, since the request was lodged in November 2023. My role has involved:
- assessing the original private plan change request documentation for completeness, preparing the further information request, and assisting with commissioning of the report by Stuart Ford (The Agribusiness Group) – pursuant to clause 23 of Schedule 1 to the RMA;
  - seeking modifications to the request – pursuant to clause 24;
  - making a recommendation to Council to accept the request, and determining notification of the request – pursuant to clause 25; and
  - preparation of the section 42A report assessing the request, analysing submissions, and making recommendations to the Hearings Commissioners.
- 1.4 Code of Conduct
- 1.4.1 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.
- 1.4.2 I confirm that I have not omitted to consider material facts that might alter or detract from the opinions that I express. The opinions I express are within my area of expertise, except where I state I am relying on the opinions of others.
- 1.4.3 I attended a comprehensive site visit to the Plan Change area on the 11 March 2025 with other members of the Council’s Policy team.
- 1.5 Conflict of Interest
- 1.5.1 I confirm that I have no real or perceived conflict of interest in the matters addressed by this Report.

## 2 Purpose of Proposed Private Plan Change

- 2.1.1 Section 1.2 of the 'Request for a Private Plan Change to the Hastings District Plan and Section 32 Evaluation Report' (Plan Change Request) outlines the Requestor's stated purpose for the proposed private plan change and the overall concept, as follows:

*'The purpose of the proposed plan change is to rezone the HGC site to enable the redevelopment of the golf course and facilities and associated short stay visitor accommodation and residential development activities within the HGLP...*

*...The purpose of this proposed plan change is to recognise the existing active recreation activity that has been established on the site for many years and appropriately zone the existing golf course facility as SARZ and at the same time recognise and provide for future development incorporating new recreational facilities along with the associated commercial, residential dwellings and visitor accommodation through the proposed new precinct...*

*...*

*The proposed plan change seeks to introduce a zone and precinct, that in combination provide for both the golf recreation activity and facilities and associated buildings, other recreational facilities, residential dwellings and short-term visitor accommodation and future commercial development areas within the site to promote both golfing activities, and support and generate tourism activity.*

*The zone introduces objectives, policies, rules, and standards and both permitted activities and relevant assessment criteria for restricted discretionary activities within the zone which will provide for the golf and other recreation activities already established on the site and their redevelopment and for new recreation facilities to be established. The HGLP will also enable the development of both residential and visitor accommodation and associated commercial activities to support the golf course operation...*

*The proposed plan change introduces an overall development concept plan... and structure plan map. The Heretaunga Golf & Leisure Precinct Structure Plan will ensure that development of the site is carried out in an integrated and planned manner, and that buildings and activities occur where the site can absorb change. In addition, the development concept plan and Structure Plan identify the location of the active recreation incorporating the golf activities and facilities and buildings, other recreational buildings and facilities (i.e. tennis courts and or a swimming pool), future commercial areas and the network of open greenways within the site precincts that provide connectivity to the active recreation areas, the landscape planted areas and the residential development areas.*

*The active recreation areas, the planted landscaped areas and open space areas serve the purpose of both individually and collectively buffering and providing space between the activity areas, and buffer areas between the golf course and residential areas as well as providing areas for storm water detention. It is intended that an overall distinctive golf course character is retained within the existing rural working character area and that the character of the adjoining Production Plains Zone does not change.'*



Figure 1: Concept Plan

### 3 Background

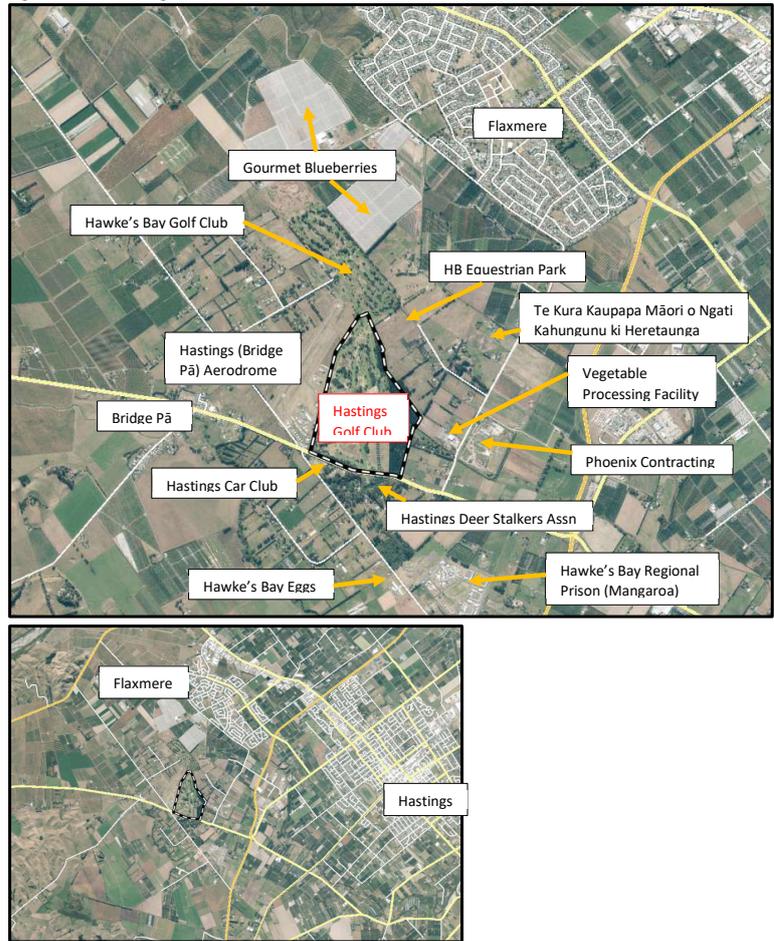
#### 3.1 Plan Change Area Description

- 3.1.1 The land subject to the Request is owned by The Hastings Golf Club Incorporated and comprises the Hastings Golf Course, approximately 6km from Hastings City and approximately 2km from Flaxmere. The present golf course within the Plan Change area was established in 1912.
- 3.1.2 The Plan Change area is approximately 82.2 hectares (comprising 3 titles). The area has frontage to Maraekakaho Road, which provides access to the 18-hole golf course and a 4-hole short course, a driving range and practice areas and associated buildings.
- 3.1.3 Vegetation across the golf course is largely coniferous, although there are various specimen trees (both native and exotic). A number of freshwater ponds have been formed for amenity and golf playing hazard purposes. Small pine plantations are located within the golf course area and in the south-eastern corner of the Plan Change area (these are in mid-maturity, and have been partly harvested).
- 3.1.4 Within the Plan Change area, there are two existing streams. The first is an unnamed ephemeral tributary of the Irongate Stream. The second is an eastward flowing unnamed intermittent stream draining a portion of the south-eastern corner of the area. There are five existing relatively small natural wetland areas within the ephemeral stream.
- 3.1.5 Hawke’s Bay Hazards Portal information identifies a small area of flooding risk at the northern end of the Plan Change area. The Awanui Fault Line also crosses the area, and the area is identified in the Hazards Portal as being subject to medium liquefaction vulnerability and medium amplification risk.
- 3.1.6 Two residential sections are located near the southern boundary of the area, near the entranceway to the golf course. They are currently occupied by golf course employees.

3.2 Wider Environment

- 3.2.1 The Plan Change area adjoins the Hastings/Bridge Pā Aerodrome to the west; the Hawke’s Bay Golf Club to the north; the Hawke’s Bay Equestrian Park, rural lifestyle properties, a vegetable processing facility, and a Christmas tree farm to the east; and the Hastings Deer Stalkers Association and Hastings Car Club to the south.
- 3.2.2 The wider surrounding area presents a diverse range of primarily rural land uses, characterised by various primary production activities, such as orchards, vineyards, cropping, and agriculture including the large-scale Gourmet Blueberries operation to the north, as well as rural industries including Phoenix Contracting to the east on Stock Road and Hawke’s Bay Eggs on Mangaroa Road, and a number of rural lifestyle lots and equestrian activities. Te Kura Kaupapa Māori o Ngati Kahungunu ki Heretaunga is located to the north-east on Stock Road.
- 3.2.3 Bridge Pā settlement, school and church to the west, and Mangaroa Cemetery and Hawke’s Bay Regional Prison to the south east, are also within 1km of the Plan Change area.

**Figure 1: Plan Change Area – Location & Context**



3.3 Plan Change Area History

- 3.3.1 In 2008, the Hastings Golf Club submitted a private plan change proposal to rezone part of the Hasting Golf Course to provide for residential development (RMA20080072) of a similar scale to proposed Plan Change 7. The 2008 proposal was known as “Long Lakes”. The private plan change was publicly notified and attracted approximately 400 submissions but was eventually withdrawn before the Council hearing, following the onset of the Global Financial Crisis. The ‘Long Lakes’ proposal pre-dated the adoption of the Heretaunga Plains Urban Development Strategy (HPUDS) in 2010, when the Hastings Urban Development Strategy (HUDS) was in play.
- 3.3.2 Over the years, a number of resource consents have been granted to the Hastings Golf Club for golf course and related facilities, including:
- In 2012, the Hastings Golf Club was granted resource consent to erect a golf pro shop and office (RMA20120033).
  - In 2014, resource consent was granted to construct a driving range, gymnasium, meeting room, and two coaching rooms (RMA20140184).
  - In 2017, resource consent was granted to establish an over-sized commercial activity (licensed café, restaurant and function centre) within the existing clubhouse building (RMA20170487).
- 3.3.3 The Hastings Golf Club also hold a resource consent to take water from two bores on the site (Well 4974 and Well 579) from Hawke’s Bay Regional Council (AUTH-112692-03) – this expired 31 May 2023, and is currently subject to an application to replace. This water permit lawfully continues under the terms of the expired consent until the replacement application has been determined. It is understood that the Hastings Golf Club has not sought additional volume, but has sought to increase the maximum combined instantaneous rate of take from 25 l/s to 40 l/s.
- 3.3.4 In 2006, the adjoining golf course (Hawke’s Bay Golf Club) at 114 Valentine Road, applied for subdivision and land use consent for a residential development proposal based around the Hawke’s Bay golf course. The proposal was for a non-complying activity to establish 87 residential lots, with the balance remaining as golf course and associated club and recreation facilities (RMA20060236). The application received 74 submissions and was granted by the Independent Hearings Commissioner in 2007. The decision was subsequently appealed, and consent was ultimately declined by the Environment Court in 2008<sup>2</sup>.

<sup>2</sup> *Ngatarawa Development Trust Ltd v Hastings District Council* (W017/08, 14 April 2008, EC Wellington)

## 4 Existing Plan Provisions

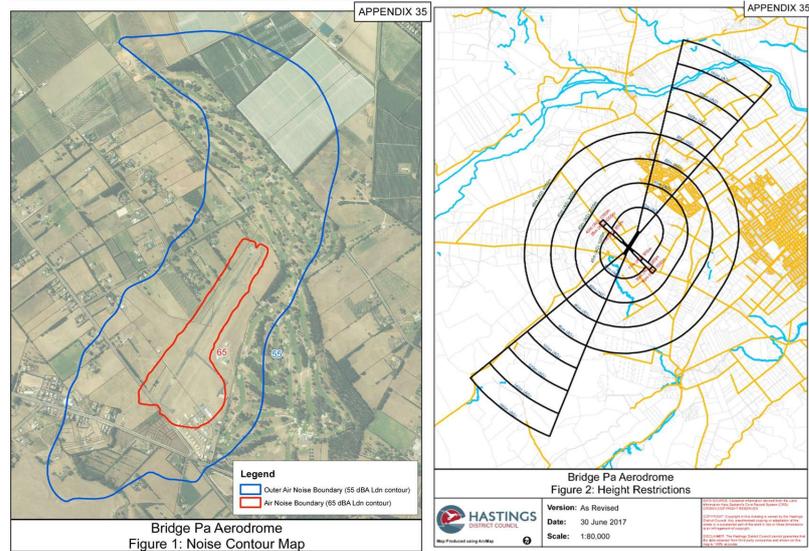
- 4.1.1 The Plan Change area comprises approximately 82.2 hectares of land currently zoned 'Plains Production'. The Plains Production Zone applies to the area of the Hastings District that contains the versatile land resource on which the District relies, and surrounds the urban areas of Hastings, Havelock North, and Flaxmere, and also includes parts of the Esk, Tutaekuri, and Ngaruroro river valleys.
- 4.1.2 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. The versatile land resource provides flexibility into the future for changing productive land uses, with the character of the use possibly changing as a result of adaptation to climate change.
- 4.1.3 The Plains Production Zone provisions focus on:
- ensuring that the versatile land resource is not fragmented or compromised by building or development;
  - enabling land based primary production, and activities that are linked to, or support, primary production, particularly for cropping, viticulture and orcharding;
  - ensuring subdivision, use and development of the land does not compromise land based primary production;
  - avoiding or mitigating adverse effects of activities on adjoining activities, including reverse sensitivity effects;
  - retaining the open character and low scale of buildings that comprise the amenity of the Plains; and
  - avoiding ad hoc urban development.
- 4.1.4 Examples of Permitted activities in this Zone (subject to meeting relevant performance standards and terms), include:
- land based primary production (including unlimited buildings used for the processing, storage and/or packaging of crops or produce grown only on the site),
  - one residential building per site, and one supplementary residential building per site,
  - small-scale commercial and industrial activities within specified limits (e.g. maximum gross floor area of 100m<sup>2</sup> per site),
  - processing, storage, and/or packaging of crops or produce within specified limits (e.g. maximum gross floor area of 2,500m<sup>2</sup> were includes crops and produce grown off-site),
  - wineries within specified limits (e.g. maximum gross floor area of 2,500m<sup>2</sup>),
  - seasonal workers accommodation within specific limits (e.g. maximum gross floor area of 125m<sup>2</sup>, maximum 80 people accommodated, minimum site area of 12ha etc),
  - existing Places of Assembly and educational facilities – alterations or addition of new buildings only,
  - marae within specified limits (e.g. maximum building coverage of 35%, maximum gross floor area of 1000m<sup>2</sup>), and
  - Scheduled Activities – limited to the applicable Permitted activities outlined in

Appendix 26 Table of Scheduled Activities. The Permitted Activities for Scheduled Activity S35 Hastings/Bridge Pā Aerodrome are:

- |  |
|--|
| <ol style="list-style-type: none"><li>1. Any activity directly associated with the operation of Flights in and out of the aerodrome.</li><li>2. Terminal buildings including administration, air traffic control, reception and passenger waiting areas and ancillary retail areas.</li><li>3. Airport workshops, maintenance and hangers</li><li>4. Clubrooms for activities associated with flying.</li><li>5. Facilities associated with the Air Training School.</li></ol> |
|--|

- 4.1.5 Most permitted activities in the Zone that exceed the specified limits or that are unable to meet all the performances standards and terms, are provided for as a restricted discretionary, discretionary, or non-complying activity.
- 4.1.6 Other specified restricted discretionary and discretionary activities in the Zone include:
- intensive rural production that meet specific performance standards relating to minimum yards and setback distances,
  - forestry,
  - dairy processing plants,
  - rural transport depots,
  - any new residential building or building being part of a marae, place of assembly, commercial or industrial activity, where erected on another site within proximity of an intensive rural production activity, and
  - any noise sensitive activity within the Air Noise Boundary.
- 4.1.7 The general performance standards and terms that all activities are required to meet include a limit on total building coverage (including hardstand and sealed areas) to a maximum of 35% of the net site area or 1,500m<sup>2</sup> (or 2,500m<sup>2</sup> for processing industries and wineries), whichever is the lesser.
- 4.1.8 Any additional residential building or supplementary residential building on a site, and any activity not otherwise provided for within the Zone, are non-complying activities.
- 4.1.9 Notably, 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 in this Zone.
- 4.1.10 In addition to these area-specific provisions, various district-wide provisions also apply, including rules that apply to the Plan Change area, such as natural hazards, network utilities, noise, transport and parking, earthworks, signs and hazardous substances.
- 4.1.11 The Plan Change area is also subject to other District Plan notations – the 55dBA Hastings/Bridge Pā Aerodrome Outer Air Noise Boundary, Hastings/Bridge Pā Aerodrome Height Restrictions, and a Statutory Acknowledgement overlay (Heretaunga Tamatea) – see figure below.

Figure 2: Operative Hastings District Plan – Plan Change Area Zone and Notations



4.1.12 To the west, the Plan Change area also adjoins ‘Scheduled Activity S35 (Hastings/Bridge Pā Aerodrome)’ and is close to the edge of the mapped ‘Heretaunga Plains Unconfined Aquifer’.

Figure 3: Operative Hastings District Plan – Adjacent Scheduled Activity S35 & Unconfined Aquifer



## 5 Proposed Plan Change Provisions

### 5.1 Plan Change Provisions Detail

5.1.1 Proposed Plan Change 7 was submitted by GSDLP as a private plan change request. The plan change seeks to rezone the land at 1523 Maraekakaho Road, Bridge Pā (Hastings Golf Course), from 'Plains Production Zone' to 'Sport and Active Recreation Zone', and to introduce a new special purpose 'Heretaunga Golf and Leisure Precinct' over approximately 15 hectares of this land (with an accompanying Precinct Plan).

5.1.2 Section 1.4 of the Plan Change Request<sup>3</sup> provides a broad statement on the proposed plan change provisions, as follows:

*'The proposed new district plan provisions seek to enable a masterplan development that will deliver a high-class golfing facility and approximately 170 residential buildings, with visitor accommodation within a portion of those buildings. The residential buildings will be a mix of single dwellings and terraced housing. The ownership aspects of the proposed plan change are anticipated to be secured in perpetuity through appropriate easements and covenants at the time of subdivision, but GSDLP has sought to include specific rule provisions to cover the unique aspects of the residential development as part of the zone provisions.'*

5.1.3 The following changes to the District Plan are proposed:

- Amend zoning on the planning maps from 'Plains Production Zone' to 'Sport and Active Recreation Zone', with 'Heretaunga Golf and Leisure Precinct' (HGLP) overlay;
- Addition of a new chapter, including objectives, policies, rules and standards, applying to the new 'Sport and Active Recreation Zone' (loosely based on the current Open Space Zone – OS 1 Sport and Recreation Area provisions in the District Plan);
- Addition of a new chapter, including objectives, policies, rules and standards, applying to the new HGLP, and inclusion of a new HGLP Plan;
- Amendments and additions to relevant provisions in Section 25.1 Noise, Section 27.1 Earthworks, Mineral Aggregate and Hydrocarbon Extraction, and Section 30.1 Subdivision and Land Development of the District Plan; and
- Amendments to the current definition of 'Recreation Activity', and addition of a new definition for 'Villa Housing' in Section 33.1 Definitions of the District Plan.

#### PROPOSED SPORT AND ACTIVE RECREATION ZONE

5.1.4 The proposed Sport and Active Recreation Zone (SARZ) provisions as part of PPC7 would introduce a new Zone into the Hastings District Plan. The proposed SARZ adopts the zone description which is considered to most closely match the activities of the golf course, as provided for in the National Planning Standards.

5.1.5 The Zone Framework Standard in the National Planning Standards states that 'a local authority must choose at least one of the zones in table 13 to use in its plan'. The following are the zone options available in table 13, specific to open space and sport/active recreation:

<sup>3</sup> Part A of the Plan Change Request and Section 32 Evaluation Report.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

Natural open space zone	Areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone.
Open space zone	Areas used predominantly for a range of passive and active recreational activities, along with limited associated facilities and structures.
Sport and active recreation zone	Areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures.

- 5.1.6 The provisions of this proposed Zone are described by GSDLP as having been based on relevant provisions of the existing Open Space Zone in the Hastings District Plan – albeit the existing Open Space Zone currently only covers reserves and open spaces either owned or managed by Hastings District Council, Department of Conservation or the Hawke's Bay Regional Council. The Open Space Zone currently does not cover private land used for sport and active recreation activities, such as private golf courses.
- 5.1.7 The proposed objectives and policies for the SARZ (SARZ-O1 to SARZ-O3, SARZ-P1 to SARZ-P4) outline the purpose of the zone as being for a range of indoor and outdoor sport and active recreational activities with associated facilities and structures, and generally seek to provide for these activities whilst avoiding or mitigating their adverse effects on surrounding activities. This includes policies to enable development, operation, use and maintenance of land, buildings and facilities for the benefits of sport and active recreation participation, and to manage the scale, size, design, location and use of associated buildings.
- 5.1.8 The proposed rules and standards applying to the Sports and Active Recreation Zone (SARZ-R1 to SARZ-R11) focus on enabling the following activities:
- the development, use and maintenance of sports grounds and facilities (including golf courses), indoor sport and recreation facilities up to 300m<sup>2</sup> gross floor area, recreation clubrooms up to 150m<sup>2</sup> gross floor area (including sale of food and beverages for club members, provided liquor licence only til 7pm), and ancillary buildings and structures up to 100m<sup>2</sup> maximum floor area<sup>4</sup>;
  - places of assembly up to 300m<sup>2</sup> gross floor area;
  - up to 12 temporary events per year of up to 3 days duration and with maximum attendance of 3,000 persons;
  - residential activities limited to caretaker accommodation or accommodation for employees required to live on site for ground and facility management purposes only;
  - other small-scale commercial activities limited to retail sales of food and beverages, retail sales of apparel or equipment associated with sport and recreation activities, medical treatment or therapy services<sup>5</sup>, and associated administration offices, up to 100m<sup>2</sup> gross floor area, and with hours of operation limited to 7am to 7pm.
- 5.1.9 The above Permitted activities are also subject to compliance with Zone standards (SARZ-S1 to SARZ-S8). These include yard setbacks (7.5m front yard; 5m all other yards<sup>6</sup>; 15m for buildings with a liquor licence), maximum building height of 10m (or 8m when adjoining a residential zone boundary<sup>7</sup>), height in relation to boundary, Hastings/Bridge Pā Aerodrome

<sup>4</sup> Note: should this refer to gross floor area (SARZ-R3(1)(a))?

<sup>5</sup> Note: does not differentiate between medical treatment or therapy related to sports and recreation, versus any other kind of general medical treatments and therapies... District Plan term is 'health care services'... could be qualified with 'associated with sport and recreation activities'?

<sup>6</sup> Note: current Plains Production Zone setbacks are generally 7.5m front, and 15.0m for other yards.

<sup>7</sup> Note: would this apply to the HGLP Precinct?... is this a 'residential zone boundary' in terms of National Planning Standards interpretation, or apply similarly as for the Noise chapter in the District Plan?

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

Height Plane restrictions, maximum building coverage of 20%, noise, transport, light and glare standards.

- 5.1.10 Where Permitted activities are unable to comply with stated limits within the rules, or cannot comply with all the Zone standards, they generally fall to a Restricted Discretionary or Discretionary activity status. For example, where there is non-compliance with the Aerodrome height restrictions, or where a commercial activity is not for the permitted purposes or that exceed 100m<sup>2</sup> gross floor area, the activity falls to a Discretionary activity.
- 5.1.11 All other activities are Non-complying activities within the proposed SARZ.
- 5.1.12 Note: at this stage, the only land that would be zoned SARZ in the Hastings District Plan would be the PPC7 area, if approved. At a later date, when the Hastings District Plan is fully converted to the National Planning Standards framework, other privately owned, HDC, DOC or HBRC open space or reserve land could potentially be incorporated into this Zone.

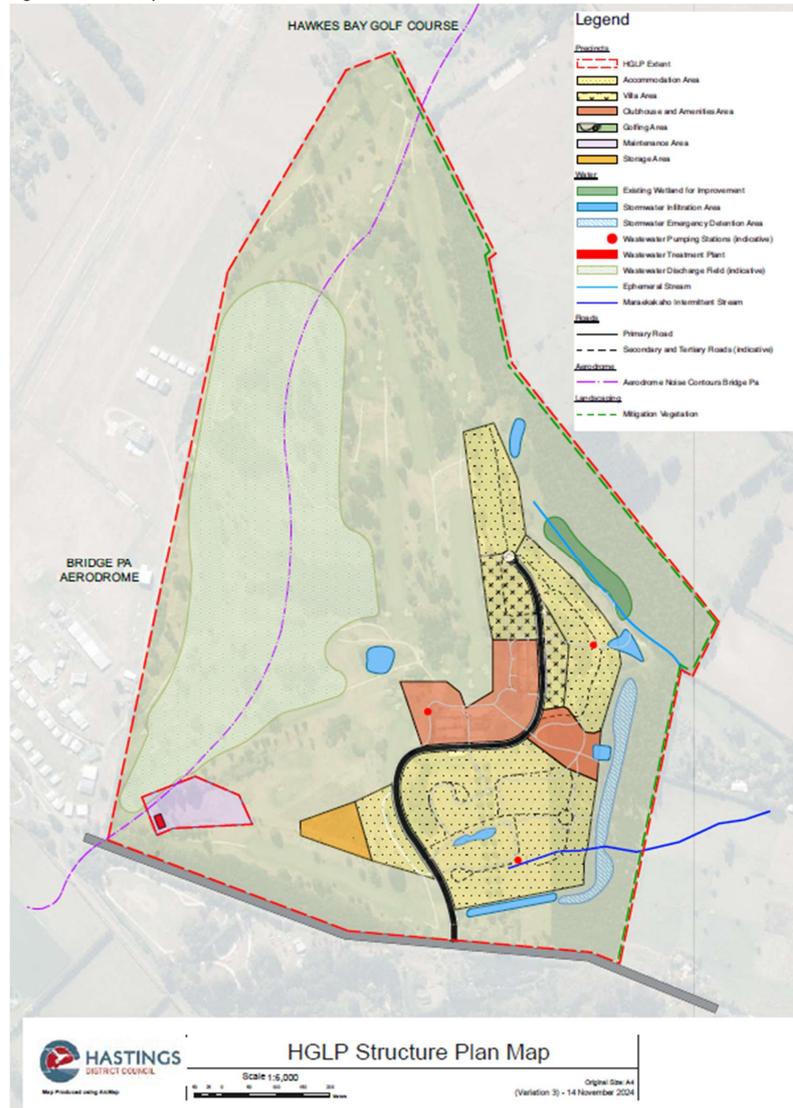
**PROPOSED HERETAUNGA GOLF AND LEISURE PRECINCT**

- 5.1.13 The proposed Heretaunga Golf and Leisure Precinct (HGLP) provisions as part of PPC7 would introduce a bespoke Precinct into the Hastings District Plan, which sits over the entire area of the proposed Sport and Active Recreation zoning for the PPC7 area. This was agreed with GSDLP as being an appropriate spatial layer to apply, as a Golf and Leisure Zone does not meet the requirements to be a ‘special purpose zone’ under clause 3 of the Zone Framework Standard in the National Planning Standards.
- 5.1.14 The District Spatial Layers Standard in the National Planning Standards states that ‘other than the spatial layers identified in table 18, no other spatial layers may be created’. The ‘Precinct’ spatial layer option in table 18, provides for application of place-based provisions to modify the underlying zone, and has been deemed by GSDLP as the most appropriate spatial layer to use in this context:

<b>Precincts</b>	A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).	If apply to only one zone, in the associated zone chapter or section If apply to multiple zones, in the multi-zone precincts chapters
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- 5.1.15 The proposed HGLP Structure (Precinct) Plan Map (refer figure below) is divided into several ‘Areas’:
  - Accommodation Area;
  - Villa Area;
  - Clubhouse and Amenities Area;
  - Golfing Area;
  - Maintenance Area; and
  - Storage Area.
- 5.1.16 It also identifies and locates existing wetland for improvement; proposed stormwater infiltration areas and emergency detention area; proposed wastewater pumping stations, treatment plant and indicative discharge field; the location of ephemeral and intermittent streams; the proposed primary roads, and indicative secondary and tertiary roads; the aerodrome noise contours; and the location of proposed mitigation vegetation along the length of the northern and eastern boundaries of the PPC7 area.

Figure 4: Zone Map & Structure Plan<sup>8</sup>



5.1.18 The proposed HGLP objectives (PREC1-O1 to PREC1-O3) outline the purpose of the Precinct as being to ‘recognise and provide for a golf course and tourism destination with integrated residential and visitor accommodation facilities with high levels of visual amenity’ and generally seek to provide for a planned built environment, enhanced through sustainable design and sufficient provision of infrastructure, characterised by:

<sup>8</sup> Note: should this Structure Plan Map be called a Precinct Plan? and should the Legend be amended to state ‘Areas’ instead of ‘Precincts’?... there is some inconsistency in terminology in the proposed provisions.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

- a premier golf course and associated golf club facilities;
  - a range of recreational facilities and commercial buildings;
  - on-site residential living environments with convenient access to recreational facilities; and
  - a range of residential and visitor accommodation options.
- 5.1.19 The proposed HGLP policies (PREC1-P1 to PREC1-P8) seek to:
- enable comprehensive development in accordance with the proposed HGLP Structure (Precinct) Plan and map,
  - enable the development, operation, use and maintenance of the golf course with landscaping and recreational open space for the benefit of club members, visitors and residents within the Precinct,
  - achieve a high amenity and comfortable living environment that is consistent with the principles and key design elements of the HGLP Structure Plan,
  - manage development in accordance with the HGLP Structure Plan to maintain landscape qualities and connectivity, identify and protect key features of the site (landscape, recreational, and ecological linkages and values), and
  - to contribute to safe, attractive and connected streets and open spaces; as well as
  - promoting sustainability and ensuring public and environmental health and natural hazard effects of development are minimised.
- 5.1.20 The proposed rules and standards applying to the Heretaunga Golf and Leisure Precinct (PREC1-R1 to PREC1-R13) provide for activities, buildings and structures located in specific 'Areas' as shown on the HGLP Structure Plan Map:
- construction and development of golf holes and golf buggy pathways and walkways, where located in the 'Golfing Area';
  - recreation ancillary buildings and structures, where located in the 'Maintenance Area';
  - commercial activities and recreation clubrooms of up to 150m<sup>2</sup> maximum floor area for any individual building and retail of goods restricted to hours of operation from 7am to 10pm, where located in the 'Clubhouse and Amenities Area';
  - indoor recreation activities and commercial recreational facilities (including spa, sauna, gymnasium and swimming pool), where located in the 'Clubhouse and Amenities Area';
  - licensed premises where sale of liquor is restricted to hours of operation from 8am to 12.00am (midnight), where located in the 'Clubhouse and Amenities Area';
  - residential activities limited to no more than 2 separate buildings, where located in the 'Maintenance Area';
  - residential activities limited to no more than one principal residential unit on each site, where located within the 'Accommodation Area';
  - residential activities limited to no more than four residential units clustered together per attached building, where located within the 'Villa Area';
- Note: PPC7 also proposes inclusion of a definition of 'Villa Housing'<sup>9</sup> in the Hastings District Plan, as follows:

<sup>9</sup> Note: The plan change provisions use 'Villa Area' and 'Villa Housing Area' interchangeably... this would need to be fixed up.

*‘Villa Housing: means a residential building typology where three or more residential units are attached as part of a single building.’*

- storage sheds (associated with residential activities within the Storage Area), provided landscaping requirements are met, and where located within the ‘Storage Area’;
- show homes where the use as a show home ceases 24 months from the time of first use as a show home, and limited to hours of operation from 7am to 9pm weekdays and 8am to 7pm weekends and public holidays, and where located within the ‘Accommodation Area’;
- visitor accommodation, where located within the ‘Accommodation Area’ or ‘Villa Area’.

5.1.21 The above Permitted activities are subject to compliance with Precinct standards (PREC1-S1 to PREC1-S14). Standard PREC1-S1 requires activities to be carried out in a manner that ensures all aspects of the HGLP Structure Plan can be implemented as outlined and that the purpose of the zone is maintained, and the provision of all features identified on the Structure Plan Map such as precincts, ecological enhancement, infrastructure services, roading, parking, and areas of open space will not be prevented from being implemented<sup>10</sup>. The other HGLP Standards include (in summary):

- light and glare standards (8lux spill measured at a height of 1.5m above the ground at the boundary of the site);
- maximum heights for buildings and structures in the various ‘Areas’ (ranging from 6.5m to 8m);
- fencing requirements within the various ‘Areas’ (including where fences are not permitted, visual permeability requirements, and maximum fence heights ranging from 2.4m in the ‘Maintenance Area’ to 1.2-1.8m in other ‘Areas’);
- height in relation to boundary within the ‘Accommodation Area’ and ‘Villa Area’;
- Hastings/Bridge Pā Aerodrome Height Plane restrictions;
- yard setbacks within the ‘Accommodation Area’ and ‘Villa Area’ (2m front yard, 0m east, 2m west, 4m rear);
- maximum building footprints for the various ‘Areas’ (e.g. 3,200m<sup>2</sup> cumulative total for all buildings in the ‘Clubhouse and Amenities Area’, 60% of net site area of each individual lot in the ‘Accommodation Area’, 450m<sup>2</sup> for any villa housing complex in the ‘Villa Area’ etc);
- outdoor living space requirements for each residential unit in the ‘Accommodation Area’ and ‘Villa Area’ (e.g. 30m<sup>2</sup> with minimum 4m dimension for ground floor unit in the ‘Accommodation Area’, 8m<sup>2</sup> with minimum 1.8m dimension for units in the ‘Villa Area’ etc);
- outlook space requirements for each residential unit in the ‘Accommodation Area’ and ‘Villa Area’;
- noise standards;
- transport, parking, loading and access standards;
- infrastructure network assessment requirement confirming sufficient capacity to connect to wastewater, stormwater and water supply networks (onsite or public

<sup>10</sup> Note: enables the features to be provided, but does not ‘require’ them to be e.g. would the rules as proposed allow residential development without the wetland enhancement etc?

reticulated); and

- restriction on earthworks or building development within stream or wetland areas, or stormwater infiltration areas, as identified on the Structure Plan Map.

5.1.22 Where Permitted activities are unable to comply with stated limits within the rules, or cannot comply with all the Precinct standards, they fall to a Restricted Discretionary or Discretionary activity status. For example, in most cases<sup>11</sup>, where the activity is not located within the specified 'Area' shown on the Structure Plan Map, the activity falls to a Discretionary activity<sup>12</sup>.

5.1.23 In addition, there are some activities that are specifically identified as Restricted Discretionary activities, including any noise sensitive activity within the Air Noise Boundary subject to achieving adequate sound insulation and provision of an acoustic design report to the Council – where insulation and/or design report requirements are not met, the such noise sensitive activities becomes a Non-complying activity. Comprehensive residential development is also specified as a Restricted Discretionary activity subject to being located within the 'Accommodation Area', and is a Discretionary activity if located outside of the 'Accommodation Area'.

5.1.24 All other activities not already provided for within the proposed HGLP are Discretionary activities<sup>13</sup>.

5.1.25 PPC7 also seeks to amend the current definition of 'recreation activity' in the Hastings District Plan to remove the application of the 'non-profit' requirement when applied to the proposed HGLP, as follows:

*'Recreation Activity: means any activity whose primary aim is the passive or active enjoyment of leisure on a non-profit basis, whether competitive or non-competitive, casual or organised, including changing rooms, shelters, playgrounds, pathways, public toilets and other buildings or facilities accessory to recreation activities. Except that recreation activities within the Heretaunga Golf & Leisure Precinct need not operate on a non-profit basis.'*

#### OTHER PROPOSED AMENDMENTS TO HASTINGS DISTRICT PLAN PROVISIONS

5.1.26 As outlined previously, PPC7 seeks amendments to some existing earthworks provisions, noise standards, and subdivision provisions in order to provide for the proposed HGLP.

5.1.27 This is briefly summarised as follows:

- addition of a permitted volume of earthworks specifically for the HGLP in existing Table 27.1.6A Extent of Earthworks for Standard 27.1.6A – 50m<sup>3</sup> per site in the 'Accommodation Area' and 'Villa Area'<sup>14</sup>, and 100m<sup>3</sup> per hectare of site<sup>15</sup> for the remainder of the HGLP;
- addition of noise standards specifically applying to the HGLP:

<sup>11</sup> Note: not the case all the time e.g. PREC1-R2 (recreational ancillary buildings and structures), PREC1-R4 (indoor recreation activities and commercial recreation facilities), PREC1-R10 (storage sheds)... in these cases, it is only 'Restricted Discretionary'.

<sup>12</sup> Note: if the activity is not within the specified 'Area', should this be a Non-Complying Activity?

<sup>13</sup> Note: This could include industrial activities, large-scale commercial activities, or just about anything.

<sup>14</sup> Note: same as all existing residential and settlement zones in the District Plan.

<sup>15</sup> Note: same as for existing Plains Production Zone in the District Plan.

**25.1.6Dx Heretaunga Golf & Leisure Precinct**

The following noise conditions shall apply to all land uses within the Heretaunga Golf & Leisure Precinct other than those exempted in Rule 25.1.6B:

(a) The following noise standards shall not be exceeded at any point beyond the site boundary:

Control Hours	Noise Level
0700 to 1900 hours	55 dB L <sub>Aeq</sub> (15 min)
1900 to 2200 hours	50 dB L <sub>Aeq</sub> (15 min)
2200 to 0700 hours the following day	40 dB L <sub>Aeq</sub> (15 min)
2200 to 0700 hours the following day	75 dB L <sub>A,F</sub> max

- addition of two new subdivision rules specific to the HGLP for comprehensive residential subdivision in the ‘Accommodation Area’<sup>16</sup> as a Restricted Discretionary Non-Notified activity (proposed Rule SLD14B), and for subdivision that is unable to comply with one or more of the relevant subdivision site standards as a Non-Complying activity (proposed Rule SLD28<sup>17</sup>);
- addition of specific minimum net site area for subdivision in the various ‘Areas’ of the HGLP in Table 30.1.6A, for Standard 30.1.6A:
  - 350m<sup>2</sup> in the ‘Accommodation Area’;
  - no minimum for the ‘Villa Area’ but limited to maximum number of 14 multi-unit buildings and a maximum of 56 residential units;
  - no minimum in the ‘Storage Area’ provided subdivision is to enable unit titles to be issued for separate storage units;
  - no minimum in the ‘Clubhouse and Amenities Area’ but limited to compliance with the concept design for the precinct in line with the HGLP Structure Plan Concept Plan Map in regard to approximate building and carpark location;
  - no subdivision in the ‘Maintenance Area’; and
  - 12 hectares in the ‘Golfing Area’.
- addition of new Standard 30.1.7Z outlining specific site standards applying to the HGLP (in summary):
  - requiring subdivision is in general accordance with the HGLP Structure Plan;
  - requirement for design of overall site stormwater management plan in general accordance with HGLP Structure Plan, HDC Engineering Code of Practice, and HBRC Waterways Guidelines;
  - only one public vehicle entrance, and one separate maintenance vehicle entrance to Maraekakaho Road;
  - requirements for street lighting, open space and buffer areas (including 30m wide open space buffer at interface of ‘Accommodation Area’ and ‘Villa Area’ with the adjoining Plains Production Zone);
  - requirement for wastewater services to each site and wastewater infrastructure in general accordance with HGLP Structure Plan Map;
  - connection to HDC reticulated water supply network (or legal mechanism if in advance of reticulated supply becoming available<sup>18</sup>);
  - requirement for Stream and Wetland Restoration Plan; and
  - requirement for Architectural Guidelines for future buildings to be provided with first subdivision application for the HGLP.

<sup>16</sup> Note: incorrectly refers to ‘Accommodation Precinct’.

<sup>17</sup> Note: incorrectly refers to HGtz.

<sup>18</sup> Note: what happens if Council not satisfied development ahead of supply is appropriate?

- addition of specific assessment criteria to apply to Restricted Discretionary and Discretionary subdivisions within the HGLP (Assessment Criteria 30.1.8.2(26)<sup>19</sup>), in summary:
    - whether consistent with design outcomes of the HGLP Structure Plan for each of the precinct areas;
    - consideration of legal mechanisms to ensure ongoing maintenance and protection of riparian and wetland enhancement planting proposed in the HGLP Structure Plan; and
    - that design, layout, and management structure of subdivision takes into account use of appropriate mechanisms to secure long-term administration and maintenance of common areas and servicing and to prevent further subdivision of lots within the Accommodation Area and Villa Area beyond that indicated in the Concept Plan with the HGLP Structure Plan.
- 5.1.28 A set of typical primary road cross section diagrams is contained with the HGLP Structure Plan Map.
- 5.2 Documents and Technical Reports Provided
- 5.2.1 GSDLP provided a range of documents and technical reports with their Request, including a 'Request for a Private Plan Change to the Hastings District Plan and Section 32 Evaluation Report' (Plan Change Request).
- 5.2.2 The GSDLP's Section 32 Report appended the following technical reports:
- Appendix B – Draft Hastings Golf Club Development Framework, prepared by Wayfinder, Revision 4 – Oct 2023 [superseded – refer below].
  - Appendix C – Landscape and Visual Effects Assessment, prepared by Wayfinder, Revision 1 – Sept 2023 [superseded – refer below].
  - Appendix D – Land Use Capability Assessment, prepared by LandVision Ltd, 8 Oct 2023.
  - Appendix E – Preliminary Site Investigation, prepared by EAM Environmental Consultants, June 2022.
  - Appendix F – Traffic Impact Assessment, prepared by Urban Connection, Oct 2023.
  - Appendix G – Noise Assessment, prepared by Marshall Day Acoustics, 9 Nov 2023 [superseded – refer below].
  - Appendix H – Archaeological Assessment, prepared by Heritage Services Hawke's Bay, 14 Aug 2023.
  - Appendix I – Ecological Assessment, prepared by Forbes Ecology, 3 Oct 2023.
  - Appendix K – Civil Engineering Assessment, prepared by Strata Group, Rev A – 3 Oct 2023.
  - Appendix L – Economic Overview, prepared by Property Economics, Nov 2023.
  - Appendix N – Geotechnical Interpretive Report, prepared by Initia, Rev 2 – Sept 2023.
  - Appendix O – Tree Report, prepared by Urbanscape, 6 June 2023.
- 5.2.3 I undertook a review of the information provided and, as a result, the Council issued a further information request on 15 January 2024, in accordance with clause 23 of Schedule 1 to the RMA.

<sup>19</sup> Note: there is inconsistency in terminology used in this proposed provision.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

5.2.4 The clause 23 request related to the following key matters, as well as some other minor matters:

- **Documentation** – requested Cultural Impact Assessment Report(s), latest Golf Tourism Strategy, final version of Hastings Golf Course Development Framework, and written confirmation from Unison of the ability to service the development.
- **Noise** – requested revised noise assessment to address potential reverse sensitivity of proposed residential activities to activities on other surrounding land uses, including Hastings Car Club and other lawfully established, noise-generating primary production, commercial, industrial land uses.
- **National Policy Statement for Highly Productive Land (NPS-HPL)** – requested assessment against clause 3.6 or clauses 3.7 & 3.10 of the NPS-HPL.
- **Plan Change Provisions** – suggested amendments to the proposed plan change provisions.
- **Servicing** – requested details of water supply solution to be adopted.
- **Heretaunga Plains Unconfined Aquifer** – requested assessment of potential adverse effects of the proposal on the aquifer and any registered drinking water supplies in the vicinity.

5.2.5 GSDLP submitted its full response to the further information request on 23 May 2024, as follows:

- **Documentation** – GSDLP provided:
  - a copy of the Cultural Impact Assessment;
  - a replacement version of the Golf Tourism Strategy 2022-2025;
  - a final version of the Hastings Golf Course Development Framework; and
  - an email from Unison confirming electricity servicing feasibility for the development concept.
- **Noise** – GSDLP provided a revised noise assessment report prepared by Marshall Day Acoustics.
- **National Policy Statement for Highly Productive Land** – GSDLP provided a response to each of the requirements of clause 3.6 of the NPS-HPL.
- **Plan Change Provisions** – GSDLP provided a re-formatted and amended set of proposed plan change provisions.
- **Servicing Matters** – GSDLP referred to the Infrastructure Assessment Report by Strata Group, appended to their Plan Change Request, as setting out feasible options for a reticulated water network.
- **Heretaunga Plains Unconfined Aquifer** – GSDLP provided a memorandum prepared by LandVision addressing potential effects on the unconfined aquifer, and referred to registered water supply under the National Environmental Standard for Sources of Human Drinking Water 2007, and distance to the closest supply bore.

5.2.6 Following the review of the further information received, and with the agreement of GSDLP, Council then commissioned Stuart Ford of The Agribusiness Group to prepare a report reviewing the Request with regard to clause 3.6(1)(c) of the NPS-HPL, requiring a consideration of the economic benefits and costs associated with the loss of highly productive land for land-based primary production as provided in the Land Use Capability Assessment Report and Economic Overview Report submitted with the Request. This report was formally commissioned on 10 July 2024, and the final report was received on 4 September 2024.

## 6 Hearings and Decision-Making Considerations

### 6.1 Plan Change Process To-Date

6.1.1 The process for making a plan change request and how this is to be processed is set out in Schedule 1 to the RMA.

6.1.2 Below is a chronology of the process to-date for PPC7 proceedings:

Status	Date
Private Plan Change Request Lodged with Hastings District Council	Monday, 20 November 2023
Clause 23 Request for Further Information	Monday, 15 January 2024
Clause 23 Further Information Response	Thursday, 23 May 2024 (full response received)
Clause 23 Report Commissioned	Wednesday, 10 July 2024
Clause 23 Report Received	Wednesday, 4 September 2024
Clause 24 Modifications Received	Monday, 28 October 2024 (modified plan provisions received) Thursday, 14 November 2024 (modified Structure Plan received) Friday, 17 January 2025 (modified Plan Change Request and Section 32 Evaluation Report received)
Clause 25 Acceptance	Friday, 15 November 2024
Notification Period	25 January 2025 – 24 February 2025
Further Submission Period	8 March 2025 – 21 March 2025
Hearing Dates	11, 12 & 16 June 2025

## 7 Submissions

### 7.1 Submissions and Further Submissions

7.1.1 A total of 97 submissions were received, including one received a day late, but accepted and included in the summary of submissions.

7.1.2 A total of 7 further submissions were received (3 of whom were also primary submitters).

### 7.2 Procedural Matters

7.2.1 A late submission was received from Cape Kidnappers Station Ltd (S97). The submitter provided the Council with their late submission on 25 February 2025 (a day late) as soon as they realised their submission had not been lodged due to an internal miscommunication.

7.2.2 Section 37 allows for the time period to be extended to accept the submission, subject to consideration of the matters in section 37A(1) of the RMA. Verbal agreement was provided by the Requestor at the time and, as this submission was only a day late, it was able to be included in the summary of submissions. The time limit has not yet been formally waived, so the Hearings Panel will need to determine whether to grant a waiver to accept this submission. In my view, granting a waiver is reasonable in the circumstances

**Item 2 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)**

**Section 42A Report for PPC7**

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**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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- 7.2.3 At the time of writing, there were no Commissioner Directions (Minutes) from the Chair of the Hearings Panel.
- 7.2.4 PPC7 has reached the point where a hearing is now required (clause 8B of the First Schedule to the RMA). Following the hearing, the Council is required to make a decision on the plan change and the associated submissions (clause 10 of the First Schedule to the RMA).

## 8 Statutory Considerations

- 8.1.1 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 PPC7 as it relates to the use of the ‘streamlined planning process’, which is not proposed in this instance.
- 8.1.2 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 9-25 of this report.
- 8.1.3 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 matters, being whether:
- a) it is in accordance with Council’s functions under section 31 (s74(1)(a));
  - b) it is in accordance with the provisions of Part 2 of the RMA (s74(1)(b));
  - c) it gives effect to any national policy statement, national planning standard, and any regional policy statement (s75(3)(a), (ba), and (c));
  - d) the objectives of the proposal (in this case, being the objectives stated in the proposal) are the most appropriate way to achieve the purpose of the RMA (s32(1)(a), noting s32(6));
  - e) 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)).
- 8.1.4 In addition, when considering the plan change request, the decision-makers 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)).
- 8.1.5 These matters are considered in more detail in the following sections of this report, as follows:

Sections of Report	Matters Addressed
<b>Sections 9 – 25</b>	Assessment of Environmental Effects and Matters Raised in Submissions – s76(3)
<b>Sections 26 – 33</b>	Statutory Assessment: <ul style="list-style-type: none"> <li>• Territorial Authority Functions – s74(1)(a)</li> <li>• Part 2 Matters – s74(1)(b)</li> <li>• Statutory Documents, Management Plans and Strategies – s75(3)(a), (ba), and (c), and s74(2)(b)(i) and (c)</li> </ul>
<b>Section 34</b>	Section 32 Matters – s32(1)(a) and (b)

## 9 Assessment of Environmental Effects and Matters Raised in Submissions

9.1.1 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 PPC7.

9.1.2 To assist with this assessment, the submissions have been grouped according to the following relevant topics, and where necessary, into further sub-topics, that generally coincide with the various actual and potential environmental effects identified:

- Topic 1: Impact on Highly Productive Land / Versatile Soils Resource
- Topic 2: Reverse Sensitivity Impacts on Land Based Primary Production
- Topic 3: Economic Impacts and Tourism Potential
- Topic 4: Golf Course and Facilities
- Topic 5: Residential Development
- Topic 6: Impact on Hawke’s Bay Car Club
- Topic 7: Impact on Hastings / Bridge Pā Aerodrome
- Topic 8: Infrastructure Impacts
- Topic 9: Traffic Impacts
- Topic 10: Cultural Effects
- Topic 11: Construction-Related Effects, Light, Air Quality, and Aquifer Effects
- Topic 12: Landscape and Visual Effects
- Topic 13: Ecological and Biodiversity Effects
- Topic 14: Impacts for Firefighting Water Supply and Emergency Access
- Topic 15: Consultation

### 9.2 Other Environmental Effects

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

- Geotechnical Matters:

A Geotechnical Interpretive Report prepared by Initia Ltd accompanying the Plan Change Request provides the results of geotechnical investigations across the plan change area, and makes recommendations for soakage testing for stormwater disposal design, earthworks considerations and need for engineered fill for foundations and pavements and floor slabs within the future development.

I concur with the conclusion in Section 11.4 of the Plan Change Request that, *‘Subject to the recommendations of the Geotechnical Report being implemented, and in particular, having the final design appropriately address the presence of potentially liquefiable soils...’, it is considered that the Site is suitable for the proposed development*<sup>20</sup>;

<sup>20</sup> Pg 184 of the Plan Change Request.

- Soil Contamination Effects:

A Preliminary Site Investigation Report prepared by EAM NZ Ltd (a Suitably Qualified Environment Practitioner (SQEP)) accompanying the Plan Change Request provides the results of a review of available information from Council files and historical aerial photographs etc and collection of surface soil samples. The PSI Report states that the area is considered a Hazardous Activities and Industries List (HAIL) site, identifies some sample results for heavy metals are elevated above background levels, and notes the presence of asbestos and lead paint in some of the existing buildings. The Report concludes that further investigation and remediation in specific areas will be required for it to be suitable for its intended purpose.

In Section 11.8 of the Plan Change Request, the Requestor acknowledges the need for further assessment in some areas of the plan change area, and proposes to undertake a Detail Site Investigation and seek any necessary consents under the NES-CS and/or develop and implement an appropriate certified Contaminated Soil Management Plan.

For the purposes of a plan change, I concur that this approach is adequate, as ‘the extent and degree of any contaminated soils needing to be disturbed can either be removed, remediated or managed to ensure appropriate protection of human health is achieved’<sup>21</sup>.

- Effects on Natural Hazard Risks:

Section 11.9 of the Plan Change Request addresses natural hazards in relation to flooding risks and earthquake risks. The Requestor notes HBRC Hazards Portal data identifies a finger of flood potential at the northern end of the plan change area, and that the development area is subject to ‘medium liquefaction vulnerability’ and medium amplification risk.

The Requestor states this potential flooding area is well removed from the development nodes and poses no risk to the proposal, and that this is supported by observations made during the recent Cyclone Gabrielle event where no discernible flooding occurred within the area (and indicates no anecdotal evidence of extensive flooding onsite in the history of the club).

In terms of earthquake risks, the Plan Change Request states: *‘In light of the Awanui Fault line crossing the Site, the Geotechnical Report points out that GNS have designated it as Recurrence Interval Class IV. This corresponds to an average recurrence interval of surface rupture of between 5,000 to 10,000 years. For this Class, GNS recommends limiting greenfield development within the fault avoidance zone to temporary and residential timber-framed buildings. No development is proposed within the fault avoidance zone area’* and concludes *‘Overall, the degree of earthquake risk is considered acceptable and appropriate measures can be incorporated into the final design to ensure residual risks are adequately addressed’*<sup>22</sup>.

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 PPC7 be approved.

<sup>21</sup> Pg 187-188 of the Plan Change Request.

<sup>22</sup> Pg 188-189 of the Plan Change Request.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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- Archaeological Effects:

An Archaeological Assessment prepared by Heritage Services Hawke’s Bay Ltd accompanying the Plan Change Request assesses the archaeological values and effects on the plan change area and notes there are no recorded archaeological sites on the land in question (but that this could be a lack of recording rather than an absence of sites), and no archaeological features were identified during the site visit or from a review of historical imagery. The Archaeology Report notes the area is located on the old flood plains of the Ngaruroro River and is part of the wider cultural landscape, and that there is the possibility that subsurface archaeological features could still be present, although they could also have been destroyed in the past by flooding or historic farming practices or more recent golf course construction activities.

The Archaeological Assessment recommends an archaeological authority is applied for and obtained under s48 of the Heritage New Zealand Pouhere Taonga Act 2014, an archaeological site management plan be prepared, all works involving ground disturbance be monitored by an approved archaeologist. The Requestor has adopted these recommendations<sup>23</sup>.

For the purposes of a plan change, I am satisfied that any potential archaeological effects can be suitably managed.

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<sup>23</sup> Pg 196 of the Plan Change Request.

10 Topic 1: Impact on Highly Productive Land / Versatile Soils Resource

10.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
<b>S1.1</b>	Save the Plains	Support
<b>FS6</b>	- Gourmet Blueberries Ltd	Oppose S1.1
<b>S7.3</b>	Peter Steers	Oppose
<b>S19.2</b>	Dr Corinna Proehl	Oppose
<b>FS1</b>	- HB Car Club	Support S19.2
<b>FS2</b>	- Ashley Willan	
<b>FS3</b>	- Drew Macdonald	
<b>FS4</b>	- Mark Baker	
<b>FS5</b>	- Nathan Tough	
<b>FS7</b>	- Aaron Young	
<b>FS6</b>	- Gourmet Blueberries Ltd	
<b>S39.2</b>	Bruce Mactaggart	Oppose
<b>FS1</b>	- HB Car Club	Support S39.2
<b>FS2</b>	- Ashley Willan	
<b>FS3</b>	- Drew Macdonald	
<b>FS4</b>	- Mark Baker	
<b>FS5</b>	- Nathan Tough	
<b>FS7</b>	- Aaron Young	
<b>FS6</b>	- Gourmet Blueberries Ltd	
<b>S48.2</b>	Hamish Ross	Oppose
<b>FS1</b>	- HB Car Club	Support S48.2
<b>FS2</b>	- Ashley Willan	
<b>FS3</b>	- Drew Macdonald	
<b>FS4</b>	- Mark Baker	
<b>FS5</b>	- Nathan Tough	
<b>FS7</b>	- Aaron Young	
<b>FS6</b>	- Gourmet Blueberries Ltd	
<b>S61.2</b>	Hawke's Bay Golf Club	Oppose
<b>FS1</b>	- HB Car Club	Support S61.2
<b>FS2</b>	- Ashley Willan	
<b>FS3</b>	- Drew Macdonald	
<b>FS4</b>	- Mark Baker	
<b>FS5</b>	- Nathan Tough	
<b>FS7</b>	- Aaron Young	
<b>S66.4</b>	Greg Reynolds	
<b>FS6</b>	- Gourmet Blueberries Ltd	Support S66.4
<b>S80.5</b>	Trevor Robinson	Support
<b>FS6</b>	- Gourmet Blueberries Ltd	Oppose S80.5
<b>S82.2</b>	Hawke's Bay & East Coast Aero Club	Oppose
<b>FS1</b>	- HB Car Club	Support S82.2
<b>FS2</b>	- Ashley Willan	
<b>FS3</b>	- Drew Macdonald	

**Item 2 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)**

**Section 42A Report for PPC7**

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

Sub Point	Submitter / Further Submitter	Position
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S85.2	Bruce Govenlock	Oppose
FS1	- HB Car Club	Support S85.2
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
FS6	- Gourmet Blueberries Ltd	Support S85.2
S87.3	Stephanie Eilers	Oppose
FS1	- HB Car Club	Support S87.3
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
FS6	- Gourmet Blueberries Ltd	Support S87.3
S89.2	Gourmet Blueberries Limited	Oppose
FS1	- HB Car Club	Support S89.2
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	

Item 2

10.2 Overview of Submissions on this Topic

10.2.1 In relation to the impacts of PPC7 on highly productive land, points made by the two submitters supporting PPC7 (Save the Plains and Trevor Robinson) are summarised as follows:

- Lesser Quality Soils:
  - The land is of non-food production soil type, therefore is suitable for development (Save the Plains).
  - The site's primary production is limited to small areas of production pines, which are an inefficient use of highly productive soils.
- Corrects an Anomaly:
  - Rezoning to Sport and Active Recreation Zone corrects an anomaly – the golf course has been there for over 100 years, and is unlikely to change.
  - Concerns about the loss of highly productive land should consider the site's long-term use as a golf course.

10.2.2 Points made by the submitters opposing PPC7 in relation to impacts on highly productive land are summarised as follows:

- Contradiction to Rural Preservation:
  - The proposal contradicts the concept of preserving rural areas for agriculture and vineyards.

- Nearby areas produce fantastic wines despite soil quality, showing the potential of the land.
- Urban Sprawl Concerns:
  - Allows for urban sprawl, which the district plan aims to prevent with the principle 'Build up, not out'.
  - Creates a precedent for further urban sprawl, leading to associated problems and changing the area's character.
- Negative Effects on Rural Activities:
  - Concerns about negative effects on existing rural activities and setting a precedent for future housing developments.
  - Conflicting residential activities undermine effective management and investment in surrounding rural land.
- Loss of Productive Soils:
  - Rezoning the Golf Course land removes it from the pool of productive and versatile soils.
  - Examples like Gimblett wine growing area and Gourmet Blueberries show that 'lower quality' soils can be very productive.
- Environmental and Food Security Impact:
  - Rezoning may prevent agricultural use, reducing the region's capacity for food production.
  - Agriculture in this area is crucial for New Zealand's food security and economy.
  - Removal of productive soils for recreational purposes could have long-term environmental consequences.

### 10.3 Analysis

10.3.1 The PPC7 area is located within the Plains Production Zone in the Hastings District Plan, which encompasses the versatile land resource of the Heretaunga Plains. This Zone is identified as 'the growing powerhouse of the District', where the focus is on cropping, viticulture, and orcharding in the region. The District Plan states that the Plains Production Zone represents a substantial concentration of versatile land and is nationally significant. This soil resource is considered the basis of the land based primary production industry that underscores the economy of Hastings District<sup>24</sup>.

10.3.2 'Versatile land' is defined in the District Plan as follows:

*'in relation to the Heretaunga Plains sub-region means contiguous flat to undulating terrain within the Heretaunga Plains Sub-region that acts collectively to support regional (and nationally) significant primary production and associated secondary services on the Heretaunga Plains, based around:*

- a. *An exceptionally high proportion of versatile Class 1-3 soils (comprising almost 90%);*  
*or*
- b. *Class 7 soils that are internationally recognised as having a very high value for viticultural production (comprising almost 7%);*
- c. *Its proximity to a cluster of national and international processing industries and associated qualified labour force; and*

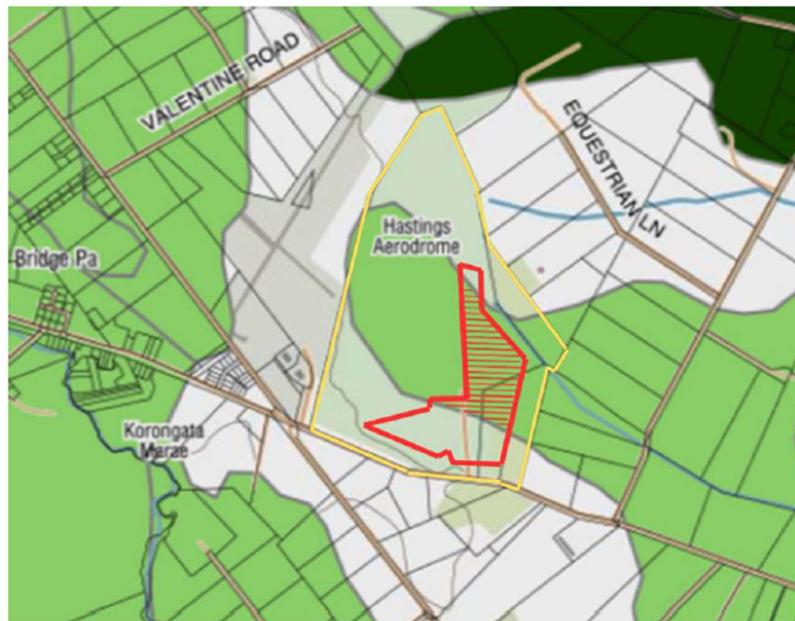
<sup>24</sup> Refer Sections 6.1.1 and 6.2.1 of the Hastings District Plan.

*d. Its proximity to the Port of Napier and other strategic transport networks providing efficient transport of produce.'*

10.3.3 Notably, the definition of 'versatile land' in the Hastings District Plan differs somewhat from the interim definition of 'highly productive land' in the NPS-HPL – describing the resource as a whole, and land does not have to contain LUC 1-3 soils, or necessarily any productive soils, to fall within the definition.

10.3.4 'Highly productive land' is addressed in relation to giving effect to the National Policy Statement for Highly Productive Land later in Section 28 of this Report. Approximately 48% of the plan change area contains LUC 3 soils based on the HBRC's Land Use Capability Mapping Tool, which is applied as the interim definition of 'highly productive land' in the NPS-HPL. The proposed Heretaunga Golf and Leisure Precinct (HGLP) development area covers a reasonable portion of that LUC 3 land, as shown hatched in red in the following indicative map produced as part of the Council-commissioned Technical Review Report prepared by The Agribusiness Group:

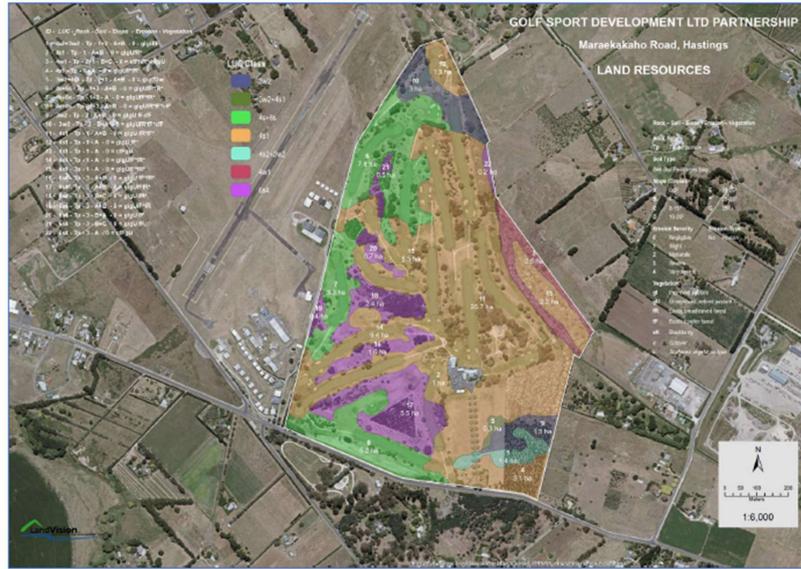
**Figure 5: NZLRI Map showing Indicative Plan Change Development Area<sup>25</sup>**



10.3.5 This matter is assessed by the Requestor in terms of the detailed land use capability assessment of the plan change area by Land Vision Ltd, accompanying the plan change request. The Land Vision Report involved field work and site soil analyses to assess the relative distribution of LUC classes at a higher resolution than the HBRC's LUC Mapping Tool, and produced the following paddock scale map:

<sup>25</sup> Pg 4 of The Agribusiness Group Report.

Figure 6: Paddock Scale LUC Map<sup>26</sup>



10.3.7 Key findings of the Land Vision Report are summarised in the Plan Change Request as follows<sup>27</sup>:

- The assessment showed that less than 6% of the Site can be classified as having LUC Class 3 soils;
- There are no Class 1 or Class 2 soils on the Site;
- The Class 3 soils are limited to two distinct areas (1.5 ha and 3.0 ha) approximately 1km apart at either end of the Site (refer dark blue areas at the northern and the southeastern parts of the Site in Figure 14);
- The Class 3 soils are both weakly developed and prone to winter wetness limitation (high water table) and are summer dry. They are not suitable for continuous cultivation and are best suited to autumn to spring pasture production. Continuous cultivation on these soils will destroy the soil structure and increase the significant risk of wind erosion; and
- The majority of the site (>94%) is comprised of shallow soils typical of Class 4 or eroded soils typical of Class 6.

10.3.8 The Land Vision Report’s overall conclusion is that using the relevant Land Use Capability classification methodology, the correct classification for the plan change area is predominantly LUC 4 and 6<sup>28</sup>. The Plan Change Request suggests that, from an economic perspective, parcels of land below 4ha are generally considered to have discounted long-term value for primary production, stating that<sup>29</sup>:

<sup>26</sup> Pg 14 of the Land Vision Report.

<sup>27</sup> Pg 20 of the Plan Change Request and Section 32 Evaluation Report.

<sup>28</sup> Pg 21 of Land Vision Report.

<sup>29</sup> Pg 187 of the Plan Change Request and Section 32 Evaluation Report.

*'In this case, the identified Class 3 areas, measuring 1.5ha and 3ha respectively, given their shape and location within the Site, have very limited potential to contribute to the overall growth of the primary sector in the broader district. In addition, cultivation of the soils would likely destroy their structure and hence productive potential.*

*The Site is highly unlikely to be utilised for agricultural production unless the golf course were to cease operations, which would likely result in a far greater loss to Hasting's economy than the potential gains to agricultural production. Therefore, the loss of productive land due to the proposed development would not have an adverse impact on agricultural production and growth in the Hastings District, therefore, the future land use proposed by this development will be efficient in comparison to land based production use.'*

- 10.3.9 On this basis, the Plan Change Request concludes that the impact of the proposed plan change and development concept on highly productive land is minimal.
- 10.3.10 As noted in submissions on this topic opposing PPC7, there is a consistent strategic direction in the District Plan that promotes the maintenance of the life-supporting capacity of the Hastings District's rural resources at sustainable levels (Rural Resource Strategy Objective OBJ RRSO1), seeks retention of the land-based productive potential of the Plains environment (Plains Strategic Management Area Overarching Objective PSMO1, Urban Strategy Objective UDO4) and seeks that the versatile land of the Heretaunga Plains is not fragmented or compromised by building and development (Urban Strategy Policies UDP3, UDP9, UDP12).
- 10.3.11 The Hawke's Bay Regional Policy Statement (RPS) similarly looks to protect the versatile land of the Heretaunga Plains in terms of regional direction for managing the built environment. In assessing PPC7 against the objectives and policies of the RPS, I have concluded that the proposed rezoning does not give effect to the RPS in this regard (e.g. Objective OBJ UD1, Policy POL UD1, and Policy POL UD4.2) – refer Section 29 of this Report.
- 10.3.12 As outlined later in Sections 30 & 31 of this Report, the urban rezoning of the plan change area to facilitate approximately 170 residential dwellings and visitor accommodation within the Hastings Golf Course land is also inconsistent with the Heretaunga Plains Urban Development Strategy (HPUDS) and the draft Napier-Hastings Future Development Strategy (draft FDS).
- 10.3.13 Whilst I concur that, in isolation, the plan change area does not exhibit the typical qualities and characteristics of the high-quality soils of the Heretaunga Plains, what makes the Heretaunga Plains land resource so unique and special is the concentration of versatile soils that act collectively to support regionally (and nationally) significant primary production and associated secondary services on the Heretaunga Plains. Further, as identified by some of the submitters, examples like the Gimblett wine growing area and Gourmet Blueberries nearby, show that 'lower quality' soils can be very productive.
- 10.3.14 Further, whilst the plan change area has long been used as a golf course, a golf course is largely undeveloped and could potentially be returned to productive use if the golf course ceased to operate sometime in the future. In my view, once developed to provide for a collection of urban residential dwellings and visitor accommodation, the entire plan change area (including the wider golf course) would effectively be permanently removed from primary production.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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- 10.3.15 Overall, whilst I agree that the impact of proposed PPC7 from a land use capability soils perspective at the paddock level is likely less than minor, urban rezoning would potentially have a more than minor adverse effect on the wider Heretaunga Plains versatile land resource as a whole, through permanently removing this area of land from the pool of land available for primary production and associated secondary services in the future, which may be crucial for future food security.
- 10.3.16 The proposed rezoning does not give effect to the RPS in terms of the direction for managing the built environment in the Heretaunga Plains Sub-region, and is inconsistent with the settlement pattern in the long-term growth strategies for Hastings District as set out in HPUDS and the draft FDS.
- 10.4 Recommendations
- 10.4.1 No specific recommendations.

11 Topic 2: Reverse Sensitivity Impacts on Land Based Primary Production

11.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S21.1	Eventing Hawke’s Bay	Oppose
S41.1	Dharminder Singh	Oppose
FS6	- Gourmet Blueberries Ltd	Support S41.1
S87.2	Stephanie Eilers	Oppose
FS6	- Gourmet Blueberries Ltd	Support S87.2
S89.1	Gourmet Blueberries Limited	Oppose

11.2 Overview of Submissions on this Topic

11.2.1 In relation to the impacts of PPC7 on reverse sensitivity for land-based primary production in the vicinity, submitters opposing PPC7 make the following points, summarised as follows:

11.2.2 Dharminder Singh:

- Purchased the property on the boundary of Hastings Golf Club in 2004, and built a successful horticulture and agriculture business with packhouse, storage sheds, heavy vehicles, produce storage, land cultivation, and cropping.
- Activities create aromas, noise (24/7), and dust during cultivation and harvesting.
- Concern about jeopardizing necessary business activities.
- Employs 20 full-time staff and up to 50 seasonal workers. Jobs are crucial for the community.
- Reference to Arataki Honey and Mushroom Farm: housing development often forces businesses to shut down.
- Residential development disadvantages existing businesses and landowners.
- Significant investment of several million dollars in the property. Risk of wasted investment and hard work if the project continues.

11.2.3 Stephanie Eilers:

- Reverse Sensitivity Issues:
  - Likely to curtail current and future expansion of allowable Plains Zone activities.
  - Noise and nuisance from frost-fans, bird scarers, and night-time harvesting work.
- Future Industrial Development:
  - Both sides of Stock Road near the golf club identified for future industrial development.
  - Intended to support Plains Zone activities.

11.2.4 Gourmet Blueberries:

- GBL's Significance:
  - NZ's largest blueberry grower by volume, has invested significantly in the

area, and is a major employer and is a significant contributor to Hawke’s Bay economy and NZ’s export sector.

- Farms sustainably on land considered poor quality by the Applicant.
- Precedent and Reverse Sensitivity Issues:
  - Reverse sensitivity issues due to proximity to GBL’s property – concerns about restrictions on GBL’s lawful practices despite ‘No Complaints’ covenant.
  - Incompatible with large-scale horticultural and agricultural activities. Potential restraints on rural production and land uses.
  - Risk of business activities being curtailed by residential neighbours.
  - Approval could prompt similar applications, e.g., Hawke’s Bay Golf Club.
- Specific Reverse Sensitivity Issues:
  - Use of sprays and odours from primary production.
  - Noise from machinery, bird scaring devices, and frost protection.
  - Visual effects of netting structures and other primary production facilities.

11.2.5 Eventing Hawke’s Bay has also opposed PPC7, but I note their submission does not give specific reasons<sup>30</sup>.

### 11.3 Analysis

11.3.1 Reverse sensitivity occurs where the introduction of sensitive activities impacts on other activities in their vicinity, leading to restraints in the carrying out of those activities.

11.3.2 Land based primary production activities generate noise e.g. from frost-fans, bird scarers, and night-time harvesting work, as well as odour, agricultural sprays, and visual effects. In addition, nearby rural-based activities represent significant existing investment, for example, two submitters have significant operations adjacent to or within proximity of the plan change area:

- Dharminder Singh (S41) operates a substantial vegetable processing facility (BSL Produce Ltd) at 41 Stock Road, to the immediate east of the plan change area; and
- Gourmet Blueberries Ltd (S89) have a large primary production operation at 301 Portsmouth Road.

11.3.3 Both these submitters have raised reverse sensitivity concerns in respect of their lawful practices, and perceived risk of their business activities being curtailed. For these submitters, the proposed urban rezoning is seen as incompatible with large-scale horticultural and agricultural activities.

11.3.4 The Plan Change Request seeks to address reverse sensitivity associated with establishing residential activities near productive rural land, as follows<sup>31</sup>:

<sup>30</sup> As Eventing Hawke’s Bay has not provided detailed reasons for their opposition to PC7, it has been assumed their concerns relate to potential reverse sensitivity effects on their eventing activities at the Hawke’s Bay Equestrian Park, 89 Equestrian Lane, Bridge Pā (to the rear of the Plan Change area).

<sup>31</sup> Pg 195-196 of the Plan Change Request and Section 32 Evaluation Report.

*'In the case of this proposed plan change, it is not considered that subsequent residential activities will result in reverse sensitivity effects due to the following mitigating factors:*

- ...;
- All future dwellings will be built to a modern standard, including appropriate acoustic treatments;
- ...;
- "No Complaint" covenants will be applied to all residential lots;
- The proposed Accommodation Precinct is set well back from the Site boundary, thereby ensuring an appropriate "environmental buffer" between dwellings and the future Plains Production Zone boundary; and
- Landscape and amenity planting within the redeveloped Site, as well as mitigation boundary planting, will fully or partially screen views of neighbouring rural production activities and associated buildings from future residential dwellings.

*Overall, it is considered that the above mitigating factors appropriately control the potential for reverse sensitivity effects.'*

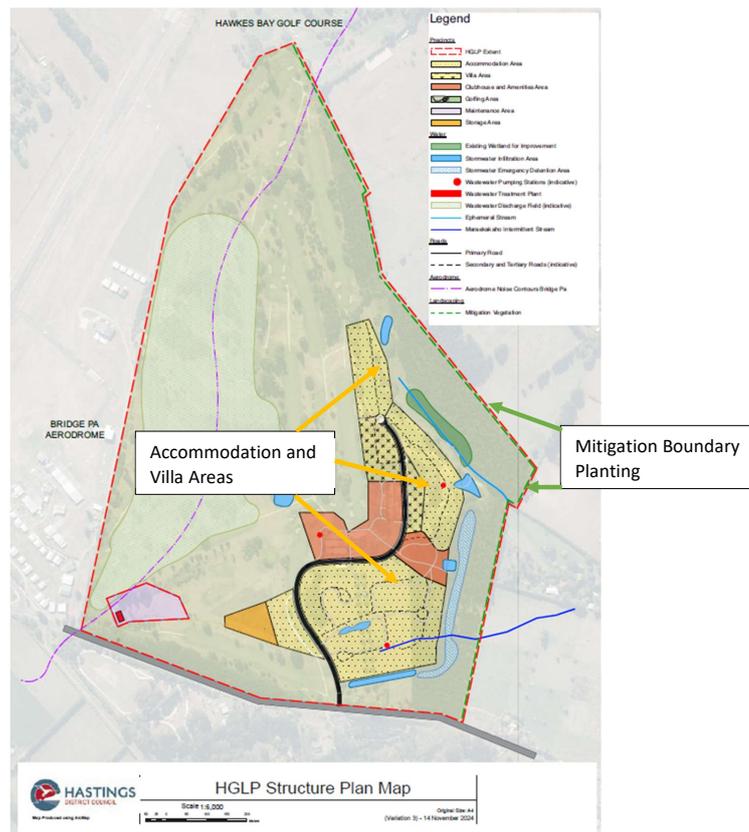
11.3.6 In my view, acoustic treatments for future dwellings, setbacks from the Plains Production Zone boundary, and planting to screen views would act to help mitigate reverse sensitivity effects on existing land based primary production activities occurring in the surrounding environment. These matters can be addressed through the inclusion of suitable rules and standards in the District Plan.

11.3.7 To this end, I note the proposed PPC7 provisions applying in the Heretaunga Golf and Leisure Precinct (HGLP), as follows<sup>32</sup>:

1. Buffer – Proposed Subdivision Site Standard 30.1.72(v) Heretaunga Golf and Leisure Precinct, requires open space and buffer areas be provided in accordance with the HGLP Structure Plan, including a minimum 30-metre-wide open space buffer area provided for the full length of the interface between the Accommodation or Villa Areas (see below) and the adjoining Plains Production Zone as shown in the HGLP Structure Plan – Concept Plan Map<sup>33</sup>.
2. Mitigation Boundary Planting – Proposed 'HGLP Structure Plan' (see below) shows 'Mitigation Vegetation' (green dashed line) along the length of the north-eastern boundary of the plan change area.

<sup>32</sup> Note: how are the buffer and the mitigation boundary planting measures 'required' through the proposed provisions e.g. if only the residential node was developed?

<sup>33</sup> Note: this provision references both 'HGLP Structure Plan' and 'HGLP Structure Plan – Concept Plan' to be included in the District Plan as Appendix 25B – this should more appropriately relate solely to the 'HGLP Structure Plan' which shows the extent of the Accommodation and Villa Areas relative to the proposed Zone boundary (the 'HGLP Concept Plan' does not).



11.3.8 However, I have not found within the proposed PPC7 provisions anything that would address the following mitigating factors offered by the Requestor:

- Acoustic Treatments for all future dwellings  
(other than acoustic treatment requirements for a noise sensitive activity locating within the Air Noise Boundary, which is covered in proposed Rule PREC1-R7 – presumably to address reverse sensitivity effects associated with the adjacent Hastings/Bridge Pā Aerodrome operations – this matter is addressed separately later in my report);
- ‘No Complaint Covenants’  
(although ‘no complaint’ covenants are not something that can be imposed through Plan provisions, so are not an appropriate mitigation as part of a plan change request. I am also of the view that ‘no complaint’ covenants have significant limitations (e.g. they can be contested in the future and extinguished through legal challenge); or
- Landscape and Amenity Planting within the redeveloped Plan Change Area  
(although I note the following:
  - Proposed Rule PREC1-R10 Storage Sheds requires a 2m-wide band of continuous vegetation planted in a position to visually soften the Storage Area from the neighbouring Accommodation Area, golf course and road; and

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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- there is shared green space, significant vegetation, existing trees to be retained, and proposed trees indicated on the 'HGLP Concept Plan' – but with no proposed mechanism to require this... other than loosely through proposed Standard PREC1-S1 requiring activities be carried out in a manner that ensures all aspects of the Structure Plan can be implemented, and the provision of all features identified on the Structure Plan Map will not be prevented from being implemented).
- 11.3.9 From my site visit, I was able to ascertain that the Accommodation and Villa Areas are positioned considerably more than 30m from the plan change area boundary – for the most part, the distance from the outer extent of the Accommodation and Villa Areas to the boundary is more than 100m. This degree of separation would likely offer a level of effective mitigation in terms of introducing an urban residential development area in the middle of a rural environment and in proximity of large-scale horticultural and agricultural activities.
- 11.3.10 In my view, the proposed rezoning poses a risk of reverse sensitivity issues arising for land based primary production-related activities and rural industry within the surrounding environment, and I question whether the proposed PPC7 provisions sufficiently mitigate this effect.
- 11.4 Recommendations
  - 11.4.1 If the Hearings Panel is of a mind to approve PPC7, I would recommend reviewing and making appropriate amendments to the proposed provisions, particularly in relation to the proposed HGLP provisions, to ensure the Plan can impose additional mitigation to address reverse sensitivity for land-based primary production activities, existing rural industry, and other permitted rural activities nearby, where appropriate, such as requiring acoustic treatment for all future dwellings.

12 Topic 3: Economic Impacts and Tourism Potential

12.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S1.2	Save the Plains	Support
S29.1	Tom Mckimm	Support
S54.1	Mathew Perry (Golf in New Zealand)	Support
S59.5	Laura Kamau	Support in part
S63.1	Megan Frater	Support
S88.3	Eruera Morrison, John Newton, Edline Morrison & Maria Newton	Oppose
S19.1	Dr Corinna Proehl	Oppose
S54.2	Mathew Perry (Golf in New Zealand)	Support
S75.2	Golf New Zealand	Support
S77.1	The Clubhouse	Support
S80.2	Trevor Robinson	Support
S83.2	Hastings Golf Club	Support
S97.1	Cape Kidnappers Station Limited	Support

12.2 Overview of Submissions on this Topic

12.2.1 Submission points identifying economic benefits as a result of PPC7 from Save the Plains, Tom McKimm, Golf in New Zealand, and Megan Frater, can be summarised as follows:

- Economic Opportunities:
  - Gives employment opportunities to local people and companies. Job opportunities in construction.
  - More jobs and increased rates revenue.
  - Positive economic and social impact on Bridge Pā and wider Hawkes Bay.
- Long-term Tourism Growth:
  - Boosts high end visitor numbers into our region which is vital for our local regional economy.
  - Drives tourism and economic growth for Hawke’s Bay.
  - Increased tourism spend.
- Viability and Standing of the Hastings Golf Club:
  - Ensures long-term viability of Hastings Golf Club as a world-class golfing destination.
  - Proposed zoning changes and facility upgrades can modernise and elevate the club's standing – without upgrades, the club may struggle to compete with other premier golfing destinations.
  - Potential to join Cape Kidnappers as a premier international golf destination.
  - Upgrading the club can attract more events, bringing valuable visitors and ensuring long-term tourism growth.
  - Zoning change will help solidify the club as a home for the NZPGA professional tournament/event, which attracts 132 golfers and additional visitors, bringing international attention and economic benefits.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

- 12.2.2 Conversely, E & E Morrison and J & M Newton, consider the jobs created by this development are unlikely to provide long-term security for local Māori, and that increased tourism and traffic will place strain on the community's limited infrastructure without guaranteeing benefits for the people of Bridge Pā.
- 12.2.3 Laura Kamau also raises concerns about rates increases and infrastructure costs as a result of high-value homes in the development and a desire to keep rateable values and infrastructure costs within the context of the community, and the impact on the Bridge Pā community of residents whose primary residence is elsewhere.
- 12.2.4 Submission points identifying tourism potential as a result of PPC7, from Hastings Golf Club, The Clubhouse, Cape Kidnappers Station Ltd, Golf in NZ, Golf NZ, and Trevor Robinson, can be summarised as follows:
- Golf Tourism Growth:
    - Pre-Covid inbound golf tourism valued at over \$400m annually.
    - Projected to be a USD 27 billion industry by 2025 and USD 65.8 billion by 2035.
  - Post-Cyclone Gabrielle Recovery:
    - Golf participation and membership growth.
    - Opportunity to leverage sport's growth and support economic recovery.
  - Economic Impact:
    - Importance of clustering quality courses to encourage visitation and increase length of stay.
    - Focus on value over volume, targeting couples and families.
  - Hastings Golf Club's Unique Position:
    - Proximity to the Aerodrome attracts high-spending visitors. Over 80% of international guests use private air travel.
    - Lack of nearby large-scale accommodation hinders attracting high-value visitors.
  - Off-Course Attractions:
    - World-class wineries and restaurants.
    - Outdoor adventure opportunities (hiking, biking, wildlife reserves).
    - Cultural and historical attractions.
  - Event Hosting and Facilities:
    - Need for quality golf courses and facilities to suit visitor market.
    - Proposed facilities at Hastings Golf Club make it an attractive location for events.
    - Proximity to Cape Kidnappers and local attractions enhances appeal.
  - Tourism and Economic Benefits:
    - Incorporating residential development and short-term accommodation generates tourism revenue.
    - Attracts golf enthusiasts and broader range of visitors, creating local employment and stimulating spending.
    - Enhanced golf offering attracts more golfers and premium visitors to Hawke's Bay.
    - Golfers are high-spending, low-volume visitors, traveling year-round.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

- o Development complements Cape Kidnappers and boosts Hawke’s Bay’s tourism potential.

12.2.5 Conversely, Dr Proehl questions who would be attracted to travel to Hastings to play golf, asserting that wealthy tourists will prefer Cape Kidnappers and Kauri Cliff. Dr Proehl considers it hard to imagine overseas tourists playing at the Hastings Golf Course as this course standard is common in New Zealand and other countries, and there are more attractive locations in New Zealand and the world.

**12.3 Analysis**

12.3.1 The majority of submitters on this topic point to the economic benefits and potential of golf tourism for the Hawke’s Bay economy, and the need for quality golf courses to suit the visitor market. They consider that provision for a golf venue incorporating residential and short-term accommodation options would enhance the offering and attract more golfers and premium visitors to the Region, and would provide employment opportunities. They also suggest that the proposal will ensure the long-term viability of the Hastings Golf Club as a world-class golfing destination and that upgraded facilities will modernise and elevate the Club’s standing. There is a suggestion that the Club may otherwise struggle to compete.

12.3.2 The Economic Overview Report accompanying the Plan Change Request, prepared by Property Economics Ltd, provides an assessment of the proposed development on the Hawke’s Bay tourism industry and the Hastings residential market, as well as the resulting impact on the overall economy for the Hastings District and the broader Hawke’s Bay Region. This Report concludes as follows<sup>34</sup>:

*‘According to the analysis, golf tourism is a prominent and growing sector in New Zealand. Increasing competition with new marquee courses in Northland (Te Arai, Auckland (near Muriwai) and Queenstown (Hogans Gully) will make it more difficult for Hawke’s Bay to compete as a golf destination to both the domestic and international markets. The proposed development of the Hastings Golf Course, by virtue of its rural location, also has the potential to leverage the rural productive assets of the region to create a more compelling tourism proposition for the market.*

*Given the nationwide losses to the tourism industry following the COVID-19 pandemic, enhancing Hastings’ reputation as a golfing destination will help promote the recovery and growth of the local tourism economy. In doing so it is Property Economics view that the proposed development is a unique addition within the district that cannot be replicated elsewhere in the district and will contribute to the economy rather than duplicate existing urban offers and simply redistribute spend.*

*It can be expected the upgraded Hastings Golf Course has the potential to draw more golfers to the region for both Cape Kidnappers and Hastings Golf Course, where previous data shows that very limited international visitors coming to Hastings Golf Course. The rise in the number of golfers or visitors to the region can also be expected to generate substantial flow-on benefits to the wider region by supporting local businesses and services.*

*From a Property Economics perspective, the development has no propensity to incur additional costs for the district, such as infrastructure investments, as it is largely self-sustaining and does not pose a threat to existing urban environments’ infrastructure utilisation or planned future infrastructure development.*

<sup>34</sup> Pg 34 of the Economic Overview Report.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

*As such, on balance, the proposed development is likely to result in significant net economic gains for both the district and the broader region. These economic benefits will be assessed and quantified in the following section.*

*From a policy perspective, the proposal also aligns with the recommendations of the latest Golf Tourism Strategy 2022-2025, which emphasises the need for New Zealand to capitalise on private sector investments in golf facilities to foster the growth of the tourism industry.*

*Overall, the above analysis identifies the opportunities for Hawke's Bay as a golfing destination and underscores the potential of the proposed development to further enhance the tourism economy and GDP in the region.'*

12.3.3 I note the reference in the Economic Overview Report to alignment with the latest Golf Tourism Strategy 2022-2025. The Golf Tourism Strategy states its purpose is 'to lobby Government to fund and support an industry body that will promote inbound golf visitors to New Zealand'. The Strategy identifies New Zealand's main international golfing markets, trends in visitor numbers and average spend person, and the supply and demand drivers. It identifies Hastings Golf Club as one of 22 second tier golf clubs around New Zealand (second tier clubs are promoted to support the Marquee courses and provide additional links in the golf trail).

12.3.4 New Zealand is identified as having the second highest number of courses per capita in the world. The Strategy identifies '...New Zealand has a true niche market amongst global golf destinations as an attractive destination for high net worth golf travellers', and that:

*'Over the last five years we have also seen a number of long-haul travelers become members at premium golf clubs in New Zealand. When they make a commitment to join a golf club in New Zealand they will come back on their own (without marketing to attract them back) and as repeat high net worth visitors they have an even higher value to our tourism economy than one-off visitors. These members are high-net-worth visitors/immigrants to New Zealand and are more likely to invest in New Zealand and make a broader impact to our economic and social wellbeing.'*

12.3.5 The Strategy broadly suggests continued improvement of golfing product through both new facilities and upgraded facilities is needed to keep New Zealand competitive as a destination to drive golf tourism. In my view, the Strategy has limited relevance to the Plan Change Request other than to indicate that golf tourism is significant in New Zealand and the sector has a desire to grow it, and that the Hastings Golf Club course is identified as one of the second tier golf courses in New Zealand.

12.3.6 The Economic Overview Report estimates the total Hawke's Bay economic activity as a result of the proposed development at the Hastings Golf Club over a 2-year period to be around \$40 million and, in terms of employment multipliers, calculates this would contribute 181 jobs during the peak development within Hawke's Bay, with a total number of FTE years at approximately 320 over the development phase<sup>35</sup>.

12.3.7 The Report goes on to outline some of the high-level costs and benefits resulting from the Plan Change Request, and concludes<sup>36</sup>:

*'On balance, in Property Economics' view, the economic benefits of the proposed Hastings Golf Club redevelopment significantly outweigh the costs, resulting in a significant net economic gain to the local and district economies.'*

<sup>35</sup> Pg 38 & 39 of the Economic Overview Report.

<sup>36</sup> Pg 45 of the Economic Overview Report.

**Item 2 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)**

**Section 42A Report for PPC7**

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**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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- 12.3.8 I accept that there would be economic benefits and potential growth in tourism for the Hawke’s Bay region as a result of subsequent development of the Hastings golf course, should PPC7 be approved.
- 12.3.9 Impacts on rates and the viability of the Hastings Golf Club are not RMA matters for the Hearings Panel to consider.
- 12.4 Recommendations
  - 12.4.1 No specific recommendations.

**Item 2**

13 Topic 4: Golf Course and Facilities

13.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S2.1	Kim Goodwin	Oppose
S26.1	Moray Grant	Oppose
S27.1	Mike Hill	Oppose
S66.1	Greg Reynolds	Oppose
S75.1	Golf New Zealand	Support
S78.1	Noel Martin-Smith	Support in part
S80.1	Trevor Robinson	Support
S83.1	Hastings Golf Club	Support

13.2 Overview of Submissions on this Topic

13.2.1 Submission points identifying the importance of golf and the benefits of improving the Hastings golf course and facilities as a result of PPC7 from Hastings Golf Club, Golf NZ, and Trevor Robinson, can be summarised as follows:

- Golf’s importance as a growing sport with high participation in New Zealand. Provides recreation, exercise, and contributes to health and wellbeing.
- Unique opportunity to revitalize Hastings Golf Club, recognized as a premier golf course in New Zealand, and create significant golfing, recreation, and tourism opportunities.
- Repurposing for residential and tourism use benefits the club, residents, and community.
- PPC7 addresses immediate infrastructural needs of the club and preserves the club’s heritage, and contributes to tourism appeal and economic vitality of Hastings and Hawke’s Bay.

13.2.2 Noel Martin-Smith supports PPC7 in part, in terms of changing the zoning of the golf course from Plains Production Zone to Sport and Active Recreation Zone, but opposes any change that would allow residential development.

13.2.3 Submission points from Kim Goodwin, Moray Grant, Mike Hill, and Greg Reynolds, opposing PPC7, question the proposal for the Hastings golf course and facilities, which can be summarised as follows:

- Current State of Hastings Golf Club:
  - Presently, a relatively cheap golfing experience with a well-maintained clubhouse and food facilities.
  - The Club House is an iconic building with rich wooden floors throughout and has a spectacular view of the course. All this will be lost as the building and its historic value will be pulled down.
  - The Club is financially secure. There is however a need for new facilities that could easily be upgraded and, with money in the bank, the clubhouse could get a well-deserved update.

- Concerns about Housing Development:
    - Questioning the need for housing development in return for a new single-storied clubhouse with poorer views.
    - Clubhouse unlikely to become a restaurant destination due to proximity of other eateries.
    - Demolition of existing facilities seen as a waste of resources and heritage.
  - Potential Risks and Issues:
    - Risk of the project being left unfinished, similar to Gulf Harbour.
    - The viability of this development doesn't stack up for our golf club.
    - Development may erode the nature and history of the club.
    - Playing golf in a construction zone for an extended period is undesirable.
- 13.2.5 Greg Reynolds also raises process and transparency concerns – concerned that GSDLP is indicating that it was the golf course that initiated the redevelopment discussions, when in his opinion it was the developers, and lack of evaluation of the adverse effects on golfers (members and visitors) and confirming whether a number of existing club members will reside on site in future – what happens if there is poor uptake from the members?
- 13.3 Analysis
- 13.3.1 It is generally accepted that the Hastings golf course is a second tier 'premier' golf course in New Zealand and, as mentioned in the previous section of this report, I accept there would be economic benefits and potential growth in tourism for the Hawke's Bay region as a result of subsequent development of the Hastings Golf Course, should PPC7 be approved.
- 13.3.2 There appears to be some questioning of the need for the housing development component of PPC7 from some submitters on this topic, and a suggestion that there are risks to the Golf Club financially, and negative aspects of the proposal for the nature and history of the Club and around the effect of an extended period of construction for golfers, that have not been considered. I note that the 'iconic' Club House is not a heritage building with any special status under the RMA or Heritage New Zealand.
- 13.3.3 In my view, the viability and impacts for Club members are generally not RMA matters for the Hearings Panel to consider, other than in respect of construction-related effects (which are addressed separately, later in this report).
- 13.3.4 However, I do note that if the proposed development concept was unsuccessful in securing the long term viability of the Hastings Golf Club and the golf course was ultimately closed, the residential development component would simply become an isolated node of houses. There is nothing in PPC7 requiring the golf course to be upgraded first or to link the residential development to the golf course uses.
- 13.4 Recommendations
- 13.4.1 No specific recommendations.

14 Topic 5: Residential Development

14.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S2.2	Kim Goodwin	Oppose
FS1	- HB Car Club	Support S2.2
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S7.2	Peter Steers	Oppose
FS1	- HB Car Club	Support S7.2
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S54.3	Mathew Perry (Golf in New Zealand)	Support
S56.1	Temple Martin	Oppose
S57.2	Gerald Chisum	Oppose
S58.3	Jan Chisum	Oppose
FS1	- HB Car Club	Support S58.3
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S66.3	Greg Reynolds	Oppose
S67.1	Peter Holley	Oppose
FS1	- HB Car Club	Support S67.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S68.1	Victor & Heather Saywell	Support
S80.3	Trevor Robinson	Support
S85.1	Bruce Govenlock	Oppose
S86.1	Ross Drew	Oppose
FS1	- HB Car Club	Support S86.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S88.2	Eruera Morrison, John Newton, Edline Morrison & Maria Newton	Oppose
FS1	- HB Car Club	Support S88.2

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

Sub Point	Submitter / Further Submitter	Position
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S96.4	Raelyn Oliver	Oppose

14.2 Overview of Submissions on this Topic

14.2.1 Submission points specifically supporting the residential development that would result from PPC7, can be summarised as follows:

- Mathew Perry from Golf in NZ states that *‘Hawke’s Bay has a known housing shortage, as identified in the 2021 Housing Development Capacity Assessment’*.
- Victor & Heather Saywell support this *‘carefully planned and sensible plan change and the proposed residential development’*.
- Trevor Robinson supports the addition of 170 high quality residential buildings with no adverse effects on the golfing experience, and considers the additional residential capacity will help fill a hole in the realisable residential capacity provided in Hastings District under the NPS-UD.

14.2.2 Other submission points oppose the resulting residential development for the following reasons:

- **Unsuitable Location:** The proposed housing development is poorly located, with limited desirability compared to other areas in Hastings, Havelock, and Napier. It's a rural productive area near noisy activities and facilities like an aerodrome, equestrian park, car club, and regional prison, and serviced by a busy country road. There is no need for satellite residential development in this location - it is a 5-minute drive from Hastings and a 10-minute drive from Havelock North to the golf club.
- **Market Challenges:** Sections may take years to sell, requiring discounts. Poor location may result in declining property value, as seen in similar cases in Australia.
- **Environmental & Legal Concerns:** A similar proposal was rejected by the Environment Court about 20 years ago due to its significant impact on airfield operations. PPC7 could conflict with this prior ruling.
- **Impact on Community:** Limited connectivity and support infrastructure (e.g., schools, public transport, retail). Threatens local character, increasing land values and rates, potentially displacing long-term Māori residents in Bridge Pā. Risk of gentrification and lack of broader community benefits.
- **Proposed Mitigations Questioned:** Use of ‘no complaint covenants’ is criticised as inadequate and unjust for future residents. Concerns raised about whether a structure plan could pave the way for additional, undocumented developments.
- **Impact on Golf Course:** Development could temporarily disrupt the golf course and harm its long-term appeal.
- **Comparison Critique:** Comparison to Millbrook or Jack's Point, viewed as unrealistic.
- **Cyclone Gabrielle Aftermath:** Some proposed dwelling locations were observed as waterlogged during the cyclone.

- Broader Implications: Would this give rise to the HB Car Club, HB Deerstalkers and the aerodrome applying for a Sport and Recreation Zone and have housing built?

### 14.3 Analysis

14.3.1 In terms of the need for PPC7 and that it would assist with a housing shortage and provide additional development capacity, my assessment against the NPS-UD, NPS-HPL, and the Napier-Hastings Future Development Strategy later in this report concludes that there is no evidence that PPC7 is 'required' to provide sufficient development capacity to meet demand for housing in the short, medium or long term in the Hastings District.

14.3.2 My assessment against those statutory documents determines that PPC7 would not add significantly to development capacity, and would not contribute to a well-functioning urban environment – being an isolated pocket not connected to an 'urban environment'. I agree that PPC7 would create a satellite residential development:

- with limited connectivity and support infrastructure; and
- within a working rural environment, close to:
  - existing land based primary production activities and rural industry,
  - other potentially incompatible noise-generating activities such as the Hawke's Bay Car Club, and
  - adjacent to the Hastings/Bridge Pā Aerodrome (regionally significant infrastructure).

14.3.3 Reverse sensitivity for land based primary production activities and for other nearby activities is addressed specifically in other sections of this report and concludes that PPC7 poses a risk of reverse sensitivity issues arising that are not currently sufficiently mitigated.

14.3.4 In terms of the potential for gentrification, increasing land values, and any potential to displace existing Bridge Pā residents, there is no evidence to indicate this would occur, and in any case, these are not RMA matters for the Hearings Panel to consider.

14.3.5 As stated in the previous section of this report, any potential disruption for golf course users during the development phase is addressed later in this report in terms of general construction-related effects, and whether comparisons with Millbrook and Jack's Point golf developments are realistic is not an RMA matter for the Hearings Panel to consider.

14.3.6 One submitter raises concerns that some areas proposed for dwellings within the plan change area were observed as waterlogged during Cyclone Gabrielle. The Plan Change Request addresses flood risks as follows<sup>37</sup>:

*'In the history of the golf club, there is no anecdotal evidence of extensive flooding onsite. HBRC hazard maps identify a finger of flood potential at the northern end of the Site. Related data indicates this flood level to be R.L 26.50 with a return period of 50 years. Converting this level to NZVD 2016 (to be in terms of LiDAR data used), this level translates to approximately R.L 16.3. However, as noted in the Civil Engineering Report (Appendix K), using the LiDAR generated surface the lowest ground levels (in notable depression) are circa R.L 17.3m.*

*Overall, despite a potential one metre discrepancy between the data sets, this potential flooding area is well removed from the development nodes and poses no risk to the proposal. This assessment is supported by observations made during the recent Cyclone Gabrielle event where no discernible flooding within the Site occurred.'*

<sup>37</sup> Pg 188 of the Plan Change Request and Section 32 Evaluation Report.

**Item 2 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)**

**Section 42A Report for PPC7**

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**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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14.3.7 Subject to any evidence to the contrary, I am satisfied that discernible flood risk for the plan change area is less than minor.

14.4 Recommendations

14.4.1 No specific recommendations.

**Item 2**

**Item 2 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)**

**Section 42A Report for PPC7**

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

15 Topic 6: Impact on Hawke’s Bay Car Club

15.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S3.1	Gregory Hook	Oppose
S4.1	Aiden Hoffman	
S6.1	Jayne Millar	
S11.1	Matt Green	
S22.1	Brett Paton	
S30.1	Donna Elder	
S60.1	Nathan Tough	
S69.1	Ross Lawrence (Matipou Orchard Ltd)	
S70.1	Circe Hoffman	
S71.1	Peter Cadwallader	
S72.1	Murray Wilson	
S73.1	Mark Graham	
S74.1	MG Ravenscroft	
S93.1	Anna Murray	
S94.1	Jonathan Bissell	
FS1	- HB Car Club	Support S3.1, S4.1, S6.1, S11.1, S22.1, S28.1, S30.1, S60.1, S69.1, S70.1, S71.1, S72.1, S73.1, S74.1, S93.1, S94.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
SS.1	Steven Waerea	
FS1	- HB Car Club	Support S5.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S28.1	Grant Blackberry	
S78.2	Noel Martin-Smith	Oppose
FS1	- HB Car Club	Support S78.2
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S79.1	Hawke’s Bay Car Club	
FS1	- HB Car Club	Support S79.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	

Item 2

15.2 Overview of Submissions on this Topic

15.2.1 The Hawkes Bay Car Club (HBCC), and various individuals making similar submissions in support of HBCC, raise concerns that residential development could pose a very real threat to the activities of the HB Car Club, which can be summarised as follows:

- Noise Considerations: Motorsport activities generate noise, and new residential development could lead to complaints or restrictions, threatening HBCC’s operations.
- Economic Viability: Track access is crucial for generating income through events, memberships, and sponsorships. Losing access or being subject to restrictions threatens HBCC’s viability, which has been operating from this location for 50 years.
- Community Impact: Loss of local motorsport opportunities and difficulty in obtaining racing licenses as there are no other Motorsport NZ affiliated clubs in this area.

15.2.2 The majority of these submitters request the following:

- Reverse Sensitivity Covenants: Request covenants on new residential properties to acknowledge HBCC’s presence and prevent restrictions on club operations due to noise concerns.

15.3 Analysis

15.3.1 The HBCC Clubrooms and limestone track are located opposite the plan change area at 1558 Maraekakaho Road and the Club runs various events from this location and elsewhere in the region. The primary concern for HBCC is reverse sensitivity, as motorsport activities generate noise, and this could lead to complaints or restrictions on their activities.

15.3.2 The Requestor’s response to the further information request from Council included an updated Noise Assessment Report prepared by Marshall Day Acoustics Ltd, which incorporated a reverse sensitivity noise effects analysis for identified nearby noise emitters (non-aerodrome activities), attached as Appendix H to their report. This included assessment of reverse sensitivity effects for the Car Club.

15.3.3 The Noise Assessment Report notes that the Car Club has a number of existing resource consents to operate, including consent granted in 1987 to use the property for club activities including a track for radio-controlled cars (with accompanying noise limits for the radio-controlled car track), and has assumed that the District Plan noise limits apply to all other car club activities as there are no other noise conditions. On that basis, Marshall Day Acoustics assesses that the Car Club is:

*‘Unlikely to have reverse sensitivity effects because the consented activities are low noise emitters. Additionally, the club needs to comply at the currently existing two houses within the project site and along the southern boundary. The existing two houses are closer to the club compared to the future proposed houses.’*

15.3.4 The Noise Assessment Report concludes: *‘we consider that there is unlikely to be any reverse sensitivity effects to any other noise emitter based on our review of the consented activities, the setback distances, and location of them relative to the proposed development’.*

15.3.5 To contribute to this s42A report, Council commissioned Malcolm Hunt Consulting to carry out an independent review of noise matters associated with PPC7 and other ‘reverse sensitivity’ noise effects raised within submissions, including submissions relating specifically to the Car Club. This independent review is attached as Appendix B to this report.

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Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

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15.3.6 In respect of reverse sensitivity for HBCC activities, the review confirms as follows<sup>38</sup>:

*‘Each activity is commented on along the lines that, so long as the industrial, rural production or club activities are undertaken in accordance with noise limits set out within a relevant resource consent, or with the permitted activity noise standard for rural areas, there would be little if any potential for reverse sensitivity noise effects on these existing activities. This review considers this to be the correct approach. While there can be unusually sensitive people who may complain at low levels of received sound, adherence to the relevant day/night consent noise limits or district plan day/night/evening permitted activity noise limits are considered to be generally sufficient to avoid reverse sensitivity noise effects caused by new noise sensitive uses likely to establish on the golf course site should Plan Change 7 be approved.’*

15.3.7 I am satisfied that reverse sensitivity noise effects for HBCC are unlikely, on the basis that the club is required to comply with the District Plan noise limits at the currently existing two houses within the project site and along the southern boundary.

15.3.8 With respect to the request from submitters for ‘No complaints’ covenants to be imposed on new residential properties within the plan change area (if PPC7 is approved), the Plan Change Request indicated that this would be the case. However, as I have previously indicated in relation to reverse sensitivity for land based primary production activities, ‘no complaint’ covenants are not something that can be readily required through Plan provisions, and are not considered appropriate mitigation. Such covenants have significant limitations in any case (e.g. as they can be contested in the future and extinguished through legal challenge).

#### 15.4 Recommendations

15.4.1 No specific recommendations.

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<sup>38</sup> Pg 7-8 of Independent Review by Malcolm Hunt Consulting.

16 Topic 7: Impact on Hastings / Bridge Pā Aerodrome

16.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S5.2	Steven Waerea	Oppose
S7.1	Peter Steers	Oppose
FS1	- HB Car Club	Support S7.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S8.1	Livia Hurst	
S9.1	Will Brougham	Oppose
FS1	- HB Car Club	Support S9.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S10.1	Thomas Hornblow	
S13.1	Nicola Curran	Oppose
FS1	- HB Car Club	Support S13.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S14.1	Martyn Curran	
S15.1	Maxwell Roy Dixon	Oppose
FS1	- HB Car Club	Support S15.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	
S16.1	Malcolm Belcher	
S17.1	Sarah Harper	Oppose
S18.1	Nigel Hammond	Oppose
S19.6	Dr Corinna Proehl	Oppose
S20.1	Bruce Sutherland	Oppose
S23.1	Mads Slivsgaard	Oppose
FS1	- HB Car Club	Support S23.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS7	- Aaron Young	

**Item 2 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)**

**Section 42A Report for PPC7**

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

Sub Point	Submitter / Further Submitter	Position
S24.1	Brad Stone	Oppose
S31.1	Warrick Frogley	Oppose
FS1	- HB Car Club	Support S31.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS6	- Aaron Young	
FS7	- Aaron Young	
S32.1	Colin Woollard	Oppose
S33.1	Margaret Broad	Oppose
S34.1	Francine Toki	Oppose
S35.1	Sophie Blokker	Oppose
FS1	- HB Car Club	Support S35.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS6	- Aaron Young	
FS7	- Aaron Young	
S36.1	Brendon Gorringer	Oppose
S37.1	John Managh	Oppose
S38.1	David Mitchell	Oppose
S39.1	Bruce Mactaggart	Oppose
S40.1	Michael Flemming	Oppose
S42.1	Tom Harper	Oppose
S43.1	Paul Bevin	Oppose
S44.1	David Palmer	Oppose
FS1	- HB Car Club	Support S44.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS6	- Aaron Young	
FS7	- Aaron Young	
S45.1	Guy Dever	Oppose
S46.1	Terry Smith	Oppose
S47.1	Brian Mackie	Oppose
FS1	- HB Car Club	Support S47.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	
FS5	- Nathan Tough	
FS6	- Aaron Young	
FS7	- Aaron Young	
S48.1	Hamish Ross	Oppose
S49.1	Philip Lowe	Oppose
S50.1	Jason Kelly	Oppose
FS1	- HB Car Club	Support S50.1
FS2	- Ashley Willan	
FS3	- Drew Macdonald	
FS4	- Mark Baker	

**Item 2 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)**

**Section 42A Report for PPC7**

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

Sub Point	Submitter / Further Submitter	Position
FS5	- Nathan Tough	
FS7	- Aaron Young	
S51.1	Gavin & Avon Grimmer	Oppose
S52.1	Ian Sowman	Oppose
S53.1	Kathy Perry	Oppose
S55.1	Peter Ashcroft	Oppose
S57.1	Gerald Chisum	Oppose
S58.1	Jan Chisum	Oppose
S64.1	Glenn Riddell	Oppose
S65.1	Joe Faram	Oppose
S67.2	Peter Holley	Oppose
S76.1	Sean Husheer	Oppose
S80.4	Trevor Robinson	Support
S81.1	Gliding Hawke's Bay & Waipukurau Inc.	Oppose
S82.1	Hawke's Bay & East Coast Aero Club	Oppose
S84.1	Don Ryder	Oppose
S85.3	Bruce Govenlock	Oppose
S86.2	Ross Drew	Oppose
S87.1	Stephanie Eilers	Oppose
S90.1	Brian Salisbury	Oppose
S91.1	Aircraft Owners and Pilots Association of New Zealand	Oppose
S95.1	Hawke's Bay Microlight Club Inc.	Oppose
S96.5	Raelyn Oliver	Oppose

16.2 Overview of Submissions on this Topic

16.2.1 Of the 55 submitters that made submission points referring to implications of PPC7 on the Hastings/Bridge Pā Aerodrome, 54 of them consider PPC7 would have a detrimental impact on the safety and operations of the aerodrome (including Hawke's Bay & East Coast Aero Club (HBECAC), Aircraft Owners and Pilots Assoc NZ, Gliding Hawke's Bay & Waipukurau Inc., and Hawke's Bay Microlight Club Inc).

16.2.2 The following summarises the main points raised in opposition to PPC7 in relation to this topic:

- Boundary with Golf Club:
  - Shares a 1.3km boundary with the Hastings Golf Club, with runway approaches and flight paths over the golf course.
- Strategic Importance of the Aerodrome:
  - HBECAC has owned and operated the aerodrome since 1932 and is an Airport Authority by Order in Council and has the powers conferred on local authorities under s3 of the Airport Authorities Act 1966.
  - 54 hangar buildings, 100 resident aircraft. Two runways – North/South orientation (01/19), and East/West orientation (11/29).
  - 40,000 aircraft movements annually.

- In 2023, relocated the base of an existing major helicopter operator on the aerodrome from the southwest boundary near Bridge Pā village, to the eastern boundary with the golf course to a location accessing the eastern helicopter approach and departure fan – to improve aerodrome operational separation, and reduce noise for the community of Bridge Pā village.
- Major sport and recreational hub with 302 members (there is little recreational flying at Napier Airport due to the commercial nature of the airfield), a commercial flight training school, and a venue for national sporting events, air ambulance, military (RNZAF), and civil defence operations.
- Supports commercial helicopter heavy lift, firefighting, and hub for agricultural operations serving local industry, and forest survey and conservation work etc.
- Supports junior training, Air Training Corps flights,. Home to numerous locally-owned businesses.
- Includes night-time activities, such as early morning departures, helicopter refueling at different times of the night, and night flying circuit training activities.
- Vital for disaster relief, search and rescue, and emergency operations, serving as a backup for Napier Airport, e.g. during Cyclone Gabrielle (Napier Airport is vulnerable to sea level rise, tsunamis, inundation, and earthquake damage).
- An active airfield and used as a second airfield for the region, especially as an emergency airfield – the closest airfield to the region’s only hospital.
- Only airfield in the area, outside Napier, to have JetA1 fuel in case of emergency or act of hostility.
- In emergency, NZRAF operate C-130 Hercules aircraft and large Blackhawk, Airbus and NH90 helicopters with loads using this pathway from the aerodrome.
- A matter of strategic importance to the entire Hawke’s Bay region, and decision makers need to take a far longer-term view for when the need arises to build a new regional air hub for the Bay.
- Airfield asset should be recognised and protected as a critical piece of regional infrastructure for greater Hawke’s Bay.
- Resilience:
  - Recommendations from the Independent Review of the HB CDEM Response to Cyclone Gabrielle emphasize the need for resilience strategies and partnerships.
  - The need for a functional, accessible aerodrome in times of disaster is paramount, and development would restrict this essential service. The aerodrome’s ability to support emergency operations must not be compromised by urban encroachment – more important than a possible golf destination or lifestyle.
  - The current two golf courses provide a buffer between aerodrome activities and residential areas – the introduction of a dense residential subdivision next door would defeat this protection.

- Constraints on the aerodrome’s use during emergencies will negatively affect the region. No other aerodrome in Hawke’s Bay can accommodate such operations.
- Expansion:
  - HBECAC has expanded its runway capabilities by purchasing land to the north, south and west of the aerodrome to extend runways, and has protected the approaches with height and residential restrictions on land under the 01-19 approaches (to the north and south) and height restriction fans on runway 11-29.
  - The proposed residential development would leave no room for runway extension should the need arise. Approval of the plan change will not preserve the extension capability for runway 11-29 or protect the future capability of the aerodrome.
- Operational Concerns:
  - Proposed residential development near the aerodrome could place up to 170 dwellings under active flight paths, affecting safety and efficiency, particularly for helicopter operations.
  - Development should not be prioritized over the vital role that the airfield plays.
  - Helicopters refuel at the aerodrome at different times during the night.
  - High proportion of daytime and nighttime training flights.
  - Used for forest survey and conservation work, requiring early morning departures that may raise complaints.
  - Aircraft activities inherently generate noise and new residential development in proximity would inevitably lead to noise complaints threatening the long-term viability of the aerodrome.
  - Noise-sensitive land uses have historically led to pressure for flight restrictions in similar cases, impacting pilots, students, and aviation businesses.
  - Proposed residential development will lead to noise complaints and aircraft proximity issues, despite any ‘no complaint’ covenants that may be put in place (which can be contested in the future and extinguished through legal challenge). It is never a good idea to build residential housing next to an airfield, even with conditions.
  - Financial burden of proving compliance with noise contours and other regulatory controls would fall on the Aeroclub.
  - Any development that restricts the aerodrome's operations within CAA regulations must be avoided. Significant compliance costs.
  - Height protection fan for runway 11-29 passes over the proposed residential housing, likely attracting noise complaints.
  - Building directly under the approach to runway 29, affecting glider traffic and tow planes – Tug aircraft and gliders often make low level approaches in the proximity of the proposed development. Development in the area increases risks by reducing landing options for gliders. If engine failure while using runways 29/11 there will be chance that aircraft could end up crashing into residential housing.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

- Preserving the clear flight path of the main heliport approach over the Hastings Golf Course is crucial – currently avoids built-up areas and residential housing.
  - The eastern approach is preferred by helicopters to separate from fixed wing traffic which use the western circuit, and is used in strong westerly winds by fixed wing aircraft when landing on the main runway is not possible (already a difficult manoeuvre without buildings below to worry about) – there is a high westerly component to our Hawke’s Bay wind at times.
  - All commercial helicopter operations use the eastern approach over the golf course, requiring safe air traffic separation. Eastern end of runway 11-29 is used as a cargo staging area for helicopter sling loads during CDEM deployments.
  - Acoustic Report Issues:
    - Marshall Day Acoustics report makes incorrect assumptions, undermining its conclusions.
  - Relocation Impractical:
    - An aerodrome is subject to numerous planning, activity-residential interface, and flight path and obstacle restrictions.
    - Key piece of regional infrastructure that cannot be relocated. No suitable location in the district or region to relocate or replicate the aerodrome if restricted.
    - Aerodrome is fortunate in that it has limited residential development nearby at present. Has existing infrastructure that can be expanded, and enough space to allow for two runways suitable for regional-type airliners.
    - The best solution is to maintain an existing buffer and keep runway approaches clear of residential housing. The current buffer that the aerodrome has should be preserved to maintain the aerodrome’s operations and safety.
  - Alternative Locations for Development:
    - Many alternative locations for apartment style/residential developments that will not compromise the effective and efficient operation of the regionally significant aviation infrastructure that is the Aerodrome.
    - No stated necessity for these dwellings to be built on the Hastings golf course. A new golf course and new urban residential apartment style dwellings could be established anywhere with appropriate landscaping and a suitably sized parcel of land.
    - Similar application on adjacent property was declined by the Environment Court in the past – Environment Court considered it would cause undue and unfair restrictions to be placed on the airfield’s activities.
- 16.2.5 In contrast, one submitter in support of PPC7 (Trevor Robinson) considers that the proponents of PPC7 have identified the relevance of potential reverse sensitivity effects on the adjacent Aerodrome, and have proposed a package of measures to ensure that this is not a serious issue and that, based on Marshall Day’s report supporting the PPC7 proposal, provided the Aerodrome complies with its own consent requirements, complaints from new residents would be unjustified.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

16.2.7 This submitter also refers to the offer of 'no complaint' covenants and submits that the Aerodrome cannot protect itself against the consequences of actions in breach of its own consent requirements.

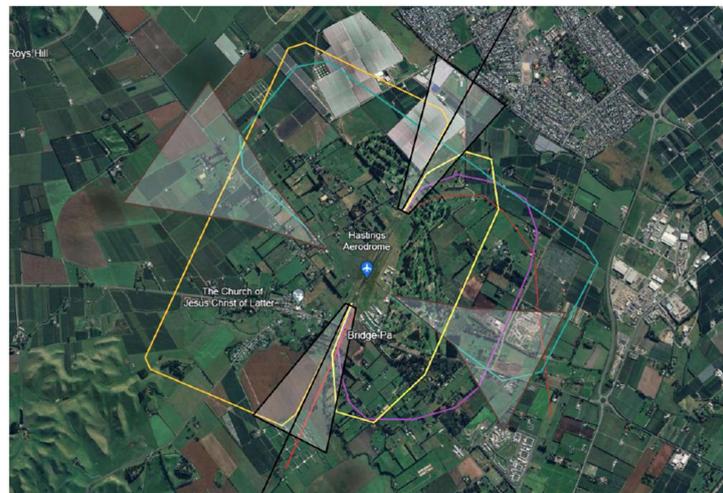
16.3 Analysis

16.3.1 The plan change area is located adjacent to the Hastings/Bridge Pā Aerodrome and shares a sizeable boundary to the west, with runway approaches and flight paths that extend over the golf course including the area proposed for residential and visitor accommodation (refer figures below).

Figure 7: Plan Change Area – Hastings/Bridge Pā Aerodrome Shared Boundary (Source: HDC Intramaps)



Figure 8: Google Earth Overlay of Hastings/Bridge Pā Aerodrome Listed Circuit and Traffic Patterns (Source: HBECAC Submission to Draft FDS)



Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

Brown shaded fans – East and West Helicopter approach & departure fans - <600ft  
Eastern side helicopter circuit – 800ft  
Western side – main fixed wing circuit for 01-19 runway - 1000ft  
Northern side – fixed wing circuit for 11-29 runway – 1000ft  
Red tracks x 2 – towed glider departure tracks for runway 01-19  
Tow plane & glider arrival circuit runway 01-29 - 400-800ft  
Black shaded fans – North and South Instrument Flight Ruled approach and departure fans – 120ft at Portsmouth Rd  
Black lines - North and South Instrument Flight Ruled approach and departure path – down to 200ft at Portsmouth rd.

Unmarked on map – overhead rejoin area for arriving general fixed wing traffic is to the east (right) of the aerodrome at 1500ft

- 16.3.2 The Hastings/Bridge Pā Aerodrome is a regionally significant aerodrome<sup>39</sup> as a busy airport for light aircraft and as a significant base for commercial helicopter operations in the Hawke’s Bay region, but particularly as a back-up to the Napier Airport and for its regional civil defence and emergency management function (most recently during the Cyclone Gabrielle response).
- 16.3.3 In my view, the Hastings/Bridge Pā Aerodrome also fits the definition of ‘strategic infrastructure’ in the Hawke’s Bay Regional Policy Statement (RPS)<sup>40</sup>, as a necessary facility which has greater than local significance.
- 16.3.4 As already mentioned, the Hastings District Plan recognises the strategic importance of the Hastings/Bridge Pā Aerodrome through inclusion as a Scheduled Site S35 in Appendix 26, through the imposition of controls such as the Noise Contour Map and Height Restrictions in Appendix 35 (refer Figure 2 earlier in this report), and also in the Transportation Strategy, Plains Production Zone, and Noise chapter provisions, including:

Section 2.2 Characteristics of the District

- Section 2.2.3 District Economy – *‘The Bridge Pā aerodrome is the only commercial airfield located within the Hastings District...’*

Section 2.5 Transportation Strategy

- Introduction Section 2.5.1 – *‘Bridge Pā Aerodrome also provides an important transport resource in the Hastings District. However the operation of the aerodrome can generate some significant noise effects which will need to be managed in a way that protects both the operation of the aerodrome, and the amenity of adjoining residents’*
- Resource Management Issue 2.5.2.5 Continued Provision of Air Services:  
Bridge Pā Aerodrome is the only commercial airfield located within the District boundaries. It is in close proximity to residential areas, and its principal approach path is above the suburb

<sup>39</sup> The 2018 environment court decision *Ngatarawa Development Trust Limited v Hastings District Council* identified Bridge Pā Aerodrome as a regionally significant aerodrome.

<sup>40</sup> ‘Strategic infrastructure’ is defined in the RPS as:

**Strategic Infrastructure**

Those necessary facilities, services and installations which are of greater than local significance, and can include infrastructure that is nationally significant. The following are examples of strategic infrastructure:

- strategic transport networks
- Hawke’s Bay Regional Airport
- Port of Napier
- Omarunui Regional Landfill
- strategic telecommunications and radiocommunications facilities
- the electricity transmission network and electricity distribution networks
- renewable electricity generation activities
- pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas
- public or community sewage treatment plants and associated reticulation and disposal systems;
- public water supply intakes, treatment plants and distribution systems
- public or community rural water storage infrastructure, including distribution systems
- public or community drainage systems, including stormwater systems
- flood protection schemes
- other strategic network utilities.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

of Flaxmere. The continued use and development of the airfield is significant for the District, however any expansion may have significant environmental impacts on the local communities surrounding it

- OBJECTIVE TSO5 – To promote the continued use and development of Bridge Pā Aerodrome in a manner that remains sensitive to the environmental and amenity values of adjoining communities.

POLICY TSP7 – In conjunction with the Hawke's Bay Aero Club and the wider Bridge Pā community, review future development opportunities, constraints and environmental consequences associated with the continued growth and development of the Bridge Pā Aerodrome.

Explanation

The Bridge Pā Aerodrome is a key resource of the District. In addition to providing a close air link to the urban communities of Hastings and Havelock North, it accommodates aircraft used in supporting the land management practices of the District, and services the Regional Hospital at Hastings with support aircraft.

Any extension of the Aerodrome is likely to have direct impact on the District roading network, and on the local Bridge Pā community. The Council will work with the Hawke's Bay Aero Club, and the community to establish a long term future plan for the Aerodrome and establish the environmental bottom lines for the operation of the Aerodrome.

- POLICY TSP8 – Manage the effects associated with the operation of the Bridge Pā Aerodrome on adjoining activities.

Explanation

Noise associated with the use of the Bridge Pā Aerodrome will generate negative effects on adjoining land uses. The District Plan will control the establishment of activities which are not compatible with the operation of the Aerodrome, as well as establishing appropriate noise limits for the operation of the Aerodrome and its associated activities.

Section 6.2 Plains Production Zone

- OBJECTIVE PPO6 – To provide for Existing Regional Infrastructure facilities that contribute to the transport and service network.

POLICY PPP18 – Provide for the continued use and development of the Bridge Pā Aerodrome within its existing site.

Explanation

The Bridge Pā Aerodrome provides the community with a base for much of the District's rural flying services including topdressing, spraying and frost fighting services. It also provides a vital back-up to the operations of the Hawke's Bay Airport and is recognized as a regional Civil Defence asset.

Section 25 Noise

- Introduction Section 25.1.1 – 'Long term planning measures are crucial to avoid the exposure of residents to unacceptable levels of aircraft noise. Not only will this protect residential amenity, but will ensure that Bridge Pā Aerodrome can develop without unreasonable restrictions on aircraft movements.'

- POLICY NSP9 Manage aircraft noise generated by the use of Bridge Pā Aerodrome and associated activities to ensure that residents are not subjected to unacceptable levels of noise, while recognising the need for the aerodrome to operate safely and efficiently.

Explanation

Users of the Bridge Pā Aerodrome will be required to adopt nationally accepted Standards to avoid creating an unreasonable level of noise. The adoption of nationally accepted Standards will not only help to protect the health and amenity of the community, but will also provide for maximising the potential future use of the aerodrome facility.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

- 16.3.5 A Noise Assessment Report (Noise Report) prepared by Marshall Day Acoustics Ltd accompanies the Plan Change Request, assessing potential reverse sensitivity effects due to noise from a number of activities in the surrounding area, including from the Hastings/Bridge Pā Aerodrome. This involved consideration of the planning framework for aerodrome noise within the District Plan and the New Zealand Standard NZS 6805:1992 Airport noise management and land use planning, reviewing the existing noise environment, predicting the future noise environment using aircraft noise modelling, and conclusions on any potential conflict between the aerodrome (and other activities) and the proposed development for residential and visitor accommodation within the plan change area.
- 16.3.6 The Noise Report's overriding conclusion is *'...there are unlikely to be any significant reverse sensitivity effects from the proposed development. The accommodation is located well outside the aerodrome outer control boundary (future 55 dB Ldn noise contour) and that the introduction of accommodation into this location will provide for residential use while ensuring that Bridge Pā Aerodrome can develop without unreasonable restrictions on aircraft movements<sup>41</sup>.*
- 16.3.7 Given various submitters, including HBECAC (which is also an Airport Authority by Order in Council), queried the assessment and conclusions of the Noise Report, Hastings District Council engaged acoustic consultant, Malcolm Hunt, of Malcolm Hunt Consulting to provide an independent review of the Noise Report and noise matters raised in submissions (Noise Review). The Noise Review is attached as Appendix B to this report.
- 16.3.8 The resulting overall assessment from the Noise Review<sup>42</sup> is that there is significant potential for reverse sensitivity noise effects to impact on the operation of the Hastings/Bridge Pā Aerodrome should PPC7 be approved as applied for:
- '..., with a new 'Heretaunga Golf and Leisure Precinct' overlay, the development involves establishing approximately 170 new residential dwellings together with visitor accommodation within an area significantly affected by aircraft noise, including overflying activities likely to result in noise on the ground exceeding 70 dB Lmax during night time at sensitive receiver locations across the plan change site.'*
- 16.3.9 The Noise Review raises questions regarding aspects of the Noise Report (referred to in the Noise Review as 'the MDA report'), including inadequate assessment of the effects of night-time helicopter movements from the Aerodrome:
- 'Section 3.3 of the NDY Report clearly indicates (within the air traffic data and track split data tables) helicopters are modelled as flying over the plan change site during night time (from time to time). Putting aside omissions and errors discussed above, the MDA report is considered adequate for the purpose of assessing noise effects of Plan Change 7.'*
- 16.3.10 The overall finding is as follows:
- '...the plan change site, despite being located within proximal distance to Bridge Pā Aerodrome, will likely receive moderate but not excessive levels of aircraft noise in the future with received noise exposure levels limited by airport noise boundaries and applicable noise emission limits set out within the Hastings District Plan. However, while noise effects on people living and staying within the proposed plan change area are unlikely to be wholly unacceptable to them, some sleep awakening effects and annoyance due to aircraft overflights can be*

<sup>41</sup> Pg 4 of the Noise Report accompanying the Plan Change Request.

<sup>42</sup> Pg 9 of the Noise Review, attached as Appendix B to this report.

*expected from engine testing noise and night time helicopter overflights in particular.'*

- 16.3.11 Should PPC7 be approved, the Noise Review identifies the main risks regarding noise effects would be:
- a) *'The risk of noise complaints and community actions due to aircraft noise annoyance and possible sleep disturbance effects on occupiers of the proposed noise sensitive sites within the plan change area leading to complaints and possibly actions taken to restrict aerodrome activities in the long term;*
  - b) *Due to noise from night time helicopter movements overflying the plan change area, approving Plan Change 7 may cause 'Helicopter Depot' district plan permitted activity Lmax noise limits of rule 25.1.G(a) to be breached. This could have serious compliance effects on the aerodrome should the helicopter landing site at the aerodrome be considered to fall within the district plan definition of a 'Helicopter depot'.*
  - c) *Approving Plan Change 7 may potentially cause non-compliance with engine testing noise limits of Rule 25.1F(d) meaning the Aerodrome may no longer be able comply with district plan limits for engine testing undertaken within those parts of the Aerodrome site within proximal distance to new residential sites proposed to be established under Plan Change 7.'*
- 16.3.12 The Noise Review also considers the use of 'No Complaint' covenants as a mitigation measure, and comments as follows<sup>43</sup>:
- 'The district plan sets out a covenant 'tool' within Hastings District Plan clause 25.1F(e)21 however, while some legal cases have found in some circumstances these have useful mitigation role to ensure that the purpose of the RMA is able to be achieved, this review considers this tool to be inferior as it fails to effectively avoid, remedy, or mitigate the noise which causes reverse sensitivity noise effects. Such covenants registered on the title of properties are not considered effective in ensuring noise is managed appropriately at source, which is a prime consideration (RMA s.16 duty to avoid unreasonable noise).*
- The Environment Court in Ngatarawa Development Trust Limited v Hastings District Council W017/2008 observed: "such covenants do not avoid, remedy and mitigate the primary effects – nothing becomes quieter, less smelly or otherwise less pleasant simply because a covenant exists". Broad imposition of covenants of the kind proposed, over the Plan Change area, are not supported by this review as being effective as they are not considered consistent with the requirement to promote the sustainable management of resources, or are necessary for the sustainable management of the Airport and its operations. It is considered unwise to rely on this method for long term land use compatibility around Bridge Pā Aerodrome.'*
- 16.3.13 I concur with this assessment that 'no complaint' covenants are likely ineffective in the long term, and any reliance on this measure is not supported.
- 16.3.14 On the basis of the above, I am satisfied that there is significant potential for reverse sensitivity noise effects to impact on the operation of the Hastings/Bridge Pā Aerodrome should PPC7 be approved.
- 16.3.15 Further, I am of the view that allowing residential development for up to 170 dwellings on land adjacent to the Hastings/Bridge Pā Aerodrome, beneath a busy flight circuit area directly under a low-level runway approach, presents significant risks to the Aerodrome's continued operation.

<sup>43</sup> Pg 8-9 of the Noise Review, attached as Appendix B to this report.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

- 16.3.16 I concur with submitters opposing PPC7 in this respect, that the risks outlined above render the Aerodrome’s operations significantly more vulnerable to legal challenges, noise complaints, and increased scrutiny – all of which could jeopardize its ongoing viability. As a strategic asset of regional significance, I consider this to be a significant adverse effect.
- 16.3.17 I also consider that the potential for a development area as anticipated by PPC7, under an active flight path, presents a potential safety risk for aircraft and for future residents.
- 16.3.18 Submitters note that the eastern approach is preferred by helicopters to separate from fixed wing traffic which use the western circuit, and is used in strong westerly winds by fixed wing aircraft when landing on the main runway is not possible (noting there is a significant westerly component to Hawke’s Bay wind at times). They also note that all commercial helicopter operations use the eastern approach over the golf course – the eastern end of runway 11-29 is used as a cargo staging area for helicopter sling loads during CDEM deployments.
- 16.3.19 Preserving the clear flight path of the main Heliport approach/departure fan to the east over the Hastings Golf Course has been raised by submitters as being of key importance especially for heavy lift and sling load cargo operations<sup>44</sup>, and concern about a reduction in landing options in the event of engine failure while using runways 11/29 has also been raised by a number of submitters<sup>45</sup>.
- 16.3.20 It is considered that a major reason the Hastings/Bridge Pā Aerodrome can currently operate without undue interference is that it is located in a relatively low-density rural environment with few noise sensitive activities close by (i.e. it is not in a built-up area), and the existing Plains Production Zone provisions in the District Plan strictly control subdivision (minimum 12ha) and residential development (limited to one dwelling and one secondary dwelling per site).
- 16.3.21 As outlined by HBECAC (S82), there is no easy suitable location in the District or Region to relocate the Aerodrome, and there is no easy direction in which to extend the Aerodrome in the future, if required. By comparison, I concur with the view of some submitters that there are alternative locations for the scale of residential development sought to be enabled by PPC7 that would not require compromising the Hastings/Bridge Pā Aerodrome.
- 16.3.22 Whilst the Noise Review does make comments and recommendations with respect to inclusion of further noise controls should PPC7 be approved (which I have reproduced below), even with these in place, I remain of the opinion that PPC7 would still compromise the long-term viability of the Hastings/Bridge Pā Aerodrome.

**16.4 Recommendations**

- 16.4.1 If the Hearings Panel is of a mind to approve PPC7, I would recommend adopting the recommendations on pages 9 & 10 of the Noise Review with respect to noise controls to be included, as follows:

Heretaunga Golf & Leisure Precinct (PREC1)

PREC1-R7 *Any noise sensitive activity within the Air Noise Boundary* sets out a minimum acoustic insulation standard for any ‘noise sensitive activity’ establishing within the Airnoise Boundary. The Air Noise Boundary is referred at 25.1.7F(a) of the District Plan and is depicted

<sup>44</sup> John Managh (S37), Paul Bevin (S43), David Palmer (S44), G & A Grimmer (S51), and Aircraft Owners & Pilots Assoc of NZ (S91)

<sup>45</sup> Mads Slivsgaard (S23), Warrick Frogley (S31), Hamish Ross (S48), Jan Chisum (S58), HBECAC (S82), Stephanie Eilers (S87), and Aircraft Owners & Pilots Assoc of NZ (S91)

on Appendix 35 (Bridge Pā Aerodrome) appended to the district plan. PREC1-R7 is not needed as Plan Change 7 area does not include any land located within the Airnoise Boundary. The 'Introduction' to the states on page 1 that *"The residential development area is located away from the Bridge Pā Aerodrome Noise Contour boundary line"*. As the term 'Bridge Pā Aerodrome Noise Contour Line' is not a term used within the Hastings District Plan, there is a possibility PREC1-R7 was intended to apply to the Outer Control Boundary (Ldn 55 dB) which does affect a significant portion of the plan change site. As above, while this land is not proposed for noise sensitive activities within the layout shown in the structure plan provided, it is recommended this most noise-exposed portion of the plan change area be subject to a requirement which makes establishing noise sensitive activities in this area a non-complying activity, and if approved, be subject to mandatory compliance with the district plan acoustic insulation standards for a habitable room. This would reflect the recommendations of NZS6805:1992 and support district plan Policy TP8 which seeks to manage effects associated with the operation of the Bridge Pā Aerodrome on adjoining activities.

Noise Emission Limits

PREC1- S11 "Noise" sets out limits on noise emitted by activities undertaken within PREC1. A new rule (25.1.6Dx Heretaunga Golf & Leisure Precinct) is proposed to apply to all land uses within the Heretaunga Golf & Leisure Precinct other than those exempted in Rule 25.1.6B. Proposed standard PREC1-S11 sets the following noise standards shall not be exceeded at any point beyond the site boundary:

Control Hours	Noise Level
0700 to 1900 hours	55 dB LAeq(15 min)
1900 to 2200 hours	50 dB LAeq (15 min)
2200 to 0700 hours the following day	40 dB LAeq (15 min)
2200 to 0700 hours the following day	75 dB LAF max

In addition, proposed SARZ (Sport And Active Recreation Zone) provisions includes limits on noise emitted by activities undertaken within this zone. A new rule (25.1.6H Open Space Zones, and Sport & Active Recreation Zone) sets out noise limits proposed to apply to noise generated by activities taking place in the Open Space and Active Recreation Zone, other than those exempted in Rule 25.1.6B:

The proposed new noise rule are applied at any point within any Residential Zone or within the notional boundary of any noise sensitive activity:

Control Hours	Noise Level
0700 to 1900 hours	55 dB LAeq(15 min)
1900 to 2200 hours	50 dB LAeq (15 min)
2200 to 0700 hours the following day	45 dB LAeq (15 min)
2200 to 0700 hours the following day	75 dB LAF max

It is not known why there is a 5 dB difference between the night time noise limit applying within these two sets of noise limits. Overall, it is not considered necessary to stipulate new noise limit tables for inclusion in district plan noise chapter (as proposed) when, in fact, suitable existing noise limits already exist in Section 25 of the District Plan. Rather than standalone noise limits for the proposed zone and overlay, noise from PREC1 could instead be linked to compliance with existing noise limits for the rural zone (25.1.6D(a)) while noise from the SARZ could be linked to the existing noise limits for the 25.1.6H(a) Open Space Zones. This could be considered a more efficient method for achieving the same outcome.

17 Topic 8: Infrastructure Impacts

17.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S12.1	Nicholas Bell	Oppose
S19.1	Dr Corinna Proehl	Oppose
S56.2	Temple Martin	Oppose
S57.3	Gerald Chisum	Oppose
S58.2	Jan Chisum	Oppose
S61.3	Hawke’s Bay Golf Club	Oppose
S62.4	Korongata Marae	Support in part
S66.2	Greg Reynolds	Oppose
S96.3	Raelyn Oliver	Oppose

17.2 Overview of Submissions on this Topic

17.2.1 Eight submitters raise points of concern about infrastructure constraints and servicing proposals for the resulting development if PPC7 is approved, and its impact on the local community. These concerns can be summarised as follows:

- Negative Impact on Infrastructure: The proposed development will strain already stressed local infrastructure.
- Wastewater Treatment Plant: The proposed location of the wastewater treatment plant is too close to existing properties, causing concerns about its impact.
- Water and Sewer Issues: Questions are raised about the adequacy of water and sewer services for the new houses, especially given existing water restrictions.
- Environmental Concerns: The development could exacerbate stormwater runoff, leading to flooding and soil erosion, and degrade water quality.
- Unresolved Water Supply Issues: There are unresolved issues regarding the water supply, with concerns about the adequacy of the existing infrastructure and the impact on local water levels.

17.2.2 Ngati Pōporo supports PPC7 in part, raising concern about the pressure on local Council infrastructure and rates, and recommends integrating cultural values into the development, ensuring environmental management, and involving them in community integration and benefit-sharing decisions.

17.3 Analysis

17.3.1 A Civil Engineering Assessment Report (Infrastructure Report) prepared by Strata Group accompanies the Plan Change Request, outlining the proposal for stormwater servicing and management, wastewater servicing and management, water servicing and demand (among other things).

17.3.2 The Plan Change Request adopts the following key features for the proposed stormwater, wastewater, and water supply servicing design for the subsequent development of the plan change area.

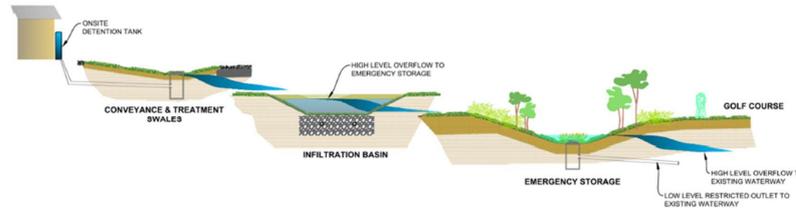
STORMWATER

17.3.4 In summary:

*‘The area will not be serviced by the HDC reticulated stormwater network, and there are no waterbodies suitable for increased discharge too. As such, the only viable option for stormwater disposal is via soakage to ground (infiltration).*

*The overall site has ample area and suitable soils to readily create infiltration zones to service the development nodes.*

*The new golf holes are not considered to generate any extra run-off with no change to run-off coefficients.*



STORMWATER SYSTEM DIAGRAM

Figure 8 – Stormwater system schematic

*The proposed approach to stormwater management seeks to implement a low impact design throughout, utilizing the soakage potential of the natural soils, and limiting in-ground pipes in preference for grassed or planted swales.*

*Prior to stormwater discharge to the stormwater swales, it is proposed that all dwellings include stormwater detention tanks, the details of which will be confirmed during developed design...*

*The stormwater swales will traverse the site and can be situated adjacent to most Lots to provide immediate servicing (subject to detailed design). The swales will provide general stormwater conveyance, stormwater treatment and will also provide informal infiltration prior to flows reaching the identified infiltration zones.*

...

*The preliminary stormwater design proposes 7 infiltration zones, each located to service the adjacent catchment.’<sup>46</sup>*

*‘In keeping with the low impact design philosophy there are several options available for treatment of stormwater runoff from paved areas. The following methods of stormwater quality management are the most practicable for this site given the design philosophy and ground conditions and are also low impact solutions.*

- Swales – Grassed or vegetated
- Rain Gardens
- Vegetated filter strips

*These solutions will suit the intended development outcomes from a visual and landscape approach, including the general omission of road kerbs, to encourage sheet flow of surface water runoff and minimise concentrated flows. This does not preclude other treatment management solutions being employed which may arise out of the developed design process.*

<sup>46</sup> Pg 11-12 of the Infrastructure Report accompanying the Plan Change Request.

*The developed design will include suitable treatment for all sealed access routes in accordance with the HBRC Waterway guidelines, or in accordance with GDO1 (Stormwater management Devices in the Auckland Region), the latter having inclusion for a wider range of devices and being a more recent and developed publication.<sup>47</sup>*

- 17.3.5 The development will require on-site stormwater management that may require resource consent from Hawke’s Bay Regional Council to discharge stormwater to land. I am satisfied that a suitable system can be designed and implemented to service the level of development proposed, for the purposes of a plan change.

**WASTEWATER**

- 17.3.6 In summary:

*‘There are no public sewer mains within the vicinity of the development. HDC have advised the existing pumped sewer main servicing the Mangaroa prison (located in Stock Road) is not suitable for discharge from the development without significant upgrades. As such the most practicable option for wastewater disposal is within the bounds of the site.*

*The existing clubhouse and surrounding facilities are currently serviced with septic tanks and in ground disposal fields. It is recommended that these systems are abandoned when the clubhouse is redeveloped, and wastewater from the new club house and all associated facilities is incorporated into the development wastewater system.*

*The wastewater treatment and disposal key principles have been discussed and developed through early engagement with mana whenua (Ngati Pōporo), the golf club members and Council to develop the concept design. The concept design comprises a sustainable system using state of art equipment to provide a system capable of treating wastewater to a level that wastewater may be reused as irrigation across the golf course. This design objective will assist with reducing the existing water use (reduced bore water for irrigation) as well as having long term benefits for soil health compared to systems with lower levels of treatment.*

...

*The general premise of the wastewater system is to provide a gravity reticulation system from the residential connections, plus the club facilities (including staff accommodation and maintenance facilities), to drain to several centralised wastewater pump stations (transfer pump stations) located away from adjoining property boundaries.*

...

*The wastewater treatment plant has been intentionally located away from the residential nodes where servicing and monitoring is conveniently located near to the proposed golf course maintenance building/facilities and provides an element of separation from the residential nodes.<sup>48</sup>*

*‘Ample opportunity exists to increase the disposal areas as required to meet targeted disposal and loading rates. This aspect will be analysed during developed design, but it is expected that the level of treatment offered will generally exceed the minimum requirements as outlined in the HBRC Change 3 – Regional Resource Management Plan – On-site wastewater (Oct 2012), Rule 37, and will meet or exceed industry guidelines such as Auckland regional Council TP58 (On-site Wastewater Systems: Design and Management Manual (2004)).<sup>49</sup>*

<sup>47</sup> Pg 14 of the Infrastructure Report accompanying the Plan Change Request.

<sup>48</sup> Pg 16-17 of the Infrastructure Report accompanying the Plan Change Request.

<sup>49</sup> Pg 18 of the Infrastructure Report accompanying the Plan Change Request.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

17.3.7 I note the Infrastructure Report advises that<sup>50</sup>:

- *'Early communications with HDC engineers showed support for the wastewater concept.*
- *'Early communications with local Hapu did not raise any concerns with the concept of onsite wastewater disposal.'*

17.3.8 The development will require an on-site wastewater system that will require resource consent from Hawke's Bay Regional Council to discharge treated wastewater to land. I am satisfied that a suitable system can be designed and implemented to service the level of development proposed, for the purposes of a plan change.

**WATER SUPPLY**

17.3.9 In summary<sup>51</sup>:

*'Three water bores are currently sited on the golf course. Two of these bores are used for golf course irrigation and the 3rd bore supplies the clubhouse and outbuildings with a potable supply.*

*To provide a safe and resilient water supply for the new development, as agreed with HDC, the best avenue for a potable supply is to connect to the HDC network. Alternatively, a water take consent could be applied for the extended potable supply. This option is likely to be fraught with complications relating to the TANK plan change and potentially unobtainable. This option would also expose the consent holder to the reporting, monitoring and general liability that would come with being a registered water supplier under the Drinking Water Standards for NZ (2018).*

*Considering the points above, it is recommended that a private water network is installed, connecting to the HDC water main, and reticulating a potable supply throughout the development.*

...

*An existing HDC owned 200mm PVC watermain is located in Maraekakaho Road. Early indications from HDC Engineers indicated they were happy for this main to provide a connection to supply the development.*

...

*The preliminary water supply demand calculations were passed onto HDC in recent months and feedback was received that HDC believe that the extra demand created by the development would result in some HDC water network shortfalls in Bridge Pā during periods of peak demand.*

*Several options exist to overcome this network shortfall and a meeting was held with HDC Engineers on the 12/09/23 to discuss these...'*

17.3.10 As part of this s42A report, Council's 3 Waters Growth and Development Manager has provided a technical memo (attached as Appendix C) providing a review of the Infrastructure Report by Strata Group and outlining updated modelling to account for a higher peak day of 61,000m<sup>3</sup>/day over the summer of 2024/2025 (acknowledging that previous modelling was carried out based on a peak demand day of 54,700m<sup>3</sup>/day), as well as a review of submissions related to water supply.

<sup>50</sup> Pg 20 of the Infrastructure Report accompanying the Plan Change Request.

<sup>51</sup> Pg 21 of the Infrastructure Report accompanying the Plan Change Request. Note: Provision for firefighting demand is specifically addressed in response to FENZ submissions later in this report.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

17.3.11 The updated modelling shows that, at peak demand, there is not a substantial difference in the pressure at the Hastings Golf Club connection, and that the Bridge Pā and Paki Paki reservoir levels are maintained, and concludes as follows<sup>52</sup>:

*‘While the proposed development will introduce additional demand on the water supply network, hydraulic modelling confirms that this additional load will not have an adverse effect on surrounding communities.*

*System pressures remain within acceptable limits, and both the Bridge Pā and Paki Paki reservoirs retain sufficient capacity to meet current supply needs*

...

*The infrastructure, as currently configured, has the resilience and capacity to accommodate the full development without compromising service levels or emergency response capabilities.’*

17.3.12 The memo also addresses submissions expressing concerns regarding the three-waters infrastructure implications of PPC7, and notes<sup>53</sup>:

- some will be addressed by HBRC as the regulatory authority for assessing and approving the wastewater treatment plant,
- some relate to groundwater capacity and recharge however the water supply will be via the HDC reticulated network, and
- submissions in relation to implications for the current network are addressed in that modelling demonstrates there is capacity without adverse effects on the network and existing communities.

17.3.13 On this basis, for the purposes of a plan change, I am satisfied that potable water supply can be provided to the development, and that there are options available to ensure any shortfall within the existing reticulated network during periods of peak demand can be overcome.

17.3.14 The HGLP Structure Plan forming part of PPC7 shows the layout of proposed stormwater infiltration areas, stormwater emergency detention area, wastewater pumping stations, wastewater treatment plant, and wastewater discharge field, to service the proposed development.

17.3.15 As part of PPC7, the provisions of the proposed HGLP chapter and proposed additional Subdivision provisions seek to embed the infrastructure proposals outlined in the Infrastructure Report at a high level via the HGLP Structure Plan at the subdivision and development stage. These provisions include (my highlighting re: Subdivision provisions):

Heretaunga Golf and Leisure Precinct:

<b>PREC1-O3</b>	<b>Sustainable Design and Infrastructure</b>
	Public health and environmental well-being is maintained, and where practicable enhanced through sustainable design and sufficient provision of infrastructure.
<b>PREC1-P1</b>	<b>Comprehensive Development</b>
<i>Relates to PREC1-O1</i>	Enable appropriately located and designed facilities for golf, residential and visitor accommodation activities, along with complementary recreational and commercial activities, in accordance with the HGLP Structure Plan and map.

<sup>52</sup> Pg 10 of the Technical Memo from Council’s 3 Waters Growth and Development Manager

<sup>53</sup> Pg 9 of the Technical Memo from Council’s 3 Waters Growth and Development Manager.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

<b>PREC1-P8</b>	<b>Sustainable Design and Infrastructure</b>
<i>Relates to PREC1-O3</i>	<p>Promote sustainability and ensure that public and environmental health and natural hazard effects of development are minimised, including by:</p> <ol style="list-style-type: none"> <li>Managing stormwater runoff generated by built development and paving ensuring that adverse effects on water quality, and quantity are avoided or mitigated;</li> <li>Requiring low impact stormwater management, including the retention and re-use of water, where practicable;</li> <li>Encouraging sustainable design in development including optimising solar orientation and passive ventilation;</li> <li>Ensuring development within the zone can be appropriately serviced through the adequate provision of water and wastewater treatment that avoids or mitigates any potential adverse effects on natural water systems and ecological values.</li> </ol>
<b>PREC1-S1</b>	<b>Heretaunga Golf &amp; Leisure Precinct Structure Plan</b>
	<ol style="list-style-type: none"> <li>Activities shall be carried out in a manner that ensures that all aspects of the HGLP Structure Plan (included in Appendix 25B) can be implemented as outlined and that the purpose of the zone is maintained, and the provision of all features identified on the Structure Plan Map such as the precincts, ecological enhancement, infrastructure services, roading, parking and areas of open space will not be prevented from being implemented.</li> </ol>
<b>PREC1-S13</b>	<b>Infrastructure - Water, Wastewater and Stormwater</b>
	<ol style="list-style-type: none"> <li>Any application for residential development shall include an infrastructure network assessment which confirms that there is, or will be at the time of connection, sufficient infrastructure capacity to connect the development to the onsite wastewater (or a public reticulated wastewater network if such a network were to be available), and stormwater infrastructure, and to the public reticulated water supply network.</li> </ol>

17.3.16 The proposed HGLP Rules reference compliance with the relevant precinct standards including Standards PREC1-S1 and PREC-S13 above, or include whether the development aligns with the HGLP Structure Plan design outcomes (Appendix 25B), or the extent to which the proposal complies with the HGLP Structure Plan, as a ‘Matter of Discretion’.

**30.1 Subdivision and Land Development:**

**30.1.7Z HERETAUNGA GOLF & LEISURE PRECINCT**

- The subdivision of land within the Heretaunga Golf & Leisure Precinct shall be generally in accordance with the HGLP Structure Plan (Appendix 25B).
- An overall site stormwater management plan shall be designed for the site's stormwater disposal generally in accordance with the HGLP Structure Plan (Appendix 25B), the Hastings District Council Engineering Code of Practice, and the HBRC Waterway Guidelines (2009), and submitted with any application for subdivision within this area.
- Only one public vehicle entrance, and one separate maintenance vehicle entrance, shall be provided to Maraekakaho Road in general accordance with the location shown in the HGLP Structure Plan (Appendix 25B).
- All street lighting shall be limited to generally low-level bollard style lighting. Any taller lighting shall be deflected downwards towards the road and footpaths.
- Open space and buffer areas shall be provided in accordance with the HGLP Structure Plan (Appendix 25B), including:
  - a minimum 30-metre-wide open space buffer area shall be provided for the length of the interface between the Accommodation or Villa Areas and the adjoining Plains Production Zone as shown in the HGLP Structure Plan – Concept Plan Map (Appendix 25B).

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

- vi. Wastewater services shall be provided to each site as outlined in the HGLP Structure Plan (Appendix 25B) and including the wastewater infrastructure identified on the HGLP structure plan map.
- vii. Each site shall be connected to Council's reticulated water supply network via an internal reticulation system to a common connection point at the Maraekakaho Road frontage.
- viii. Where subdivision occurs in advance of the Council's reticulated water supply system becoming available with sufficient capacity:
  - a. A legal mechanism shall be implemented on the title to ensure that each site shall be connected when the Council system becomes available;
  - b. The subdivider shall demonstrate that a satisfactory water supply is available to service each site in advance of Council's reticulated system being available.
- ix. A Stream and Wetland Restoration Plan, containing the information set out in the HGLP Structure Plan (Appendix 25B), shall be provided with the first subdivision application for this zone.
- x. Architectural Guidelines for future buildings are to be provided with the first subdivision application for the HGLP. The subdivider shall set out practicable mechanisms for applying the guidelines to each building.

30.1.8.2 SPECIFIC ASSESSMENT CRITERIA

26 Subdivision within the Heretaunga Golf & Leisure Precinct.

In addition to the General Assessment Criteria in 30.1.8 Council will have regard to the following matters:

- a. Whether the proposed subdivision is consistent with the design outcomes of the HGLP Structure Plan (Appendix 25B) for each of the precinct areas.
- b. Consideration to legal mechanisms to ensure the ongoing maintenance and protection of the riparian and wetland enhancement planting proposed in the HGLP Hastings Golf Structure Plan (Appendix 25B).
- c. The design, layout, and management structure of subdivision and development within the Accommodation, Villa, Storage, and Clubhouse and Amenities Precincts takes into account the following:
  - (i) The use of appropriate mechanisms, including covenants, to secure long-term administration and maintenance of common areas and servicing and to prevent further subdivision of lots within the Accommodation and Villa Areas beyond that indicated in the Concept Plan within the HGLP Structure Plan (Appendix 25B).

17.3.17 The proposed additional Subdivision rules require subdivisions in the HGLP to comply with the standards in 30.1.7Z above, and the assessment criteria in 30.1.8.2(26) above would also apply.

17.3.18 On this basis, I am comfortable that the proposed provisions will enable the infrastructure to be progressed generally in accordance with the proposals contained in the Infrastructure Report accompanying the Plan Change Request.

SUMMARY

17.3.19 Overall, I am satisfied that the plan change area and associated level of development proposed can be adequately serviced for stormwater, wastewater, and water supply. At detailed design and consenting stage, I am comfortable that on-site stormwater and wastewater systems can be suitably designed and engineered to have minimal adverse effects on the environment, and that the proposed HGLP Structure Plan and plan provisions are generally fit for purpose in this respect.

17.4 Recommendations

17.4.1 I note that there are varying ways the Structure Plan and the design outcomes are referenced in the provisions of the proposed HGLP chapter, and there is at least one incorrect reference to 'HGTZ' (e.g. Rule SLD 28).

17.4.2 If the Hearings Panel is of a mind to approve PPC7, I would recommend reviewing and making appropriate amendments to the proposed provisions to ensure consistency of terminology and to fix any minor errors.

18 Topic 9: Traffic Impacts

18.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S19.4	Dr Corinna Proehl	Oppose
S53.3	Kathy Perry	Oppose
S59.2	Laura Kamau	Support in part
S62.3	Korongata Marae	Support in part

18.2 Overview of Submissions on this Topic

18.2.1 Four submitters raise traffic safety concerns in relation to PPC7, which can be summarised as follows:

- Increased Traffic and Congestion:
  - The development will worsen traffic congestion, especially during peak times, and the roads may not meet the high standards expected by a Lifestyle Community.
  - Currently 4000 vehicles coming from Maraekakaho through Bridge Pā before 8am – almost a quarter of those who use the expressway daily.
- Safety Risks:
  - The entrance/exit to the golf club is between two blind corners, posing safety risks. There have been near misses and cars going through fences near the entrance. Cars pull out of the exit going at slow speeds and the volume of cars would be huge with the amount of people living/staying there.
  - How will the applicant ensure traffic safety of a residential road given 20m visibility on a 100km/h zone?
- Council Resource Allocation: There is a perception that council resources are allocated outside the community, despite the road being vital to the local economy.

18.3 Analysis

18.3.1 A Traffic Impact Assessment Report (Traffic Report) prepared by Urban Connection Ltd accompanies 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 design, and parking requirements.

18.3.2 The Traffic Report concludes as follows<sup>54</sup>:

*‘On the basis of the assessment detailed above, it is concluded that the proposed development can be appropriately accommodated within the local traffic and transportation environment. The total traffic generation of the proposed development is expected to be approximately 1,642 vpd and 273 vph in the peak hour. Approximately 1,232 vpd and 181 vph in peak hours are additional trips to be generated primarily by the residential development at the site. 410 vph and 92 vph in the peak hour relate to the site’s existing use.*

<sup>54</sup> Pg 25 of the Traffic Report accompanying the Plan Change Request.

*While the peak hour traffic flows at the site are likely to coincide with the surrounding network peak, the development's traffic flows are expected to be absorbed in adjacent intersections and the existing roading network. Practical absorption calculations have indicated acceptable degrees of saturation at the adjacent intersection with Stock Road. Furthermore, the safety assessment has demonstrated no underlying safety issues in the site's vicinity.*

*The internal roading layout is considered to generally meet the objectives of the Hastings District Plan, and parking provisions at the site are expected to exceed the parking demand.*

*Two vehicle accesses are proposed to be provided to and from the site. A Primary vehicle access and a Maintenance/service secondary low-volume access. An evaluation has been undertaken to focus on the safety performance outcomes of the Primary access. With the additional flows, a right-turn bay is warranted at this locality.*

*The minimum sight distance requirements are achieved at both vehicle accesses. Acceptable sight distances are also provided at the adjacent Maraekakaho Road/Stock Road intersection.*

*One adjacent vehicle access is located within the minimum separation distance given by the Hastings District Plan. However, this is considered to have less than minor adverse effects due to clear intervisibility between turning vehicles and relatively low volumes from the adjacent site.*

*Therefore, it is concluded that the traffic associated with the proposed development can be accommodated on the adjacent road network and that there are no traffic engineering or traffic planning reasons to preclude the approval of the proposed development, provided that the recommendations given in this report are followed.'*

18.3.3 The Traffic Report makes the following recommendations<sup>55</sup>:

- *'A Traffic Management Plan is prepared for events/tournaments to take place at the site;*
- *The road carriageway for Secondary Access Roads serving more than six dwellings is to be widened to 5.5 m wide;*
- *Speed management measures be adopted to ensure that on-site vehicles' speeds are limited to a maximum of 30 km/h;*
- *A right-turn bay is constructed at the Primary vehicle access onto Maraekakaho Road as per the Concept Access Design;*
- *Markings and signage for high-use driveways are installed at the Primary vehicle access onto Maraekakaho Road to highlight the shared path;*
- *Speed hump are installed for vehicles exiting the site at both the Primary and Maintenance vehicle accesses onto Maraekakaho Road;*
- *Stop control be adopted at the Primary vehicle access onto Maraekakaho Road;*
- *Vegetation trimming/removal is undertaken to ensure that a SISD of 248 m is achieved to the west at the Primary vehicle access with Maraekakaho Road;*
- *The Hastings District Council considers reducing the posted speed limit on Maraekakaho Road to 80 km/h;*
- *The Hastings District Council considers investigating the safety records at the curve east of the site.'*

18.3.4 I note that the last two recommendations above are not matters over which the Requestor has control, and it is unclear whether PPC7 relies on reducing the speed limit on Maraekakaho

<sup>55</sup> Pg 26 of the Traffic Report accompanying the Plan Change Request.

Road in this location to 80 km/h to effectively avoid, remedy or mitigate adverse traffic effects of the proposed development concept. If so, this could prove difficult to implement.

18.3.5 The Plan Change Request proposes the following<sup>56</sup>:

- an upgrade to the existing access on Maraekakaho Road, incorporating a right turning bay located to the west of the existing entrance;
- a secondary entrance on Maraekakaho Road near the south-western corner of the site, which will be dedicated low-volume access point for service vehicles visiting or leaving from the Maintenance Area;
- an indicative internal roading layout, with the following design features (to be refined during developed design):
  - *‘Low speed environment throughout with shared pedestrian movements (max 30 km/hr);*
  - *Private access routes to generally be designed in accordance with NZS 4404:2010 land development and subdivision infrastructure;*
  - *Low impact stormwater considerations including reduced impervious surfaces where practical;*
  - *Surface treatments and landscaping enhancements included for traffic calming;*
  - *All main thoroughfares to be formed with two sealed movement lanes with a minimum width of 2.75m for each lane;*
  - *Generous grass berms and adjoining grassed and planted swales for stormwater conveyance;*
  - *Parking bays for visitors throughout the residential nodes;*
  - *A significant network of separated pathways interlinking the residential nodes with the golf course and facilities, suitable for use by golf carts, bicycles, and pedestrians;*
  - *Parking for the golf course, clubhouse, and associated facilities, including a significant allowance for spill parking for events;*
  - *Centralised and discreet rubbish and recycling collection points (possibly several), where private waste collection can be conducted without waste collection vehicles having to traverse the entire development. Details to be addressed at developed design; and*
  - *The construction of one culvert (no more than 20m in length) within the bed of the Maraekakaho Frontage Intermittent Stream.’*

18.3.6 As part of this s42A report, Council’s Transportation Policy and Planning Manager has provided a technical memo (attached as Appendix D) providing a review of the Traffic Report by Urban Connection Ltd, and a review of the submissions related to traffic. The memo concludes that, on the basis that the recommendations in the Traffic Report are adopted: *‘there are no other traffic engineering or traffic planning reasons to preclude the approval of the proposed development’*<sup>57</sup>.

18.3.7 The memo notes that 3 of the submissions relate to increased traffic volumes and safety on Maraekakaho Road, and 1 submission was more general in respect of increased traffic and congestion at peak times with a focus on reducing traffic, and makes the following

<sup>56</sup> Pg 51-52 of the Plan Change Request and Section 32 Evaluation Report.

<sup>57</sup> Pg 3 of the Technical Memo from Council’s Transportation Policy and Planning Manager.

comments<sup>58</sup>:

*‘There is little that can be done about the increased traffic volumes on Maraekakaho Road as these will continue to increase as activity changes or increases to the west. However, given the nature of the proposed development and traffic generation in the TIA, the majority of traffic entering or leaving the proposed development will be from the east meaning that the increase in traffic through Bridge Pā would be expected to be small.*

*A dedicated right turn bay on Maraekakaho Road to serve the proposed development will be necessary to improve safe access to the site. This is to be complemented with streetlighting to provide a safer road environment at night-time for both the access and the cycle path.*

*With the submission related to increased traffic and more congestion at peak times, the site location and traffic generation is unlikely to impact on either the peak hour traffic in this area or on the wider road network. The broader concern about roads in and out of Hastings raised though has been noted.’*

18.3.8 On the basis of the above, for the purposes of a plan change, I am satisfied that a suitable intersection and internal roading and parking can be designed and constructed to service the level of development proposed and likely traffic generated.

18.3.9 The HGLP Structure Plan forming part of PPC7 shows the layout of proposed primary road and secondary and tertiary roads, to service the proposed development, as well as typical cross sections (with central median and without).

18.3.10 As part of PPC7, the provisions of the proposed HGLP chapter and proposed additional Subdivision provisions seek to embed the infrastructure proposals outlined in the Infrastructure Report at a high level via the HGLP Structure Plan at the subdivision and development stage. These provisions include (my highlighting):

Heretaunga Golf and Leisure Precinct:

<b>PREC1-O2</b>	<b>The Planned Environment of the Precinct</b>
	<p>The planned built environment of the precinct is characterised by:</p> <ul style="list-style-type: none"> <li>a. A premier golf course and associated golf club facilities;</li> <li>b. A range of recreational facilities and commercial buildings;</li> <li>c. On-site residential living environments that provide for the health and well-being of residents with convenient access to recreational facilities;</li> <li><b>d. An environment that is visually attractive, safe, easy to navigate, and convenient to access.</b></li> <li>e. A range of residential and visitor accommodation options that have a built form that enhances the amenity of the Precinct.</li> </ul>
<b>PREC1-O3</b>	<b>Sustainable Design and Infrastructure</b>
	Public health and environmental well-being is maintained, and where practicable enhanced through sustainable design and sufficient provision of infrastructure.
<b>PREC1-P1</b>	<b>Comprehensive Development</b>
<i>Relates to PREC1-O1</i>	Enable appropriately located and designed facilities for golf, residential and visitor accommodation activities, along with complementary recreational and commercial activities, in accordance with the HGLP Structure Plan and map.

<sup>58</sup> Pg 3 of the Technical Memo from Council’s Transportation Policy and Planning Manager.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

<b>PREC1-P3</b>	<b>High Amenity Living Environment</b>
<i>Relates to PREC1-02</i>	<p>Manage development to achieve a healthy, safe, high amenity, and comfortable living environment for residents, neighbours and visitors that is consistent with the principles and key design elements of the HGLP Structure Plan, including by providing:</p> <ol style="list-style-type: none"> <li>Usable and accessible outdoor living space appropriate for the orientation of the site and housing typology;</li> <li>Privacy;</li> <li>Access to sunlight and outlook;</li> <li>Functional living spaces;</li> <li>Safe pedestrian and/or vehicle access and carparking; and</li> <li>Management of light spillage from artificial light on adjoining land.</li> </ol>
<b>PREC1-S1</b>	<b>Heretaunga Golf &amp; Leisure Precinct Structure Plan</b>
	<ol style="list-style-type: none"> <li>Activities shall be carried out in a manner that ensures that all aspects of the HGLP Structure Plan (included in Appendix 25B) can be implemented as outlined and that the purpose of the zone is maintained, and the provision of all features identified on the Structure Plan Map such as the precincts, ecological enhancement, infrastructure services, roading, parking and areas of open space will not be prevented from being implemented.</li> </ol>
<b>PREC1-S12</b>	<b>Transport, Parking, Loading &amp; Access</b>
	<ol style="list-style-type: none"> <li>Activities shall comply with the provisions of Section 26.1 Transport and Parking of the District Plan.</li> </ol>

18.3.11 The proposed HGLP Rules reference compliance with the relevant precinct standards including Standards PREC1-S1 and PREC-S12 above, or include whether the development aligns with the HGLP Structure Plan design outcomes (Appendix 25B), or the extent to which the proposal complies with the HGLP Structure Plan, as a ‘Matter of Discretion’.

30.1 Subdivision and Land Development:

**30.1.7Z HERETAUNGA GOLF & LEISURE PRECINCT**

- The subdivision of land within the Heretaunga Golf & Leisure Precinct shall be generally in accordance with the HGLP Structure Plan (Appendix 25B).
- An overall site stormwater management plan shall be designed for the site’s stormwater disposal generally in accordance with the HGLP Structure Plan (Appendix 25B), the Hastings District Council Engineering Code of Practice, and the HBRC Waterway Guidelines (2009), and submitted with any application for subdivision within this area.
- Only one public vehicle entrance, and one separate maintenance vehicle entrance, shall be provided to Maraekakaho Road in general accordance with the location shown in the HGLP Structure Plan (Appendix 25B).
- All street lighting shall be limited to generally low-level bollard style lighting. Any taller lighting shall be deflected downwards towards the road and footpaths.
- Open space and buffer areas shall be provided in accordance with the HGLP Structure Plan (Appendix 25B), including:
  - a minimum 30-metre-wide open space buffer area shall be provided for the length of the interface between the Accommodation or Villa Areas and the adjoining Plains Production Zone as shown in the HGLP Structure Plan – Concept Plan Map (Appendix 25B).
- Wastewater services shall be provided to each site as outlined in the HGLP Structure Plan (Appendix 25B) and including the wastewater infrastructure identified on the HGLP structure plan map.
- Each site shall be connected to Council’s reticulated water supply network via an internal reticulation system to a common connection point at the Maraekakaho Road frontage.
- Where subdivision occurs in advance of the Council’s reticulated water supply system becoming available with sufficient capacity:
  - A legal mechanism shall be implemented on the title to ensure that each site shall be connected when the Council system becomes available;
  - The subdivider shall demonstrate that a satisfactory water supply is available to service each site in advance of Council’s reticulated system being available.
- A Stream and Wetland Restoration Plan, containing the information set out in the HGLP Structure Plan (Appendix 25B), shall be provided with the first subdivision application for this zone.
- Architectural Guidelines for future buildings are to be provided with the first subdivision application for the HGLP. The subdivider shall set out practicable mechanisms for applying the guidelines to each building.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

30.1.8.2 SPECIFIC ASSESSMENT CRITERIA

26 Subdivision within the Heretaunga Golf & Leisure Precinct.

In addition to the General Assessment Criteria in 30.1.8 Council will have regard to the following matters:

- a. Whether the proposed subdivision is consistent with the design outcomes of the HGLP Structure Plan (Appendix 25B) for each of the precinct areas.
- b. Consideration to legal mechanisms to ensure the ongoing maintenance and protection of the riparian and wetland enhancement planting proposed in the HGLP Hastings Golf Structure Plan (Appendix 25B).
- c. The design, layout, and management structure of subdivision and development within the Accommodation, Villa, Storage, and Clubhouse and Amenities Precincts takes into account the following:
  - (i) The use of appropriate mechanisms, including covenants, to secure long-term administration and maintenance of common areas and servicing and to prevent further subdivision of lots within the Accommodation and Villa Areas beyond that indicated in the Concept Plan within the HGLP Structure Plan (Appendix 25B).

18.3.12 The proposed additional Subdivision rules require subdivisions in the HGLP to comply with the standards in 30.1.7Z above, and the assessment criteria in 30.1.8.2(26) above would also apply.

18.3.13 On this basis, I am comfortable that the proposed provisions will enable the roading infrastructure to be progressed generally in accordance with the proposals contained in the Traffic Report accompanying the Plan Change Request.

**SUMMARY**

18.3.14 Overall, I am satisfied that safe access, parking, and internal circulation for the level of development proposed can be adequately achieved. At detailed design and consenting stage, I am comfortable that intersections, road and parking layout, and street lighting can be suitably designed and engineered to have minimal adverse effects on the environment, and that the proposed HGLP Structure Plan and plan provisions are generally fit for purpose in this respect.

18.4 Recommendations

18.4.1 No specific recommendations.

19 Topic 10: Cultural Effects

19.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S59.1	Laura Kamau	Support in part
S62.1	Korongata Marae	Support in part
S88.1	Eruera Morrison, John Newton, Edline Morrison & Maria Newton	Oppose

19.2 Overview of Submissions on this Topic

19.2.1 Three submitters made submissions relating to cultural matters and as mana whenua. Laura Kamau makes the following submission:

*‘I’m submitting on behalf of my family who have lived in Bridge Pā for over seven generations on our ancestral property. Parts of which were seized by both the Crown and Council. The golf course was a part of my grandfather’s estate and was taken for the purposes of preparing for war. It was a major chunk of our cattle farm and the area was used mainly by Māori of Hastings to learn how to play and a place for political exchange. This Plan Change and impacts on Bridge Pā zoning are a result of ‘carelessness’ taken by the County and now Council to continue to layer zones mainly for ‘recreational use’ for people outside our low decile socio economically deprived community. Currently if you look at the impacts of zoning in the pā these changes always limit the opportunity for my family to develop our land and to build our papakāinga.’*

19.2.2 Korongata Marae makes the following submission:

1. Economic benefits for the Bridge Pā community and wider region
2. Opportunities to restore wetland areas and native flora
3. Enhanced reconnection with whenua (land) for Ngati Pōporo
4. Reduced reliance on groundwater abstraction through treated wastewater reuse

*Ngati Pōporo acknowledges the project's potential benefits above but emphasizes that its success hinges on the adoption of proposed mitigations and the respectful inclusion of cultural values. They expect Golf Sport Development Ltd Partnership (GSDLP) and subsequent stakeholders to work collaboratively with Ngati Pōporo to address concerns and ensure positive outcomes for all parties.*

*Cultural Impacts:*

- Impacts on Ngati Pōporo ability to exercise kaitiakitanga over the site and resources.
- Possible damage to unrecorded wahi tapu during earthworks and construction.
- Concerns about misuse of place names without proper consultation.

*Ngati Pōporo has the following key recommendations to ensure cultural values are respected:*

1. Establish a long term permanent working relationship with Ngati Pōporo, including consultation on naming and design.
2. Integrate cultural values into the development design and ensure ongoing cultural awareness initiatives.
3. Minimize environmental impacts and ensure robust management of waterways and wetlands.
4. Include Ngati Pōporo in decisions regarding community integration and benefit-sharing.’

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

19.2.3 E & E Morrison, and J & M Newton make the following submission:

*'As residents of the Bridge Pā settlement we all formally oppose the District Plan Change 7. We have very deep concerns about the negative impacts that this proposal will have on our Māori community, our whenua, and our way of life.*

*This whenua holds deep significance to mana whenua. The proposed rezoning will disrupt the cultural and historical integrity of the area, with potential impacts on wāhi tapu and traditional kaitiakitanga practices.'*

19.3 Analysis

19.3.1 The Plan Change Request summarises consultation with various parties during the preparation of the plan change, including Ngāti Kahungunu ki Heretaunga who directed GSDLP to engage directly with Korongatā Marae and Mangaroa Marae – both located at Bridge Pā. This record of consultation with Ngāti Pōporo spans initial engagement in 2022 through to formation of a Mana Whenua Komiti, and ultimately to the preparation of a Cultural Impact Assessment (CIA) with Korongatā Marae only, which was completed in July 2024. Ngāti Pōporo requested that the CIA remain confidential and not be provided as public information.

19.3.2 The CIA includes the following recommendations<sup>59</sup>:

1. *That future site management commits to establishing a long-term working relationship with Ngāti Pōporo that, as a minimum;*
  - *Documents a set of agreed principles and behaviours;*
  - *Sets out processes for identifying and implementing future opportunities for Ngāti Pōporo to exercise their kaitiaki duties at the site and surrounds;*
  - *Sets out processes for identifying and implementing future opportunities for future site management, golfers and residents to enhance cultural awareness;*
  - *Identifies opportunities for Ngāti Pōporo cultural values to be incorporated into the development design and future operation; and*
  - *Identifies future opportunities (or processes used to identify opportunities) for the site, its users and its residents to integrate and engage more with the local community (e.g. promotion and sponsorship of Bridge Pā township beautification or environmental enhancement projects, other community events, sponsor local golf talent etc).*
2. *That the future site management consults with Ngāti Pōporo prior to assigning names to internal roads, unnamed streams or other site features and provides Ngāti Pōporo an opportunity to recommend certain names for these items – particularly the streams currently referred to as the Ephemeral Stream and the Maraekakaho Frontage Intermittent Stream;*
3. *That the applicant continues to assist with research necessary to confirm the hitori (history) of Ngāti Pōporo;*
4. *That the applicant adopts the recommendations presented in the Archaeology Report prepared by W Moore and E Pishief (2023);*

<sup>59</sup> Pg 45-46 of the CIA accompanying the Plan Change request.

5. That the applicant consults with Ngāti Pōporo in respect of any future resource consents required for earthworks, stormwater discharges and wastewater discharges and undertakes relevant environmental effects assessments to characterise associated impacts on water quality;
6. That the applicant provides Ngāti Pōporo opportunities to undertake karakia prior to construction and undertake cultural monitoring during construction activities;
7. That the applicant provides Ngāti Pōporo opportunities to be directly involved in any ecological restoration initiatives on the site;
8. That the applicant provides Ngāti Pōporo an opportunity to provide input into the architectural design of the site entrance and clubhouse building;
9. That the applicant considers appropriate water use efficiency measures as part of the final design process; and
10. The applicant addresses increased traffic movements and associated safety concerns for all road users and cycleway users – particularly in respect of future traffic using the site’s main entrance off Maraekakaho Road.

19.3.3 GSDLP also engaged with Mangaroa Marae and the indication given was that a second hapū (Ngāti Rāhunga I te Rangi) required separate consultation and must be enabled to provide their own separate CIA. GSDLP advise this has not been able to progress, however they have indicated they remain committed to continuing discussions with mana whenua and similarly committed to providing appropriate ongoing assistance with CIA preparation<sup>60</sup>.

19.3.4 In addressing cultural effects, the Plan Change Request concludes as follows<sup>61</sup>:

*‘The Applicant is committed to addressing any adverse cultural effects as best as practicably possible and has signed an MOU to abide by the recommendations of the Cultural Impact Assessment.*

*Further to this, the applicant continues to engage with Mana Whenua, including by signing the Memorandum of Understanding, and seeks to establish and progressively enhance a long-term relationship with Mana Whenua. In this respect, the Applicant is confident that such arrangements will not only enable any immediate concerns to be addressed but also enable identification of future opportunities where Mana Whenua can become more connected to the whenua and natural resource at the Site. This could be achieved through increasing the frequency of interactions, potentially offering on site employment opportunities, and arranging other opportunities to exercise kaitiakitanga such as direct involvement in wetland restoration and transformative planting programmes. All these initiatives are supported by the Applicant.*

*Concerns expressed in relation to road safety are addressed later..., but in summary, the proposed improvements to the Site’s entranceway will fully address any additional road safety risk associated with expected levels of increased traffic generation.*

*Mana Whenua’s concerns regarding upward pressure on Council’s rate bills can be addressed through applying an appropriate level of developer contributions at subsequent subdivision consent application stages.*

*Overall, the Applicant is confident that any residual cultural effects associated with the development can be addressed to a level where, on balance, they become acceptable to Mana Whenua.’*

<sup>60</sup> Pg 117 of the Plan Change Request and Section 32 Evaluation Report.

<sup>61</sup> Pg 183 of the Plan Change Request and Section 32 Evaluation Report.

**Section 42A Report for PPC7**

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**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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- 19.3.5 A number of the potential adverse effects raised by the 3 submitters on this topic are addressed elsewhere in this report e.g. in relation to traffic effects, ecological effects, economic effects, servicing, construction-related earthworks, and discharges. Most of these matters would be addressed at detailed design and development stage.
- 19.3.6 Matters relating to commitments to long-term relationships; involvement in the design of the development, ecological restoration activities, and cultural monitoring; and community integration and benefit-sharing, are matters between GSDLP and mana whenua, and are not RMA matters able to be progressed through the plan change process, but rely on the longevity and ongoing commitment of GSDLP.
- 19.4 Recommendations
  - 19.4.1 No specific recommendations.

20 Topic 11: Construction-Related Effects, Light, Air Quality, and Aquifer Effects

20.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S53.2	Kathy Perry	Oppose
S59.3	Laura Kamau	Support in part
S61.4	Hawke’s Bay Golf Club	Oppose
S96.2	Raelyn Oliver	Oppose

20.2 Overview of Submissions on this Topic

20.2.1 In relation to construction noise, light, air quality, and aquifer effects, submitters make the following points, summarised as follows:

- Construction-Related Effects:
  - Ongoing construction noise will be intolerable, affecting the lifestyle on Valentine Road. Increased traffic is also a concern.
  - How will the applicant mitigate construction noise – already contend with aerodrome noise and lack of adherence to resource consent or completion of resource consent, as well as car club who block off roads and make a lot of dust.
  - Construction will take years, which means the noise of trucks and vehicles will be for years.
- Light Pollution:
  - Increase in light in a rural zone – already see city lights of the Prison.
- Aquifer Impact:
  - Concerns about construction on a fragile aquifer and potential puncturing.
- Property Values and Community:
  - That the rateable value of local properties be kept within the context of our community and not the surrounds.
  - That the beautification of our community be included in the resource consent and that the applicant must have community-driven design and infrastructure in place to help with these services.
  - That the golfing community support and give back to Bridge Pā – do not wish for more of a rich man’s playground while they have their primary residence elsewhere.
- Air Quality:
  - Increased traffic and pollution in the surrounding area would exacerbate local air quality issues. Preserving the natural green space in the Heretaunga Plains is critical for maintaining healthy air quality in the region.

## 20.3 Analysis

### CONSTRUCTION-RELATED EFFECTS

20.3.1 The Plan Change Request addresses construction-related effects as follows:

*‘Construction is a temporary or short-term activity, but it is a phase of any development where general activity on the Site is heightened. As a consequence, environmental risks during the construction phase are often elevated, requiring special management.*

*In the case of this proposal, construction effects will largely be addressed through subsequent consenting processes for earthworks, disturbance of contaminated soil and any construction activities occurring in rivers or wetlands that might require separate consent.*

*Overall, as with other projects, construction related effects are manageable to acceptable levels through the implementation of relevant management plans (e.g. a Construction and Environmental Management Plan) that include a range of initiatives and controls such as;*

- *Erosion and sediment control plans;*
- *Dust management plans;*
- *Contaminated soil management plans;*
- *Construction traffic management plans;*
- *Construction noise management plans;*
- *Ecological management plans;*
- *Accidental discovery protocols;*
- *Spill control and incident response plans; and*
- *Contingency plans.*

*Construction related effects are also mitigated to some extent given the site is mostly flat, and no dwellings are located close to the Site’s boundary.*

*It is expected the types of construction management requirements listed above will be imposed as part of any construction related consents granted later. To this extent, construction processes and procedures are likely to be well considered and well suited to the specifics of the Site and its construction activities. On the basis that appropriate construction management plans will be implemented and enforced, the effects during construction can be appropriately managed for the duration of all construction activities.*

*Additionally, construction related visual and landscape effects are assessed in the Landscape and Visual Effects Report (Appendix C). In this respect, the following observations are made:*

- *In the short-term, the construction of the new club facilities followed by the new dwellings, is likely to capture the attention of viewers – those curious to understand the change or see what progress is being made.*
- *It is also likely there will be an increase in the movement of vehicles, including earth-working, then construction, then residential, that will slowly diminish as planting establishes. This is typical of most developments and cannot be easily avoided.*
- *Landscapes change and evolve as new buildings appear or are removed. As such, it is recognised that both landscape and visual effects will be greater during construction. However, in the context of the wider landscape, the views assessed, and the timeframes in which mitigation will take to establish, such effects will remain at the lower end of the scale. The staging of the development with the construction of the new golf holes as a first stage around the perimeter of the site will also ensure that the effects of the internal development are further mitigated.’*

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

20.3.2 In my view, construction-related effects are addressed at subdivision and development stage, and are generally able to be mitigated to be no more than minor through initiatives and controls such as construction noise management plans and construction traffic management plans etc as identified above.

20.3.3 The proposed plan change provisions for both the SARZ and HGLP chapters include the usual requirement to comply with the provisions of Section 25.1 of the District Plan on noise (Standards SARZ-S6 and PREC1-S11), which includes the existing General Performance Standard 25.1.6I, as follows:

*(a) Any noise arising from construction, maintenance and demolition work in any Zone shall comply with NZS6803:1999 Acoustics - Construction Noise.*

*(b) Construction noise shall be measured and assessed in accordance with NZS6803:1999 Acoustics - Construction Noise.*

*(c) To avoid doubt, Standards 25.1.6C to 25.1.6H above shall not apply to construction noise.*

20.3.4 However, I agree with the submitters (Kathy Perry (S53) and Raelyn Oliver (S96)) that the construction of a development of this scale would potentially go on for years and, in my view, that cannot be considered short-term or temporary. I consider the noise impacts for nearby residents from ongoing construction activities over a prolonged period could potentially be more than minor.

**LIGHT POLLUTION**

20.3.5 In terms of an increase in light pollution within a rural setting, the proposed plan change provisions for both the SARZ and HGLP chapters include a requirement to comply with a light and glare standard, as follows:

<b>SARZ-S8</b>	<b>Light and Glare</b>
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	1. External lighting shall be shaded or directed away from residential buildings or roads and be less than 8 lux spill measured at a height of 1.5 metres above the ground at the boundary of the site.
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<b>PREC1-S2</b>	<b>Light and Glare</b>
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	1. Within all areas of the precinct external lighting shall be shaded or directed away from residential buildings or roads and be less than 8 lux spill measured at a height of 1.5 metres above the ground at the boundary of the site.
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20.3.6 These standards replicate the light and glare standard currently applying in the Plains Production Zone (Standard 6.2.5E). In my view, this will mitigate the effect of light spill beyond the plan change area, however there will be an inevitable change in the character of the area at night if rezoned, from a current low density open space setting with few lights, to a more medium density urban setting with street lights, domestic lights from up to 170 dwellings, and lighting associated with additional indoor and outdoor communal and recreational facilities. The sizeable separation from the plan change area boundary to nearby residences, and proposed mitigation vegetation along the boundary through the HGLP Structure Plan, as well as existing and anticipated internal amenity planting, will provide additional mitigation.

**AQUIFER EFFECTS**

20.3.7 In response to Council's further information request, the Requestor provided confirmation that the plan change area is outside of the 'source protection zones' for the Hastings drinking

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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water supply<sup>62</sup>, and provided an assessment of potential effects on the aquifer from Land Vision Ltd in terms of the location of the proposed wastewater treatment plant in the south-western corner of the subject site, and discharge field over the golf course confirming that<sup>63</sup>:

*‘Given the sites high infiltration rates, location down gradient of aquifer boundary, eastward flowing flow paths and capacity to assimilate N and P I am confident that any potential risk to the Unconfined Aquifer is less than minor.’*

20.3.8 On that basis, I am satisfied that any effects on the unconfined aquifer as a result of the proposed development are less than minor.

**OTHER MATTERS**

20.3.9 As already mentioned, property values and impacts on rates are not RMA matters for the Hearings Panel to consider. There is also no ability to require giving back to nearby communities through a plan change process.

20.3.10 In respect of air quality, this is not a matter for the District Plan – air discharges and monitoring of air quality are matters for HBRC.

**SUMMARY**

20.3.11 In my view, light, air quality, and aquifer effects are addressed through proposed standards as part of PPC7, or are otherwise considered less than minor. In terms of construction-related noise effects, whilst required to adhere to NZS6803 Acoustics – Construction Noise, I consider PPC7 may create noise nuisance for neighbouring rural residents over time, by virtue of the likely length of the construction period. It may be useful for the Requestor to address additional measures that may be appropriate to mitigate these effects.

**20.4 Recommendations**

20.4.1 No specific recommendations.

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<sup>62</sup> Pg 18 of GSDLP Further Information Response – Tranche 1, dated 2 April 2024.

<sup>63</sup> Pg 3 of Memo prepared by LandVision Ltd dated 4 April 2024, accompanying GSDLP Further Information Response – Tranche 2, dated 23 May 2024.

21 Topic 12: Landscape and Visual Effects

21.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S59.6	Laura Kamau	Support in part
S62.5	Korongata Marae	Support in part
S96.1	Raelyn Oliver	Oppose

21.2 Overview of Submissions on this Topic

21.2.1 Three submitters made submissions relating to landscape and visual effects. Laura Kamau makes the following submission:

*‘Landscaping and visual effects. Trees obstructing the landscape. Trees must be kept low as it impacts on the visual enjoyment of my property.’*

21.2.2 Korongata Marae makes the following submission:

*‘Aesthetic concerns about how the development fits with the cultural and natural character of the area.’*

21.2.3 Raelyn Oliver makes the following submission:

*‘We bought our block 51 years ago to be in the country. If this goes ahead, we are going to be looking at a village of units, flats, two story dwelling and storage facilities.’*

21.3 Analysis

21.3.1 A Landscape and Visual Effects Assessment Report (Landscape Report) prepared by Wayfinder Ltd accompanies the Plan Change Request, assessing the landscape and visual effects.

21.3.2 The Landscape Report assesses the potential landscape effects as follows<sup>64</sup>:

*‘As identified, the landscape character of the surrounding area is relatively fragmented, and the character of the site is of a golf course. Fundamentally, the proposal will not change this. At the most basic level, the site will still operate as a recreational golf facility, with an 18-hole course, driving range, club facilities and a modified, manicured amenity.*

*The obvious addition is the residential development, this includes a variety of dwellings for residential use and/or short stay visitor accommodation. These buildings are cluster to create a “village” character.*

*The overall character of the proposal has been carefully designed to provide a unified, high-quality development with a high degree of amenity. In many ways, the proposal will contribute to the amenity of the surrounding area, improving the wider planting, providing enhanced biodiversity and habitat and open greenways between the residential clusters. The proposed stormwater management areas are likely to enhance the existing quality of waterways through the site.*

*This approach to the development is aimed not only at creating a park-like experience within the site, but also is designed to help soften the building densities. Planting and open space weaves within the buildings, creating green connections (alongside physical walking and golf-cart connections) through the development. Although they will be visible from various*

<sup>64</sup> Pg 13-14 of the Landscape Report accompanying the Plan Change Request.

locations (outlined further in the next section), the vegetation will help anchor and connect them to the surrounding activity.

The proposed height and colour controls further strengthen this connection, helping to provide a more cohesive development within the site. The residential village will not be a bold, diverse array of built forms, but rather will appear as a cluster of development within the centre of the site. Essentially the development provides for lifestyle type living, not dissimilar to the surrounding (albeit lower density) rural lifestyle sites that surround the site.

Landform changes are inevitable, but these are already a feature of the site. Any cuttings or fill areas will be sculptured into naturalised or artistic forms, worked into the overall pattern of the development not dissimilar to the existing modified contours and layout of the existing golf course.

Therefore, overall, it is considered that the proposed development is entirely in character with the existing landscape. Rather than changing the existing recreational use, it will enhance it. The planting and design controls will provide enhanced amenity, lifting both biophysical and perceptual landscape values. It is therefore considered that the adverse landscape effects of the proposal will be very-low. This conclusion is reached primarily because this has been the intent of the proposal from the beginning, ensuring that it can be well integrated into the surrounding mixed-use landscape.'

21.3.3 In terms of potential visual effects, the Landscape Report assesses the visual catchment as being the immediate properties surrounding the plan change area, plus potentially the residential properties along Valentine Road given the relatively open nature of the aerodrome.

21.3.4 The report then assesses visual effects from Valentine Road and Hastings/Bridge Pā Aerodrome; for the Hawke's Bay Car Club and Deer Stalkers Association properties and the residential property in-between at 1548 Maraekakaho Road; and for each of the adjacent properties to the eastern and northern boundaries of the area on Maraekakaho Road, Stock Road and Equestrian Lane, and briefly assesses further afield in relation to 'second tier' properties on the opposite side of Stock Road, further along Maraekakaho Road and potentially some properties on Mangaroa Road.

21.3.5 With respect to the properties of the two submitters, the Landscape Report assesses the potential visual effects as follows:

Raelyn Oliver – 1548 Maraekakaho Road<sup>65</sup>:

*'...the residential property located between these two club properties, 1548 Maraekakaho Road, has a dwelling that is tucked a long way back into the site, fully surrounded by screening vegetation such that it is not visible from the road. As such, it is very unlikely that views of the proposal will be possible from this dwelling – rather the recreational activities that take place on the directly adjacent properties are more likely to be visually prominent. As such the visual effects from this property are considered to be very-low.'*

Laura Kamau – 1649 Maraekakaho Road<sup>66</sup>:

This property is located on the other side of the Hastings/Bridge Pā Aerodrome, and is not specifically assessed, however, is potentially similarly affected as properties on Valentine Road and the Hastings/Bridge Pā Aerodrome itself. These properties are assessed as follows:

<sup>65</sup> Pg 14-15 of the Landscape Report accompanying the Plan Change Request.

<sup>66</sup> Pg 15 of the Landscape Report accompanying the Plan Change Request.

*‘From Valentine Road, views to the site are across the aerodrome to the western boundary. As can be seen in Photographs 1 & 2, golf activity is visible from this location, although more apparent is the vegetation backdrop that enhances the prominence of aircraft activity in the foreground. From this location the residential aspects of the proposal are even further distant, on the other side of the site. As such they will be fully screened by both existing and proposed vegetation within the untouched golf holes.*

*The new maintenance area is unlikely to be visible from any Valentines Road properties as it is located behind the cluster of aircraft hangars.*

*Therefore, the visual effects from Valentines Road properties will be **very-low**, if anything.*

*Similarly, views from the aerodrome itself will be relatively limited. The main operations centre of the aerodrome is located within a cluster of buildings that is screened from sight by various hangars and storage areas, and the outlook from this area is largely to the west across the aircraft operational area. Views will be possible from aircraft, but arguably such views are in the context of take-off and landing operations so are anticipated to be very secondary. Visual effects of the proposal on the aerodrome is therefore considered to be **very-low**.’*

21.3.6 The Landscape Report concludes as follows<sup>67</sup>:

*‘Overall it is considered that the adverse landscape effects of the proposal will be **very-low**, and that the proposal is more likely to have positive landscape outcomes. It involves the enhancement of amenity, biophysical and perceptual values.*

*Four immediately adjacent residential properties are likely to experience **moderate** visual effects, these being 491 Maraekakaho Road and 17, 21 & 31 Stock Road. In addition, two residential properties are likely to experience **low-moderate** visual effects, these being 41 and 47 Stock Road. The reason for this rating is that these six properties all have somewhat open views to the key development areas of the site. However, it is noted that the proposed setback of the development behind the relocated golf holes, and the proposed mitigation boundary planting, will provide effective mitigation and a general improvement in landscape amenity within 5 years.*

*All other visual effects are assessed as being **low** to **very-low**.*

*Therefore, it is concluded that, with the exception of the six mentioned properties, the landscape and visual effects of the proposal will be **less than minor**.’*

21.3.7 The Landscape Report relies on implementation of the design and planting elements of the development concept outlined in the Plan Change Request. In that respect, as noted previously, the proposed HGLP provisions contain standards and assessment criteria that variously reference the requirement to comply with the HGLP Structure Plan, concept plan and design outcomes etc. Whether these provisions ensure these elements are implemented with an appropriate level of certainty would need further consideration if PPC7 were to be approved. I also note the need to review the provisions to ensure consistency of terminology.

21.3.8 PPC7 includes a proposed HGLP Structure Plan map, a proposed HGLP Concept Plan, and a document titled ‘Heretaunga Golf and Leisure Precinct Proposed Structure Plan’ prepared by Wayfinder Ltd, dated November 2024. This latter document includes ‘Objectives of the Structure Plan’ and ‘Design Outcomes’ which, in my view, are not provided in National Planning Standards format, or even in a format that can be easily incorporated into the current District Plan, and would need some rework to enable this to be achieved if PPC7 were to be approved.

<sup>67</sup> Pg 20 of the Landscape Report accompanying the Plan Change Request.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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21.3.9 On the basis of the development progressing as outlined in the development concept, including the design and planting elements and the mitigations proposed in the Landscape Report, I am satisfied that adverse landscape effects of the proposal would be less than minor, and the adverse visual effects overall (and specifically for the two submitters at 1548 and 1649 Maraekakaho Road) would also be less than minor.

**21.4 Recommendations**

21.4.1 If the Hearings Panel is of a mind to approve PPC7, I would recommend:

1. reviewing and making appropriate amendments to the proposed provisions to ensure the design and planting elements of the development concept can be achieved with an appropriate level of certainty, and to ensure consistency of terminology and fix any minor errors; and
2. re-working the 'Proposed Structure Plan' document containing the Structure Plan 'Objectives' and 'Design Outcomes' into a suitable District Plan format, and to remove any text that does not relate to a District Plan matter or is not suitable for inclusion as District Plan text.

22 Topic 13: Ecological and Biodiversity Effects

22.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S61.1	Hawke’s Bay Golf Club	Oppose
FS6	- Gourmet Blueberries Ltd	Support S61.1
S62.2	Korongata Marae	Support in part
S97.2	Cape Kidnappers Station Limited	Support

22.2 Overview of Submissions on this Topic

22.2.1 Three submitters made submissions relating to ecological and biodiversity effects. Cape Kidnappers Station Limited supports PPC7 as follows:

*‘We support the work this project is doing with mana whenua, its commitment to native planting, and working to established a better ecological outcome for the wider property.’*

22.2.2 Korongata Marae makes the following submission specific to this topic:

*‘Potential impacts on waterways and wetlands, including loss of mauri and wairua of water resources.*

*Minimize environmental impacts and ensure robust management of waterways and wetlands.’*

22.2.3 Hawke’s Bay Golf Club (supported by Gourmet Blueberries) makes the following submission specific to this topic:

*‘Our primary concern lies in the significant environmental impacts that this change would have on the local ecosystem and the surrounding environment. The Heretaunga Plains is a critically important area, not only for its agricultural productivity but also for its ecological value. We believe that converting this land to Sport & Active Recreation zoning and the proposed Residential Housing and Short-term Accommodation Development would result in several negative environmental consequences.*

*Loss of Valuable Green Space and Habitat: The Heretaunga Plains are home to various natural ecosystems, supporting local wildlife, plant species, and wetlands that are vital to maintaining the region’s biodiversity. The proposed zoning change could lead to land-use alterations that threaten these ecosystems. Developing recreational facilities, Residential Housing and Short-term Accommodation or infrastructure on the site could disrupt existing habitats, leading to a loss of biodiversity and diminishing the natural value of the area.*

*Impact on Climate Resilience: Natural green spaces such as those in the Heretaunga Plains act as carbon sinks, helping to absorb carbon dioxide and mitigate climate change. By converting these areas into built-up zones for recreational and residential purposes, we would reduce the local area’s ability to mitigate the impacts of climate change. This is especially concerning when considering the urgency of preserving our environment and fostering climate resilience.*

*Sustainability of Long-Term Environmental Impact: It is crucial to consider the long-term effects of this proposed zone change on the environment. Even if the immediate development may seem relatively small-scale. The additional proposed Residential Housing and Short-term Accommodation Development numbering 134 dwellings, the long-term environmental degradation caused by building infrastructure, altering landscapes, and the eventual need for*

*more facilities could lead to irreversible damage. It is essential that the council considers more sustainable, ecologically responsible alternatives.*

*While we acknowledge the desire to increase recreational facilities in the district, we firmly believe, that this proposed zone change from Heretaunga Plains to Sport & Active Recreation and proposed Residential and Short-term Accommodation, presents significant environmental risks. The loss of critical agricultural land, the threat to biodiversity, changes in water management, and the long-term environmental consequences make this proposal unwise and unsustainable.'*

### 22.3 Analysis

22.3.1 An Ecological Assessment (Ecological Report) prepared by Forbes Ecology Ltd accompanies the Plan Change Request, providing an ecological assessment of the values of the site in terms of aquatic and terrestrial ecology, and an assessment of the potential effects of the proposed development on the ecological values.

22.3.2 The Ecological Report refers to an earlier report that presented constraints, which the author notes was responded to through design. The assessment notes the ecosystems present today are predominantly of exotic composition – exotic grassland is the dominant cover, with a diversity of exotic trees, a number of mature totara on the northeastern boundary, and a recently harvested radiata pine plantation. Bird species noted on site were predominantly exotic including mallard duck, magpie, Indian myna, finch spp., blackbird and sparrow, with some native species including fantail and welcome swallow, and (in October 2022) a pair of New Zealand falcon/Kārearea were known to be showing breeding behaviour and occupying an area of exotic trees near the amenity sheds on the golf course grounds.

22.3.3 A number of freshwater ponds are present for amenity purposes and two naturally occurring intermittent or permanently flowing waterways, as well as five small wetlands that would meet the definition of 'natural wetland' in the NPS-FM (refer photos and aerial view below). The plan change area is not deemed to contain any attributes sufficient to trigger ecological significance under section 6(c) of the RMA.



Figure 4. Intermittent reach flowing east across driving range.



Figure 5. Ephemeral reach located further to the north.



Figure 11. Overview of the locations (approximate centre points) of wetlands 1-5.

22.3.4 The Ecological Report determines that: ‘Overall, the species and ecosystems on site present a low level of constraint to development. The potential for restoration is high<sup>68</sup>, and assesses the intermittent stream and the wetlands as having ‘low ecological value overall’<sup>69</sup>. It is understood the proposal intends to retain and restore the intermittent stream to provide some level of riparian habitat, and the development concept has been designed to avoid works in or around the wetlands.

22.3.5 The conclusions and recommendations in the Ecological Report are as follows<sup>70</sup>:

*‘The proposed structure plan area has been modified through past land use and today is used as a golf course with areas of exotic forestry, clear cuts, and rank grassland. Given the homogenised nature of the land cover terrestrial species are predominantly exotic. There are no remnants of former indigenous cover and there are no constraints on site from a terrestrial ecology perspective.*

*One intermittently flowing waterway is located to the south of the site, near the main driveway to the golf course. This waterway meets the criteria for intermittent stream and therefore has the status of a river under the RMA (1991). The intermittent stream is lacking appreciable flow and is lacking native riparian cover.*

*Five small pockets of wetland occur amongst rank grassland to the northeast of the site. These are small wetland areas, but they meet the NPS-FM (2000) definition of Natural Inland Wetland and are therefore subject to provisions of the NPS-FM (2000).*

*It is recommended that the effects of culverting be minimised as far as possible in terms of extent and through appropriate installation, remediation, and by riparian planting along the balance of the waterway. A Stream Restoration Plan should be required to guide appropriate practice for culvert design, installation, remediation and for riparian planting along the balance of the intermittent stream.*

*It is recommended that the wetlands be avoided by direct effects and the area containing the wetlands be a site for restoration.’*

<sup>68</sup> Pg 9 of the Ecological Report accompanying the Plan Change Request.

<sup>69</sup> Pg 16-17 of the Ecological Report accompanying the Plan Change Request.

<sup>70</sup> Pg 21 of the Ecological Report accompanying the Plan Change Request.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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22.3.6 The Ecological Report relies on achievement of elements of the development concept and restoration proposed for the intermittent stream as outlined in the Plan Change Request. In that respect, as noted previously, the proposed HGLP provisions contain standards and assessment criteria that variously reference the requirement to comply with the HGLP Structure Plan, concept plan and design outcomes etc. I have noted that this would require review of the proposed provisions to ensure the various elements (e.g. wetland enhancements) are implemented with an appropriate level of certainty, and a review of consistency of terminology and to fix minor errors, if PPC7 were to be approved.

22.3.7 PPC7 includes a proposed HGLP Structure Plan map, a proposed HGLP Concept Plan, and a document titled 'Heretaunga Golf and Leisure Precinct Proposed Structure Plan' prepared by Wayfinder Ltd, dated November 2024. This latter document includes 'Objectives of the Structure Plan' and 'Design Outcomes' that include picking up aspects of the proposal relating to enhancement of ecological outcomes. As already stated previously, this document would need some rework if PPC7 were to be approved.

22.3.8 On the basis of the development progressing as outlined in the development concept and the conclusion and recommendations in the Ecological Report, I am satisfied that adverse effects of the proposal on ecological values would be minimal and may lead to positive effects through ecological restoration.

**22.4 Recommendations**

22.4.1 If the Hearings Panel is of a mind to approve PPC7, I would recommend:

1. reviewing and making appropriate amendments to the proposed provisions to ensure the elements of the development concept can be achieved with an appropriate level of certainty, and to ensure consistency of terminology and fix any minor errors; and
2. re-working the 'Proposed Structure Plan' document containing the Structure Plan 'Objectives' and 'Design Outcomes' into a suitable District Plan format, and to remove any text that does not relate to a District Plan matter or is not suitable for inclusion as District Plan text.

23 Topic 14: Impacts for Firefighting Water Supply and Emergency Access

23.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Provision / Section	Position
S92.1	FENZ	PREC1-P8 PREC1-R8 PREC1-R9 PREC1-R11 PREC1-R12 PREC1-R13 PREC1-S13 30 .1.7Z	Amend
S92.2	FENZ	HGLP Rules HGLP Standards	Amend

23.2 Overview of Submissions on this Topic

23.2.1 Fire and Emergency New Zealand (FENZ) make the following submission points specifically relating to provision of an adequate accessible water supply to be available for firefighting activities:

*‘The PC7 area does not currently benefit from an available connection to the Council’s reticulated water network. The PC7 request is supported by an Infrastructure Report which has assessed the feasibility of servicing the future residential development of the site. The report sets out a range of potable water supply options based on a range of possible future scenarios, all of which have given due consideration to firefighting demands.*

*As PC7 is currently drafted, the eventual potable water servicing option would be deferred until a subsequent resource consent and/or subdivision consent application(s) for the residential areas. As such, it is essential that the proposed objectives, policies, rules and performance standards for the proposed SARZ/HGLP direct future developers to deliver a compliant firefighting water supply.*

*...Fire and Emergency has some concerns regarding the robustness of the proposed rule provisions of the new Zone/Precinct in ensuring that adequate firefighting water supply is provided.*

...

*The Structure Plan and Primary Road Cross Sections drawing provide an illustration of the proposed internal roading network and road widths. PC7 states that the proposed primary and secondary roads (serving more than six dwellings) have been reviewed to confirm emergency vehicle access, which is welcomed and supported by Fire and Emergency. To ensure that the eventual development delivers a roading layout which is accessible to appliances, it is essential that the proposed new Zone/Precinct rules and standards secure suitable road widths.’*

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

23.2.3 FENZ seeks the following amendments to the proposed provisions in PPC7:

Appendix A – Fire and Emergency New Zealand specific submission points

ID	Provision	Position	Feedback	Decision sought
<b>Heretaunga Golf and Leisure Precinct</b>				
1	<p><b>Policy PREC1-P8 Sustainable Design and Infrastructure</b></p> <p>Promote sustainability and ensure that public and environmental health and natural hazard effects of development are minimised, including by:</p> <p>a. Managing stormwater runoff generated by built development and paving ensuring that adverse effects on water quality, and quantity are avoided or mitigated;</p> <p>b. Requiring low impact stormwater management, including the retention and re-use of water, where practicable;</p> <p>c. Encouraging sustainable design in development including optimising solar orientation and passive ventilation;</p> <p>d. Ensuring development within the zone can be appropriately serviced through the adequate provision of water and wastewater treatment that avoids or mitigates any potential adverse effects on natural water systems and ecological values.</p>	Support with amendment	<p>FENZ is supportive of the overall intent of the Plan Change with respect to the provision of an adequate firefighting water supply. It is essential, however, that the Precinct's policies and associated rules are drafted to deliver sufficient infrastructure which includes an accessible firefighting water supply. Suitable roading access is also required for appliances to access such supplies, as well as the location of the fire itself.</p> <p>The Policy amendment would relate to overarching objective PREC1-O3 which seeks to provide for public health.</p>	<p>Amend as follows:</p> <p><i>Promote sustainability and ensure that public and environmental health and natural hazard effects of development are minimised, including by:</i></p> <p>....</p> <p><i>e. Ensuring development within the zone can be served by a sufficient water supply, which is accessible and adequate for firefighting purposes.</i></p> <p><i>f. Ensuring development makes provision for emergency service access.</i></p>
2	<p><b>Standard PREC1-S13 Infrastructure – Water, Wastewater and Stormwater</b></p> <p>1. Any application for residential development shall include an infrastructure network assessment which confirms that there is, or will be at the time of connection, sufficient</p>	Support with amendment	<p>FENZ is supportive of the necessity for residential developments within the precinct to demonstrate that housing will benefit from a connection to the reticulated water network. However, the standard is currently drafted so that it will only apply to</p>	<p>Amend as follows:</p> <ol style="list-style-type: none"> <li>1. Any application for residential development shall....</li> <li>2. Any proposed residential or visitor/tourism development shall demonstrate that there is, or will be at the time of connection, sufficient</li> </ol>
<b>Heretaunga Golf and Leisure Precinct (Continued)</b>				
	<p>infrastructure capacity to connect the development to the onsite wastewater (or a public reticulated wastewater network if such a network were to be available), and stormwater infrastructure, and to the public reticulated water supply network.</p> <p>Outcome: Public health and environmental wellbeing is maintained</p>		<p>developments which require "an application" which would preclude permitted activities. Amendments are therefore sought to ensure that residential development can only be deemed as permitted where there is a viable connection to the reticulated network, which must also include adequate provision for firefighting purposes. The amendment also clarifies how such provision can be demonstrated in accordance with the relevant Code of Practice in both reticulated and non-reticulated scenarios.</p>	<p><i>infrastructure to connect the development to the public reticulated supply network (where available), which must include sufficient water supply for firefighting, and access to such supply, in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</i></p> <p><i>Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available, or a higher level of service is required, water supply and access to water supplies for firefighting shall be provided in accordance with the alternative firefighting water sources of SNZ PAS 4509:2008</i></p>
3	<ul style="list-style-type: none"> <li>• PREC1-R8 (2) Residential activities within the Accommodation Area</li> <li>• PREC1-R9 (2) Residential activities within the Villa Housing Area</li> <li>• PREC1-R11 (2) Show Homes</li> <li>• PREC1-R12 (2) Visitor Accommodation</li> <li>• PREC1-R13 (1) Comprehensive Residential Development</li> </ul>	Support with amendments	<p>To ensure that due consideration is given to the implications of non-compliance with the firefighting water supply standard - as proposed under PREC1-S13 - a suitable matter of discretion must be incorporated in the assessment of restricted discretionary activities.</p>	<p>Additional matter of discretion includes for the listed Restricted Discretionary activity rules:</p> <p><i>The suitability of the proposed water supply for firefighting purposes, including the extent of compliance with SNZ PAS:4509:2008 in respect of the health and safety of the</i></p>

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

ID	Provision	Position	Feedback	Decision sought
				<i>community, including neighbouring properties.</i>
4	<b>PREC1-S12 Transport, Parking, Loading &amp; Access</b>  1. Activities shall comply with the provisions of Section 26.1 Transport and Parking of the District Plan.	Support with amendments	It is unclear how the proposed HGLP provisions, working in conjunction with existing transport rules of the District Plan, will secure an appropriate road layout which will ensure that all sites are accessible by emergency appliances. As such, an amendment to the specific land use provisions of the Precinct is proposed to secure suitable emergency service access and egress. Amendments are also proposed to the performance standards for subdivisions in the Precinct, as identified under feedback on 30.1.7Z.	Amend as follows: <i>The proposed roading layout serving each site shall make provision for emergency service access and egress, in accordance with the Designers' guide to firefighting operations Emergency vehicle access F5-02 GD.</i>
5	<b>30.1.7 General Site Performance Standards and Terms</b>  <b>30.1.7Z Heretaunga Golf and Leisure Precinct</b>  i. The subdivision of land within the Heretaunga Golf & Leisure Precinct shall be generally in accordance with the HGLP Structure Plan (Appendix 25B).  ii. ....	Support with amendments	FENZ is supportive of the overall intent of the Plan Change with respect to the provision of an adequate firefighting water supply and delivering an internal roading layout which provides for emergency service access. It is essential however that the Precinct's policies and associated rules are drafted to deliver sufficient infrastructure which includes an accessible firefighting water supply. Suitable roading access is also required for	Amend as follows: <i>xi. Water supply for firefighting Provision shall be made for sufficient water supply and access to water supplies for firefighting consistent with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS:4509:2008), except where the allotment is for a utility, road, reserve or access purposes.</i>
ID	Provision	Position	Feedback	Decision sought
			appliances to access such supplies, as well as the location of the fire itself.  Whilst the performance standards for subdivisions in the Precinct require sites to be connected to the reticulated water supply, with options where this isn't possible, the standard must be expanded to reference the need for such supplies to cater for firefighting demand.	<i>xii. The proposed roading layout serving each site shall make provision for emergency service access and egress, in accordance with the Designers' guide to firefighting operations Emergency vehicle access F5-02 GD.</i>

23.3 Analysis

23.3.1 A Civil Engineering Assessment Report (Infrastructure Report) prepared by Strata Group accompanies the Plan Change Request, including outlining the proposal for firefighting water supply, and summarises roading and access design considerations taken from the Traffic Impact Assessment Report (Traffic Report) prepared by Urban Connection Ltd.

**FIREFIGHTING WATER SUPPLY**

23.3.2 As already outlined in this report, the Plan Change Request proposes a private water network connecting to the HDC water network in Maraekakaho Road, and reticulating a potable supply throughout the development. The Infrastructure Report specifically addresses firefighting demand as follows<sup>71</sup>:

*'To support development of this site, a water scheme also needs to provide a water supply that can provide water at a flow rate, pressure, and volume for firefighting purposes specific to the land use proposed by the development.*

*It is expected that a FW2 level of service (LOS) will be suitable to service the development. Within proximity of the development, 1 fire hydrant exists on the HDC 200mm water main in Maraekakaho Road, approximately 70m from the proposed main entrance....*

<sup>71</sup> Pg 21-22 of the Infrastructure Report accompanying the Plan Change Request.

*Ideally, the firefighting supply would be delivered via the HDC water network, with the private internal water supply network including adequately sized water mains to allow fire hydrants at intervals to comply with SNZ PAS 4509:2008 FW2.*

*Should the timing of the completion of the first stage of the development or lack of assurance from HDC regarding the timing of HDC network upgrades not be suitable, several options exist for a potential solution.*

*Option a) from section 7.2 above may provide adequate network flow to allow the development connection to be adequately sized and allow for a series of fire hydrants within the development to comply with SNZ PAS 4509:2008 FW2.*

*On the same premise as option 1 (section 7.3), options b) or c) from section 7.2 above could include storage to comply with requirements of SNZ PAS 4509:2008 but supplied via onsite storage.*

*A permanent solution could be provided with dedicated firefighting water pipes and hydrants (separate from potable reticulation), connecting to the existing bores. This option would be subject to confirmation of the existing bore and pump performance to deliver adequate flow and pressure. If the timing of the HDC network upgrades was confirmed and within a 12-month window of the completion of the first stage of the development, a deviation of this concept could be implemented as a temporary solution. For this solution a dedicated fuel powered generator would be required at the bore/bores to ensure firefighting supply would be available during power outages.*

*In combination with or as a hybrid variation of any of the solutions, suitably spaced water tanks could be installed to provide compliance with SNZ PAS 4509:2008, with 45m<sup>3</sup> of storage within 90 metres of all dwellings. It is currently proposed that a new swimming pool be located near the proposed clubhouse facilities that may also be able to account toward the firefighting supply.*

*In summary, if it is known that the HDC network upgrades are not completed before the first stage of the development is completed, the above options will be discussed with both HDC and the Local FENZ (Fire and Emergency New Zealand) officer. It is suggested that as there are solutions available for firefighting, the specific solution is deferred to the Resource consent or Engineering approval stage of design.'*

23.3.3 As part of this s42A report, Council's 3 Waters Growth and Development Manager has provided a technical memo (attached as Appendix C) providing a review of the Infrastructure Report by Strata Group and providing a fire flow analysis, as well as a review of related submissions. This memo concludes as follows<sup>72</sup>:

*'While the proposed development will introduce additional demand on the water supply network, hydraulic modelling confirms that this additional load will not have an adverse effect on surrounding communities.*

*System pressures remain within acceptable limits, and both the Bridge Pā and Paki Paki reservoirs retain sufficient capacity to meet current supply needs.*

*Importantly, firefighting requirements can still be met, with residual pressures and available flow remaining above the minimum threshold during a 25 L/s fire flow event, even under peak demand conditions.*

*The infrastructure, as currently configured, has the resilience and capacity to accommodate the full development without compromising service levels or emergency response capabilities.'*

<sup>72</sup> Pg 10 of the Technical Memo from Council's 3 Waters Growth and Development Manager

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

23.3.4 In addressing the FENZ submission point regarding fire flow (S92.1), the memo notes *‘Modelling investigations demonstrate that the network supports a 25 L/s fire flow with residual pressure above 10m, which is the required minimum’*<sup>73</sup>.

**ROADING LAYOUT TO CATER FOR EMERGENCY VEHICLES**

23.3.5 The Traffic Report proposes road widths in line with the requirements of the Hastings District Plan (Table , as follows<sup>74</sup>:

- a 5.5m wide road carriageway for the primary access road and roads where more than 20 dwellings are to be served;
- a 4.5m wide road carriageway for 6-20 dwellings;
- a 3m wide road carriageway for up to 6 dwellings;
- the Maintenance/Service Access Road is proposed to have a 4m wide road carriageway; and
- turning areas are proposed to be provided at the end of each new road section to allow for turnaround opportunities for heavy vehicles such as refuse vehicles – otherwise, loop roads are proposed to ensure vehicles do not need to reverse.

23.3.6 The Infrastructure Report notes *‘an 8m rigid vehicle was used for vehicle tracking to establish suitable radii throughout for emergency vehicle access’*<sup>75</sup>.

**SUMMARY**

23.3.7 On this basis, for the purposes of a plan change, I am satisfied that fire flow supply can be provided to the development, even under peak demand conditions, and that the proposed roading layout can cater for emergency vehicles.

23.3.8 As part of PPC7, the provisions of the proposed HGLP chapter and proposed additional Subdivision provisions seek to embed the infrastructure proposals outlined in the Infrastructure Report at a high level via the HGLP Structure Plan at the subdivision and development stage.

23.3.9 The proposed HGLP Rules reference compliance with the relevant precinct standards, including relevant Standards PREC1-S1, PREC-S12 and PREC-S13, or include whether the development aligns with the HGLP Structure Plan design outcomes (Appendix 25B) or the extent to which the proposal complies with the HGLP Structure Plan as a ‘Matter of Discretion’. The proposed additional Subdivision rules require subdivisions in the HGLP to comply with the standards in proposed Section 30.1.7Z, and the assessment criteria in proposed Section 30.1.8.2(26).

23.3.10 I am comfortable that fire flow and provision for emergency vehicle access can be suitably designed and engineered at the detailed design and consenting stage, and that the proposed provisions will enable these matters to be progressed generally in accordance with the proposals contained in the Infrastructure Report accompanying the Plan Change Request (along with the existing minimum widths of access standards in Table 26.1.6.1-1 in Section 26 of the Hastings District Plan and the requirements in the Hastings Engineering Code of Practice).

<sup>73</sup> Pg 9 of the Technical Memo from Council’s 3 Waters Growth and Development Manager.

<sup>74</sup> Pg 19-20 of the Traffic Report accompanying the Plan Change Request

<sup>75</sup> Pg 24 of the Infrastructure Report accompanying the Plan Change Request.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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23.3.11 However, I agree with FENZ that more explicit references to the need to provide for firefighting water supply in line with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 may be warranted in the proposed HGLP and Subdivision provisions, should PPC7 be approved. This would include review of Policy PREC1-P8 Sustainable Design and Infrastructure; Standard PREC1-S13 Infrastructure – Water, Wastewater and Stormwater; Rules PREC1-R8(2) & PREC1-R9(2) Residential Activities, PREC1-R11(2) Showhomes, PREC1-R12(2) Visitor Accommodation, PREC1-R13(1) Comprehensive Residential Development; Standard PREC1-S12 Transport, Parking, Loading & Access; and Standard 30.1.7Z Heretaunga Golf and Leisure Precinct.

**23.4 Recommendations**

23.4.1 If the Hearings Panel is of a mind to approve PPC7, I would recommend reviewing and making appropriate amendments to the proposed provisions to address the matters raised by FENZ, and considering the detailed amendments sought in the FENZ submission.

24 Topic 15: Consultation

24.1 Submitters and Further Submitters on this Topic

Sub Point	Submitter / Further Submitter	Position
S66.5	Greg Reynolds	Oppose
S88.4	Eruera Morrison, John Newton, Edline Morrison & Maria Newton	Oppose

24.2 Overview of Submissions on this Topic

24.2.1 Greg Reynolds makes the following submission:

*‘This is an important decision for the golf club, it will involve a number of years of building work with potential impact on the golfers. It also requires the golf club to sign over a swathe of land to the developers in return for new buildings (I think 13 - 15 Ha). Because of this high impact on the club members, I would expect to see a section in the Plan on consultation with the HGC members as they are the most impacted stakeholder. There is mention of consultation but no dedicated section.’*

24.2.2 The submission of E & E Morrison and J & M Newton raise concern about a lack of meaningful consultation, and state that *‘The voice of mana whenua must be central in any decision affecting our whenua’*, and that *‘There has been little transparency in how Māori concerns are being addressed in this proposal’*.

24.3 Analysis

24.3.1 Section 9 of the Plan Change Request provides a summary of the consultation undertaken in respect of the formulation of the proposed plan change (including with Ngāti Pōporo), and there is a ‘Mana Whenua Consultation and Communications Register’ attached as Appendix P to the Plan Change Request.

24.3.2 Section 9.2.4 of the Plan Change Request refers to organisations that have also been consulted through the conceptual and preliminary design phases of the development, including *‘The membership at Hastings Golf Club (over 1,200 members)’*, but I note there is not a dedicated section providing a record of that consultation or any outcomes of it.

24.3.3 Whether there has been adequate level of engagement with stakeholders and mana whenua is not a matter for the Hearings Panel to determine. However, these may be matters the Requestor may wish to elaborate further on at the Hearing.

24.4 Recommendations

24.4.1 No specific recommendations.

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

- 25.1.1 PPC7 will have economic benefits and may lead to potential growth in tourism for the Hawke's Bay Region, and potential ecological benefits in offering ecological restoration of the small wetlands within the plan change area (currently of low ecological significance).
- 25.1.2 Subject to careful review and amendment of the proposed provisions to ensure they reflect the outcomes sought in the development concept and accompanying Structure Plan framework, and adoption of the recommendations in the technical assessments supporting the Private Plan Change Request, I am satisfied that the following potential adverse effects on the environment can be adequately avoided, remedied or mitigated:
- geotechnical matters,
  - soil contamination effects,
  - natural hazard effects,
  - infrastructure impacts,
  - effects on the Heretaunga Plains aquifer,
  - traffic impacts,
  - light and glare effects,
  - air quality effects,
  - landscape and visual effects,
  - ecological and biodiversity effects, and
  - archaeological effects.
- 25.1.3 The Requestor also anticipates being able to adequately respond to cultural matters through developing ongoing relationships and a Memorandum of Understanding with mana whenua.
- 25.1.4 However, I find that there are some potential adverse effects of the proposal that may not be able to be adequately avoided, remedied or mitigated, and could be significant. This is in terms of:
1. Effect on the Heretaunga Plains soil resource – the potential adverse effect on the wider Heretaunga Plains versatile land resource as a whole, through permanently removing this area of land from the pool of land available for primary production and associated secondary services in the future, which may be crucial for future food security – noting also, that examples like the Gimblett wine growing area and Gourmet Blueberries show that 'lower quality' soils can be very productive;
  2. Reverse sensitivity effects for land-based primary production – the proposed urban rezoning being incompatible with large-scale horticultural and agricultural activities in the vicinity (cropping, orcharding, vineyards, primary production processing activities etc), even with the proposed provision for a 30m setback from the Plains Production Zone boundary and proposed boundary planting mitigation;
  3. Impacts for the Hastings/Bridge Pā Aerodrome – the development concept underpinning PPC7 for up to 170 new residential dwellings and short-term visitor accommodation would introduce reverse sensitivity and safety risks, potentially compromising the long-term viability of the Hastings/Bridge Pā Aerodrome, including:

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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- a. potential sleep awakening effects and annoyance due to aircraft overflights from engine testing noise and night-time helicopter overflights in particular;
- b. potential to cause non-compliance with engine testing noise limits meaning the Aerodrome may no longer be able comply with district plan limits for engine testing undertaken within those parts of the Aerodrome site within proximal distance to the proposed new residential sites;
- c. potential safety risk from development under an active flight path and a reduction in landing options in the event of engine failure while using runways 11/29;

As a strategic asset of regional significance, I consider this would represent a significant adverse effect.

25.1.5 It is considered that a major reason the Hastings/Bridge Pā Aerodrome can currently operate without undue interference is that it is located in a relatively low-density rural environment with few noise sensitive activities close by (i.e. it is not in a built-up area), and the existing Plains Production Zone provisions in the District Plan strictly control subdivision (minimum 12ha) and residential development (limited to one dwelling and one secondary dwelling per site). PPC7 would change the environment within which the Aerodrome would operate into the future, to one that is more densely populated with a significant addition of noise sensitive activities to the east.

## 26 Assessment of Statutory Documents

26.1.1 The following assesses PPC7 against the relevant statutory matters:

- a) Functions of Territorial Authorities
- b) Part 2 of the RMA
- c) Statutory Documents:
  - a. NPS-FM
  - b. NPS-IB
  - c. NPS-UD
  - d. NPS-HPL
  - e. National Planning Standards
  - f. Hawke’s Bay Regional Policy Statement
  - g. Heretaunga Plains Urban Development Strategy
  - h. Draft Napier-Hastings Future Development Strategy
  - i. Plans of adjacent Territorial Authorities
  - j. Emissions Reduction Plan & National Adaptation Plan.
- d) Section 32 of the RMA

26.1.2 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.

### 26.2 Functions of Territorial Authorities

26.2.1 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.

26.2.2 The Plan Change Request states that the purpose and contents of the proposed plan change are consistent with the purpose of a District Plan pursuant to sections 75, 76, and 31 of the RMA<sup>76</sup>. I broadly agree, while noting that changes to the proposed provisions and additional measures would be needed to better address identified issues, should PPC7 be granted.

26.2.3 I note that 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. As will be expanded on in the following sections of this report, I consider that PPC7 is not necessary to provide sufficient housing development capacity and, therefore, is not necessary for the Council to meet this aspect of its functions under the RMA.

### 26.3 Part 2 of the RMA

26.3.1 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

<sup>76</sup> Pg 177 of the Plan Change Request.

the Treaty of Waitangi (s8).

26.3.2 I consider that the purpose of the Act is currently reflected in the settled objectives and policies of the District Plan which PPC7 does not seek to change. Rather, PPC7 seeks to change the Plan's zoning pattern, and insert a new Zone and new Precinct Plan and accompanying sets of plan provisions applying to the piece of land concerned.

26.3.3 Assessments against Part 2 matters are considered in Section 10.19 of the Plan Change Request. I concur with that assessment, in so far as:

- the plan change area is not listed as being of significant heritage or landscape value in terms of section 6(a), 6(b) or 6(f);
- the area is highly modified so does not exhibit significant indigenous biodiversity or ecological value in terms of section 6(c);
- significant risks from natural hazards have been investigated and deemed not present in terms of section 6(h) and in having regard for the effects of climate change in section 7(i);
- the Schedule 1 process enables mana whenua to express kaitiakitanga and matters to consider as part of the subsequent redevelopment of the golf course and the residential development are included in the CIA in terms of section 7(a) and taking into account the Treaty principles in terms of section 8; and
- regard has been given to maintaining and enhancing amenity values and the quality of the environment through the design concept in terms of section 7(c) and 7(f).

26.3.4 The appropriateness of the objectives of PPC7 in achieving the purpose of the RMA is also a requirement under section 32, which is considered later in this report.

## 26.4 Statutory Documents

26.4.1 As noted earlier, 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));
- (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)).

26.4.2 I agree with the Requestor on the statutory documents considered relevant to PPC7. 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 for Freshwater Management (NPS-FM)<sup>77</sup>, which concludes as follows:
  - *The avoidance, minimisation, and remediation steps that have been set out above are considered to appropriately manage the effects on streams that will result from the proposed plan change. This will be confirmed as part of the consenting of the subsequent development.*

<sup>77</sup> Section 10.3 (pg 124-127) of the Plan Change Request and Section 32 Evaluation report.

*Therefore, the proposed wetland and stream solutions, and more widely the proposed plan change (including the conclusions reached in relation to Te Ture Whaimana) are consistent with, and give effect to, the NPS-FM.'*

- National Policy Statement for Indigenous Biodiversity (NPS-IB)<sup>78</sup>, which concludes as follows:
  - *'... the effects of the redevelopment of the golf course and residential development on the wetland and stream environments will be managed in accordance with the effects management hierarchy, which is consistent with the requirements of the NPS-IB.*

*It is further noted that the ecological impact assessment supporting the proposed plan change concludes that "the restoration of the small areas of identified inland wetlands and stream habitat that will be undertaken in association with the development would enhance indigenous biodiversity onsite; likely resulting in ecological gains". The proposed plan change, and approach to managing wetlands / streams / indigenous biodiversity is, therefore, demonstrably consistent with the requirements of the NPS-IB'*
- National Planning Standards<sup>79</sup>, which concludes as follows:
  - *'Through the further information process the Hastings District Council advised that they did not accept that the originally proposed Special Purpose Zone met the relevant mandatory direction criteria of the NP Standards. Consequently, the Plan Change provisions have been amended to a Sport and Active Recreation Zoning and a special purpose precinct, being the Heretaunga Golf & Leisure Precinct. As agreed with Hastings District Council, the now proposed provisions appropriately take into account and are consistent with the gazetted NP Standards.'*
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (Freshwater NES)<sup>80</sup>, which concludes as follows:
  - *'An assessment of the proposed activities associated with future development within the proposed zone against the matters of discretion will be provided within the relevant resource consent application(s) which will be submitted prior to undertaking any works onsite. However, it is noted that the proposed plan change and structure plan were developed to ensure that there is a viable solution to enabling both the redevelopment of the golf course and facilities and the new residential development alongside the retention and enhancement of the natural inland wetlands and streams within the subject site.'*
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS)<sup>81</sup>, which concludes as follows:
  - *'In summary, through undertaking the PSI and associated initial risk assessment, it is anticipated that through further detailed assessment at the time of resource consent application for earthworks and subdivision and the*

<sup>78</sup> Section 10.4 (pg 127-129) of the Plan Change Request and Section 32 Evaluation report.

<sup>79</sup> Section 10.6 (pg 132-133) of the Plan Change Request and Section 32 Evaluation report.

<sup>80</sup> Section 10.7 (pg 133-134) of the Plan Change Request and Section 32 Evaluation report.

<sup>81</sup> Section 10.8 (pg 134-137) of the Plan Change Request and Section 32 Evaluation report.

*development of an CSMP for the new development areas of the HGLP, relevant considerations under the NESCS will be undertaken, such that the new zone will be safe for residential development and human occupation.'*

- Hawke's Bay Regional Resource Management Plan (RRMP), including Proposed Plan Change 9 (TANK) and Proposed Plan Change 7 (Outstanding Water Bodies) to the RRMP<sup>82</sup>, which concludes as follows:
  - *'... the stormwater, wastewater, and stream and wetland solutions and more widely the proposed plan change are consistent with the RRMP';*
  - *'... the proposed HGLP plan change to the District Plan is consistent with the direction of the TANK plan change in terms of achieving water quality and quantity improvements'; and*
  - *'The proposed plan change is considered consistent with PC9 insofar as the proposed development within the HGLP seeks to use water and ground water in a manner consistent with the protection of the values attributed to the Heretaunga Aquifer.'*
- Mana Ake – An expression of Kaitiakitanga, Ngā Hapu o Heretaunga<sup>83</sup>, which concludes as follows:
  - *'... it is considered that the proposed plan change process has engaged and involved mana whenua early in the process to ensure that the proposed plan change is not inconsistent with the key mana whenua values and the direction of Mana Ake – An expression of Kaitiakitanga.'*
- Statutory Acknowledgements<sup>84</sup>, which concludes as follows:
  - *'The proposed plan change is located within the statutory acknowledgement area of Heretaunga Tamatea (including ephemeral sections of Karamū Stream tributaries), and the development and assessment of the proposed plan change has involved consideration of the issues of relevance to mana whenua through direct engagement with the Mana Whenua Komiti comprising representatives from Ngāti Pōporo.'*

26.4.3 The following statutory documents are those where I differ in my analysis and/or overall conclusions:

- National Policy Statement on Urban Development (NPS-UD)
- National Policy Statement for Highly Productive Land (NPS-HPL)
- Hawke's Bay Regional Policy Statement (RPS)
- The Heretaunga Plains Urban Development Strategy 2017 (HPUDS)
- Draft Napier-Hastings Future Development Strategy 2023-2053 (FDS)
- Te Hau Mārohi Ki Anamata – Aotearoa New Zealand's First Emissions Reduction Plan (ERP)

26.4.4 My own assessment of PPC7 against these documents is provided below.

<sup>82</sup> Sections 10.11, 10.12 & 10.13 (pg 153-156) of the Plan Change Request and Section 32 Evaluation report.

<sup>83</sup> Section 10.16 (pg 170-171) of the Plan Change Request and Section 32 Evaluation report.

<sup>84</sup> Section 10.17 (pg 171-172) of the Plan Change Request and Section 32 Evaluation report.

## 27 National Policy Statement for Urban Development 2020

- 27.1.1 The National Policy Statement for Urban Development (NPS-UD) came into force on 20 August 2020 and was amended in May 2022. The NPS-UD applies to all local authorities that have all or part of an ‘urban environment’ within their district and affects planning decisions by any local authority that affect an ‘urban environment’.
- 27.1.2 Local authorities are either classified as a tier 1, 2 or 3. Napier City Council, Hastings District Council, and Hawke’s Bay Regional Council are identified as ‘Tier 2 local authorities’ containing Napier & Hasting as a ‘Tier 2 urban environment’ in the Appendix to the NPS-UD.
- 27.1.3 An ‘urban environment’ is defined in the NPS-UD as *‘any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: (a) is, or is intended to be, predominantly urban in character; and (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people’*.
- 27.1.4 In my view, the plan change area does not meet the definition of ‘urban environment’. Whilst the residential component could be considered predominantly urban in character, it is not part of a housing and labour market of at least 10,000 people. Given this, I agree with the Requestor that because the site is not located within an ‘urban environment’, the policies of the NPS-UD are not directly relevant<sup>85</sup>, however clause 3.17 of the NPS-UD requires that Tier 2 authorities such as Hastings District Council *‘must have regard to the relevant FDS when ...changing RMA planning documents’*, and Policy 8 of the NPS-UD is somewhat relevant as it relates to local authority decisions responding to plan changes as follows:
- Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:**
- (a) unanticipated by RMA planning documents; or
  - (b) out-of-sequence with planned land release.
- 27.1.5 The Requestor notes that the Hastings District Council has commenced implementing the policies of the NPS-UD and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 through Plan Change 5 (Note: since lodging the Plan Change Request, the decisions on Plan Change 5 have been released and the provisions largely treated as operative), and through continuing development of the Napier-Hastings Future Development Strategy 2023-2053 (FDS).
- 27.1.6 The plan change area lies within ‘FDS Study Area Extent’ around the existing urban areas of Napier and Hastings. The study area includes Napier, Taradale, Hastings, Flaxmere, Havelock North, the surrounding Heretaunga Plains and peripheral areas including Bay View and Whirinaki, Whakatu, Clive, Haumoana and Te Awanga, and a number of settlements on the Heretaunga Plains<sup>86</sup>. The Requestor made submissions to the Draft FDS to include the plan change area as land identified for future residential development. Hearings on the FDS submissions were held in the week commencing 24 March 2025.

<sup>85</sup> Pg 130 of the Plan Change Request and Section 32 Evaluation Report.

<sup>86</sup> Pg 11 of the Draft FDS.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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27.1.7 The Plan Change Request states<sup>87</sup>:

*‘This private plan change application will be processed in parallel with the development of the FDS. Provided that recognition of the specific golf course based residential development opportunity on the predominantly LUC4 and 6 land within the HGC is provided in the FDS, the proposed plan change will assist in the implementation of the FDS and NPS-UD in providing for additional residential capacity’*

27.1.8 At the time of writing this report, there is no indication that the plan change area will meet the criteria for inclusion in the FDS. If not included in the FDS, in considering Policy 8 of the NPS, I am of the view that PPC7 would not ‘add significantly’ to development capacity, and would not contribute to a well-functioning urban environment – being an isolated pocket not connected to an ‘urban environment’. If not accepted for inclusion in the FDS, I consider any decision to approve PPC7 would also likely be inconsistent with Policy 8 of the NPS-UD.

27.1.9 The FDS is addressed in more detail later in this report.

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<sup>87</sup> Pg 131 of Request

## 28 National Policy Statement for Highly Productive Land 2022

28.1.1 The NPS-HPL came into effect on 17 October 2022 and was amended in August 2024.

28.1.2 The sole objective of the NPS-HPL is:

**Objective:** Highly productive land is protected for use in land-based primary production, both now and for future generations.

28.1.3 The NPS-HPL contains policies (1 to 9) to support this key objective including policies relating to:

- Avoiding urban or rural lifestyle rezoning or the subdivision of highly productive land;
- The protection of highly productive land from inappropriate use and development;
- The protection of primary production activities on highly productive land from reverse sensitivity effects.

## 28.2 Definition of Highly Productive Land

28.2.1 Under the NPS-HPL, until such time as Hawke’s Bay Regional Council notifies changes to its regional policy statement to identify highly productive land, under clause 3.5(7)(a) the ‘interim’ definition of highly productive land applies to land that is zoned general rural or rural production, and is identified as Land Use Capability (LUC) Class 1, 2 or 3.

28.2.2 Under the NPS-HPL, LUC 1, 2, or 3 land means ‘land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification’.

The Requestor has supplied a Land Use Capability map of the site from the NZ Land Resource Inventory (refer snippet reproduced below from Land Vision Report). This map identifies LUC 3 land (33.26ha) within the site.



Figure 3: NZLRI mapping for the HGC site. Blue = 4s1, red= 3s2

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

- 28.2.3 The Requestor has provided a Land Use Capability Assessment of the plan change area by Land Vision Ltd that has remapped the area showing less than 6% of the area as LUC 3. However, I am satisfied that it is the mapping on Hawke's Bay Regional Council's Land Use Capability Information Mapping Tool, which is sourced from the LRIS Portal – NZLRI national database, Landcare Research, that must be relied on when determining the extent of highly productive land affected.
- 28.2.4 With reference to the legal memo from Ms Davidson (Counsel to Hastings District Council) attached as Appendix E to this report, the Environment Court in *Blue Grass Ltd v Dunedin City Council [2024] NZEnvC 83* confirmed that the LUC classification per the NZLRI or any more detailed mapping that was in place at the commencement date is what is relevant for the interim definition of highly productive land. It dismissed the argument that a later assessment proving the land was not actually LUC 1, 2 or 3 was sufficient to remove that land from the interim definition (see *Blue Grass* at [50]). The Court held that this interpretation (at [51]):
- (a) *accords with the intention of the NPS-HPL to protect HPL for primary production (particularly during the transitional period);*
  - (b) *is also in accordance with the intention of the NPS-HPL that the proper process for determining what land will ultimately be mapped as HPL is the Schedule 1 RMA process, and not an ad-hoc process undertaken by private landowners as suggested by the appellants;*
  - (c) *does not, in my opinion, introduce retrospectivity. The NPS-HPL applies from its commencement date. Whether the land is considered HPL for the purposes of the transitional period is also to be ascertained at the commencement date. There is instead an element of retrospectivity in the appellants' arguments — if the 'state of the land' is to be ascertained as at the commencement date, but by assessments occurring after that date, that means that the status as HPL would be retrospectively amended;*
  - (d) *does not 'freeze' or 'sterilise' the land: it means that, during the transitional period, the relevant land will be treated as HPL. The appellants are not prevented from obtaining more detailed assessments of the land during that period. Those assessments can be fed into the mapping process that regional councils must undertake;*
  - (e) *does not introduce 'nonsensical' outcomes. The evidence presented is that the LUC classification in the NZLRI can be ascertained as at the commencement date. In contrast, if it was open to landowners to obtain more detailed LUC classifications of their land at any time (but assessed as it existed at the commencement date) then the status of the land as HPL could change and change repeatedly throughout the transitional period in an ad-hoc manner. There are no mechanics in the NPS-HPL to show how a site-specific assessment is then received and the manner in which it changes the transitional status;*
  - (f) *does not render the words 'or by any more detailed mapping' otiose. The definition of LUC 1, 2 or 3 land in cl 1.3 of the NPS-HPL applies to all references to LUC 1, 2 or 3 land in the NPS-HPL. It does not apply only to the transitional period meaning of HPL in cl 3.5(7). 'More detailed mapping' after the commencement date might reveal that the land is or is not LUC 1, 2 or 3 land. However, the purpose of the NPS-HPL and in particular the transitional period, is that any new information concerning LUC classification is to be fed into the Schedule 1 mapping process to be undertaken by*

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

regional councils. Clause 3.4(5) (for example) anticipates that a regional council might accept any more detailed mapping (that uses the LUC classification).’

28.2.5 Ms Davidson concludes (in paragraph 12 of her memo) that ‘The decision in Blue Grass makes it clear that the area of land identified as LUC 3 as at 17 October 2022 must be treated as highly productive land for the purposes of an assessment against the NPS-HPL. LandVision’s “more detailed mapping” was not available at the commencement date and the LUC 3 status cannot now be revisited’.

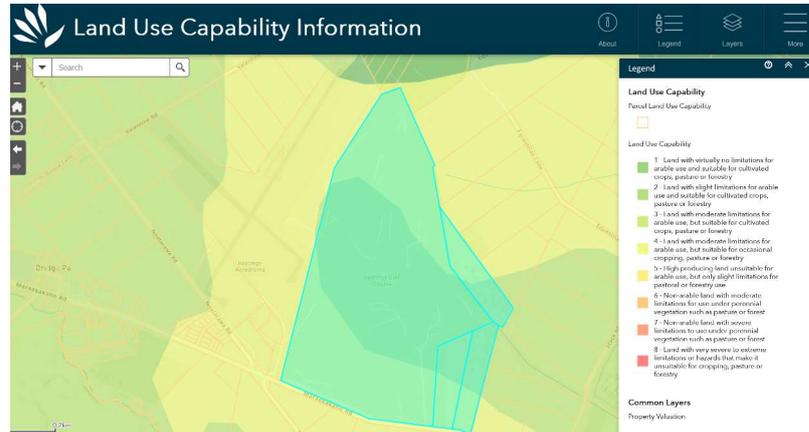
28.2.6 On this basis, the portion of the land area in question currently identified as LUC 3 is 39.99ha or ~48% of the area (refer figure below, which is sourced from the LRIS Portal – NZLRI national database, Landcare Research) and this is the land that must be treated as ‘highly productive land’. The request to rezone the land from ‘Plains Production Zone’ to ‘Sport and Active Recreation Zone’ (with ‘Heretaunga Golf and Leisure Precinct’ overlay)<sup>88</sup> is therefore subject to the policies of the NPS-HPL, most notably:

**Policy 4:** The use of highly productive land for land-based primary production is prioritised and supported.

**Policy 5:** The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.

**Policy 9:** Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.

Figure 9: Land Use Capability Information Mapping Tool (Source: HBRC)



28.2.7 I acknowledge that there is indication from central government that it plans to amend the NPS-HPL to exclude LUC 3 from the definition of ‘highly productive land’ – public statements from the Minister of RMA Reform would suggest this will happen sometime this year as part of Phase 2 of RMA reforms. This is not the situation at present, so PPC7 must be assessed on the basis of the NPS-HPL as it currently stands.

<sup>88</sup> Where a request for ‘urban rezoning’ is defined in the NPS-HPL as ‘means changing from a general rural or rural production zone to an urban zone’, and ‘urban’, as a description of a zone, is defined in the NPS-HPL as ‘means any of the following zones: (a) ... (g) sport and active recreation’.

28.2.8 I also note that, alongside plans to remove LUC 3 from the NPS-HPL, the Minister has also signaled that the government is planning to consult on whether ‘special agriculture zones’ should be established around key horticulture hubs like Horowhenua and Pukekohe, which ‘would essentially protect LUC 1, 2 and 3 land when it is grouped together in a natural configuration’<sup>89</sup>. It is unclear whether this would be something contemplated for the Heretaunga Plains soil resource but suffice to say that, at this point in time, the signaled removal of LUC 3 may or may not result in completely removing application of the NPS-HPL to the plan change area.

### 28.3 Policy 5 and Clause 3.6

28.3.1 Given the above, in applying the NPS-HPL to rezoning the plan change area as proposed, clause 3.6(1) of the NPS-HPL requires Tier 2 territorial authorities such as Hastings District Council (as identified in the NPS-UD) to allow urban rezoning only if all the following criteria are met:

#### 3.6 Restricting urban rezoning of highly productive land

- (1) Tier 1 and 2 territorial authorities may allow urban rezoning of highly productive land only if:
  - (a) the urban rezoning is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development 2020; and
  - (b) there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and
  - (c) the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.

28.3.2 The following provides a summary of the Requestor’s response to the further information request in terms of the criteria in clause 3.6(1)<sup>90</sup>, and my own analysis. I note that Ms Davidson has provided a summary of case law guidance on the application of clause 3.6 to rezoning requests affecting highly productive land, and I have referred to that when considering its application to the plan change area.

#### CRITERION (A)

28.3.3 For criterion (a) of clause 3.6(1), the Requestor responded:

*‘As identified in the Property Economics evaluation, the PPC has a limited yield of proposed residential development (i.e. 170 dwellings comprising a mix of residential and visitor accommodation) and would only marginally increase the existing and expected greenfield capacity of the district. In terms of clause 3.6(1)(a) of the NPS-HPL, the economic analysis identified that there is a housing capacity shortfall within Hastings District and the proposed rezoning will assist in providing sufficient development capacity to meet demand for housing but will not fill the existing capacity deficit. As such, it is considered that the urban rezoning proposed by the PPC is required to assist in providing sufficient development capacity to give effect to the NPS-UD.*

<sup>89</sup> Minister Bishop’s speech to the Property Council Residential Development Summit – 27 March 2025 (Source: <https://www.beehive.govt.nz/speech/speech-property-council-residential-development-summit>).

<sup>90</sup> Pg 5-6 of GSDLP further information response (Tranche 1) dated 2 April 2024.

*Further to the above, the housing development that would result from the PPC is of a unique typology not currently available in the District.'*

- 28.3.4 As a Tier 2 local authority, the Council has certain obligations under the NPS-UD, specifically to 'provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term and long term'. A Housing Development Capacity Assessment undertaken by Market Economics for Napier City, Hastings District and Hawke's Bay Regional Councils in 2021 identified that for Hastings (being the closest 'urban environment'), there is sufficient capacity over the short and medium term, but the medium-term margin is small and sensitive to the assumptions made, and a deficiency remains for the long term housing capacity. This assessment adopted the medium-high growth futures from StatsNZ's population projections. I acknowledge that there is a submission seeking that the plan change area be identified as a greenfield growth area in the Future Development Strategy (FDS) and that no final decision has yet been made on that relief sought. I comment on this further below.
- 28.3.5 The Housing Development Capacity Assessment 2021 has contributed to the development of the FDS for Napier Hastings. Once finalised, the FDS is anticipated to guide the location of development over the next 30 years to ensure sufficient development areas are available to meet projected residential and business needs.
- 28.3.6 The Plan Change Request included an Economic Overview report prepared by Property Economics, which includes a review of Market Economics' capacity assessment. The Property Economics report determines a deficit for the medium term as well as the long term. In any case, the Property Economics report considers that the limited yield of the proposed residential development within the plan change area (i.e. 170 dwellings) would only marginally increase the existing and expected greenfield capacity of the district<sup>91</sup>.
- 28.3.7 In my view, there are two key questions in determining whether criterion (a) is satisfied:
- Is there 'sufficient development capacity' within the relevant urban environment, ie. Hastings?
  - Is the rezoning required to provide that capacity?
- 28.3.8 The principal method for providing sufficient development capacity in Hastings is through the FDS. Under the NPS-UD, the FDS is required to provide at least sufficient development capacity over at least the next 30 years to meet expected demand. Decisions on the FDS have yet to be issued, however the recommendations report prepared by the Independent Hearings Panel includes the following findings<sup>92</sup>:
- '[24] We accept the FDS Advisors' assessment that with the inclusion of Middle Road (HN3a and 3b) and Wall Road (H5b), along with FM9, the FDS now identifies sufficient residential capacity for both Napier and Hastings to meet medium- to long-term demand and the requirements of the NPS-UD. ...*
- [27] We find that the FDS, through a combination of intensification and greenfield expansion, identifies sufficient land to meet expected population growth and urban development needs for residential and business, along with latent demand, without extending into additional unplanned or less serviceable areas. ...'*

<sup>91</sup> Pg 23 of Economic Overview report by Property Economics, accompanying the Plan Change Request.

<sup>92</sup> Pg 11 of the Independent Hearings Panel's Recommendation Report.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

- 28.3.9 Assuming these recommendations are accepted by the Councils, then in my view that must be a complete answer and it must be assumed that areas identified in the FDS will provide the required level of development capacity. I do not consider it likely that decision-makers were intended to be invited, as part of considering a rezoning request for highly productive land, to second guess a regional planning exercise carried out in accordance with the NPS-UD and reach a different conclusion about development capacity.
- 28.3.10 The second question then, is whether the rezoning is required to provide that capacity.
- 28.3.11 At this stage, the FDS does not identify the plan change area as being a growth area. A request was made as part of the FDS hearings process for the plan change area to be included, but that has not been recommended by the Independent Hearings Panel. In my opinion, if the area is not identified in the FDS (when adopted) then it must be the case that it is not required to provide sufficient development capacity, because of the assumption that the FDS is required to provide at least that level of capacity.
- 28.3.12 If the Councils decide to depart from the recommendations of the Independent Hearings Panel and add the plan change area to the FDS as an area appropriate for growth, then a closer analysis of whether that land is required to provide sufficient development capacity would be needed. Here I note that the FDS is required to provide 'at least' sufficient capacity. If the FDS identified significantly more land than was needed to provide the required level of capacity then it might not necessarily be the case that the rezoning of this land was 'required' even if it was identified.
- 28.3.13 Acknowledging that there is no final FDS currently available, it is my view based on current information that the applicant has not demonstrated that there is insufficient development capacity in Hastings, or that PPC7 is 'required' to provide such capacity.

**CRITERION (B)**

- 28.3.14 For criteria (b) of clause 3.6(1), the Requestor responded<sup>93</sup>:
- 'As set out in the Section 32 Evaluation and Assessment Report, the proposed PPC enables a bespoke zone to provide for the redevelopment of the Hastings Golf Course and a unique residential and visitor focused golf course development. In this instance, it is considered that the provision of sufficient development capacity within the same locality and market needs to be seen in the context of the unique form of housing and tourism development proposed, which can only occur in conjunction with the existing established golf course. As such, both the locality and market are narrow and somewhat fixed, but overall the PPC meets the criteria in clause 3.6(1)(b) of the NPS-HPL...'*
- 28.3.15 The further information response analysed four alternative golf courses in the Napier Hastings area (Karamu Golf Club and Golflands (SH 51, Mangateretere); Maraenui Golf Club (Te Awa Avenue, Awatoto); Napier Golf Club (SH 50, Waiohiki); and Hawke's Bay Golf Club (Valentine Road, Bridge Pā)) to determine whether any of them would better provide for residential development capacity in terms of consistency with the NPS-HPL and / or generally achieving the sustainable management purpose of the RMA. The Requestor concludes<sup>94</sup>:
- 'In assessing whether there are any other reasonably practicable options of providing a similar zone or development within the same locality and market, a review of existing golf courses across the district has been undertaken. This review identified that while there are a number*

<sup>93</sup> Pg 6 of GSDLP further information response (Tranche 1) dated 2 April 2024.

<sup>94</sup> Pg 7 & 12 of GSDLP further information response (Tranche 1) dated 2 April 2024.

*of golf courses with similar proximity to Hastings or Napier (which could be considered a similar locality in general terms and the same potential market), the Hastings Golf Course is unique in terms of its location and ability to be redeveloped for the long term benefits of the region and district in terms of supporting and growing tourism in the region and new residential development while also ensuring its members retain the use of an 18 hole premium golf course. Further to this, as demonstrated below, residential development at the Hastings Golf Club course would have comparatively lesser effects on highly productive land, including reverse sensitivity effects, than if the same development occurred at the other golf courses considered. This assessment also identifies that the Hastings Golf Course is also less susceptible to adverse effects from natural hazards than the other golf courses in the wider Napier / Hastings area.'*

*'Finally, it is reiterated that the development envisaged is unique in terms of the tourism/housing combination, so cannot be readily replicated and does not create precedent. In regard to providing for tourism and housing, the Hastings Golf Course is better placed than the other golf courses in the area due to its reputation as a quality golf course. In the 2023/2024 'Golf Digest Top 50 Courses in NZ' rankings, Hastings Golf Course comes in at #17, Cape Kidnappers is ranked #6, no other courses in Hawke's Bay make the top 50..*

*This existing reputation creates the potential for Golf Tourism, in conjunction with Cape Kidnappers, and makes the Hastings Golf Course the most attractive of the courses in the Napier / Hastings surrounds for golf generated visitor accommodation and residential development.*

*In light of the comparable options outlined above, it is clear there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market, and there are no impacts on achieving well-functioning urban environments elsewhere in the District.'*

28.3.16 Further, in order to meet the requirements of (b) above, clause 3.6(2) states that the territorial authority must consider a range of reasonably practicable options for providing the required development capacity, including:

- (a) greater intensification in existing urban areas; and
- (b) rezoning of land that is not highly productive land as urban; and
- (c) rezoning different highly productive land that has a relatively lower productive capacity.

28.3.17 And in (b) above, clause 3.6(3) outlines that development capacity is within the same locality and market if it:

- (a) is in or close to a location where a demand for additional development capacity has been identified through a Housing and Business Assessment (or some equivalent document) in accordance with the National Policy Statement on Urban Development 2020; and
- (b) is for a market for the types of dwelling or business land that is in demand (as determined by a Housing and Business Assessment in accordance with the National Policy Statement on Urban Development 2020).

28.3.18 The Requestor provided the following comments in relation to the matters outlined in clause 3.6(2) and clause 3.6(3) as part of their further information response, as follows<sup>95</sup>:

<sup>95</sup> Pg 14-15 of GSDLP further information response (Tranche 1) dated 2 April 2024.

*(a) greater intensification in existing urban areas*

*The Hastings District Council is already seeking to provide for greater intensification within existing urban areas through its Plan Change 5. Significantly, however, that intensification is not a comparable market to what is being proposed in this PPC which seeks to integrate residential development in the same location as golf and other recreational activities, in a manner that also provides for visitor accommodation and tourism. It is not, therefore, considered that intensification of existing urban areas is a substitute for the development capacity of the unique housing typology that the PPC will provide.*

*(b) rezoning of land that is not highly productive land as urban*

*Some 94% of the land proposed to be incorporated in the rezoning proposed by the PPC is not highly productive as has been demonstrated by the paddock level land use capability assessment undertaken by Land Vision. Further to this, the 4.5ha of LUC3 land that is included is not considered by Land Vision to have any significant land-based production potential. For the most part then, the PPC is consistent with (b) above by not rezoning highly productive land. The comparison of the other golf courses on the urban fringe completed above also demonstrates that the Hastings Golf Club has the lowest area and proportion of highly productive land of these golf courses and has sufficient land availability to accommodate the type of development proposed. The other golf courses assessed all include greater areas of highly productive land and consequentially greater interfaces with intensive horticultural activity which may result in reverse sensitivity effects on these activities. As the locality and market being compared is golf related tourism and residential housing from a redevelopment of an existing golf course, it is fair to say that it is not possible to provide for residential development capacity for this locality and market without at least encroaching on some highly productive land.*

*(c) rezoning different highly productive land that has a relatively lower productive capacity*

*As demonstrated in the assessment under clause 3.6(1)(b) above, the Hastings Golf Club has a significantly lower productive capacity than any of the other golf courses in proximity of the Napier – Hastings urban area that could provide residential capacity for the same locality and market.'*

And in relation to clause 3.6(3)<sup>96</sup>:

*'As identified under the response to clause 3.6(1) above, the 2021 Housing and Business Assessment identified additional development capacity is required in the long term. The assessment from Property Economics is that there will be demand for additional residential development capacity in the medium term. Therefore, demand for additional development capacity has been identified.*

*This PPC is for a unique residential development capacity offering to the Hawke's Bay Region, accordingly the Housing and Business Assessment will not have considered, nor identified, a demand for such a housing typology. Nevertheless, a need for additional demand capacity in a general sense for the Hastings market has been identified in the long term, and according to Property Economics, is likely to be required in the medium term. The nature of the development proposed is unique, and as such has no impact on housing intensification being sought within the existing urban boundaries and does not, therefore, affect the ability to achieve a well-functioning urban environment.'*

<sup>96</sup> Pg 15-16 of GSDLP further information response (Tranche 1) dated 2 April 2024.

28.3.19 I note that, in my view, criterion (b) must assume that criterion (a) has been met, because it refers to options for providing ‘at least sufficient development capacity’. Therefore, if it is concluded that there is already sufficient development capacity available, assessment under criterion (b) is redundant. Should there be a view that there is a lack of development capacity, then I consider it is helpful to consider the following questions when assessing compliance with criterion (b):

- Are there other reasonably practicable and feasible options for providing at least sufficient development capacity, having particular regard to the options in cl 3.6(2)?
- Are those options within the same ‘locality and market’, having particular regard to cl 3.6(3)?
- Will the rezoning, and any options being considered, achieve a well-functioning urban environment?

28.3.20 In my view, the FDS will provide a number of options for providing sufficient development capacity. The FDS anticipates intensification of the Hastings urban areas, and this is being achieved through Plan Change 5 (providing a Medium Density Residential Zone for Hastings, Havelock North and Flaxmere). It also proposes to identify greenfield development areas where significant capacity will be provided.

28.3.21 The Requestor’s position, though, is that those options are not within the same ‘locality and market’, as the development is proposed to be a ‘unique residential development’. In doing so, the assessment artificially limits its consideration of other options, solely based on determining that the proposed urban rezoning is for a niche residential and tourism market, and therefore, the only other options would be a similar development in conjunction with other established golf courses in the area. The Requestor then applies this same limitation to further assessing against the options listed in clause 3.6(1)(b), by saying that intensification of existing urban areas is not a comparable market to the niche market being targeted and therefore cannot be considered as a reasonable substitute; that the paddock level LUC assessment by Land Vision concludes the plan change area is not highly productive land; and that the plan change area has the lowest area and proportion of highly productive land of the four other established golf courses considered.

28.3.22 In my view, it cannot be the case that the NPS-HPL intended to provide a pathway for residential rezoning provided it could be described as ‘unique’. If that was the case, any rezoning that could identify a differentiating characteristic could claim that there were no other options in the same ‘market’ and the criterion would be almost automatically met.

28.3.23 In fact though, clause 3.6(3) provides guidance as to what is intended here by the ‘market’, in that it must be identified by the Housing and Business Assessment in accordance with the NPS-UD. Demand for additional development capacity in or close to the location of the plan change area has not been identified in the Housing Development Capacity Assessment 2021 prepared for the joint councils in accordance with the NPS-UD, and neither has the market for the niche types of dwelling or business land proposed as part of this Plan Change Request been determined as ‘in demand’ in the Housing Development Capacity Assessment 2021. The demand for this niche residential and tourism development capacity is only identified by the Requestor with reference to an industry-led Golf Tourism Strategy, and is not required in order to meet the NPS-UD requirements. This is acknowledged by the Requestor in addressing clause 3.6.(3) as follows<sup>97</sup>:

<sup>97</sup> Pg 15 of GSDLP further information response (Tranche 1) dated 2 April 2024.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

*‘This PPC is for a unique residential development capacity offering to the Hawke’s Bay Region, accordingly the Housing and Business Assessment will not have considered, nor identified, a demand for such a housing typology.’*

28.3.24 Whilst I understand the Requestor considers there is demand for niche development of this nature (and perhaps that is the case), the NPS-HPL criteria for the consideration of any proposed urban rezonings is within the context of the overarching policy to avoid urban rezoning of highly productive land (Policy 5), where limited exceptions to this are directed towards responding to demand for additional development capacity as outlined in a Housing and Business Assessment in accordance with the NPS-UD. I do not consider this was intended to allow a pathway for bespoke developments with a niche market such as the one proposed in this Plan Change Request.

28.3.25 The third aspect of clause 3.6(1)(b) is whether the proposal, or any alternatives, will achieve a well-functioning urban environment. The Requestor acknowledges that the plan change area is not part of the Hastings urban environment<sup>98</sup>. Arguably, providing development capacity outside an urban environment does not provide capacity to that environment. For instance, the Environment Court in *Gardon Trust v Auckland Council*<sup>99</sup> considered it was *‘illogical that the Council would consider including fragments of development capacity from elsewhere in the [wider area] in its assessment calculations in order to imply that sufficient development capacity does exist.’* (at [222](d)).

28.3.26 Either way, I do not consider that providing growth outside an urban environment ‘achieves’ a well-functioning urban environment. At best it might not undermine an existing urban environment, however I do not consider this is the same as achieving it. The Court in *Gardon* did not agree that provision of development capacity outside the ‘urban environment’ could properly be considered to be within the same locality and market, noting (at [222](d) emphasis added):

*‘The Court disagrees strongly with the spatial extent adopted by Dr Fairgray and Ms Trenouth of the ‘same locality and market’ being the West Franklin area, principally because it seems to be totally blind to the important requirement that any urban growth promoted under the NPSUD should provide for a well-functioning urban environment. Therefore, if it is to provide for urban growth to meet demand for Waiuku, it needs to be contiguous with Waiuku’s existing urban zoning.’*

28.3.27 In my view, the Requestor has not demonstrated that the proposed rezoning meets criterion (b) and I do not consider this requirement to be achieved.

**CRITERION (C)**

28.3.28 Finally, in addressing criteria (c) of clause 3.6(1), the Requestor refers to the Land Vision report accompanying the Plan Change Request, as follows<sup>100</sup>:

*‘The Land Vision assessment concludes that the identified two small pockets of LUC3 land within the PPC site are not economically viable for use for land based primary production.’*

and quotes the Land Vision report as determining<sup>101</sup>:

*‘...The feasibility of developing these sites into other land uses is severely restricted by soil*

<sup>98</sup> Pg 130 of the Plan Change Request and Section 32 Evaluation Report.

<sup>99</sup> Note: *Gardon Trust v Auckland Council* is addressed in detail in the legal memo from Ms Davidson (Counsel to Hastings District Council) attached as Appendix E to this report.

<sup>100</sup> Pg 12-13 of GSDLP further information response (Tranche 1) dated 2 April 2024.

<sup>101</sup> Pg 21 of Land Use Capability Assessment report by Land Vision Ltd, accompanying the Plan Change Request.

*properties, their non-contiguous distribution, and reverse sensitivity from the golf course. They are surrounded by extensive areas on non HPL land which limits their utility significantly. These areas will not be economically viable within the next 30-50 years given the long-term nature of the golf course.'*

- 28.3.29 The Requestor also refers to the Economic Overview report prepared by Property Economics accompanying the Plan Change Request, comparing the economic costs of the 'loss' of the LUC 3 land (being the two pockets measuring 1.5ha and 2.9ha identified in the Land Vision report) against a list of economic benefits (such as offering a unique and critical tourism asset, diversified golf tourism offerings, enhanced local golf tourism and profile, additional employment opportunities, increased housing capacity, increased visitor accommodation and recreational/tourism activities etc). The Property Economics report makes the following assessment of the impact on productive land<sup>102</sup>:

*'From an economic perspective, parcels of land below 4ha are generally considered to have discounted long-term value for primary production. In this case, the identified Class 3 areas, measuring 1.5ha and 2.9ha respectively, have limited potential to contribute to the overall growth of the primary sector in the broader district. So, while these small pockets of soil are nominally highly productive, due to their size, location and characteristics, they have no realistic potential to be productive even if the golf course ceased to exist...*

*The primary value of golf club land, therefore, lies in its ability to provide a venue for golfers to enjoy the sport, promote tourism, and contribute to the local economy through golf-related activities, such as memberships, green fees, and associated services like golf lessons and pro shops. Golf courses also have the potential to enhance the aesthetics of an area, providing open green spaces and recreational opportunities for the community. This would generate significant social and wellbeing benefits to the local community. Consequently, this land is highly unlikely to be utilised for agricultural production even if the golf course were to cease operations, which would likely result in a far greater loss to Hastings' economy than the potential gains to agricultural production.'*

- 28.3.30 The Property Economics report concludes that<sup>103</sup>:

*'... the economic benefits of the proposed Hastings Golf Club redevelopment significantly outweigh the costs, resulting in a significant net economic gain to the local and district economies'.*

- 28.3.31 Drawing on the above reports, the Requestor concludes that the benefits of the rezoning outweigh the long-term costs associated with the loss of highly productive land for land-based primary production, and therefore determines that the Plan Change Request is consistent with clause 3.6(1)(c) of the NPS<sup>104</sup>.

- 28.3.32 With the Requestor's agreement, pursuant to clause 24 of Schedule 1 to the RMA, the Council commissioned Stuart Ford of The Agribusiness Group to undertake a technical review of the Land Use Capability Assessment Report by Land Vision and the Economic Overview Report by Property Economics with regard to clause 3.6(1)(c) of the NPS, and to interrogate the basis of Property Economics' assessment and their conclusions (the 'Technical Review' report<sup>105</sup>).

<sup>102</sup> Pg 41-42 of Economic Overview report by Property Economics, accompanying the Plan Change Request.

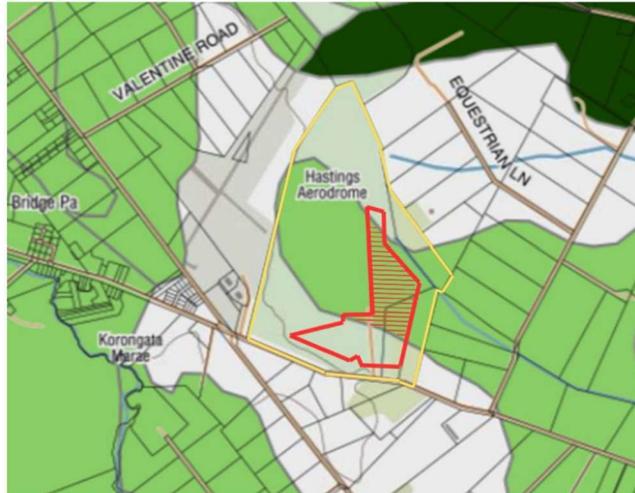
<sup>103</sup> Pg 45 of Economic Overview report by Property Economics, accompanying the Plan Change Request.

<sup>104</sup> Pg 14 of GSDLP further information response (Tranche 1) dated 2 April 2024.

<sup>105</sup> 'Technical Review of Land Use Capability Assessment Report & Economic Overview Report on the Private Plan Change Request – Golf Sport Development Limited Partnership', The Agribusiness Group, n.d. (received 4 September 2024)

28.3.33 The Technical Review report identified some issues with accuracy of the assessment in the Land Vision report in that, rather than based on the results of their site specific mapping of LUC 3 land, the evaluation of costs and benefits should more properly have considered the proposed residential development part of the proposal where it overlaps with the area of LUC 3 land depicted in the NZLRI mapping (which forms the basis of the Land Use Capability Mapping Tool used by HBRC), as shown by the red hatching below<sup>106</sup>:

Figure 10: Map showing the area which is affected by the proposal (Source: Fig 3 in Council Commissioned Report by The Agribusiness Group)



28.3.34 The Technical Review report also identified some issues with the Economic Overview report by Property Economics, in that their analysis of the costs and benefits utilises the inaccurate assessment of the extent of highly productive land provided in the Land Vision report, and does not fully address what is required in terms of the list of recommended tangible and non tangible costs and benefits used by Market Economics in the Cost Benefit Analysis carried out on the NPS-HPL.

28.3.35 The Technical Review report assesses Economic Overview report by Property Economics, as follows:

*'I am of the opinion that the methodology and the conclusions about the cost benefit carried out are not appropriate for a complete consideration under cl 3.6(1)(c) of the NPS-HPL.*

*Nowhere in the EOR can I locate the statement that the benefits of the proposed land use outweigh the costs of the loss of HPL. They state at the end of their Section 11 Economic Costs and Benefits Overview that (emphasis added):*

*"On balance, in Property Economics' view, the economic benefits of the proposed Hastings Golf Club redevelopment significantly outweigh the costs, resulting in a significant net economic gain to the local and district economies."*

*However this statement appears to have been conflated up to the statement in the Further Information Response 1 which states that:*

<sup>106</sup> Pg 4 of the Technical Review report by The Agribusiness Group.

*“Accordingly, in drawing on the expert land use classification advice of Land Vision, and the expert economic advice of Property Economics, it is concluded that the benefits of the rezoning outweigh the long-term costs associated with the loss of highly productive land for land-based primary production.”*

*The EOR does not attempt to value the loss of HPL and does not attempt to identify and assess the tangible and non tangible elements as suggested in the MFE guide. There is a heavy emphasis on the economic costs and benefits but very little consideration of the environmental or social elements. This is not surprising as the authors are economists and there doesn't appear to be any evaluation of the environmental costs and benefits that could be used by the planners to reach the conclusion that they attribute to Property Economics.*

*I would also point out that the EOR points out that the economic benefits have been undertaken at a “high level” and the very fact that the report is titled as an Overview points to the fact that it probably has not been carried out with the same degree of rigour as is expected in the MFE Guide which suggests that a robust section 32 assessment that covered both the section 32 tests and the requirements of Clause 3.6(1)(c) is recommended as best practice.’*

28.3.36 The Technical Review report goes on to conclude:

*‘While it may well be that a case can be put that confirms that benefits of the rezoning outweigh the long-term costs associated with the loss of highly productive land I am of the opinion that both the LandVision and the EOR fall short of fully supporting such a conclusion because:*

- *The consideration of the 3.6 (1) (c) evaluation has been carried out over the whole area of the proposed development and not just the area which covers the HPL.*
- *The consideration of the costs of the loss of HPL and the benefits of the subdivision have not been carried out at an appropriate level of rigour to enable a conclusion to be confidently reached that the threshold test in cl 3.6(1)(c) has been satisfied. This is because only the economic costs and benefits have been addressed and not the environmental, social and cultural ones.*

*In order for the analysis to be complete, I would expect that an analysis of the area of the proposed land use which covers the area mapped as HPL in the transitional mapping, which takes in the productive capacity of the soil types that have been identified in LandVision's more detailed mapping should be made. This analysis should include the environmental, social, cultural and economic benefits of the proposed land use which should be weighed up against the environmental, social, cultural and economic costs of the loss of HPL.’*

28.3.37 I concur with the conclusion of the Technical Review report above that, whilst it may well be that a case can be put, the Requestor's consideration that the benefits of the rezoning outweigh the costs of the loss of highly productive land has not been carried out at an appropriate level of rigour to enable a conclusion to be confidently reached that criteria (c) has been satisfied. Therefore, I cannot confidently reach that conclusion myself.

#### SUMMARY

28.3.38 As outlined above, I am of the view that the portion of the land in question currently identified as LUC 3 (33.26ha) on HBRC's Land Use Capability Information Mapping Tool (sourced from the NZLRI national database) must be treated as 'highly productive land' and is therefore subject to the NPS-HPL. The request to rezone land from 'Plains Production Zone' to 'Sport and Active Recreation Zone' (with 'Heretaunga Golf and Leisure Precinct' overlay) constitutes 'urban rezoning' and Policy 5 therefore applies, which states that urban rezoning of highly productive land is to be avoided, except as provided for in the NPS-HPL.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

28.3.39 Clause 3.6 of the NPS-HPL is the relevant clause outlining the criteria that must be met for Council (as a Tier 2 territorial authority) to allow urban rezoning of highly productive land – urban rezoning is allowed only if all the specified criteria are met, which means it must meet all three criteria (a)-(c).

28.3.40 In my view, there could be a case put that the proposed rezoning can potentially meet criteria (c) in terms of the benefits likely outweighing the costs of the loss of highly productive land but that has not been made as yet, and the proposed rezoning does not meet criteria (a) or (b), in that:

- the evidence does not support that the proposed urban rezoning is ‘required’ to provide sufficient development capacity to meet demand for housing or business land in the Hastings District to give effect to the NPS-UD; and
- the evidence does not support that there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market, given that the Housing Development Capacity Assessment 2021 prepared for the joint councils in accordance with the NPS-UD:
  - has not specifically identified demand for additional development capacity in or close to the location of the plan change area, and
  - has not determined that the niche types of dwelling or business land proposed as part of this Plan Change Request are ‘in demand’.

28.3.41 Therefore, the proposed urban rezoning in relation to PPC7 does not meet the ‘exceptions’ in clause 3.6 of the NPS-HPL and is therefore contrary to Policy 5 (‘to avoid urban rezoning of highly productive land’).

#### 28.4 Other Relevant Policies

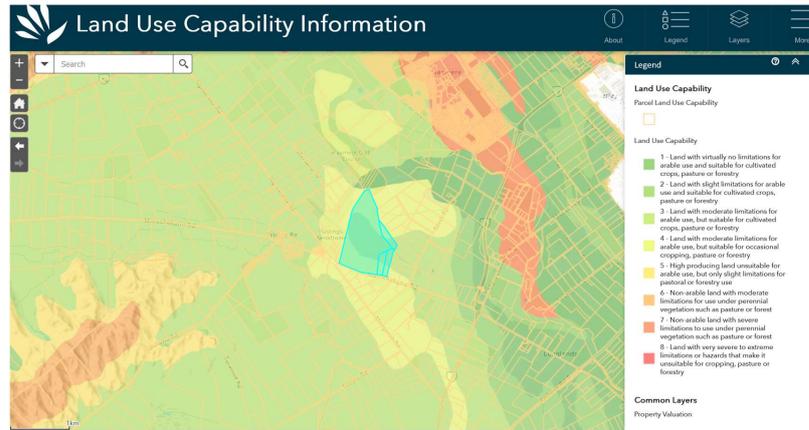
**Policy 4: The use of highly productive land for land-based primary production is prioritised and supported.**

28.4.1 Policy 4 of the NPS prioritises and supports the use of highly productive land for land-based primary production. As the plan change area contains highly productive land, this policy would anticipate prioritizing and supporting its use for land-based primary production. Clause 3.11 of the NPS specifically provides for the continuation of existing activities, through requiring objectives, policies and rules in district plans that enable the maintenance, operation, or upgrade of any existing activities on highly productive land. The golf course and golf club facilities are long-established existing activities within the plan change area, and therefore the NPS-HPL clearly envisages that they be allowed to continue. However, residential and visitor accommodation would be new activities, and do not prioritise or support use of the highly productive land within the plan change area for land-based primary production. On this basis, I consider a plan change to provide for residential and visitor accommodation on highly productive land within the plan change area as contrary to Policy 4 of the NPS.

**Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.**

28.4.2 Policy 9 seeks to manage reverse sensitivity effects so as not to constrain land-based primary production activities on highly productive land. The adjacent and surrounding area is also zoned ‘Plains Production’ in the District Plan, and adjacent land to the north and east of the plan change area and much of the wider environment contain LUC 1-3 land – refer figure below – and therefore meets the interim definition of ‘highly productive land’ under the NPS-HPL.

Figure 11: Land Use Capability Information Mapping Tool (Source: HBRC)



28.4.3 Much of the highly productive land in the surrounding area is used for various land-based primary production purposes (where 'land-based primary production' is defined in the NPS-HPL as 'production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land'), including pastoral grazing land, orchards, vineyards, and the growing of other horticultural crops that are reliant on the soil resource. Reverse sensitivity effects on land based primary production as a result of facilitating development of a cluster of 170 dwellings and visitor accommodation in this location are assessed in Section 11 of this report in responding to submissions, which concludes that the proposed rezoning poses a risk of reverse sensitivity issues arising for land based primary production-related activities and rural industry within the surrounding environment and questions whether the proposed plan change provisions would sufficiently mitigate this effect.

28.4.4 Therefore, I consider a plan change to provide for a clustering of sensitive activities for residential and visitor accommodation close to areas of highly productive land used for land-based primary production is inconsistent with Policy 9 of the NPS.

28.5 Overall Summary & Conclusion

28.5.1 On the basis of the above assessment, I consider PPC7 is contrary to Policy 5 and Policy 4, and is inconsistent with Policy 9, and by extension is therefore contrary to the sole Objective of the NPS-HPL.

28.5.2 Therefore, overall, I consider urban rezoning to facilitate a clustering of 170 residential dwellings and visitor accommodation on the Hastings Golf Course land, as proposed as part of this Plan Change Request, is contrary to the NPS-HPL. Approval of PPC7 would not be in accordance with the NPS-HPL as required by section 74(1)(ea) of the RMA.

## 29 Hawke’s Bay Regional Policy Statement

29.1.1 The Hawke’s Bay Regional Policy Statement (RPS) is incorporated into the Hawke’s Bay Regional Resource Management Plan. The RPS sets out the strategic direction for the Region in giving effect to Part 2 of the RMA.

29.1.2 Sections 10.9 and 10.10 of the Plan Change Request includes an assessment against the relevant policies of the higher order Hawke’s Bay Regional Policy Statement (‘RPS’) relating to:

- Integrated Land Use and Freshwater Management;
- Managing the Built Environment;
- Scarcity of Indigenous Vegetation and Wetlands;
- Effects on Conflicting Land Use Activities;
- Groundwater Quality;
- Groundwater Quantity;
- Natural Hazards; and
- Recognition of Matters of Significance to Iwi/Hapū<sup>107</sup>.

29.1.3 The report concludes:

*‘... it is considered that the proposed plan change does not impact on the ability to achieve the management expectations for the natural and physical resources under the Hawke’s Bay RPS, and it gives appropriate effect to the provisions of the Hawke’s Bay RPS.’*

29.1.4 Rather than repeat the analysis against all the RPS objectives and policies addressed in the Plan Change Request, I have chosen to focus on those where my analysis differs. To this end, I have read and generally concur with the analysis of the Request against the following relevant objectives and policies:

- Key Regional Objective OBJ 1 – in so far as the Plan Change Request is supported by a range of technical reports ensuring that an integrated approach has been adopted for the proposed management of resources.
- Integrated Land Use and Freshwater Management OBJ LW1, OBJ LW3 & POL LW1A, and Scarcity of Indigenous Vegetation and Wetlands OBJ 15 – in so far as:
  - the proposal includes enhancement of the natural features in the site,
  - the restoration of the wetland areas, and retention of the natural watercourses within the site, and
  - includes reuse of water and wastewater within the site where possible, and
  - has involved engagement with Ngāti Pōporo and consideration of the ecological values and values of Te Mana o te Wai.
- Groundwater Quality OBJ 21 & OBJ 22, and Groundwater Quantity OBJ 23 & OBJ 24 – in so far as:
  - the wastewater system to be included as part of the zone development is proposed to involve treating wastewater to a high level to remove any risks of impacting on water quality, and
  - given the proposed connection to the Council’s reticulated water supply, and
  - that reliance on the existing bore water is anticipated to reduce as

<sup>107</sup> Pg 137-153 of the Plan Change Request and Section 32 Evaluation Report.

development occurs with the ability to reuse wastewater within the site for irrigation purposes.

- Natural Hazards OBJ 31 – in so far as:
  - the geotechnical assessment has identified that there are suitable building platforms within the development area of the site with recommendation for 20m setback from the earthquake fault trace within the site, and
  - the placement and design of the buildings and the proposed stormwater mitigation is expected to avoid any adverse effects from, or on natural hazards.
- Recognition of Matters of Significance to Iwi/Hapū OBJ 35, POL 59, POL 61 & POL 66 – in so far as consultation has been undertaken with relevant hapū representatives, including a number of hui, to discuss the proposed rezoning of the site and proposed development, leading to the development of an archaeological assessment and the development of a Cultural Impact Assessment.

29.1.5 The following outlines where I differ in my analysis and overall conclusions for the remaining objectives and policies considered relevant to PPC7.

29.2 Section 3.1AA Consolidated Regional Policy Statement provisions inserted by various national directions

**OBJ 3.1AA.1: Housing bottom lines for Napier-Hastings Urban Environment <sup>(1)</sup>**

1. Over the short-medium term and long term, the amount of development capacity that is sufficient to meet expected housing demand plus the appropriate competitiveness margin as set out in Table 2A, is provided for the Napier-Hastings urban environment.
2. Planning decisions relating to the Napier-Hastings urban environment must have particular regard to the housing bottom lines in Table 2A.

**Table 2A: Housing bottom lines for Napier-Hastings Urban Environment, 2020-2050 <sup>(2, 3)</sup>**

Area	Housing bottom lines (number of dwellings)		
	Short to medium term (2020 to 2030) includes an additional competitiveness margin of 20%	Long term (2031 – 2050) includes an additional competitiveness margin of 15%	2020 – 2050 TOTAL (includes competitiveness margins)
Napier-Hastings urban environment TOTAL	8,370	11,650	20,020
Hastings urban environment	5,190	7,640	12,830
Napier urban environment	3,180	4,010	7,190

<sup>(1)</sup> Objective 3.1AA.1 was inserted on 18 December 2021 as directed by clause 3.6 of the National Policy Statement on Urban Development 2020.

<sup>(2)</sup> The purpose of housing bottom lines is to clearly state the amount of development capacity that is sufficient to meet expected housing demand plus the appropriate competitiveness margin in the Napier-Hastings urban environment. These housing bottom lines for the 2020-2050 period are based on the assessment published in 2021 titled 'Housing Development Capacity Assessment 2021, prepared by m.e Consulting for Napier City Council, Hastings District Council and Hawke's Bay Regional Council.'

<sup>(3)</sup> Housing bottom lines as described in Clause 3.6(3) of the National Policy Statement on Urban Development 2020 are:  
 a) for the short-medium term (3-10 years), the sum of:  
 i) the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin for the short-term; and  
 ii) the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin for the medium-term; and  
 b) for the long term (11-30 years) the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin, for the long term.

29.2.1 In making a planning decision on PPC7, the Council is required to have particular regard to the housing bottom lines in Table 2A which are based on the Housing Development Capacity Assessment 2021 prepared by Market Economics as part of responding to the NPS-UD – this

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

is the same Housing Development Capacity Assessment that underlies the current development of the Future Development Strategy.

29.2.2 As already outlined in this report, the proposed urban rezoning does not form part of the 'Napier-Hastings urban environment', and the Requestor has not provided evidence to support that the proposed urban rezoning is 'required' to provide sufficient development capacity to meet demand for housing or business land within the Napier-Hastings urban environment to give effect to the NPS-UD. The additional housing capacity as a result of the proposed rezoning does not add to development capacity in the Napier-Hastings urban environment, as it does not form part of it. I therefore consider the proposed rezoning to be somewhat inconsistent with OBJ 3.1AA.1(2).

29.3 Section 3.1B Managing the Built Environment

OBJECTIVE OBJ UD1

URBAN FORM (REGION)

OBJ UD1 Establish compact, and strongly connected urban form throughout the Region, that:

- a) achieves quality built environments that:
  - i. provide for a range of housing choices and affordability,
  - ii. have a sense of character and identity,
  - iii. retain heritage values and values important to tangata whenua,
  - iv. are healthy, environmentally sustainable, functionally efficient, and economically and socially resilient, and
  - v. demonstrates consideration of the principles of urban design;
- b) avoids, remedies or mitigates reverse sensitivity effects in accordance with objectives and policies in Chapter 3.5 of this plan;
- c) avoids, remedies or mitigates reverse sensitivity effects on existing strategic and other physical infrastructure in accordance with objectives and policies in Chapter 3.5 and 3.13 of this plan;
- d) avoids unnecessary encroachment of urban activities on the versatile land of the Heretaunga Plains; and
- e) avoids or mitigates increasing the frequency or severity of risk to people and property from natural hazards.

Principal reasons and explanation

A sprawling uncontrolled pattern of development does not promote sustainable forms of development and promotes less efficient use of existing infrastructure. High levels of amenity, quality living environments, and retention of significant features and values are harder to achieve when development is not well designed and connected. Sprawling development also leads to unsustainable encroachment onto versatile land which underpins much of the Region's economy. Transitioning to a more compact, well-designed and strongly connected urban form better supports the economic, social and cultural wellbeing of the Region's people and communities.

29.3.1 In my view, whilst the proposed development concept can be seen as potentially achieving a quality built environment and adequately avoiding or mitigating effects on risk to people and property from natural hazards, the proposed rezoning:

- does not contribute to compact, strongly connected urban form;
- inadequately avoids, remedies, or mitigates reverse sensitivity effects on the existing strategic infrastructure of the Hastings/Bridge Pā Aerodrome; and
- represents an unnecessary encroachment of urban activities on the versatile land of the Heretaunga Plains<sup>108</sup>.

<sup>108</sup> Where 'Versatile Land' is defined in the RPS (and in the Hastings District Plan) as:

Versatile Land

In relation to the Heretaunga Plains sub-region, means contiguous, flat to undulating terrain within the Heretaunga Plains sub-region that acts collectively to support regionally (and nationally) significant primary production and associated secondary services on the Heretaunga Plains, based around<sup>44</sup>:

- a) an exceptionally high proportion of versatile Class 1-3 soils (comprising almost 90%);
- b) Class 7 soils that are internationally recognised as having very high value for viticultural production (comprising almost 7%);
- c) its proximity to a cluster of national and international processing industries and associated qualified labour force; and
- d) its proximity to the Port of Napier and other strategic transport networks providing efficient transport of produce.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

29.3.2 For these reasons, I consider the proposed rezoning to be contrary to OBJ UD1.

**OBJECTIVE OBJ UD2**

**INTENSIFICATION OF RESIDENTIAL AREAS (HERETAUNGA PLAINS SUB-REGION)**

**OBJ UD2** Provide for residential growth in the Heretaunga Plains sub-region through higher density development in suitable locations.

**Principal reasons and explanation**

New development accommodates growth and provides the opportunity to enhance the quality of the environment. In the right location, more intensive forms of development will, amongst other things, promote efficient use of existing infrastructure or any planned infrastructure already committed to by Local Authorities (e.g. by funding) but not yet constructed, minimise energy use (as development spreads, the demand for transport and energy use increases), and reduce the need to encroach onto the versatile land of the Heretaunga Plains.

29.3.3 The expectation in OBJ UD2 is that new development accommodates growth through higher density development, and that it is located in suitable locations. The Principal Reasons and Explanation refers to promoting efficient use of existing infrastructure, minimising energy use, and reducing the need to encroach onto the versatile land. In this sense, the proposed rezoning:

- provides for a medium density residential development using existing infrastructure around the existing golf course and connecting to existing Council water supply, and
- may involve more efficient energy use through design and adoption of energy efficient and renewable energy technologies, but
- encroaches unnecessarily onto the versatile land of the Heretaunga Plains which is generally not considered a suitable location/appropriate residential greenfield growth area in line with POL UD4.3.

29.3.4 Therefore, I consider the proposed rezoning to be somewhat inconsistent with OBJ UD2.

**OBJECTIVE OBJ UD4**

**PLANNED PROVISION FOR URBAN DEVELOPMENT (HERETAUNGA PLAINS SUB-REGION)**

**OBJ UD4** Enable urban development in the Heretaunga Plains sub-region, in an integrated, planned and staged manner which:

- a) allows for the adequate and timely supply of land and associated infrastructure; and
- b) avoids inappropriate lifestyle development, ad hoc residential development and other inappropriate urban activities in rural parts of the Heretaunga Plains sub-region.

**Principal reasons and explanation**

Successful long term growth management is dependent on integrating long term land use, the infrastructure necessary to support this growth and the ability to fund and supply the infrastructure in a timely and equitable manner. In order to protect the productivity of rural land in the Heretaunga Plains, all inappropriate urban development should be avoided.

29.3.5 In my view, the proposed rezoning represents ad hoc residential development that does not represent an integrated, planned and staged provision for urban development in the Heretaunga Plains sub-region, and is therefore contrary to OBJ UD4.

**OBJECTIVE OBJ UD5**

**INTEGRATION OF LAND USE WITH SIGNIFICANT INFRASTRUCTURE (REGION)**

**OBJ UD5** Ensure through long-term planning for land use change throughout the Region, that the rate and location of development is integrated with the provision of strategic and other infrastructure, the provision of services, and associated funding mechanisms.

**Principal reasons and explanation**

Strategic infrastructure in the wider region is essential to the well-being and health and safety of people and communities. Consideration needs to be given to sequencing and costs of infrastructure development in decision making. These can have significant effects on efficiency and the economic well-being of communities. Recognition of the importance of strategic infrastructure will lead to greater weight being given to its requirements and the desirability to reduce incompatibility and conflicts.

*[Refer also OBJ32 and OBJ33 (Chapter 3.13 – Maintenance and Enhancement of Physical Infrastructure) re: recognising and providing for operation, maintenance and development of physical infrastructure, and specific locational requirements]*

29.3.6 In my view, the Hastings/Bridge Pā Aerodrome is an example of strategic infrastructure, as a necessary facility providing essential services to the Hawke’s Bay Region which has greater than local significance – refer definition of ‘Strategic Infrastructure’ in the RPS below.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

**Strategic Infrastructure**

Those necessary facilities, services and installations which are of greater than local significance, and can include infrastructure that is nationally significant. The following are examples of strategic infrastructure:

- a) strategic transport networks
- b) Hawke's Bay Regional Airport
- c) Port of Napier
- d) Omarunui Regional Landfill
- e) strategic telecommunications and radiocommunications facilities
- f) the electricity transmission network and electricity distribution networks
- g) renewable electricity generation activities
- h) pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas
- i) public or community sewage treatment plants and associated reticulation and disposal systems;
- j) public water supply intakes, treatment plants and distribution systems
- k) public or community rural water storage infrastructure, including distribution systems
- l) public or community drainage systems, including stormwater systems
- m) flood protection schemes
- n) other strategic network utilities.

- 29.3.7 OBJ UD5 recognises the importance of strategic infrastructure in the wider region as essential to the well-being and health and safety of people and communities, and that the rate and location of development should be integrated with the provision of such infrastructure. The Principal Reasons and Explanation refers to recognition of that importance as leading to greater weight being given to its requirements and the desirability to reduce incompatibility and conflicts. As outlined in Section 16 of this report, the location of a sizeable cluster of residential dwellings and visitor accommodation as a result of this proposed rezoning adjoining the Hastings/Bridge Pā Aerodrome, and directly beneath the east-west runway flight path, may significantly constrain the future operation and growth of the Aerodrome. Given this, I am of the view that the proposed rezoning is not well integrated with the provision of such strategic infrastructure, and is therefore inconsistent with OBJ UD5.

**POLICY POL UD1**

**PROVISION FOR URBAN ACTIVITIES (HERETAUNGA PLAINS SUB-REGION)**

**POL UD1** In providing for urban activities in the Heretaunga Plains sub-region, territorial authorities must place priority on:

- a) the retention of the versatile land of the Heretaunga Plains for existing and foreseeable future primary production, and
- b) ensuring efficient utilisation of existing infrastructure, or
- c) ensuring efficient utilisation of planned infrastructure already committed to by a local authority, but not yet constructed.

**Principal reasons and explanation**

Efficient utilisation of existing infrastructure investment (or planned infrastructure already committed to (e.g. by funding) by not yet constructed) and the retention of the versatile land of the Heretaunga Plains for existing and foreseeable future primary production must underpin all decisions surrounding provision for urban activity in the Heretaunga Plains sub-region in order to achieve the desired settlement pattern outlined in HPUDS2010. For clarification, the supply of land for residential and industrial activities where they support effective and efficient use and management of versatile land would not conflict with Policy UD1, and would assist in achieving Policy UD1(a).

- 29.3.8 In my view, the proposed rezoning will provide for urban activities that will impact on existing and foreseeable future primary production on the versatile land of the Heretaunga Plains, and is therefore inconsistent with POL UD1.

**POLICY POL UD3**

**RURAL RESIDENTIAL AND LIFESTYLE DEVELOPMENT (HERETAUNGA PLAINS SUB-REGION)**

**POL UD3** In the Heretaunga Plains sub-region, district plans shall include policies and methods discouraging or avoiding ad hoc residential development and further rezoning for rural residential purposes or lifestyle development outside existing rural residential zones.

**Principal reasons and explanation**

Similar to urban development, rural residential or lifestyle development can also act to remove valuable land from agricultural production and can also impact on the productivity of other land (i.e. rural or industrial), in particular through reverse sensitivity. These forms of development should not be confused with residential development (eg. farm houses) that is ancillary to primary production activities or to boundary adjustments that may effectively create a lifestyle site by reducing the land area surrounding a dwelling to create a larger more productive balance title. Provision for rural residential and lifestyle development should be carefully managed to minimise fragmentation of the versatile land of the Heretaunga Plains. There is currently an excess supply of rural residential zoned areas within the Heretaunga Plains sub-region, considered sufficient to cater for projected demand for rural residential lots in the sub-region through to 2045, and further rezoning for this purpose is considered unnecessary for the foreseeable future.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

29.3.9 The proposed rezoning is not considered to facilitate a rural residential or lifestyle form of development, but rather a more intensive form of development. Therefore, I do not consider POL UD3 as relevant in this case.

POLICY POL UD4.2

**NEW RESIDENTIAL GREENFIELD GROWTH AREA CRITERIA (HERETAUNGA PLAINS SUB-REGION)**

- POL UD4.2** In determining future Residential Greenfield Growth Areas, not already identified within Policy UD4.3, for inclusion within urban limits in the Heretaunga Plains sub-region, the following general criteria shall apply:
- a) Must form an extension contiguous with existing urban areas and settlements.
  - b) Land is identified as having low versatility, and/or productive capacity has been compromised by:
    - i. Size and shape of land parcels that mitigates against productive use;
    - ii. Surrounding land uses and reverse sensitivity;
    - iii. Lack of water and/or poor drainage.
  - c) Clear natural boundaries exist, or logical greenbelts could be created to establish a defined urban edge.
  - d) Supports compact urban form.
  - e) Can be serviced at reasonable cost.
  - f) Can be integrated with existing development.
  - g) Can be integrated with the provision of strategic and other infrastructure (particularly strategic transport networks in order to limit network congestion, reduce dependency on private motor vehicles and promote the use of active transport modes).
  - h) An appropriate separation distance from electricity transmission infrastructure should be maintained in order to ensure the continued safe and efficient operation and development of the electricity transmission network.
  - i) Promotes, and does not compromise, social infrastructure including community, education, sport and recreation facilities and public open space.
  - j) Avoids or mitigates the following locational constraints:
    - i. projected sea level rise as a result of climatic changes
    - ii. active coastal erosion and inundation
    - iii. stormwater infrastructure that is unable to mitigate identified flooding risk
    - iv. flood control and drainage schemes that are at or over capacity
    - v. active earthquake faults
    - vi. high liquefaction potential
    - vii. nearby sensitive waterbodies that are susceptible to potential contamination from on-site wastewater systems or stormwater discharges
    - viii. no current wastewater reticulation and the land is poor draining
    - ix. identified water short areas with the potential to affect the provision of an adequate water supply.

29.3.10 The proposed rezoning represents a future residential greenfield growth area that is not already identified within Policy UD4.3. Whilst I accept that the proposed rezoning can meet a number of the general criteria above, the proposed rezoning notably does not form an extension contiguous with existing urban areas and settlements and I do not consider that it supports compact urban form in that sense either. I also disagree with the Requestor that there would be a reduced dependency on private motor vehicles from locating a new small satellite settlement that will clearly necessitate private transport to get to and from necessary services mostly located within the urban areas of Hastings or Flaxmere. In that regard, I consider the proposed rezoning is somewhat inconsistent with POL UD4.2.

POLICY POL UD5

- POL UD5** **CONTAINING URBAN ACTIVITIES WITHIN URBAN LIMITS (HERETAUNGA PLAINS SUB-REGION)** Except as provided for in POL UD6.1 (provision for papakainga and marae-based development), district plans shall include policies and methods to avoid inappropriate urban activities beyond urban limits established in accordance with POL UD4.1 within the Heretaunga Plains sub-region.

**Principal reasons and explanation**

In containing urban development, it is essential that urban activities are avoided beyond the urban limits established in response to POL UD4.1.

29.3.11 The proposed rezoning is not located within the urban limits contained in the Hastings District Plan, and is therefore inconsistent with POL UD5.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

**POLICY POL UD7**

**POL UD7 INTENSIFICATION IN EXISTING RESIDENTIAL AREAS (HERETAUNGA PLAINS SUB-REGION)**  
 In the Heretaunga Plains sub-region, district plans shall include objectives, policies and methods promoting intensification by redevelopment of suitable locations within existing residential areas.

**Principal reasons and explanation**

An increasing proportion of the residential growth of the Heretaunga Plains sub-region is expected to take place through intensification, by redevelopment within existing residential and rural residential areas, in the move towards more compact urban form for the Heretaunga Plains sub-region. The existing urban areas most suited to intensification will be determined by the relevant territorial authority and included in the district plan. Between 2015 and 2045, the proportion of growth accommodated through intensification is intended to increase from approximately 45% to 60% (refer Table 1 below).

**Table 1: Proportion of Additional Households by Type of Development for the Heretaunga Plains Sub-Region 2015-2045**  
 (based on 2010 projections)

Type of Development	Proportion of Additional Households [No.]			
	2015-2025	2025-2035	2035-2045	2015-2045
Intensification	45% [1,872]	55% [1,502]	60% [674]	51% [4,048]
Greenfields	45% [1,872]	40% [1,092]	35% [394]	42% [3,358]
Rural Residential	10% [416]	5% [136]	5% [56]	7% [608]
<b>TOTAL</b>	<b>100% [4,160]</b>	<b>100% [2,730]</b>	<b>100% [1,124]</b>	<b>100% [8,014]</b>

29.3.13 The proposed rezoning would lead to new residential greenfield development and does not promote intensification by redevelopment within existing residential areas, and is therefore inconsistent with POL UD7.

**POLICY POL UD8**

**POL UD8 DENSITY OF RESIDENTIAL DEVELOPMENT AREAS (HERETAUNGA PLAINS SUB-REGION)**  
 In the Heretaunga Plains sub-region, residential subdivision and development shall seek to achieve the following minimum net densities, where appropriate, within greenfield growth or intensification development areas, to be achieved in a staged manner by 2045:

- a) an average yield of 15 lots or dwellings per hectare in each greenfield growth area developed post 31 December 2015;
- b) an average yield of 20 lots or dwellings per hectare within each intensification development area.

**Principal reasons and explanation**

The setting of net density targets reflects the promotion of more intensive developments, in transitioning to more compact urban form for the Heretaunga Plains sub-region over time. The policy expresses desired minimum net densities averaged over each greenfield growth area or intensification development area in a staged manner. It is accepted that achievement of these densities may be constrained by various limiting factors, such as orientation, topography and geology, which may lead to areas achieving lower or higher density yields. However, it is expected that overall greenfield growth areas and intensification development areas will set out to achieve these minimum net densities, and that they will be achieved across the sub-region by 2045.

The mechanism of how to achieve the density targets through subdivision and land use development will be provided in the relevant district plan. This will enable territorial authorities to determine the speed in which intensification occurs, and develop appropriate design guidelines for influencing intensive development for inclusion in their district plans. Further, before rezoning land for urban purposes, territorial authorities are required to ensure that structure plans are put in place (see Policy UD10.1).

29.3.14 The proposed rezoning would lead to approximately 170 dwellings over an approximate 15-hectare portion of the plan change area, which equates to an average yield of just over 11 dwellings per hectare – which is considerably less than the 15 dwellings per hectare target in POL UD8. Therefore, the proposed rezoning is inconsistent with POL UD8.

**POLICIES POL UD10.1, POL UD10.3, POL UD10.4 & POL UD12**

**POL UD10.1 STRUCTURE PLANS (HERETAUNGA PLAINS SUB-REGION)**  
 In the Heretaunga Plains sub-region, development of urban activities within greenfield growth areas shall occur in accordance with a comprehensive structure plan. Structure plans shall be prepared when it is proposed to amend the district plan, and shall be included in the district plan to provide for urban activities.

**STRUCTURE PLANS (REGION)**

**POL UD10.3** Notwithstanding Policy UD10.1, structure plans for any area in the Region shall:

- a) Be prepared as a single plan for the whole of a greenfield growth area;
- b) Be prepared in accordance with the matters set out in POL UD12;
- c) Show indicative land uses, including:
  - i. principal roads and connections with the surrounding road network and relevant infrastructure and services;
  - ii. land required for stormwater treatment, retention and drainage paths;
  - iii. any land to be set aside for business activities, recreation, social infrastructure, environmental or landscape protection or enhancement, or set aside from development for any other reason; and
  - iv. pedestrian walkways, cycleways, and potential public passenger transport routes both within and adjoining the area to be developed;
- d) Identify significant natural, cultural and historic or heritage features;
- e) Identify existing strategic infrastructure; and
- f) Identify the National Grid (including an appropriate buffer corridor).

**STRUCTURE PLANS (REGION)**

**POL UD10.4** Notwithstanding Policy UD10.1, in developing structure plans for any area in the Region, supporting documentation should address:

- a) The infrastructure required, and when it will be required to service the development area;
- b) How development may present opportunities for improvements to existing infrastructure provision;
- c) How effective provision is made for a range of transport options and integration between transport modes;
- d) How provision is made for the continued use, maintenance and development of strategic infrastructure;
- e) How effective management of stormwater and wastewater discharges is to be achieved;
- f) How significant natural, cultural and historic or heritage features and values are to be protected and/or enhanced;
- g) How any natural hazards will be avoided or mitigated; and
- h) Any other aspects relevant to an understanding of the development and its proposed zoning.

**MATTERS FOR DECISION-MAKING (REGION)**

**POL UD12** In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities<sup>14</sup> shall have regard to:

- a) The principles of the New Zealand Urban Design Protocol (Ministry for the Environment, 2005);
- b) New Zealand Standard NZS4404:2010 Land Development and Subdivision Infrastructure, and subsequent revisions;
- c) Good, safe connectivity within the area, and to surrounding areas, by a variety of transport modes, including motor vehicles, cycling, pedestrian and public transport, and provision for easy and safe transfer between modes of transport;
- d) Location within walkable distance to community, social and commercial facilities;
- e) Provision for a range of residential densities and lot sizes, with higher residential densities located within walking distance of commercial centres;
- f) Provision for the maintenance and enhancement of water in waterbodies, including appropriate stormwater management facilities to avoid downstream flooding and to maintain or enhance water quality;
- g) Provision for sufficient and integrated open spaces and parks to enable people to meet their recreation needs, with higher levels of public open space for areas of higher residential density;
- h) Protection and enhancement of significant natural, ecological, landscape, cultural and historic heritage features;
- i) Provision for a high standard of visual interest and amenity;
- j) Provision for people's health and well-being through good building design, including energy efficiency and the provision of natural light;
- k) Provision for low impact stormwater treatment and disposal;
- l) Avoidance, remediation or mitigation of reverse sensitivity effects arising from the location of conflicting land use activities;
- m) Avoidance of reverse sensitivity effects on existing strategic and other physical infrastructure, to the extent reasonably possible;
- n) Effective and efficient use of existing and new infrastructure networks, including opportunities to leverage improvements to existing infrastructure off the back of proposed development;
- o) Location and operational constraints of existing and planned strategic infrastructure;
- p) Appropriate relationships in terms of scale and style with the surrounding neighbourhood; and
- q) Provision of social infrastructure.

29.3.15 I concur with the Requestor's overall assessment that the proposed rezoning is supported by a comprehensive structure plan for inclusion in the District Plan in line with POL UD10.1, that meets the requirements of POL UD10.3, and is accompanied by supporting documentation that adequately addresses the matters in POL UD10.4.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

29.3.16 In terms of the matters in POL UD12, I do not consider the proposed rezoning to be within walkable distance of community, social and commercial facilities other than that associated with the golf course. I also consider that the rezoning, structure plan, and provisions for the development, do not suitably address connectivity to surrounding areas by a variety of transport modes. Being in a rural location means that almost all transport to and from surrounding areas will need to be via private motor vehicle, as there is no public transport available in proximity, and no safe connection to cycling or pedestrian networks beyond the golf course site.

29.3.17 As outlined in Section 11 of this report, I am also of the view that reverse sensitivity effects on land based primary production are not able to be sufficiently avoided, remedied or mitigated. More significantly, I am of the view that the proposed rezoning does not adequately respond to the location and operational constraints of existing strategic infrastructure associated with the adjoining Hastings/Bridge Pā Aerodrome, given the location of a critical flight path over the top of the proposed residential and visitor accommodation development area within the plan change area.

29.3.18 For these reasons, I am of the view that the proposed rezoning is inconsistent with the above aspects of POL UD12.

**SUMMARY AND CONCLUSION**

29.3.19 Overall, I consider the proposed rezoning and subsequent development concept as part of this Plan Change Request does not give effect to the objectives and policies in the RPS relating to 'Managing the Built Environment' in so far as:

- the current policy direction in the RPS seeks to avoid unnecessary encroachment of urban activities on the versatile land of the Heretaunga Plains (OBJ UD1);
- retention of the versatile land of the Heretaunga Plains for existing and foreseeable future primary production (POL UD1);
- that future residential greenfield growth areas must form an extension contiguous with existing urban areas and settlements (POL UD4.2), and
- having regard to avoidance of reverse sensitivity effects on the Hastings/Bridge Pā Aerodrome and the Aerodrome's locational and operational constraints as existing strategic infrastructure adjoining the plan change area (POL UD12).

29.3.20 In my view, the Plan Change Request does not establish that the proposed encroachment of urban activities on the versatile land of the Heretaunga Plains is necessary.

**29.4 Section 3.5 Effects of Conflicting Land Use Activities**

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

**POL 6 PROBLEM-SOLVING APPROACH – FUTURE LAND USE CONFLICTS**

3.5.11 To recognise that the future establishment of potentially conflicting land use activities adjacent to, or within the vicinity of each other is appropriate provided no existing land use activity (which adopts the best practicable option or is otherwise environmentally sound<sup>6</sup>) is restricted or compromised. This will be primarily achieved through liaison with territorial authorities and the use of mechanisms available to territorial authorities, which recognise and protect the ongoing functioning and operation of those existing activities.

**Explanation and Reasons**

3.5.12 Policy 6 sets out an approach to avoid the existing level of problems arising from incompatible land uses becoming worse as a result of future decisions. In particular, this policy seeks to encompass the notion of 'reverse sensitivity', recognising the rights of existing lawfully established activities.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

29.4.1 The avoidance or mitigation of off-site impacts or nuisance effects arising from the location of conflicting land use activities is relevant in considering the impact of the proposed future residential development as a result of PPC7 on existing activities adjoining the plan change area and within the wider surrounding environment.

29.4.2 These matters are addressed across various parts of this report:

- Section 11 of this report addresses reverse sensitivity effects on existing land-based primary production activities.
- Section 15 of this report addresses reverse sensitivity effects on the Hawke’s Bay Car Club.
- Section 16 of this report addresses impacts or constraints on the operation and future of the Hastings/Bridge Pā Aerodrome.

29.4.3 The conclusion of the above assessments is that PPC7 is unable to adequately avoid or mitigate reverse sensitivity effects for existing lawfully established activities – most notably, the Aerodrome which is a strategic infrastructure asset of regional significance. I am of the view that PPC7 is contrary to OBJ 16 and inconsistent with recognising and protecting the ongoing functioning and operation of those existing activities in terms of POL 6.

**29.5 Section 3.13 Maintenance and Enhancement of Physical Infrastructure**

**OBJ 33A** Adverse effects on existing physical infrastructure arising from the location and proximity of sensitive land use activities are avoided or mitigated.

Explanation and Reasons

...

3.13.9B Reverse sensitivity effects can arise when sensitive activities are introduced near major infrastructure, or new infrastructure is placed near a certain existing land use. For example, a new residential development in close proximity to an airport, or the location of a new highway route through an existing urban area can both cause adverse effects that require careful management to reduce conflict between the activities. This conflict needs to be carefully managed in accordance with Section 3.5 of the Plan.

...

29.5.1 As above, Section 16 of this report addresses impacts or constraints on the operation and future of the Hastings/Bridge Pā Aerodrome. The conclusion of that assessment is that PPC7 is unable to adequately avoid or mitigate reverse sensitivity effects for this strategic infrastructure asset, which is of regional significance. I am of the view that PPC7 is contrary to OBJ 33A.

**29.6 Overall Summary against RPS**

29.6.1 My assessment of PPC7 against the relevant provisions of the RPS, is that PPC7:

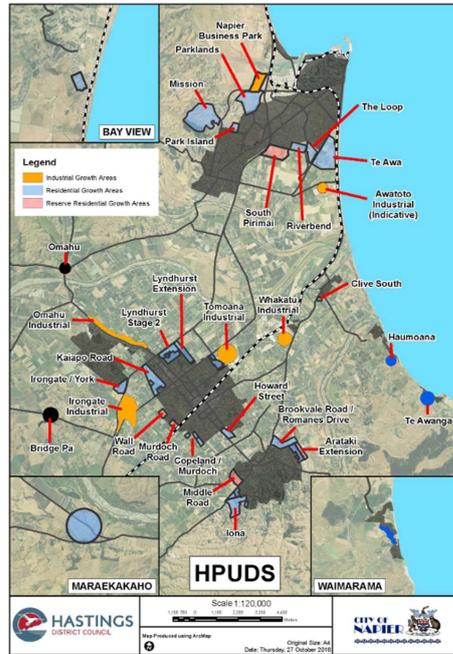
- is generally consistent with Objectives OBJ 1, OBJ LW1, OBJ LW3, Policy LW1A, Objectives OBJ 15, OBJ 21, OBJ 22, OBJ 23, OBJ 24, OBJ 31 & OBJ 35, and Policies POL 59, POL 61 & POL 66;
- is somewhat inconsistent with Objectives OBJ 3.1AA & OBJ UD2, and Policy POL UD4.2;
- is inconsistent with Objective OBJ UD5, and Policies POL UD1, POL UD5, POL UD7, POL UD8, POL UD12 and POL 6; and
- is contrary to Objectives OBJ UD1, OBJ UD4, OBJ 16, & OBJ 33A.

29.6.2 Overall, I consider PPC7 does not give effect to the RPS.

30 Heretaunga Plains Urban Development Strategy (2017)

- 30.1.1 The Heretaunga Plains Urban Development Strategy (HPUDS), initially developed in 2010, is a joint strategy developed by Hastings District Council, Napier City Council, Hawke’s Bay Regional Council and mana whenua to manage urban growth on the Heretaunga Plains over a 30-year timeframe through to 2045. The Bridge Pā area and Hastings Golf Course land is within the area covered by HPUDS.
- 30.1.2 The Strategy purpose is ‘to assist, in a collaborative manner, the local authorities to plan and manage growth on the Heretaunga Plains while recognising the value of water and soil as a significant source for ongoing food production and as a major contributor to the regional economy’<sup>109</sup>.
- 30.1.3 HPUDS adopts a ‘compact development’ settlement pattern, aiming to preserve the versatile land of the Heretaunga Plains for production purposes. The Strategy anticipates increased density and intensification, with a gradual transition to more compact urban form for Napier and Hastings over the 30-year period.
- 30.1.4 Greenfield growth areas have been identified within Napier City and Hastings District, with defined urban areas allowing for more cost-effective servicing and clear urban-rural boundaries. As part of implementing HPUDS, Hawke’s Bay Regional Council introduced new provisions relating to managing the built environment in Change 4 to the RPS (operative 2014).

Figure 12: Heretaunga Plains Settlement Pattern – HPUDS 2017<sup>110</sup>



<sup>109</sup> Pg 8 of HPUDS 2017.

<sup>110</sup> Pg 43 of HPUDS 2017.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

- 30.1.5 The Strategy went through its first review cycle and the refreshed Strategy was adopted by the three partner councils in early 2017 reflecting updated projections and forecasts following the 2013 Census. HPUDS 2017 provides for additional capacity with new greenfield areas and additions to existing greenfield areas, and the addition of ‘reserve growth areas’ (incorporated to act as replacements, or to be advanced if rapid and significant change in growth demand etc) – refer Figure 12.
- 30.1.6 HPUDS 2017 specifically provides for marae-based settlements at Bridge Pā and Omahu, and also acknowledges and supports the development of papakāinga housing.
- 30.1.7 Notably, HPUDS 2017 does not identify any greenfield growth areas that encompass or are in the vicinity of the Hastings Golf Course land.
- 30.1.8 HPUDS 2017 however, does set out a process for introducing additional greenfield growth areas via the ‘HPUDS review process’ (refer figure below) – whether private or Council-initiated plan changes – and requires any such growth areas to be decided in collaboration with the three partner councils, prior to rezoning taking place.

**Figure 13: Process for Introducing Greenfield Growth Areas Not Already Identified in the HPUDS Settlement Pattern – HPUDS 2017<sup>111</sup>**



Note: if the assessment of the Proposed Development Area were to fail against any one of the above, the process would cease at that stage.

<sup>111</sup> Pg 28 of HPUDS 2017.

30.1.9 The Strategy states that ‘Any additional greenfield growth area not already included in the HPUDS Settlement Pattern (either as a greenfield growth area or ‘reserve’ area) must, however, promote the overall transition to the compact design settlement pattern; be economically, socially and environmentally sustainable; and provide for locational choice’. To this end, the Strategy states the following<sup>112</sup>:

*‘This ensures the consequences and actions of re-zoning greenfields land that differs from those signalled in HPUDS are adequately considered in the context of the whole Heretaunga Plains, and will ensure one area is not inappropriately developed at the expense of others.*

*The HPUDS review process was agreed to by all partner councils, and anticipates that the inclusion of additional greenfield areas is only likely to occur in the following circumstances:*

- a) *Firstly, if one of the identified greenfield growth areas is deemed unviable for development, a new area will need to be proposed to compensate for the ‘lost lots’ in that area.*
- b) *Secondly, if a monitoring and review process suggests the future development trends for the Heretaunga Plains sub-region have changed, and more growth areas are required than initially anticipated.’*

30.1.10 In having regard to HPUDS 2017, the Plan Change Request to rezone the Hastings Golf Course land to facilitate residential development and visitor accommodation integrated with the golf course facilities would constitute an additional residential greenfield growth area not already included in the HPUDS Settlement Pattern. Under this scenario, the Strategy anticipates following the process outlined for introducing such greenfield growth areas – which, in summarising the process in the figure above, would be expected to involve:

- applying the RPS criteria in Policy POL UD4.2;
- consideration of the new area as part of a HPUDS Review to determine whether it is appropriate for residential growth;
- incorporation into the respective Council’s sequencing programme;
- structure planning; and then
- a plan change process under Schedule 1 of the RMA.

30.1.11 This is not the process that has been followed in this case, with the plan change area not having been successfully considered as part of a HPUDS Review and incorporated into the Council’s sequencing programme.

30.1.12 In summary, PPC7:

- is not an area identified as a greenfield growth area in the Heretaunga Plains Settlement Pattern through to 2045 in HPUDS 2017; and
- is progressing in a way that is inconsistent with the process anticipated by HPUDS 2017 for consideration of additional residential greenfield growth areas not already identified in the Heretaunga Plains Settlement Pattern.

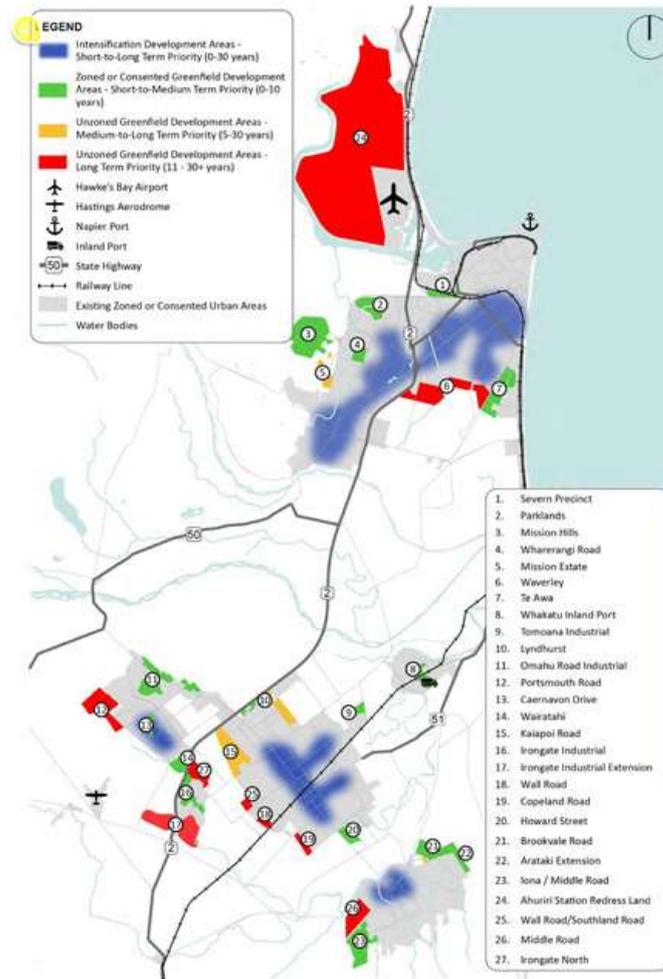
30.1.13 It is noted that there has not been a further HPUDS Review since 2017, largely in response to national direction requiring the development of a Future Development Strategy for Tier 2 local authorities under the NPS-UD instead. It is anticipated that, once finalised and adopted, the Napier-Hastings Future Development Strategy (FDS) – currently under development – will replace HPUDS. PPC7 is assessed against the Draft FDS in the following section.

<sup>112</sup> Pg 27 of HPUDS 2017.

## 31 Draft Napier-Hastings Future Development Strategy 2023-2053

- 31.1.1 Since adoption of HPUDS and Change 4 to the RPS, the NPS-UD and other national direction has come into effect, including the NPS-HPL. The Napier-Hastings Future Development Strategy (FDS) is anticipated to build on and replace HPUDS as Napier and Hastings' key strategic growth strategy. The development of the FDS satisfies the statutory requirements for future development strategies under the NPS-UD.
- 31.1.2 Clause 3.17 of the NPS-UD requires that Tier 2 authorities such as Hastings District Council 'must have regard to the relevant FDS when ...changing RMA planning documents'. While the FDS has not yet been adopted, it is important to consider the draft FDS and the likely final content to understand the extent to which PPC7 is consistent with it.
- 31.1.3 Clause 3.13 of the NPS-UD states that the purpose of an FDS is to promote long term strategic planning by setting out how the partner councils and mana whenua intend to:
- achieve well-functioning urban environments in existing and future urban areas;
  - provide at least sufficient development capacity over the next 30 years to meet expected demand; and
  - assist with the integration of planning decisions under the RMA with infrastructure planning and funding decisions.
- 31.1.4 The FDS has been developed in partnership with Hastings District Council, Napier City Council, Hawke's Bay Regional Council, Maungaharuru Tangitū Trust, Mana Ahuriri Trust and Tamatea Pōkai Whenua (FDS Partners). In preparing the FDS, all unzoned future growth areas identified within HPUDS were reconsidered to determine their appropriateness to accommodate future development.
- 31.1.5 The Strategy area includes Napier, Taradale, Hastings, Flaxmere, Havelock North, the surrounding Heretaunga Plains and peripheral areas including Bay View and Whirinaki, Whakatū, Clive, Haumoana and Te Awanga, and a number of rural settlements on the Heretaunga Plains within an approximate 20-minute (uncongested) drive time from the main centres of Napier and Hastings.
- 31.1.6 The FDS is currently in 'draft' form. The Draft FDS consultation received 139 submissions. Hearings were held 24-26 March 2025. An Officer Reply Report was provided to the Independent Hearings Panel on 4 April 2025, and the Panel's Recommendation Report was issued on 9 May 2025.
- 31.1.7 The FDS is scheduled for completion mid-2025, for adoption by the FDS Partners. Following that, the Strategy is required to be reviewed every three years.
- ### 31.2 Draft FDS Development Staging
- 31.2.1 The figure below depicts the preferred spatial scenario and proposed development staging in the Independent Hearings Panel's Recommended version of the FDS, showing intensification development areas (short to long term priority), zoned or consented greenfield development areas (short to medium term priority), unzoned greenfield development areas (short to medium term priority), and unzoned greenfield development areas (long term priority).

Figure 14: The Draft Future Development Strategy Development Staging<sup>113</sup>



31.3 Assessment against the Draft FDS

31.3.1 At the time of writing this report, the plan change area is not identified in the Draft FDS as a short, medium, or long-term greenfield development area.

31.3.2 The Draft FDS identifies where development capacity is proposed to be provided over the next 30 years, but it also outlines response to landowners wanting to bring forward areas for development through a plan change (in line with Policy 8 of the NPS-UD<sup>114</sup>), and what the considerations should be when reviewing any such proposal [my emphasis]<sup>115</sup>:

<sup>113</sup> Pg 92 of the Draft FDS, as recommended by the Independent Hearings Panel.

<sup>114</sup> Policy 8 of the NPS-UD requires local authority decisions to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments.

<sup>115</sup> Pg 90 of the Draft FDS, as recommended by the Independent Hearings Panel.

*‘Both Napier and Hastings councils will need to be responsive to landowners wanting to bring forward areas for development through a plan change, should the development be required to meet changes in demand. When reviewing any proposal to bring forward development, the scale of the opportunity and the ability of the proposal to deliver on the FDS vision and objectives will need to be considered. In addition, the impacts on the planned and funded programme for infrastructure delivery will need to be considered. Where significant changes from this would be required to enable development, developer-funded infrastructure and/or alternative funding arrangements (e.g. Crown infrastructure financing) will be needed before development can proceed. It will also be relevant to consider whether the proposal will support and reinforce the councils’ efforts to promote redevelopment in the existing urban area.’*

31.3.3 As already stated earlier in this report in relation to the NPS-UD, in considering Policy 8 of the NPS, I am of the view that PPC7 would likely be inconsistent with Policy 8 of the NPS-UD as it would not add significantly to development capacity nor contribute to a well-functioning urban environment – being an isolated pocket not connected to an ‘urban environment’. However, in considering the above matters in the Draft FDS, the following assesses PPC7 in terms of the ability to deliver on the FDS vision and objectives.

31.3.4 The overarching vision is:

*In 2054, Napier and Hastings have thriving, resilient, safe, equitable, sustainable and connected communities, within a protected and enhanced natural environment.*

31.3.5 The strategic objectives of the Draft FDS are set out below<sup>116</sup>:

1. Mana whenua and councils work in a **genuine Te Tiriti partnership** to achieve their shared goals for urban development.
2. We have a compact urban form, focussed around **consolidated and intensified urban centres** in Napier and Hastings.
3. Our communities and infrastructure are **resilient to the effects of climate change** and risks from natural hazards.
4. We have a **diverse range of housing choices** that meet people’s needs in neighbourhoods that are **safe and healthy**.
5. We have a **strong economy**, and businesses can grow in locations that meet their functional needs.
6. The highly productive land of the **Heretaunga Plains** is protected for productive uses.
7. Our communities and business areas are **well connected and accessible**, particularly by public and active transport.
8. We have **sufficient land** for housing and business to meet demand.
9. Te Taiao/our **natural environment is protected and enhanced**, including our water bodies, indigenous biodiversity, wāhi taonga and outstanding landscapes.
- 10A. Our **infrastructure** is planned and designed to ~~efficiently effectively support development and be resilient.~~
- 10B. **Operational and functional needs of nationally and regionally significant infrastructure is are not compromised by the location, design and suitability of new development.**
11. Urban growth and infrastructure investment supports **equitable social outcomes**.
12. The **values and aspirations of mana whenua** for development are a priority and are recognised and supported.

<sup>116</sup> Pg 30 of the Draft FDS, as recommended by the Independent Hearings Panel.

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

- 31.3.6 My understanding is that, other than discussed below in terms of the recommended split of Strategic Objective 10, the Strategic Objectives have not been materially challenged through the submission process, and are unlikely to be the subject of significant change in the final version of the FDS.
- 31.3.7 Of particular relevance to PPC7 are Strategic Objectives 2, 3, 4, 6, 7, 9 and 11, and recommended Strategic Objective 10B. I consider PPC7 is generally consistent with Strategic Objectives 3, 4 & 9, as in my view:
- it would not detract from the resilience of communities and infrastructure to the effects of climate change and risk from natural hazards in line with Objective 3;
  - it would provide an additional housing choice and therefore would somewhat contribute to achieving Objective 4; and
  - the development concept incorporates measures to protect and somewhat enhance the identified wetland and stream areas within the plan change area which would contribute to achieving Objective 9.
- 31.3.8 However, I consider that PPC7 is inconsistent with Strategic Objectives 2, 6, 7, 10B and 11, as it would not in my view contribute to:
- a compact urban form, focused around consolidated and intensified urban centres, as sought in Objective 2;
  - the protection of the highly productive land of the Heretaunga Plains for productive uses, as sought in Objective 6;
  - well connected and accessible communities, particularly by public and active transport, as sought in Objective 7;
  - urban growth that supports equitable social outcomes, as sought in Objective 11; and
  - as discussed elsewhere in this report, has the potential to compromise the operational and functional needs of the Aerodrome, which is infrastructure of regional significance.
- 31.3.9 I note that GSDLP (the Requestor) supported by the Hastings Golf Club made submissions (Sub-065 & Sub-080) to the Draft FDS requesting that the Hastings Golf Club land be included as an identified area for future residential development in the FDS, with approximate capacity for 150 dwellings, as a different but (in their view) legitimate form of residential development within a golf course and recreational setting as a lifestyle choice. Submissions were also received from Hawkes Bay & East Coast Aero Club Inc and Hastings/Bridge Pā Aerodrome Airport Authority (Sub-139), amongst others.
- 31.3.10 The Officer Report for Hearings Panel on Submissions to the Draft FDS (dated 14 March 2025) noted that the Hastings Golf Course was considered as part of a wider area with the recommendation to exclude this area from the Draft FDS. The Report noted that BP4 assessed a slightly larger and different area than what has been proposed by the submitters (which is just the golf course land) and noted that PPC7 had been notified. Ultimately, the Officer Report considered that the proposed development area does not achieve the overarching aims of the FDS for the following reasons<sup>117</sup>:
- The location is removed from the urban areas of Hastings and Flaxmere surrounded by Plains Production zoned land and in close proximity to the Hastings/Bridge Pā Aerodrome;

<sup>117</sup> Pg 112-113 of the Officer Report on Submissions to the Draft FDS.

- The site is located in an isolated pocket not connected to any other urban boundaries, and does little to achieve the objective of the FDS around requiring a compact urban form;
- The development area is proposed as a form of tourism function where property owners are less likely to be full time residents. This would make a modest contribution to meeting future housing demand, in terms of overall numbers but also the specific type of housing provided; and
- There has been concern raised through the submission of the Hastings/Bridge Pā Aerodrome around reverse sensitivity and the potential to compromise some of the Aerodrome’s operational abilities.

31.3.11 The Officer Report did not recommend adding the Hastings Golf Course site to the Draft FDS. The submitter presented evidence and legal submissions at the hearing.

#### 31.4 Officer Reply – Report for the Hearings Panel, and Independent Hearings Panel Recommendations

31.4.1 The Independent Hearings Panel’s Recommendation Report took the approach of adopting the FDS Advisor’s report unless the Recommendation Report expressly disagreed with it, noting<sup>118</sup>:

*‘If we do not refer to an individual submission or group of submissions on a particular matter addressed in submissions and during the hearing, or discuss the reasons for our recommendations in relation to it, that is because, having reviewed the submissions alongside the written and oral evidence and representations from submitters, and the commentary, recommendations and reasoning in the two FDS Advisors’ Reports, we have accepted (and accordingly adopted) the FDS Advisors’ final recommendations to us. This means that our recommendation report must be read in conjunction with both FDS Advisors’ Reports, with our recommendations taking precedence over the FDS Advisors’ recommendations where they differ.’*

31.4.2 As the Recommendation Report did not expressly discuss the Golf Course relief, it is taken to have adopted the approach in the Officer Report on Submissions. This Report referred to the Hastings Golf Course request to have the plan change area identified as appropriate for urban development. The analysis of the request is as follows<sup>119</sup>:

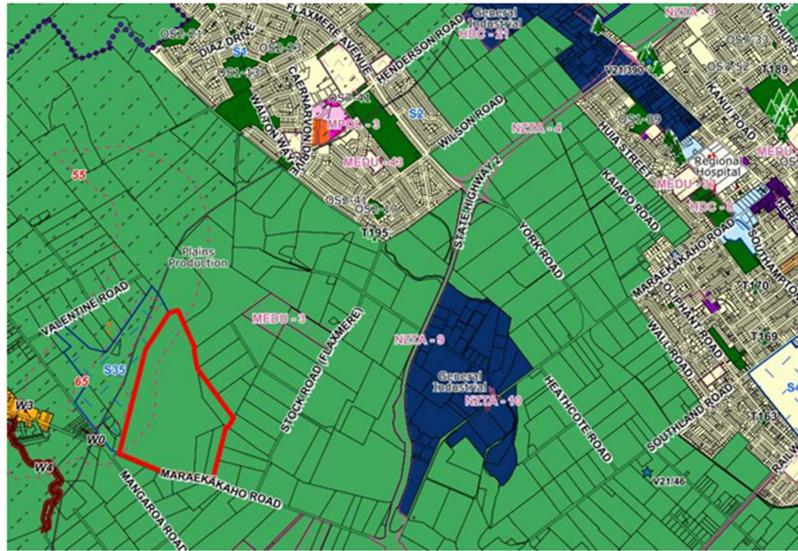
*‘The Draft FDS seeks to achieve “a compact urban form, focussed around a network of consolidated and intensified centres in Napier and Hastings”. In particular, the Draft FDS provides for “targeted expansion to enable new compact neighbourhoods with a mix of housing types”.*

*It is noted that the soils assessment provided in the submission was reviewed as part of the HBRC soils report Appendix 9 which concluded that the land evaluation seemed fair and reasonable but noted that more specific details should be provided.*

*The proposed development of the Hastings Golf Course does not achieve the overarching aims of the FDS for the reasons set out below. Below is a zone map showing the location of both Hastings and Flaxmere with the approximate location of the residential development proposed by Golf Sport Development shown in red.*

<sup>118</sup> Pg 10 of the Independent Hearings Panel’s Recommendation Report.

<sup>119</sup> Pg 112 of the Officer Report on Submissions to the Draft FDS.



The location of the Hastings Golf Course is removed from the urban areas of Hastings and Flaxmere surrounded by Plains Production zoned land and in close proximity to the Hastings Aerodrome. The site is located in an isolated pocket not connected to any other urban boundaries, with does little to achieve the objective of the FDS around requiring a compact urban form.

Given that the proposed development does not fit with the objectives of the FDS it is best considered through the private plan change pathway that has already been initiated by Golf Sport Development.

The inclusion of the Hastings Golf Course in the FDS is seen by Golf Sport Development to “provide a more certain regulatory pathway” for their residential development. The purpose of an FDS is to set a high-level vision for urban growth not to clear a pathway for particular developments. The Hastings Golf Course development will need to be assessed on its merits against the relevant planning instruments and legislation. This site’s inclusion in the Draft FDS could be seen to be pre-empting the private plan change thereby undermining this process.

It is our understanding that the development area is proposed as a form of tourism function where property owners are less likely to be full time residents. This would make a modest contribution to meeting future housing demand, in terms of overall numbers but also the specific type of housing provided.

Much of the proposal’s ability to overcome the disadvantages listed as part of the MCA analysis for BP4, comes down to the fact that the consideration of this being a niche proposal, rather than a broader area suitable for residential development. Again, we do not consider that such a proposal achieves the intent of the FDS, which aims to provide for broader areas which are suitable for urban development.

In addition, there has been concern raised through the submission of the Hastings Aerodrome around reverse sensitivity and the potential to compromise some of the Aerodrome’s operational abilities. While these concerns should be considered, there is no specific requirements in the Hastings District Plan around flight paths that this proposal would infringe. In this instance, issues of reverse sensitivity would be better considered as part of the Plan

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

*Change, given that it is not being recommended for broad scale residential development.*

*In conclusion, this proposal does not achieve the aims of the FDS and given its niche characteristics it is best progressed as a private plan change, a pathway that it is currently progressing. No changes are therefore recommended to the Draft FDS in relation to the Hastings Golf Course site.'*

- 31.4.3 As discussed above, I concur with the Officer Report, which was also accepted by the Independent Hearings Panel, that the proposal does not achieve the relevant objectives of the Draft FDS.
- 31.4.4 In relation to the Hastings/Bridge Pā Aerodrome, the Officer's Report stated<sup>120</sup>:
- 'Two airport authorities serve Napier and Hastings: Hawke's Bay Airport at Napier and Hastings Aerodrome at Bridge Pa. Each provides important air services to the region and have operational requirements which impact, and are impacted by, urban development. The proposed rewording of Objective 10 provides clearer recognition of this relationship. Both airports are already shown on Figure 12 Summary of development constraints across the FDS area. Rather than adding more detailed information to this summary, as requested, separate airport constraint maps may be more appropriate. Both the Napier and Hastings District Plans already include a range of airport constraint information, including for height control and noise contours. It is unclear whether additional controls should be introduced to protect their respective future growth potential. This is particularly the case for Hastings Aerodrome, where they have identified their potential role should the Hawke's Bay Airport capability be degraded in future.'*
- 31.4.5 The Independent Hearings Panel agreed with the rewording of Objective 10 (with the removal of the word 'unduly'). I concur with the opinion in the Officer's Reply that the Hastings/Bridge Pā Aerodrome falls within the definition of 'strategic infrastructure' in the RPS and therefore reasonably constitutes 'regionally significant infrastructure', given its regional function in providing essential services to the Hawke's Bay Region (particularly as it relates to civil defence and emergency management).
- 31.4.6 I have noted above my view that that PPC7 is not consistent with Strategic Objective 10B as it would facilitate residential development that would potentially compromise the operational and functional needs of the Hastings/Bridge Pā Aerodrome.
- 31.4.7 Of further note, the Independent Hearings Panel's marked-up version of the Draft FDS also incorporates additional and amended greenfield development areas recommended following the Hearings, including adding new greenfield areas at Wall Road and Middle Road, and to add capacity at Portsmouth Road and Arataki Road Extension, which result in increased capacity (refer Table 3 of the Panel's recommended version). This gives a total of 5,115 dwellings in areas not currently zoned for residential development, and Table 6 for Hastings, is accordingly<sup>121</sup>:

<sup>120</sup> Pg 137 of the Officer Report on Submissions to the Draft FDS.

<sup>121</sup> Pg 93 of the Draft FDS, as recommended by the Independent Hearings Panel.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

Table 6– Sufficiency of housing capacity in Hastings to meet minimum development targets

	Short Term	Medium Term	Long Term
Intensification Development Demand	5,220		
Intensification Development Capacity	5,840 (+620)		
Greenfield Development Demand	2,160		2,240
Greenfield Development Capacity	2,125-2,420 (-35+260)		+560 2,400 (-680+160)
Total Sufficiency of <u>Greenfield</u> Residential Development			-745+420

31.4.8 I also note that in considering the greenfield development areas adopted in the FDS and their approximate development capacity, the Draft FDS states<sup>122</sup>:

*‘In many instances, the development capacity set out in Table 3 is likely to be lower than what might be realised, given that the estimates are preliminary and site-specific investigations and structure planning have not yet been undertaken. When these areas are progressed for rezoning, greater density should be sought to reduce the need for further expansion into areas with known constraints.’*

31.4.9 Although the FDS has not been formally adopted at the time of writing, the amended Tables 3 and 6 (and related tables) indicate the amended FDS will achieve sufficient capacity to meet short, medium, and long-term housing demand in the Hastings locality. This further reinforces that the plan change area is not required to provide sufficient development capacity to meet demand for housing in Hastings.

31.5 Summary

31.5.1 Overall, I consider that PPC7 is not consistent with Strategic Objectives 2, 6, 7, 10B and 11 of the Draft FDS in that it does not contribute to a compact urban form, focused around consolidated and intensified urban centre; to the protection of the highly productive land; to well connected and accessible communities; or to urban growth that supports equitable social outcomes and may compromise the operational and functional needs of the Hastings/Bridge Pā Aerodrome which comprises ‘regionally significant infrastructure’.

31.5.2 Further, I do not consider there to be any evidence that PPC7 is ‘required’ to provide sufficient development capacity to meet demand for housing in the short, medium or long term under the FDS.

31.5.3 On the basis of the above, when reviewing PPC7’s ability to deliver on the FDS, I conclude that it:

- does not support redevelopment in the existing urban area;
- does not provide significant scale of opportunity and is not required; and
- in my view, does not deliver on the FDS vision and objectives.

31.5.4 Therefore, on the basis of the above, I consider that PPC7 is inconsistent with the FDS in its current draft form, and I am of the view that this is unlikely to change as the FDS progresses to completion and final adoption.

<sup>122</sup> Pg 64 of the Draft FDS, as recommended by the Independent Hearings Panel.

## 32 Emissions Reduction Plan and National Adaptation Plan

- 32.1.1 As part of its consideration of PPC7 the Hearing Panel is required, under section 74(2)(d) and (e) of the RMA, to 'have regard' to 'any emissions reduction plan made in accordance with section 5Z1 of the Climate Change Response Act 2002' and 'any national adaptation plan made in accordance with section 5Z5 of the Climate Change Response Act 2002'.
- 32.1.2 'Te Hau Mārohi Ki Anamata – Aotearoa New Zealand's First Emissions Reduction Plan' (ERP) was made by the Minister for the Environment in accordance with section 5Z1 of the Climate Change Response Act 2002 and was first published in May 2022. The ERP contains strategies, policies and actions for achieving the 2022-2025 emissions budget. It does not contain any specific direction as to how reductions in emissions should be reflected in decisions made under the RMA.
- 32.1.3 It does however, support embracing of measures such as increasing access to electric vehicles, increased utilisation of public transport and active transport modes, improved energy efficiency and a move away from the use of fossil fuels, the utilisation of an emissions pricing mechanism for agriculture, reducing the amount of waste going to landfills, establishing nature forests to develop long-term carbon sinks and improve biodiversity, and encouraging climate innovation practices.
- 32.1.4 Section 10.18 of the Plan Change Request makes the following assessment in terms of supporting emissions reductions<sup>123</sup>:
- 'The proposed plan change and the underlying HGLP Structure Plan will support the emissions reduction goal through measures including the establishment of a well- connected and multi-modal environment that encourages pedestrian and cycle movements and a reduction in private vehicle use, and the implementation of sustainable practices such as the maximisation of solar access / gains, and the provision of a range of green spaces. Additional emissions reduction measures are anticipated to be integrated as part of future resource consent applications for development.'*
- 32.1.5 Generally, I agree that PPC7 may embrace energy efficiency improvements through building design and solar solutions and other climate innovation practices at the development stage. However, I do not agree that the Plan Change Request itself provides meaningfully for increased utilisation of public transport or active transport modes leading to a reduction in private vehicle use.
- 32.1.6 Given its relatively isolated location, future residents within the plan change area will have to leave the development by private vehicle in order to access all necessary external amenities and services. This is evident in the future traffic generation figures contained in the Traffic Impact Report accompanying the Plan Change Request, which estimates that the fully developed area would generate approximately 1,232 vpd on Maraekakaho Road (in addition to the existing approximately 410 vpd trips generated by existing golf course activities)<sup>124</sup>.
- 32.1.7 'Urutau, ka taurikura: Kia tū pakari a Aotearoa i ngā huringa āhuarangi Adapt and thrive: Building a climate-resilient New Zealand – Aotearoa New Zealand's First National Adaptation Plan' (NAP) in accordance with section 5Z5 of the Climate Change Response Act 2002 was published in August 2022. It sets out Central Government's objectives for adapting to the

<sup>123</sup> Pg 173 of the Plan Change Request and Section 32 Evaluation Report.

<sup>124</sup> Table 2 (pg 9) and Table 3 (pg 14) of the Traffic Impact Assessment by Urban Connections, accompanying the Plan Change Request.

effects of climate change, and the Government’s strategies, policies and proposals for achieving those objectives through enabling better risk-informed decisions, driving climate-resilient development in the right locations, and adaptation options included managed retreat. Of interest to PPC7, it identifies actions to reduce and manage risks to homes and buildings from extreme climate hazards such as extreme weather events, drought, and increased fire weather. No particular climate-related risks have been identified as affecting the plan change area that would trigger the need for an adaptation response.

### 33 Overall Conclusion of Assessment of Statutory Documents

33.1.1 Based on my assessment above, I am of the view that PPC7 does not give effect to some very relevant higher order RMA documents, and is inconsistent with some very relevant strategies prepared under other Acts.

33.1.2 In summary, PPC7:

- does not give effect to the NPS-HPL;
- does not give effect to the RPS;
- is not consistent with HPUDS or the direction of the Draft FDS; and
- may not contribute meaningfully to emissions reductions under the National Emissions Reduction Plan.

### 34 Assessment of the Section 32 Evaluation Report

- 34.1.1 Section 74 of the RMA requires that a territorial authority must change its district plan in accordance with the obligation to prepare an evaluation report under section 32 of the RMA (s74(1)(d) of the RMA).
- 34.1.2 Section 32(1)(a) of the RMA requires an evaluation report examining the extent to which the objectives of the plan change<sup>125</sup> are the most appropriate way to achieve the purpose of the Act.
- 34.1.3 Section 32(1)(b) requires the report to examine whether the provisions of the plan change<sup>126</sup> are the most appropriate way of achieving the objectives by (i) identifying other reasonably practicable options for achieving the objectives; (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and (iii) summarising the reasons for deciding the provisions.
- 34.1.4 If the proposal (an amending proposal) amends a plan that already exists (an existing proposal), section 32(3) requires that the examination under section 32(1)(b) relate to—
  - (a) *the provisions and objectives of the amending proposal; and*
  - (b) *the objectives of the existing proposal to the extent that those objectives—*
    - (i) *are relevant to the objectives of the amending proposal; and*
    - (ii) *would remain if the amending proposal were to take effect.*
- 34.1.5 Section 5 of the Plan Change Request describes the objectives of the plan change (the ‘amending proposal’). It states the objective of the plan change is to:
  - *Recognise and provide for the HGC [Hastings Golf Course] as a premier golf course facility; and*
  - *Provide for residential and accommodation facilities complimenting the premier golf course facility.*
- 34.1.6 The proposed objectives for the Sport and Active Recreation Zone (SARZ) and Heretaunga Golf and Leisure Precinct (HGLP) that form the basis of PPC7 (the ‘amending proposal’) are as follows:

Objectives	
<b>SARZ- O1</b>	<b>Purpose of the Zone</b>
	The SARZ is used for a range of indoor and outdoor sport and active recreational activities with associated facilities and structures.
<b>SARZ- O2</b>	<b>Community Well-Being</b>
	Development and activities within the SARZ provide for the recreational needs of the community, in a manner that also provides for safety, security, public health, social wellbeing, and connectivity.
<b>SARZ- O3</b>	<b>Management of Adverse Effects</b>
	The SARZ is used and developed in a manner where any adverse effects on surrounding activities, particularly residential, are avoided or mitigated.

<sup>125</sup> RMA s32(6) defines “objectives” to mean (a) for a proposal that contains or states objectives, those Objectives.

<sup>126</sup> RMA s32(6) defines “provision” to mean (a)... the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change.

Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning

**Objectives**

The objectives of the Sport and Active Recreation Zone apply in the Heretaunga Golf and Leisure Precinct in addition to the objectives below.

<b>PREC1-O1</b>	<b>Purpose of the Precinct</b>
	To recognise and provide for a golf course and tourism destination with integrated residential and visitor accommodation facilities with high levels of visual amenity.
<b>PREC1-O2</b>	<b>The Planned Environment of the Precinct</b>
	The planned built environment of the precinct is characterised by: <ul style="list-style-type: none"> <li>a. A premier golf course and associated golf club facilities;</li> <li>b. A range of recreational facilities and commercial buildings;</li> <li>c. On-site residential living environments that provide for the health and well-being of residents with convenient access to recreational facilities;</li> <li>d. An environment that is visually attractive, safe, easy to navigate, and convenient to access.</li> <li>e. A range of residential and visitor accommodation options that have a built form that enhances the amenity of the Precinct.</li> </ul>
<b>PREC1-O3</b>	<b>Sustainable Design and Infrastructure</b>
	Public health and environmental well-being is maintained, and where practicable enhanced through sustainable design and sufficient provision of infrastructure.

- 34.1.7 In Section 5.1 of the Plan Change Request, the Requestor states the following:  
*‘As outlined above the HGC has existed at its site on Maraekakaho Road for over 100 years. The existing PPZ of the site provides for primary production activities with the clear focus of the objectives and policies of the zone being on the protection of versatile soils and primary production activities. The activities of the golf course are not provided for in the zone and the site is not listed as a scheduled activity.’*
- 34.1.8 I agree that the Plains Production zoning does not anticipate a golf course and associated recreational facilities, which creates some ongoing implications for any upgrading or improvements to the existing golf course (that has been in this location for over 100 years and is a large site), beyond the ability to rely on existing use rights. Therefore, I concur with the Requestor’s statement that *‘The activities of the golf course are not provided for in the zone and the site is not listed as a scheduled activity’* in the Hastings District Plan.
- 34.1.9 On this basis, the proposed SARZ objectives that provide for indoor and outdoor sport and active recreational activities and associated facilities and structures (SARZ-O1), the recreational needs of the community in a way that also provides for safety, security, public health, social wellbeing and connectivity (SARZ-O2), and that avoids or mitigates any adverse effects on surrounding activities would be appropriate objectives. Whether the golf course is recognised and provided for as a ‘premier’ golf course, however, is not a resource management matter, in my view.
- 34.1.10 The Requestor then goes on to state:  
*‘...HGC and GSDLP identified that there was sufficient land within the golf course site that could be developed for residential purposes providing a mix of housing styles and both residential and short-term visitor accommodation, which would complement and enhance the HGC without compromising the golf course facility.’*

And this then flows through to the Requestor’s second objective of the plan change:

*‘In order to allow for the existing golf facilities, the proposed redevelopment and the residential development, the site needs to be rezoned.’*

- 34.1.11 In my view, just because there is sufficient land for residential development within the golf course site, and there is a desire to provide for it, this is not in and of itself a valid resource management reason to then rezone the site for this purpose (in this case, adopting a Heretaunga Golf and Leisure Precinct overlay). This reasoning could be used to justify developing any land that is perceived to be surplus to the existing use of the site for residential purposes within the Plains Production Zone.
- 34.1.12 In my view, recognising and providing for a golf course does not necessitate integration of residential and visitor accommodation facilities with high levels of visual amenity (PREC1-O1), and does not require a precinct with on-site residential living environments and a range of residential and visitor accommodation options (PREC1-O2).
- 34.1.13 As stated earlier in my report, I consider that the purpose of the RMA is currently reflected in the settled objectives and policies of the District Plan which PPC7 does not seek to change (the ‘existing proposal’). In my view, the proposed HGLP objectives would not be consistent with the higher-level strategic objectives and policies in the Hastings District Plan (and, indeed, the RPS and the NPS-UD and NPS-HPL – which have been addressed earlier in my report).
- 34.1.14 The relevant strategic objectives and policies in Section 2.4 Urban Strategy, Section 2.8 Rural Strategy, and Section 6.1 Plains Strategic Management Area of the Hastings District Plan focus on:
- reducing the impact of urban development on the resources of the Heretaunga Plains in accordance with HPUDS (Objective UD01);
  - ensuring that new urban development is planned for and undertaken in a manner that is consistent with the matters outlined in the RPS (Objective UDO2);
  - retaining and protecting the versatile land resource from ad hoc urban development (Objective UDO3);
  - promoting the redevelopment of existing residential areas (Objective UDO5);
  - promoting the maintenance of the life-supporting capacity of the Hastings District's rural resources (Objective RRSO1);
  - retaining the land based productive potential and open nature of the Plains environment (Objective PSMO1); and
  - settlements within the Plains environment do not compromise the productive nature of the soils (Objective PSMO2).
- 34.1.15 This includes:
- achieving containment of urban activities and provision for residential greenfield growth in the areas identified as appropriate within HPUDS (Policy UDP1);
  - encouraging medium density housing within the existing urban boundaries (Policy UDP2);
  - prioritizing retention of the versatile land of the Heretaunga Plains from the adverse effects of urban development (Policy UDP3); and
  - avoiding unnecessary expansion of urban activity onto the versatile land of the Heretaunga Plains (Policy UDP9).

**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

- 34.1.16 In my view, the above strategic objectives and policies do not support an isolated pocket of residential development of the type envisaged by PPC7, within the versatile land resource of the Heretaunga Plains. Therefore, the proposed HGLP objectives are not, in my opinion, the most appropriate way to achieve the sustainable management purpose of the RMA.
- 34.1.17 In summary, I consider the collective objectives for PPC7 (being the proposed SARZ objectives and the proposed HGLP objectives in combination), are not the most appropriate way to achieve the sustainable management purpose of the RMA, and therefore do not satisfy section 32(1)(a) of the RMA.
- 34.1.18 Given this, I do not consider it necessary or appropriate to evaluate the detailed provisions of PPC7 pursuant to section 32(1)(b) of the RMA, in terms of whether they are the most appropriate way of achieving the stated objectives of the amending proposal.
- 34.1.19 I note that Sections 6, 7 & 8 of the Plan Change Request does contain a comprehensive evaluation of the proposed provisions against the stated objectives – this includes an evaluation of methods to address the issue; an evaluation of the benefits and costs of the preferred method; an overall evaluation of the effectiveness and efficiency of the provisions in achieving the stated objectives; and includes consideration of alternative structure plan layouts.
- 34.1.20 Should the Hearings Panel be of a mind to accept that the stated objectives are the most appropriate way to achieve the purpose of the RMA and approve PPC7, I would recommend reviewing the detail of the proposed provisions as to whether they are the most appropriate way of achieving the stated objectives, including addressing the following concerns:
- consideration of the implications of applying the proposed Sport and Active Recreation Zone provisions to further areas in the Hastings District Plan in the future;
  - review of activity status within the HGLP – for example, if an activity is proposed outside of the specific ‘Area’ identified in the Structure Plan for those activities, whether they should fall to be Non-Complying (currently Restricted Discretionary or Discretionary) – refer Rules PREC1-R3, PREC1-R4, PREC1-R5, PREC1-R6, PREC1-R8, PREC1-R9, PREC1-R10, PREC1-R11, PREC1-R12, PREC1-R13;
  - ensuring that the provisions adequately ensure delivery of the outcomes sought by the stated HGLP objectives;
  - addressing other specific matters identified earlier in this report – e.g. additional mitigation to address reverse sensitivity, and consideration of additional firefighting water supply provisions etc;
  - conversion of the Structure Plan Objectives and Design Outcomes document into appropriate National Planning Standards format for insertion in the Hastings District Plan; and
  - consistency of terminology and fixing any minor errors.
- 34.1.21 I note that, if the proposed provisions are amended as a result, a section 32AA further evaluation would also be necessary.

## 35 Overall Conclusion and Recommendations

- 35.1.1 PPC7 seeks to rezone the Hastings golf course site to facilitate future upgrading of the existing golf club facilities on-site, and to introduce approximately 170 residential dwellings and short-stay visitor accommodation and future commercial areas to encourage and support golf tourism.
- 35.1.2 My assessment of the Plan Change Request, consideration of submissions, assessment of environmental effects, and assessment against the statutory framework leads me to conclude that:
1. there are potential adverse effects that may not be able to sufficiently avoided, remedied or mitigated, and could be significant, such as:
    - a. the potential adverse effect on the wider Heretaunga Plains versatile land resource as a whole, through permanently removing this area of land from the pool of land available for primary production and associated secondary services in the future, which may be crucial for future food security – noting also, that examples like the Gimblett wine growing area and Gourmet Blueberries show that ‘lower quality’ soils can be very productive;
    - b. the proposed urban rezoning being incompatible with large-scale horticultural and agricultural activities in the vicinity (cropping, orcharding, vineyards, primary production processing activities etc);
    - c. introducing reverse sensitivity and safety risks, potentially compromising the long-term viability of the Hastings/Bridge Pā Aerodrome, including:
      - i. potential sleep awakening effects and annoyance due to aircraft overflights from engine testing noise and night-time helicopter overflights in particular;
      - ii. potential to cause non-compliance with engine testing noise limits meaning the Aerodrome may no longer be able comply with district plan limits for engine testing undertaken within those parts of the Aerodrome site within proximal distance to the proposed new residential sites;
      - iii. potential safety risk from development under an active flight path and a reduction in landing options in the event of engine failure while using runways 11/29; and
      - iv. changing the compliance environment within which the Aerodrome would operate into the future, to one that is more densely populated with a significant addition of noise sensitive activities to the east.
  2. the Plan Change Request does not give effect to the NPS-HPL or the RPS, and is not consistent with HPUDS or with the overarching vision and strategic objectives of the (yet to be adopted) Draft FDS, as it:
    - a. does not support redevelopment in the existing urban area;
    - b. is not contiguous with the existing urban area, and does not contribute to compact, strongly connected urban form;
    - c. represents an unnecessary encroachment of urban activities on the versatile land of the Heretaunga Plains;

- d. does not provide significant scale of opportunity and is not 'required' to provide sufficient development capacity to meet demand for housing in Hastings in the short, medium or long term (next 30 years); and
  - e. does not meet the 'exceptions' in clause 3.6 of the NPS-HPL and is therefore contrary to the directive in Policy 5 ('to avoid urban rezoning of highly productive land') of the NPS-HPL; and
  - f. does not adequately respond to the location and operational constraints of existing strategic infrastructure associated with the adjoining Hastings/Bridge Pā Aerodrome (which is impractical to relocate or replicate elsewhere).
3. the stated objectives for the Plan Change Request are not the most appropriate way to achieve the sustainable management purpose of the RMA, and therefore do not satisfy section 32(1)(a) of the RMA.

## 35.2 Recommendation

35.2.1 Pursuant to clause 29(4) of Schedule 1 to the RMA, and for the reasons outlined above, I make the following recommendation:

- 1. That PPC7 be DECLINED.**
- 2. That the following submissions in support of PPC7 be REJECTED:**
  - Save the Plains (S1)
  - Allen Connor (S25)
  - Tom Mckimm (S29)
  - Brian Mackie (S47)
  - Mathew Perry (Director, Golf in New Zealand) (S54)
  - Megan Frater (S63)
  - Victor and Heather Saywell (S68)
  - Golf New Zealand (S75)
  - The Clubhouse (S77)
  - Trevor Robinson (S80)
  - Hastings Golf Club (S83)
  - Cape Kidnappers Station Ltd (S97) *(as noted earlier in this report, the Hearings Panel will also need to formally determine whether to grant a waiver to accept this as a late submission)*
- 3. That the following submissions opposing PPC7 be ACCEPTED:**
  - Kim Goodwin (S2)
  - Gregory Hook (S3)
  - Aiden Hoffman (S4)
  - Steven Waarea (S5)
  - Jayne Millar (S6)
  - Peter Steers (S7)
  - Livia Hurst (S8)
  - Will Brougham (S9)
  - Thomas Hornblow (S10)
  - Matt Green (S11)
  - Nicholas Bell (S12)

**Item 2 Private Plan Change 7 - Private Plan Change 7 – Golf Sport Development Limited Partnership – Hastings Golf Course - (RMA20230336)**

**Section 42A Report for PPC7**

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**Section 42A Report for Private Plan Change 7: Hastings Golf Course Rezoning**

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- Nicola Curran (S13)
- Martyn Curran (S14)
- Maxwell Roy Dixon (S15)
- Malcolm Belcher (S16)
- Sarah Harper (S17)
- Nigel Hammond (S18)
- Dr Corinna Proehl (S19)
- Bruce Sutherland (S20)
- Eventing Hawke's Bay (S21)
- Brett Paton (S22)
- Mads Slivsgaard (S23)
- Brad Stone (S24)
- Moray Grant (S26)
- Mike Hill (S27)
- Grant Blackberry (S28)
- Donna Elder (S30)
- Warrick Frogley (S31)
- Colin Woollard (S32)
- Margaret Broad (S33)
- Francine Toki (S34)
- Sophie Blokker (S35)
- Brendon Gorringer (S36)
- John Managh (S37)
- David Mitchell (S38)
- Bruce McTaggart (S39)
- Michael Fleming (S40)
- Dharminder Singh (S41)
- Tom Harper (S42)
- Paul Bevin (S43)
- David Palmer (S44)
- Guy Dever (S45)
- Terry Smith (S46)
- Hamish Ross (S48)
- Philip Lowe (S49)
- Jason Kelly (S50)
- Gavin & Avon Grimmer (S51)
- Ian Sowman (S52)
- Kathy Perry (S53)
- Peter Ashcroft (S55)
- Temple Martin (S56)
- Gerald Chisum (S57)
- Jan Chisum (S58)
- Nathan Tough (S60)
- Hawke's Bay Golf Club (S61)
- Glenn Riddell (S64)
- Joe Faram (S65)
- Greg Reynolds (S66)

- Peter Holley (S67)
- Ross Lawrence (Matipou Orchard Ltd) (S69)
- Circe Hoffman (S70)
- Peter Cadwallader (S71)
- Murray Willson (S72)
- Mark Graham (S73)
- M G Ravenscroft (S74)
- Sean Husheer (S76)
- Hawke’s Bay Car Club (S79)
- Gliding Hawke’s Bay & Waipukurau Inc (S81)
- Hawke’s Bay & East Coast Aero Club (S82)
- Don Ryder (S84)
- Bruce Govenlock (S85)
- Ross Drew (S86)
- Stephanie Anne Eilers (S87)
- Eruera Morrison, John Newton, Edline Morrison & Maria Newton (S88)
- Gourmet Blueberries Ltd (S89)
- Brian Salisbury (S90)
- Aircraft Owners and Pilots Association of New Zealand (S91)
- Anna Murray (S93)
- Jonathan Bissell (S94)
- Hawke’s Bay Microlight Club Inc (S95)
- Raelyn Oliver (S96)

**4. That the following submissions that supported PPC7 in part, be REJECTED IN PART:**

- Laura Kamau (S59)
- Korongata Marae (S62)
- Noel Martin-Smith (S78)
- Fire and Emergency New Zealand (S92)

and

**5. That recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.**

**Recommended by:**



**Rowena Macdonald  
Consultant Planner,  
Sage Planning  
14 May 2025**

**Approved by:**



**Anna Summerfield  
Environmental Policy Manager,  
Hastings District Council  
14 May 2025**