

21 December 2022
Our job no. 718493

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Dear Madeleine Berry, and Max Gander-Cooper

Response to Further Information Request Received: COVID-19 Recovery (Fast-Track Consenting) Act 2020 – request for further information – Wairatahi Project

This letter sets out Heretaunga Tamatea Settlement Trust's response to the Ministry for the Environment's request for further information dated 12 December 2022.

- 1 An analysis of the activities included in the project against the rules in the Hastings District Plan, including the activity status under those rules**
 - 1.1 Hastings District Council (HDC) is in the process of undertaking its district plan review and as such the below rule triggers are from the Operative District Plan (Rural zone) and the Partially Operative District Plan (split zone – Flaxmere General residential and Plains Production). Although most relevant rules within the Partially Operative Plan zones are operative pursuant to s86(F) of the RMA, as there is an appeal relating to section 16.1 technically so consideration needs to be given as to whether resource consent is required under both plans.
 - 1.2 Hastings District Council has been working through the plan review process. At the February 2020 Council meeting, a resolution was passed to make the Proposed District Plan 'Operative in Part' (2015 decisions version with amendments in accordance with Environment Court consent orders). The exception relates to Section 16.1 – Wāhi Taonga District Wide Activity. Section 16.1 has legal effect but is not yet operative due to an Environment Court appeal, and the 2003 District Plan may therefore still be relevant when applying that section. However, this would only apply if the site contained Waahi Tapu. There are no Waahi Tapu sites identified in 12.4-1 located on the subject site. Therefore, the only relevant territorial authority plan is the Partially Operative Hastings District Plan.

1.3 A break down of the relevant Rules has been included within Attachment A.

2 Details of what the proposed retirement village and community hub will include

2.1 A detailed layout plan has been included within Attachment B showing the layout and composition of the retirement village. The following is proposed:

- Reception and Administration area;
- 20 Bed care unit;
- 24 bed assisted living units;
- 110 terraced units;
- 16 Maisonettes;
- 14 Apartments;
- Community gardens;
- Outdoor bowling green;
- Pool house;
- Wellness centre; and
- Club house.

3 Whether the proposed number of residential units allows for the provision of minor residential units for the multi-generational housing typology

3.1 The multi-generational housing will take up 5% of the total residential sites. The way that the number of residential units have been calculated is to allow for two (2) residential units on each site that takes up the multi-generational units. In numeric terms that means, 5% of the residential sites are proposed to be multi-generational. Under Plan A, 23 lots provide a principal dwellings and minor residential unit – total 46 dwellings.

3.2 The proposed infrastructure design capacity is 530 dwellings. There will be sufficient infrastructure to cater for the residential dwellings.

3.3 Should more multi-generational housing sites be required or desired the residential yield would remain the same however the number of lots would decrease. It is considered that this would be within scope to be refined further at the time an application is made to the EPA. If this were to change in the future, for example in response to market demand, after consent had been granted, then a variation might be required.

4 How many full-time equivalent jobs per year the project will create and how many full-time equivalent jobs will be lost due to the change in the land

4.1 The current use of the land generates little employment – perhaps just 2 FTEs. Accordingly, the

loss of FTEs based on current land uses is 2 FTEs. This needs to be considered against the significant annual employment generation as outlined in the EIA that was appended to the MfE application. Basically, its inconsequential in employment terms.

- 4.2 In terms of the FTE jobs per year created, as per MfE request, this is at the bottom of Table 1. This puts the above into context. See below Table 1 from EIA report.

TABLE 1: TOTAL GROSS HAWKES BAY ECONOMIC INJECTION (FASTTRACK)

(\$m)	#	#	2023	2024	2025	2026	2027	Total
Earthworks and Civil			s 9(2)(b)(ii)					
Civil Consultants								
Levies								
Total Development Costs								
Construction								
Land								
Construction and Development Costs								
Increased Local Spend								
Total Capital and Opex								
Total Hawkes Bay Output (48 sector multipliers)								
Total Hawkes Bay Output (NPV)								
Development Employment			391	146	0			
Construction Employment				274	891	297		
Other Employment			116	264	275	110		
Total Employment			507	685	1,166	407	37	2,801

Source: Property Economics

** Increased Local Spend by employees, construction workers and additional local business spend through*

5 How the project will mitigate the risk of liquefaction and seismic hazard on the resulting development

- 5.1 The site has been assessed initially by Wentz-Pacific Ltd Geotechnical Engineers as part of a due diligence study, with findings reflected in their report dated 10 September 2021, appended to the Covid Recovery Fast Track Consenting application submitted to the Ministry for the Environment in October 2022.
- 5.2 Investigations undertaken by Wentz-Pacific Ltd included intrusive testing - Cone Penetrometer Testing (CPT) and test pit analysis. Approximately two-thirds of the subject site is classified as having a LOW liquefaction hazard and no mitigation measures are anticipated in this area.
- 5.3 There is a potential for liquefaction and lateral spreading to occur along the margins of Iron Gate Stream and the Wellwood Drain, however the Wellwood Drain is unlikely to pose any lateral spreading risks in the scheme design Option A, given the proposal to reclaim circa 240m of the drain, which will remove lateral spreading potential, and the relocation of the remainder of the open Wellwood Drain through a stormwater management area

(SMA). The newly created stormwater management area will be proposed to vest with Hastings District Council. The stormwater management will not have dwellings within it.

- 5.4 Any remaining hazard is anticipated to be mitigated through the use of specific, but routine engineering design (e.g., “TC2-type” foundations) potentially in combination with a minimum structure setback from the top of the stream and channel banks as discussed in the Wentz-Pacific Ltd report.
- 5.5 In areas of the site away from the stream and channel banks that have a liquefaction hazard higher than LOW, but no lateral spreading hazard, the liquefaction hazard is anticipated to be mitigated through the use of “TC2-type” foundations which are commonly used throughout Napier-Hastings area.

Option B

Should the Wellwood Drain not be able to be reclaimed in part and partly relocated (although, given progress of discussions with DOC and the Bay of Plenty Regional Council, this seems unlikely), then the Option B would be proposed where development is set back and avoids the marginal strips entirely. This is far enough from the Wellwood Drain to ensure that lateral spread will not affect development, or at least, will be no risk with any appropriate foundation design if necessary.



Whether any resource consents are required under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 and what the status of the Wellwood stormwater drain is under the Resource Management Act 1991

- 5.6 Pre 1964, the Wellwood Drain fed surface water into the Irongate Stream. Over time the water that flowed into the Wellwood Drain was augmented by drains that originated in what is today Wilson Road and later Flaxmere Ave. As Flaxmere developed the Wellwood Drain received more and more stormwater from the Flaxmere stormwater network.
- 5.7 Currently the Wellwood Drain is fed by a large 300mm stormwater pipe that feeds into the north-western part of the site. The Hastings District Council is currently applying for a stormwater discharge consent that will move this discharge point to the confluence of the Wellwood Drain and the Irongate Stream.
- 5.8 In RMA terms it is considered that the water in the Wellwood drain does not meet the definition of water under the RMA definition of water (as below).

water—

- (a) means water in all its physical forms whether flowing or not and whether over or under the ground:
- (b) includes fresh water, coastal water, and geothermal water:
- (c) does not include water in any form while in any pipe, tank, or cistern

- 5.9 This is on the basis that the Drain, as it crosses the site, is effectively an open pipe (much the same as in respect of many farm drains that exist across the country)
- 5.10 No is the Drain a river under the RMA definition of river (as below).

river means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).

- 5.11 This is because the Drain is an artificial watercourse.
- 5.12 In terms of how the Wairatahi Project has dealt with the Wellwood Drain, however, is to treat it as a water body. Our methodology has been to assess the loss of “stream functioning” associated with a proposal to pipe 215 m of the Wellwood Drain (Fig. 1) (despite it being an artificial watercourse) with positive effects associated with ecological restoration of the balance of the relocated Drain and on the Irongate Stream. This would result in no loss of extent or values of the Wellwood Drain. Therefore, even if the Wellwood Drain is considered to be a river, the proposal would be in accordance with the National Policy Statement for Freshwater management 3.24 that requires the following (emphasis added):

Subclause (3) applies to an application for a consent for an activity: (a) that falls within the exception to the policy described in subclause (1); and (b) would result (directly or indirectly) in the loss of extent or values of a river.

As there would be no loss of extent or values.

6 the anticipated timing of upgrades to power and wastewater infrastructure necessary to service the project, and how these upgrades will be funded

Electricity:

- 6.1 Unison is the local provider of electrical reticulation in Hawkes Bay. HTST have engaged with the Unison design team who have this site in their forward planning workstreams. Unison have provided a letter confirming that site can be reticulated with some external upgrade required. This is not unusual for a project of this size.
- 6.2 Unison have confirmed there are no timing constraints for these upgrades and can align with construction timeframes in the 2023/24 calendar.
- 6.3 These upgrades will be borne by the development as an infrastructure cost, and added to the cost of internal electrical reticulation.

Wastewater Infrastructure

- 6.4 The required wastewater upgrade to facilitate the development of this site is an area which HTST have worked closely with Hastings District Council (HDC) on, and were party to a joint Infrastructure Acceleration Fund (IAF) application. This application was successful and IAF funding has been granted to facilitate the total cost of the required wastewater infrastructure upgrade required to facilitate this development.
- 6.5 Email dated 14th December 2022 from Hastings District Council Infrastructure lead for the project is attached in appendix, see below relevant text from this email:
- 6.6 “Our major capital works team have engaged a consultant to undertake modelling work and develop the initial detail for the key IAF projects including the wastewater pipe to service the HTST development. This work will advance in the first half of 2023 with construction earmarked for October 2023 and into March 2024. These dates are as per our IAF agreement with KO but depending on how the programme of work is structured and how quickly we can advance to procurement, some work may commence earlier than this”. Please see email included within Attachment B.

7 how the project will contribute to a well-functioning urban environment

7.1 Please refer to the Urban Design response from Saddleback included within Attachment C.

8 how the project will be funded

8.1 Heretaunga Tamatea Settlement Trust (**HTST**), via their asset holding company (Heretaunga Tamatea Pou Tahua Limited Partnership) are funding the Wairatahi project on balance sheet and will continue to fund the first stages accordingly. As a relatively recently settled Iwi Authority, having received financial and commercial redress of \$100 million, there should be no question as to HTST's ability to fund the development. Partners are of course being considered for future stages and will be assessed in terms of financial capacity and operational delivery capacity. Nonetheless, HTPT will retain a controlling interest and influence across the complete development.

9 the anticipated timing to resolve the reserve and marginal strip exchange issues relating to the Wellwood stormwater drain

9.1 It is expected that these matters will be resolved by the time we apply to the EPA for consent such that on resource consent will only need to be sought for Option A. Option B remains very much a back-up and unlikely scenario. To provide additional context for this, the Regional Council has a deed before it that proposes to agree to notify the proposed exchange of the bed of the Drain for the bed of the Irongate Stream. The necessary survey work is complete. In a similar way, an application for the exchange of marginal strips is also with the Department of Conservation. Both exchanges require ultimate approval by the same Minister (Minister of Conservation), and HTST is happy to elevate the issue to the Minister in the new year if necessary. Support from the local conservancy has been very positive, and so that measure may be unnecessary.

10 If the Wellwood stormwater drain will not be partially reclaimed, whether any other approvals will be required from the Department of Conservation or Hawkes Bay Regional Council

10.1 In order for Option B to progress there will be no requirements from the Department of Conservation. The reason for this is that Option B does not require the interference with any of the purposes of the marginal strip. While there may be requirements for consent under the Regional Plan there are no further requirements from the Regional Council in terms of approvals (as owner of the bed of part of the Drain) if Option B is progressed. But that is a consent issue within the EPA Panel's domain.

10.2 In the current option B we have shown a pedestrian link which does

not go against the purpose of the marginal strip, and so is not an issue in terms of the marginal strips, but licence to occupy would be required from the Regional Council to allow this over the bed of the Drain. We anticipate that this would be relatively straight forward to obtain. However, this connection is not vital in order to be able to develop Option B. Therefore in the worst case that we cannot obtain such approvals, the upper part of the site and the lower part of the site can be developed independently of each other without crossing the Wellwood Drain.

11 Information on the encumbrance in favour of Waka Kotahi New Zealand Transport Agency, and whether it will impact on project delivery.

The encumbrance does not impact the project. Its “operative” provision is as follows:

The Encumbrancer covenants with the Encumbrancee that the Encumbrancer will ensure that any new dwellings constructed on the Land within 30 metres of the boundary between any part of the Land and the State Highway will satisfy the following standards for noise and vibration: noise AS/NZ2107:2000, and vibration ISO2631-2:2003, or any amended or replacement standards addressing the same subject matter.

11.1 The encumbrance also prevents future occupiers from making complaints about effects of the State Highway.

Neither of these matters will impact on delivery of the project. The proposed dwellings are either set back beyond that distance, and/ or are subject to noise mitigation through the proposed bund so that all relevant noise standards will be met. “No complaints” covenants are also now commonly accepted in the market.

Attachment A - Breakdown of the rules that consent will be required under in the various planning documents

Hawkes Bay Regional Resource Management Plan:

Hawkes Bay Regional Resource Management Plan		
Rule / Regulation	Activity Status	Reason
Rule 6.3.3.8	Restricted Discretionary	Vegetation clearance and soil disturbance that do not comply with Rule 6.3.3.7
Rule 6.6.2.33	Controlled	Discharge of drainage water (pumped systems) – Council is updating their discharge consents for stormwater
Rule 6.6.6.43	Controlled	Diversion & discharge of urban stormwater
Rule 6.6.8.52	Discretionary	Discharges that do not comply with other rules
Rule 6.7.2.59	Discretionary	Diversions that cannot comply with other rules
Rule 6.8.3.69	Discretionary	River and lakebed activities not expressly regulated by other rules
Rule 6.8.4.71	Discretionary	Activities affecting river control & drainage structures

Proposed Plan Change 9 - Hawkes Bay Regional Resource Management Plan

Proposed Plan Change 9		
Rule / Regulation	Activity Status	Reason
6.10.1TANK14	Discretionary	The erection or placement of any dam or weir or other barrier structure, damming of surface waters and discharge from dams except as prohibited by Rule TANK 18
6.10.1TANK22	Restricted Discretionary	The diversion and discharge of stormwater into water, or onto land where it may enter water
6.10.1TANK23	Controlled	Diversion and discharge of stormwater from an existing or new local authority managed stormwater network into water, or onto land where it may enter water
6.10.1TANK24	Restricted Discretionary	Discharge of stormwater to water or onto land where it may enter water from any industrial or trade premises
6.10.1TANK25	Discretionary	The diversion and discharge of stormwater into water, or onto land where it may enter water
6.9.1	Controlled	The drilling, construction, and alteration of bores
6.9.2	Restricted Discretionary	The drilling, construction, or alteration of bores that does not comply with Rule 1.
6.9.33	Controlled	The diversion and discharge of drainage water into water or onto or into land, from a pumped system
6.8.2.68	Controlled	Except as prohibited by Rule TANK 18, the erection or placement of any dam, weir or other barrier structure in, on, under, or over the bed of a river, lake and artificial watercourse, and: any associated damming or diversion of water, and any associated discharge of sediment; and any associated disturbance of the river or lakebed.
6.8.2.71	Discretionary	Activities affecting river control & drainage schemes

Hastings District Plan

Chapter 6.2 Plains Production

Chapter 9.2 Flaxmere Residential Zone

Chapter 15.1 Natural Hazards
Chapter 19.1 Riparian Land Management and Public Access
Chapter 20.1 Indigenous Vegetation and Habitats of Indigenous Fauna
Chapter 21.1 Papakāinga District Wide
Chapter 22.1 Network Utilities District Wide Activity
Chapter 23.1 Renewable Energy
Chapter 25.1 Noise
Chapter 26.1 Transport and Parking
Chapter 27.1 Earthworks Mineral Aggregate and Hydrocarbon Extraction
Chapter 28.1 Advertising Devices & Signs
Chapter 30.1 Subdivision and Land Development

Rule / Regulation	Activity Status	Reason
Chapter 6 Plains Production		
6.2.4.PP19	Restricted Discretionary Non-Notified	Any building ancillary to a Recreation Activity on reserves vested under the Reserves Act 1977 with a gross floor area greater than 50m ² .
6.2.4.PP24	Restricted Discretionary	Any Permitted or Controlled activity not meeting one or more of the General Performance Standards and Terms in Section 6.2.5 and Specific Performance Standards and Terms in Section 6.2.6C(b) and 6.2.6C(d), 6.2.6D(2), 6.2.6H, 6.2.6I (6.2.6J, 6.2.6K, 6.2.6L and 6.2.6P.
6.2.4.PP38	Non-Complying	Residential buildings not complying with Specific Performance Standard 6.2.6B.
6.2.4.PP39	Non-Complying	Any activity which is not provided for as a Permitted, Controlled, Restricted Discretionary or Discretionary activity shall be a Non-complying activity. To avoid any doubt this includes activities not provided for above that do not comply with the following Specific Performance Standards: 6.2.6C(a) and (c), 6.2.6D(1), 6.2.6E(1) and 6.2.6(F).
Standards - some bulk and location standards may be breached; to be confirmed once further details confirmed		
6.2.5A.1		Commercial buildings or structures -Maximum height 15 metres.
6.2.5A.2		All other buildings or structures -Maximum height 10 metres. We are proposing 11 metres
6.2.5B		Yard setbacks
6.2.5.D		Screening
6.2.5E		Light and glare -All external lighting shall be shaded or directed away from any residential buildings or roads and shall be less than 8 lux spill measured at a height of 1.5 metres above the ground at the boundary of the site.
6.2.5F		Traffic and Parking -Shall comply with s26 of the plan
6.2.5G		Noise -Shall comply with s25 of the plan
6.2.5H		Trees on Boundaries -Various standards
6.2.5J		Total building coverage (including hardstand and sealed areas) -Varying requirements

6.2.6B		Residential buildings a. One residential building shall be allowed per site provided that the site shall be a minimum area of 2500m ² . b. One supplementary residential building shall be allowed per site.
6.2.6C		Supplementary residential buildings -various standards
Commercial Activity Threshold Limits		
6.2.6D.1		Maximum Gross Floor Area – 100m ² including outdoor display areas. It is proposed to do a maximum of 800m ² GFA.
		Retailing - Minimum percentage of display area to be stocked with goods produced on the site
		Resident staff required.
		Maximum gross floor area- Total maximum 100m ² (per site, not per activity).
6.2.6D.2		Additional limitations to gross floor limitation - Outdoor storage use 100m ² and - Maximum number of persons to be accommodated by entertainment facilities including those serving food and beverages is 40.
		Hours of Operation Retailing of goods to the public: Any day of the week - 8.00am - 10.00pm
6.2.6g		Site Area Thresholds
6.2.6H		Temporary Events - Various standards
6.2.6J		Relocated Buildings - Various standards
6.2.6P		Marae 1. Site Density and Coverage Maximum building coverage - 35% Maximum gross floor area - 1000m ²
Chapter 9.2.4 Flaxmere Residential Zone		
Rules		
9.2.4FR14	Restricted Discretionary Non-notified	Places of Assembly
9.2.4FR16	Restricted Discretionary Non-notified	Any building ancillary to a Recreation Activity on reserves vested under the Reserves Act 1977 with a gross floor area greater than 50m ²
9.2.4FR19	Restricted Discretionary	Education Facilities
9.2.4FR20	Restricted Discretionary	Rest Homes
9.2.4FR22	Restricted Discretionary	Any Permitted or Controlled activity not meeting one or more of the General Performance Standards and Terms in section 9.2.5 EXCEPT activities not complying with General Performance Standard 9.2.5A Density and activities not complying with Specific Performance Standard 9.2.6B.1 Supplementary Residential Buildings
9.2.4FR23	Discretionary	Health Care Services

9.2.4FR24	Discretionary	Comprehensive Residential Developments and Retirement Villages						
9.2.4FR25	Discretionary	Any Restricted Discretionary activity not meeting one or more of the relevant General Performance Standards in Section 9.2.5 or the relevant Specific Performance Standards and Terms in Section 9.2.6						
9.2.4FR26	Discretionary	Supplementary Residential Buildings not complying with Specific Performance Standard in Section 9.2.6B.1						
9.2.4FR27	Non-Complying	Residential activities (except comprehensive residential developments) not complying with density provision in General Performance Standard 9.2.5A						
9.2.4FR28	Non-Complying	Any activity which is not provided for as a Permitted, Controlled, Restricted Discretionary or Discretionary activity.						
Standards some of the following standards may be breached; to be confirmed once further details confirmed								
9.2.5A		Density One principal residential building per 500m ² net site area.						
9.2.5B 9.2.5C 9.2.5e 9.2.5F 9.2.5g 9.2.5H 9.2.5I 9.2.5J		Height - 8m maximum Height in relation to boundary Building Setbacks Maximum Building Coverage Outdoor Living Space Landscaping Screening Fencing						
9.2.5k		Stormwater Management The peak stormwater runoff from the site shall not exceed the following standards: <table><tr><th>Average Recurrence Interval (ARI)</th><th>Runoff Coefficient</th></tr><tr><td>5 year</td><td>0.5</td></tr><tr><td>50 year</td><td>0.6</td></tr></table>	Average Recurrence Interval (ARI)	Runoff Coefficient	5 year	0.5	50 year	0.6
Average Recurrence Interval (ARI)	Runoff Coefficient							
5 year	0.5							
50 year	0.6							
9.2.5L		Traffic Generation Vehicle Class/Type - Maximum Number of Movements Per Day or Averaged Per Day Over Any 7 Day Period HCV-II Nil HCV-I 1 All Others 30						
9.2.5M		Traffic and Parking - shall comply with s26 of the plan						
9.2.6D		Visitor Accommodation - no more than 5 persons in addition to the person(s) residing on the site						
9.2.6E		early childhood centres; education facilities, homes for the aged, places of assembly and non-residential care facilities - The maximum number of people: 10						
Chapter 15 – Natural Hazards								
Chapter 19 Riparian Vegetation Modification								

Standards some of the following standards may be breached; to be confirmed once further details confirmed		
Chapter 19 Indigenous Vegetation and Habitats of Indigenous Fauna		
Standards some of the following standards may be breached; to be confirmed once further details confirmed		
Standards some of the following standards may be breached		
21.1.6A		Building Height
21.1.6B		Yards
21.1.6C		Building Coverage
21.1.6D		Traffic, Parking, Access and Loading - Shall comply with S26 of the plan
21.1.6F		Noise - Shall comply with s25 of the plan
21.1.6G		Sunlight and Daylight provisions
21.1.6H		Vehicle crossing - shall be provided from the edge of an existing public road to the boundary of every Papakāinga Development
21.1.7A		Residential buildings: - Minimum site size - Location of buildings
21.1.7C		Māori Cultural Tourism Activities Visitor Accommodation Entertainment Facilities including serving food and beverages All other Commercial Activities - Personnel limits - Gross Floor Area
Standards some of the following standards may be breached; to be confirmed once further details confirmed		
22.1.6A		Disturbance to land and vegetation - Reinstated to prior condition
22.1.6B		Noise - Shall comply with Section 25 of the plan
22.1.6C		Traffic, Parking, Access and Loading - Shall comply with S26 of the plan
22.1.6D		Landscape and Screening
22.1.6E		Lighting
22.1.7A		Above-ground network utilities located outside legal roads, road reserves or service lanes (that is activities permitted by rules 2 (iii) and (iv) only) - Various Standards
22.1.7.B		Earthworks within national grid yard - Various standards
22.1.7C		Buildings and structures within any national grid yard - Various standards
22.1.7D		Amateur radio configuration - Various standards
Chapter 23 Renewable Energy		
Rules		
23.1.5RE5	Restricted Discretionary	Domestic scale renewable electricity generation activities

Standards some of the following standards may be breached; to be confirmed once further details confirmed		
23.1.6A		Building height
23.1.6B		Yards
23.1.6C		Lighting and glare -Shall comply with relevant zone
23.1.6D		Noise -Shall comply with s25 of the plan
Chapter 25 - Noise		
Chapter 25 -Transport and Parking		
26.1.5TP2	Restricted Discretionary	
Standards some of the following standards may be breached; to be confirmed once further details confirmed		
26.1.6A		Access -Various standards
26.1.6B		Safe Sightlines -Various standards
26.1.6C		Loading -Various standards
26.1.6D		Parking -Various standards
26.1.7A		Access -Vehicle standing bay
26.1.7B		Infrastructure to support alternative transport modes -Bicycle standards
Chapter 27 - Earthworks		
27.1.5EM6	Restricted Discretionary	Permitted Activities not meeting the General Performance Standards and Terms in Section 27.1.6
27.1.5EM6	Discretionary	The removal offsite of more than 100m ³ of earth (including topsoil) per site per year from sites in any Zone (excluding Plains Production Zone)
27.1.5EM6	Discretionary	The removal offsite of more than 25m ³ topsoil, sand, gravel, metal or earth from any site in the Plains Production Zone
Standards some of the following standards may be breached; to be confirmed once further details confirmed		
27.1.6A		Extent of earthworks - Various standards
27.1.6B		Vegetation clearance and soil disturbance - Restoration requirements
27.1.6C 27.1.6D 27.1.6E 27.1.6F 27.1.6G 27.1.6H		Requirements regarding: - Slope - Excavation - Noise - Flood Protection Works - Location of Fill - Sediment Control
Chapter 28 – Advertising Devices and Signs		
Chapter 30 – Subdivision and Land Development		
30.1.5SLD1	Controlled	Subdivisions meeting the subdivision site standards within 30.1.6

30.1.5SLD2	Controlled	Special purposes: Public Works, Network Utility Operations, Renewable Electricity Generation or Reserves
30.1.5SLD4	Controlled	Rural lifestyle site (around existing dwelling)
30.1.5SLD7	Controlled	Subdivision around existing dwellings in residential zones (not including Cross Lease to Freehold Subdivisions) not meeting the minimum site size
30.1.5SLD8	Restricted Discretionary Non-notified	Rural lifestyle site (not containing an existing dwelling) Lifestyle Subdivisions within the Rural SMA/Zone and not containing existing dwellings, and outside the coastal environment, which comply with all relevant Subdivision Site and General Site Performance Standards and Terms specified in 30.1.6 and 30.1.7.
30.1.5SLD12	Restricted Discretionary Non-notified	Flaxmere Village Centre: Flaxmere Commercial Zone, Flaxmere Commercial Service Zone, Flaxmere Community Residential Zone
30.1.5SLD15	Restricted Discretionary Non-notified	Residential Character Areas, City Living Zone, Flaxmere Area 1
30.1.5SLD17	Restricted Discretionary	Subdivision in all Zones (except within the Iona Plateau Neighbourhood, Iona Special Character Zone refer SLD27, but not meeting General Site standards and terms in 30.1.7
30.1.5SLD19	Restricted Discretionary	Special Purposes sites not meeting General Site standards and terms in 30.1.7
30.1.5SLD23	Discretionary	Plains lifestyle site and amalgamation requirements
30.1.5SLD24	Discretionary	Natural Area Conservation Lots not in the RAP list Appendix 56
30.1.5SLD25	Non Complying	Non-Complying Subdivision
Standards some of the following standards may be breached; to be confirmed once further details confirmed		
30.1.6A		Minimum site and size requirements -Plains Production: Plains Production - 12 hectares Plains Settlement in areas with reticulated sewerage - 500m ² Plains Settlement in areas without reticulated sewerage (Omahu) - 800m ² Plains Settlement in areas without reticulated sewerage (All other areas) - 1000m ² -Flaxmere Residential 500m ²
30.1.6B		Lifestyle lots -Various standards
30.1.6C		Exemptions to minimum site provisions
30.1.7A		Building platform requirements
30.1.7B		Water supply
30.1.7C		Wastewater Disposal
30.1.7D		Stormwater Disposal
30.1.7E		Property Access
30.1.7F		Outdoor Living Space
30.1.7G		Electricity
30.1.7H		Esplanade Reserves and Strips
30.1.7J		Balance Lots

National environmental standard for assessing and managing contaminants in soil to protect human health

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011		
Rule / Regulation	Activity Status	Reason
Clause 8	Discretionary	Earthworks for disturbance of soil and subdividing land in a way that causes the piece of land to stop being production land.

National Policy Statement for Fresh Water Management

Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011		
Rule / Regulation	Activity Status	Reason
3.24(2)		Subclause (3) applies to an application for a consent for an activity: (a) that falls within the exception to the policy described in subclause (1); and (b) would result (directly or indirectly) in the loss of extent or values of a river Note that there will be no loss of river extent if the Wellwood Drain is to be treated as a river.

Attachment B – Email from Hastings District Council re: services

