

11 September 2023

Amendment of Central Hawke's Bay Proposed District Plan pursuant to clause 16(2) of Schedule 1 to the Resource Management Act 1991

Clause 16 of Schedule 1 to the Resource Management Act 1991 provides for Central Hawke's Bay District Council to make amendments to the Proposed District Plan, without using the process set out in Schedule 1, to alter any information, where such an alteration is of minor effect, or to correct any minor errors.

"(2) A local authority may make an amendment, without using the process in this schedule, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors."

The relevant provisions (in the table on the next page) have been considered against those tests (alteration of minor effect or corrections of a minor error) in the Act. Acting under authority delegated by the Central Hawke's Bay District Council, it has been decided the amendments to the Proposed District Plan as set out on the next page meet those tests and are made accordingly.



Doug Tate
Chief Executive
Central Hawke's Bay District Council

Chapter	Provision	Description of Amendment	Reason for amendment
NU – Network Utilities	NU-M1(5)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “ECO – Ecosystems and Indigenous Biodiversity and ECO-SCHED5 – Schedule of Significant Natural Areas – in areas containing these areas of significant indigenous vegetation <u>and/or</u> significant habitats of indigenous fauna.”	Minor correction
RE – Renewable Energy	RE-AM1(7)(d)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “The extent to which <u>areas of</u> significant indigenous vegetation and/ <u>or</u> significant habitats of indigenous fauna are affected, including Significant Natural Areas identified in ECO-SCHED5 of the Plan.”	Minor correction
TRAN – Transport	TRAN-Table 2	Change Commercial Zone to Town Centre Zone	Minor Correction to be consistent with decisions
TRAN – Transport	TRAN-Table 4	Change Commercial Zone to Town Centre Zone	Minor Correction to be consistent with decisions
ECO – Ecosystems and Indigenous Biodiversity	ECO-Introduction	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “In achieving the sustainable management purpose of the RMA, the protection of areas of significant indigenous vegetation and/ <u>or</u> significant habitats of indigenous fauna, is specifically identified as a ‘matter of national importance’ (section 6(c)). Subdivision, use and development often results in changes to the natural environment. These changes are not always negative, nor are they always significant, however it is important that an opportunity to consider the impact of these activities on the District's remaining <u>areas of</u> significant indigenous vegetation and/ <u>or</u> significant habitats of indigenous fauna is provided for in the District Plan.”	Minor correction
ECO – Ecosystems and Indigenous Biodiversity	ECO-I1	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “Loss of <u>areas of</u> Significant Indigenous Vegetation and/ <u>or</u> Significant Habitats of Indigenous Fauna”	Minor correction
ECO – Ecosystems and Indigenous Biodiversity	ECO-I2	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition.	Minor correction

		“The lack of opportunity of mana whenua to exercise kaitiakitanga in the protection of areas of Significant Indigenous Vegetation and/or Significant Habitats of Indigenous Fauna. ”	
ECO – Ecosystems and Indigenous Biodiversity	ECO-O1	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “Protect the District's areas of significant indigenous vegetation and/or significant habitats of indigenous fauna, particularly those within wetlands, braided rivers, and coastal margins, from activities that may adversely affect them.”	Minor correction
ECO – Ecosystems and Indigenous Biodiversity	ECO-P4(3)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “Subdivision of land and location of buildings and works in close proximity to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna; or”	Minor correction
ECO – Ecosystems and Indigenous Biodiversity	Rules (notes beforehand)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities involving the trimming or clearance of areas of significant indigenous vegetation and/or significant habitats of indigenous fauna.”	Minor correction
ECO – Ecosystems and Indigenous Biodiversity	ECO-AER4	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “Increase in the number of registered sites of QE II Covenants to protect areas of significant indigenous vegetation and/or significant indigenous habitats of indigenous flora and fauna in perpetuity.”	Minor correction
NFL – Natural Features and Landscapes	NFL-M2(3)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “District Plan rules and performance standards relating to Significant Natural Areas (SNAs) and the clearance of areas of significant indigenous vegetation and/or significant habitats of indigenous fauna, which can also act to protect against loss of indigenous vegetation cover where located within significant and outstanding landscapes containing such vegetation.”	Minor correction
SUB - Subdivision	SUB-O1(2)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition.	Minor correction

		<p>“the protection of areas identified as Outstanding Natural Landscapes and Features, Significant Natural Areas, areas of significant indigenous vegetation and <u>or</u> significant habitats of indigenous fauna, and High Natural Character Areas from the adverse effects of inappropriate subdivision (NFL – Natural Features and Landscapes, ECO – Ecosystems and Indigenous Biodiversity, CE – Coastal Environment provisions in the District Plan);”</p>	
SUB - Subdivision	SUB-I3	<p>Insert the word property at the end of the issue.</p> <p>“Establishment of new lots in areas of natural hazards can directly or indirectly increase and/or exacerbate risk to people and property.”</p>	Minor correction to be consistent with decisions
SUB – Subdivision	SUB-AM9	<p>Add ‘and’ at the end of SUB-AM9(2)(a).</p> <p>“Add ‘and’ at the end of SUB-AM9(4)(a), and a fullstop at the end of ‘SUB-AM9(4)(b) instead of a semi-colon.”</p>	Minor correction
SUB - Subdivision	SUB-AM10	<p>Replace semi-colons with fullstops.</p>	Minor correction
SUB - Subdivision	SUB-AM15(1)	<p>To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition.</p> <p>“Significant Natural Areas (ECO-SCHED5), Areas of Significant Indigenous Vegetation and <u>or</u> Significant Habitats of Indigenous Fauna”</p>	Minor correction
SUB - Subdivision	SUB-Principal Reasons	<p>To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition.</p> <p>“Consistent with the objectives and policies of the ECO – Ecosystems and Indigenous Biodiversity chapter, the HH – Historic Heritage chapter, and SASM – Sites of Significance to Māori chapter in the District Plan, includes subdivision rules that allow the creation of a separate in-situ Lifestyle Site (and an associated house site) in return for legally and physically protecting in perpetuity: nominated areas of significant indigenous vegetation and/or significant habitats of indigenous fauna (including Significant Natural Areas identified in ECO-SCHED5 of the District Plan), Heritage Items identified in HH-SCHED2, or Wāhi Tapu, Wāhi Taonga and Sites of Significance identified in SASM-SCHED3 of the District Plan located on the land being subdivided.”</p>	Minor correction
CE – Coastal Environment	CE – Introduction	<p>To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition.</p> <p>“ECO – Ecosystems and Indigenous Biodiversity which contain policies and rules relating to overall protection of areas of significant indigenous vegetation and <u>or significant</u> habitats of indigenous fauna;”</p>	Minor correction

CE – Coastal Environment	CE-M3(3)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “ECO – Ecosystems and Indigenous Biodiversity: rules and performance standards relating to Significant Natural Areas (SNAs) and the clearance of areas of significant indigenous vegetation and/or significant habitats of indigenous fauna, which will also act to protect against loss of indigenous vegetation cover in identified HNCs containing such vegetation.”	Minor correction																
EW – Earthworks	EW-AM8	Add ‘and’ at the end of EW-AM8(1)(a)(iii).	Minor correction																
NOISE - Noise	NOISE-S4	Add in sub-clause for Settlements Zone in NOISE-S4 Noise Limits – Zone Specific. <table border="1"> <thead> <tr> <th colspan="2">NOISE-S4 Noise Limits – Zone Specific</th> </tr> </thead> <tbody> <tr> <td colspan="2">Receiving Zones</td> </tr> <tr> <td>General Residential Zone</td> <td>1. ...</td> </tr> <tr> <td>Settlement Zone</td> <td>2. Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone: a. 0700 – 2200 hours – 55 LAeq(15min) b. All other times – 45 LAeq(15min) / 70 LMax</td> </tr> <tr> <td>Rural Lifestyle Zone Large Lot Residential Zone (Coastal)</td> <td>2.3. ...</td> </tr> <tr> <td>General Rural Zone Rural Production Zone</td> <td>3.4. ...</td> </tr> <tr> <td>Town Centre Zone</td> <td>4.5. ... 5.6. ... 6.7. ...</td> </tr> <tr> <td>General Industrial Zone</td> <td>7.8. ... 8.9. ...</td> </tr> </tbody> </table>	NOISE-S4 Noise Limits – Zone Specific		Receiving Zones		General Residential Zone	1. ...	Settlement Zone	2. Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone: a. 0700 – 2200 hours – 55 LAeq(15min) b. All other times – 45 LAeq(15min) / 70 LMax	Rural Lifestyle Zone Large Lot Residential Zone (Coastal)	2.3. ...	General Rural Zone Rural Production Zone	3.4. ...	Town Centre Zone	4.5. ... 5.6. ... 6.7. ...	General Industrial Zone	7.8. ... 8.9. ...	Minor correction
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PKH – papakāinga and kaumātua housing, and associated marae-based development	PKH-S3(3)	Make the word ‘site’ plural “For sites <u>5,000m2</u> or greater – maximum building coverage (including hardstand and sealed areas) must not exceed 35% of the net site area.”	Minor correction																
PKH – Papakāinga and Kaumatua Housing and associated marae-based development	PKH-AM1	Add ‘and’ at the end of PKH-AM1(2)(c).	Minor correction																
PKH – papakāinga and kaumātua housing,	PKH-M1(4)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition.	Minor correction																

and associated marae-based development		“ECO – Ecosystems and Indigenous Biodiversity – includes rules applying specifically to areas of significant indigenous vegetation and /or significant habitats of indigenous fauna.”	
GRUZ – General Rural Zone	GRUZ-M1(8)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. “ECO – Ecosystems and Indigenous Biodiversity – includes rules applying specifically to areas of significant indigenous vegetation and /or significant habitats of indigenous fauna.”	Minor correction
GRUZ – General Rural Zone	GRUZ-Principal Reasons	Change Commercial Zone to Town Centre Zone “Some activities, however, such as larger-scale commercial and industrial activities, are not provided for in this zone, as they are generally not considered compatible with the zone’s character and amenity values and have greater servicing needs, trade waste, traffic effects and the like. These activities are better located in other zones, particularly the Town Centre Commercial and General Industrial Zones which are specifically for this purpose and more likely to be serviced accordingly.”	Minor Correction to be consistent with decisions
RPROZ – Rural Production Zone	RPROZ-R16(1)(b)	Replace a, b, c subclause ‘numbering’ with roman numerals. “b. Compliance with: ia RPROZ-S12 (setback from existing intensive primary production); and ib RPROZ-S13 (building restrictions near Waipukurau Aerodrome); and ic RPROZ-S14 (setback from gas transmission network).”	Minor formatting correction
RPROZ – Rural Production Zone	RPROZ-R15(1)(a)	Replace reference to GRUZ-S15 with RPROZ-S15, the correct standard to refer to in this zone. “a. Compliance with GRUZ RPROZ -S15 (setbacks from National Grid).”	Minor Correction
RPROZ – Rural Production Zone	RPROZ-R17(1)(a)	Replace reference to GRUZ-S15 with RPROZ-S15, the correct standard to refer to in this zone. “a. Compliance with GRUZ RPROZ -S15 (setbacks from National Grid).”	Minor Correction
RPROZ – Rural Production Zone	RPROZ-R18(1)(a)	Replace reference to GRUZ-S15 with RPROZ-S15, the correct standard to refer to in this zone. “a. Compliance with GRUZ RPROZ -S15 (setbacks from National Grid).”	Minor Correction
RPROZ – Rural Production Zone	RPROZ-R22(1)(a)	Replace reference to GRUZ-S15 with RPROZ-S15, the correct standard to refer to in this zone. “a. Compliance with GRUZ RPROZ -S15 (setbacks from National Grid).”	Minor Correction
RPROZ – Rural Production Zone	RPROZ-R23(1)(a)	Replace reference to GRUZ-S15 with RPROZ-S15, the correct standard to refer to in this zone. “a. Compliance with GRUZ RPROZ -S15 (setbacks from National Grid).”	Minor Correction
RPROZ – Rural Production Zone	RPROZ-AM10	Change Commercial Zone to Town Centre Zone	Minor Correction to be consistent with decisions

		“Intensive Primary Production Activities (located more than 500 metres from a General Residential, Rural Lifestyle, Settlement, or Town Centre Commercial Zone boundary)”	
RPROZ – Rural Production Zone	RPROZ-M1(8)	To change reference to areas of significant indigenous vegetation and/or significant habitats of indigenous fauna to be consistent with this name of the definition. ECO – Ecosystems and Indigenous Biodiversity – includes rules applying specifically to areas of significant indigenous vegetation and /or significant habitats of indigenous fauna.	Minor correction
MAPS – Waipukurau Aerodrome	Height Restriction 10m	Remove the words “no build zone” from the height restriction 10m map notation.	Minor correction to maps
MAPS – Waipukurau Aerodrome	No build zone	Remove the words “height restriction 6m” from the No Build Zone with the cross-hatching at the southern end of the runway	Minor correction to maps
MAPS – Waipukurau Aerodrome	Height Restriction 6m	Remove the words “design – category 7” from the height restriction 6m map notation with the horizontal lines.	Minor correction to maps