

23 April 2024

**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			
General Residential Zone	GRZ-R4	<p>1. To reinstate the day care facilities rule (as shown below) in the General Residential Zone.</p> <p>2. Consequentially add it back into the Rule Overview Table</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p style="background-color: #ADD8E6; margin: 0;"><b>GRZ-R4 Day Care facilities</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px; vertical-align: top;"> <p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p><b>a.</b> The maximum number of persons catered for at the facility at any one time must not exceed 10 persons.</p> <p><b>b.</b> Compliance with:</p> <ul style="list-style-type: none"> <li><b>i. GRZ-S2;</b></li> <li><b>ii. GRZ-S3;</b></li> <li><b>iii. GRZ-S4;</b></li> <li><b>iv. GRZ-S5;</b></li> <li><b>v. GRZ-S6;</b></li> <li><b>vi. GRZ-S7;</b></li> <li><b>vii. GRZ-S8;</b></li> <li><b>viii. GRZ-S9;</b></li> <li><b>ix. GRZ-S10;</b></li> <li><b>x. GRZ-S12;</b></li> <li><b>xi. GRZ-S13;</b></li> <li><b>xii. GRZ-S14; and</b></li> <li><b>xiii. GRZ-S16.</b></li> </ul> </td> <td style="width: 50%; padding: 5px; vertical-align: top;"> <p><b>2. Activity status where compliance with condition GRZ-R4(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p><b>a.</b> Assessment matters:</p> <ul style="list-style-type: none"> <li><b>i. GRZ-AM1.</b></li> <li><b>ii. GRZ-AM2.</b></li> <li><b>iii. GRZ-AM3.</b></li> <li><b>iv. GRZ-AM4.</b></li> <li><b>v. GRZ-AM5.</b></li> <li><b>vi. GRZ-AM9</b></li> <li><b>vii. GRZ-AM11</b></li> </ul> <p><b>b.</b> Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li><b>i. TRAN – Transport.</b></li> <li><b>ii. LIGHT – Light.</b></li> <li><b>iii. NOISE – Noise.</b></li> </ul> </td> </tr> <tr> <td style="padding: 5px; vertical-align: top;"> <p><b>3. Activity status where compliance with condition GRZ-R4(1)(a) is not achieved: DIS</b></p> </td> </tr> </table> </div>	<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p><b>a.</b> The maximum number of persons catered for at the facility at any one time must not exceed 10 persons.</p> <p><b>b.</b> Compliance with:</p> <ul style="list-style-type: none"> <li><b>i. GRZ-S2;</b></li> <li><b>ii. GRZ-S3;</b></li> <li><b>iii. GRZ-S4;</b></li> <li><b>iv. GRZ-S5;</b></li> <li><b>v. GRZ-S6;</b></li> <li><b>vi. GRZ-S7;</b></li> <li><b>vii. GRZ-S8;</b></li> <li><b>viii. GRZ-S9;</b></li> <li><b>ix. GRZ-S10;</b></li> <li><b>x. GRZ-S12;</b></li> <li><b>xi. GRZ-S13;</b></li> <li><b>xii. GRZ-S14; and</b></li> <li><b>xiii. GRZ-S16.</b></li> </ul>	<p><b>2. Activity status where compliance with condition GRZ-R4(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p><b>a.</b> Assessment matters:</p> <ul style="list-style-type: none"> <li><b>i. GRZ-AM1.</b></li> <li><b>ii. GRZ-AM2.</b></li> <li><b>iii. GRZ-AM3.</b></li> <li><b>iv. GRZ-AM4.</b></li> <li><b>v. GRZ-AM5.</b></li> <li><b>vi. GRZ-AM9</b></li> <li><b>vii. GRZ-AM11</b></li> </ul> <p><b>b.</b> Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li><b>i. TRAN – Transport.</b></li> <li><b>ii. LIGHT – Light.</b></li> <li><b>iii. NOISE – Noise.</b></li> </ul>	<p><b>3. Activity status where compliance with condition GRZ-R4(1)(a) is not achieved: DIS</b></p>	<p>In the Panel’s report 6C ‘Miscellaneous’ it was clearly outlined that day care facilities be provided for in the general residential zone. It is considered that the deletion of those rules was <u>a minor error</u> and should be rectified by reinstating them.</p>
<p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p><b>a.</b> The maximum number of persons catered for at the facility at any one time must not exceed 10 persons.</p> <p><b>b.</b> Compliance with:</p> <ul style="list-style-type: none"> <li><b>i. GRZ-S2;</b></li> <li><b>ii. GRZ-S3;</b></li> <li><b>iii. GRZ-S4;</b></li> <li><b>iv. GRZ-S5;</b></li> <li><b>v. GRZ-S6;</b></li> <li><b>vi. GRZ-S7;</b></li> <li><b>vii. GRZ-S8;</b></li> <li><b>viii. GRZ-S9;</b></li> <li><b>ix. GRZ-S10;</b></li> <li><b>x. GRZ-S12;</b></li> <li><b>xi. GRZ-S13;</b></li> <li><b>xii. GRZ-S14; and</b></li> <li><b>xiii. GRZ-S16.</b></li> </ul>	<p><b>2. Activity status where compliance with condition GRZ-R4(1)(b) is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p><b>a.</b> Assessment matters:</p> <ul style="list-style-type: none"> <li><b>i. GRZ-AM1.</b></li> <li><b>ii. GRZ-AM2.</b></li> <li><b>iii. GRZ-AM3.</b></li> <li><b>iv. GRZ-AM4.</b></li> <li><b>v. GRZ-AM5.</b></li> <li><b>vi. GRZ-AM9</b></li> <li><b>vii. GRZ-AM11</b></li> </ul> <p><b>b.</b> Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li><b>i. TRAN – Transport.</b></li> <li><b>ii. LIGHT – Light.</b></li> <li><b>iii. NOISE – Noise.</b></li> </ul>					
<p><b>3. Activity status where compliance with condition GRZ-R4(1)(a) is not achieved: DIS</b></p>						
General Residential Zone	GRZ-AM9	<p>To reinstate the inclusion of day care facilities into the header of GRZ-AM9, as shown by the underlined bold text below.</p> <p>“GRZ-AM9 Community Facilities, <b><u>Day Care Facilities</u></b> and Educational Facilities”</p>	<p>Consequential amendment to minor error correction.</p>			

Settlement Zone	SETZ-R4	<p>1. To reinstate the day care facilities rule (as shown below) in the Settlement Zone. 2. Consequentially add it back into the Rule Overview Table</p> <p><b>SETZ-R4 Day Care facilities</b></p> <p><b>1. Activity Status: PER</b></p> <p><b>Where the following conditions are met:</b></p> <p>a. Compliance with:</p> <ul style="list-style-type: none"> <li>i. <b>SETZ-S2;</b></li> <li>ii. <b>SETZ-S3;</b></li> <li>iii. <b>SETZ-S4;</b></li> <li>iv. <b>SETZ-S5;</b></li> <li>v. <b>SETZ-S6;</b></li> <li>vi. <b>SETZ-S7;</b></li> <li>vii. <b>SETZ-S8;</b></li> <li>viii. <b>SETZ-S9;</b></li> <li>ix. <b>SETZ-S10;</b></li> <li>x. <b>SETZ-S11;</b></li> <li>xi. <b>SETZ-S12;</b></li> <li>xii. <b>SETZ-S13; and</b></li> <li>xiii. <b>SETZ-S14.</b></li> </ul> <p><b>2. Activity status where compliance is not achieved: RDIS</b></p> <p><b>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</b></p> <p>a. Assessment matters:</p> <ul style="list-style-type: none"> <li>i. SETZ-AM1.</li> <li>ii. SETZ-AM2.</li> <li>iii. SETZ-AM3.</li> <li>iv. SETZ-AM4.</li> <li>v. SETZ-AM8</li> <li>vi. SETZ-AM10</li> <li>vii. SETZ-AM11</li> </ul> <p>b. Assessment matters in the following chapters:</p> <ul style="list-style-type: none"> <li>i. TRAN – Transport.</li> <li>ii. LIGHT – Light.</li> <li>iii. NOISE – Noise.</li> </ul>	In the Panel’s report 6C ‘Miscellaneous’ it was clearly outlined that day care facilities be provided for in the settlement zone. It is considered that the deletion of those rules was a <u>minor error</u> and should be rectified by reinstating them.
Settlement Zone	SET-AM8	<p>To reinstate the inclusion of day care facilities into the header of SETZ-AM8, as shown by the underlined bold text below.</p> <p>“SETZ-AM8 Community Facilities, <b><u>Day Care Facilities</u></b> and Educational Facilities”</p>	Consequential amendment to minor error correction.
Schedule of Notable Trees	TREE-50	The site identifier needs to be corrected from ‘Mangarara Road’ to ‘Kahuranaki Road’.	Correction of minor error.
Network Utilities	NU-P7	<p>To correct spelling mistakes as shown below:</p> <p>“Manage the adverse effects of the planning and development of the National Grid by:</p> <p>1. ....</p>	Correction of minor error.

		<p>2. ....</p> <p>3. Seeking to avoid significant adverse effects on other <u>areas</u> of natural character and other natural features and landscapes in the coastal environment.</p> <p>4. Considering constraints imposed on achieving measures to avoid, remedy or mitigate other adverse environmental <u>effects</u> by the functional or operational needs of the network.</p> <p>In the event of any conflict with any other objectives and policies within the Plan, Policy NU-P7 takes precedence.”</p>	
General Rural Zone	GRUZ-R12	<p>To correct the rule header, as shown below:</p> <p>“GRUZ-R12 Emergency service activities and emergency <b>aviation movements</b> <del>service activities</del>”</p>	Correction of minor error.
CHBDC designations – Maps	CHBDC-1, 10, & 98	To add the mapped areas of scheduled designations CHBDC-1, 10, and 98 to the planning maps.	Correction of minor error.