

15 July 2019

Helen O'Shaugnessy  
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Central Hawke's Bay District Council  
PO Box 127  
**WAIPAWA 4210**

Attention:

Dear Helen

### **HBRC comment to the Central Hawke's Bay District Council draft District Plan**

Thank you for the opportunity to provide comment on your draft District Plan. The attached comments are from staff across a variety of the Regional Council's teams.

We congratulate you and your team on achieving the milestone in release of the draft District Plan and acknowledge the significant amount of working reaching this stage. In general HBRC supports the intent of the plan review, however, has made a number of suggestions. Please find attached to this letter detailed comments and suggested amendments from HBRC staff.

We would welcome the opportunity for further meetings to discuss the draft Plan Change and our feedback.

If you have any queries regarding our comments, please contact Ellen Humphries at [ellen.humphries@hbrc.govt.nz](mailto:ellen.humphries@hbrc.govt.nz) or (06) 835 9200 extn 9379.

Yours sincerely



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## Feedback on draft CHB District Plan

Thank you for the opportunity to provide feedback on the Central Hawke's Bay draft District Plan. The below submission generally follows the order of the draft District Plan. Our feedback is provided under the following topics.

- General comments
- Tāngata Whenua
- Coastal Environment
- Urban Development
- Biodiversity
- Civil Defence and Emergency Management
- Transport
- Stormwater, wastewater and gravel extraction.

### General comments

#### National Planning standards

Although the order of content generally aligns with the National Planning Standards, we note that many mandatory chapters, content of specific chapters and formatting is missing or does not align. HBRC staff note that CHBDC have worked with the Ministry for the Environment in the past as part of a pilot project however believe that if the National Planning Standards are to be effective the draft Plan should align as closely as possible to the standards (as published in April 2019).

#### Implementation Methods

The link between the implementation methods and policy as proposed is not always clear. Many of the methods listed throughout the draft Plan read more like reasons or placeholders rather than commitments to specific actions or activities which will give effect to the policies and objectives. For example, many implementation methods listed reference other organisations' policies, objectives, rules or standards however it is not clear how CHBDC will utilise them to give effect to the policies.

#### Maps

As has already been discussed with CHBDC planning staff at a meeting on 5 June 2019, the PDF maps as proposed are difficult to read. In particular, some colours are nearly indistinguishable from another which means the maps are not user friendly. That being said we appreciate the sharing of the IntraMaps and shapefiles which was very useful.

#### Plan Change 7 (Outstanding Water Bodies)

HBRC have developed Plan Change 7 to identify outstanding waterbodies in the Hawke's Bay region to give effect to the National Policy Statement on Freshwater Management 2014 (amended 2017 – NPS-FM). On 3 July 2019, the Regional Planning Committee agreed to recommend that Council notify draft Plan Change 7.

By means of update, the outstanding water bodies draft Plan Change has been amended to respond to concerns raised during the pre-notification consultation period, including issues around implementation discussed in the CHBDC submission dated 10 June 2019. As a result, the policy framework is now more specific to matters within the mandate of the Regional Council.

Notwithstanding, we note that HBRC and CHBDC will need to be consistent in the management of outstanding and significant values in and adjacent to the outstanding waterbodies protected through Plan Change 7, and through any subsequent catchment-based plan change.

## Tāngata Whenua

### Definitions

As noted above, the National Planning Standards require all te reo Māori terms used in rules to be defined in the definitions chapter. We understand CHBDC has worked with Dr. Roger Maaka in the development of the draft Plan, it may be useful to draw on his expertise to provide definitions of te reo Maori terms in the absence of any definition in the RMA or National Planning Standards..

Term	Suggested amendment	Reason
Kaitiaki	Broaden scope so that it is specific to tangata whenua and is related to both natural and physical resources.	To be framed in accordance with the RMA description of kaitiakitanga.
Whenua Māori / Māori Land	Broaden scope.	See 'Māori development' section below for more discussion.

### Tāngata whenua me te ture

CHBDC may wish to expand this section to include other provisions in the RMA, such as Sections 38B, 74(2A) and relevant sections of the Local Government Act 2002, such as Section 81.

HBRC also notes that RMA provisions regarding Mana Whakahono a Rohe are included in Section 58L-58U (as opposed to 58L-58N as indicated in the draft Plan).

### Papakāinga and Marae-based development

The intent of the draft Plan to enable Māori development and realisation traditional or customary ways of living and roles is evident and aligns with the RPS to establish built environments that retain values important to tāngata whenua (OBJ UD1 (a)(iii) and POL UD6.1). HBRC note that the customary way of living communally is important and is a value to be retained, not just the customary land itself. The current definitions of 'Whenua Māori' and 'Māori Land' as proposed do not include land with a status of 'Māori reserve' and Section 17.1 also explicitly excludes the potential for general land that is Māori owned to be developed for these purposes (notwithstanding policy 17.4.2).

Te Ture Whenua Maori Act 1993 makes provisions for certain trusts to be established in respect of any interests in Māori land or general land owned by Māori. As currently drafted the Plan may be overly restrictive on the ability of such trusts to develop papakāinga or kaumātua housing and marae-based development on general land.

HBRC suggest including a broader description for Māori land, or replacing reference to 'Māori Land' with 'Māori owned land' and an appropriate definition or 'Whenua Māori' with the previously suggested amendments to the definition.

### Role of kaitiaki

HBRC suggest removing the word 'natural' from Objective 4.5.2. Limiting the role of kaitiaki to the natural environment conflicts with the RMA description of kaitiakitanga, which also includes physical resources.

HBRC also note that Objective 4 overlaps with Objective 2. This may also be read as again limiting the role of kaitiaki. HBRC suggest the objective could be reworded: *"Tāngata whenua are able to protect, develop and use Māori owned land in a way that is consistent with their culture, traditions and their social and economic aspirations."*

## Coastal Environment

HBRC support the policies outlined in Section 7, they generally align with and/or are consistent with relevant sections of the RCEP and/or RPS. Comments related to protecting sensitive dunes are included under the 'biodiversity' sub-heading below.

HBRC suggest adding beach morphology (e.g. beach berm width) to the list of landforms to be protected under Objective 7.3.1.

## Climate change and related impacts

HBRC are surprised to note that although climate change is recognised as a prominent concern of Council decision-making, climate change, and the related impacts such as sea level rise, sea temperature rise and higher probability of extreme weather events, are not discussed in the objectives and policies which follow.

HBRC support Policy 7.4.1. Identifying and mapping the coastal environment area of Central Hawke's Bay will enable consistency between the RCEP and the District plan. As currently mapped, the coastal hazard zones do not seem very conservative and do not extend as far inland as the Coastal Environment mapped in the RCEP.

Although some impacts of climate change may not be realised within the timeframe of this District Plan, we consider the plan could better provide for climate change and indicate how it might prepare for the long-term preparation, adaptation and mitigation to ensure new developments, urban growth etc. are appropriate. There are several locations throughout Section 7 where consideration of climate change and its impacts could be incorporated:

- Policies: 7.4.6 and 7.4.7 could include specific measures to avoid the impacts of climate change and associated environmental phenomena. This includes, but is not limited to, avoidance or restriction of building, renovations or maintenance of any anthropogenic structure where the area is subject to impacts of climate change. Such avoidance of permanent development is supported by RPS OBJ8<sup>1</sup>.
- Implementation Methods: liaising with others to develop or utilising existing climate change science and research to understand the relevant risks and adaptation, mitigation or avoidance responses.

Such amendments suggested for Section 7 should also be reflected in Section 25 relating to Coastal Settlements.

## Urban Development

In Section 5, it is not clear how housing demand over the next ten years is to be met. The assumption is made that it can occur within existing urban land although it is unclear whether this is brownfield or greenfield growth as the proposed maps only indicate potential growth areas for the medium-term.

A stated Environmental Result Anticipated of Section 5.7 is *"Urban development that avoids, remedies or mitigates adverse environmental effects, and minimises the loss of valuable versatile land"*. In Section 5, the draft Plan leverages zoning to avoid encroaching on versatile soils, however,

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<sup>1</sup> OBJ 8: The avoidance of further permanent development in areas prone to coastal erosion or inundation, taking into account the risk associated with global sea level rise and any protection afforded by natural coastal features.

this section does not contain any objectives, policies, methods or references to other sections that would enable the avoidance, remedy or mitigation of other adverse environmental effects.

## Indigenous Biodiversity

### Indigenous and planted indigenous forest

HBRC support the separate definitions for 'planted indigenous forest' and 'indigenous forest', as the uncertainty of being able to harvest is a key barrier to planting of indigenous tree crops.

### Significance criteria' as provided in Part A. 3. Definition & 8.3.3 – 1, Policies

The criteria for identifying significant natural areas provided in the draft National Policy Statement for Indigenous Biodiversity (NPS-IB) is based on a comprehensive examination of existing significance criteria systems. Given this NPS will likely come into effect within the next two years we suggest there is an opportunity for closer alignment with the significance criteria with the draft NPS-IB.

The proposed significance criteria in the draft District Plan partially meet the criteria proposed in the draft NPS-IB. Specifically, criteria 1, 2, 3 and 4 meet the general intention of "rarity and distinctiveness", and criteria 5 meets one aspect of the "representativeness" in the draft NPS-IB. However, there is an opportunity for the significance criteria to also include or reflect other criteria in the draft NPS-IB, including "diversity and pattern,", "ecological context," and other aspects of "representativeness".

- **Diversity and pattern** focuses on heterogeneity within a given site. For example, if there is a lake with wetland on the fringe which gradients to forest, this is called ecological sequence. A stream with riparian manuka shrub land which transition to broadleaved forest is another such example.
- **Ecological context** identifies sites whose sizes, shapes, configuration and location play an important role in biodiversity in the landscape. For example, if a manuka shrub land is surrounding rare ecosystems, the former is acting as buffer and/or ecological stepping-stones for flora and fauna in the landscape including that of the rare ecosystem.
- There are two ways to assess **representativeness**. First is to identify dominant ecosystem type(s) remaining today within the relevant ecological district and in CHB district. The second approach is to identify potential ecosystem types that were dominant in the past. The latter approach may identify secondary vegetation as significant, having a potential to restore back to the original ecosystem types.

These three criteria are crucial for protecting some of the degraded, modified and/or regenerating ecosystems, which plays an important role in retaining biodiversity values in the landscape where biodiversity has become scarce, if not extinct. These additional criteria also enable Policy 8.3.3.5.

## Section 7 - Coastal Environment

There is an opportunity for the Coastal policies to be strengthened to restrict recreational uses such as quad bikes, 4WD, fishing boat launching and retrieving, and 2-wheel motor cycle which have adverse effects on the coastal environment, particularly sensitive dunes. We recommend amending Policy 7.4.2 to include avoiding the impacts of these types of recreational uses. Such restricted access, protection and maintenance of sensitive dune areas and habitats of indigenous flora and fauna is supported by Policies 5.3, 5.4, 5.5 and 17.1 of the RCEP.

## 8.2 Landscape values

Locations identified as either Outstanding Natural Landscape (ONL), Outstanding Natural Features (ONF), or Significant Amenity Features (SAF) are subject to ongoing anthropogenic activities, though

having to meet the conditions outlined in the plan in order to achieve ‘Environmental Results Anticipated’.

However, some of these sites such as upper Tukituki River and Lake Whatuma are likely to qualify for SNAs and the level of protection afforded to SNAs. These sites are not only valuable for landform but also have high value for indigenous flora and fauna, and their ecological processes as are reported in references such as Hughey *et al.* (2012) and Rook and Parrish (1985). These values need to be managed and protected in order to retain the complex functions.

### 8.3 Protection of indigenous vegetation and habitats of indigenous fauna

We applaud CHBDC for making a clear commitment to be accountable for the visions and objectives of the HB Biodiversity Strategy. It is a big step forward as statutory agency, and CHBDC is the first one to take this big leap. However, the HB Biodiversity Strategy is a regional document which was developed by 18 different stakeholders representing a range of community’s interests. HBRC suggest amending the following text in Section 8.3.1. as indicated in bold: “As part of addressing this issue, Hawke’s Bay Regional Council have **led developmented** of a Regional Biodiversity Strategy to improve habitats and support native species in the region” is needed.

The adverse effects of subdivision, use and development listed in this section may not only result in the ‘loss’ of biodiversity values but ‘degradation’ of biodiversity. In order to achieve no net loss as per Objective 8.3.2.2, avoiding, remedying or mitigating degradation or decline of biodiversity conditions is an integral measure before indigenous biodiversity is lost. HBRC suggest amending Policy 8.3.3.3 as indicated in bold: *To avoid, remedy or mitigate any significant adverse effects of subdivision, use and development that would result in **degradation or loss of indigenous biodiversity values...***

We commend the inclusion in Policy 8.3.3.4 to consider biodiversity offsets. Achieving no net loss should be paramount, given that over 90% of the indigenous biodiversity has been lost from the district. We also fully support 8.3.5.8 to use of ‘*nationally accepted best practice principles for biodiversity offsetting*’ such as Maseyk *et al.* (2018).

We suggest including avoidance and remedy as well as mitigation in Policy 8.3.3.8 and extending the relevant area to the lower Tukituki River. The majority of the Tukituki River is a priority ecosystem (included in the Top 30%) as identified through the Hawke’s Bay Biodiversity Strategy ecosystem prioritisation. Tukituki and Waipawa rivers, both upper and lower reaches, are recognised for their high diversity of braided river birds (Hughey *et al.*, 2012). Apart from a range of mammalian predators impacting on wildlife, the public use of braided river beds such as motor vehicle access and dog walking are impacting wildlife. These activities become especially disturbing during the breeding season. Mitigation alone will result in on-going degradation of the ecological integrity of the braided river. We suggest CHBDC consider opportunities to avoid, remedy or mitigate the impact of “Motorised Water Recreation Activities” and offset its residual effect. Avoidance could be achieved for birds by avoiding such activities during the peak breeding season and/or at locations with high breeding population, but may not be achievable for flora and other indigenous fauna.

#### 8.3.7 Rules

Rule number	Rule	HBRC comments
8.3.7.1 (b) iv)	Removal of re-growth from previously cleared land, which has grown within 15 years prior to the removal of the natural re-growth and does not involve trees	Many of our indigenous woody, shrub and herbaceous species reach their adult stage <sup>2</sup> within 15 years. 30 cm in diameter measured at 1.4 meters are afforded for the status of trees

<sup>2</sup> ‘Adult stage’ generally means that the plants have reproductive capacity such as flowering and fruiting.

	<p>greater than 30cm measured at 1.4m from the highest point of ground level at the base of the tree.</p>	<p>in significant size and not all indigenous tree species reaches that diameter at maturity. Therefore these parameters are set too high/large and may result in loss of many indigenous vegetation that are not in SNAs.</p> <p>It is suggested that these parameters are reduced, removed, or combination of revised parameters with area limits.</p>
<p>8.3.7.1 (b) iv)</p>	<p>Removal of manuka or kanuka provided it: a) Consists of immature manuka or kanuka (5m in height or less) b) Does not exceed 5 hectares over any continuous 3-year period; and c) the removal of manuka or kanuka shall not adversely affect any at risk or threatened indigenous species.</p>	<p>Kanuka (<i>Kunzea</i>) species have been classified as Threatened by the Department of Conservation in 2018. This is largely driven by Myrtle Rust disease which is severely impacting the family Myrtaceae (which includes <i>Kunzea</i>) in New Zealand. Therefore, it should no longer be deemed as ‘weedy scrub’.</p> <p>Manuka and kanuka shrub land is often habitat for native fauna such as Wellington Green Gecko (At Risk – Declining). Manuka/kanuka shrub land/scrub play vital functions as the last remnant of habitat, refuge, or as an ecological stepping stone for indigenous flora and fauna in area where little indigenous vegetation remains. Some such areas would likely meet the SNA criteria.</p> <p>Manuka and kanuka are resilient species that can establish in highly erodible land, conserving soils and water. Allowing manuka or kanuka clearance at a large scale such as 5 ha (regardless of its age) may result in an adverse effect on soil, water, and biodiversity.</p> <p>Clarification on ‘immature’ needs to be defined in the draft Plan.</p> <p>Such clearance needs to have assurance in the form of plan such as Farm Environmental Management Plan that no adverse effect on soil, water, or on native flora (of importance such as mistletoe) and fauna, will result from the activities.</p> <p>We also recommend applying the ‘Removal of re-growth from previously cleared land, which has grown within 15 years’ to this rule. Some kanuka stands can be 50 plus years old and have high biodiversity value and are identified as their own ecosystem type.</p>

### Setbacks from SNAs and indigenous vegetation

We note there are no rules on how to avoid adverse effect of activities on land surrounding (or adjacent to) the SNAs and other indigenous vegetation. Land use activities such as farming, forestry, subdivision and industrial activities may result in the adverse effect on biodiversity even if they are in the proximity of these areas. There are general rules that the closer a remnant of indigenous ecosystem area is to an urban area, the higher the weed invasion to the ecosystems. Having a

provision on setbacks from SNAs and other indigenous vegetation is necessary in order to retain any given biodiversity values and ecological processes.

In general the draft Plan aligns well with the provisions of the NES-PF and we note that the NPS-FM includes provisions on setbacks from native vegetation. According to 14 (3)(b)(v), afforestation must not occur within 10 m of a significant natural area or within 5 m of wetland > 0.25 ha.

#### 'Plantings' in general appearing throughout the draft Plan

Any policies and rules associated with 'planting' (e.g. 8.4 planting associated with esplanade reserves, strips and access strips, 15.9.4 landscaping associated with network utility works, 19.8.8 (d) landscaping associated with earthworks, 21.4.9 plantings associated with Subdivision, 23-27 plantings associate with Rural Living Zone, Rural Townships, Coastal Settlements, Residential Zone, and Commercial Zone) must avoid perverse biodiversity outcomes by introducing unwanted plants. Many exotic and ornamental plants are vigorous, if not yet being noxious, and best avoided. Using appropriate plant species indigenous to the District provides great opportunity for such plantings to help promote dispersal of indigenous fauna and flora. As a signatory to the HB Biodiversity Accord, CHBDC has the access to platform where best-practice and other technical expertise on plantings (or any other biodiversity matters) will be shared with participating agencies and stakeholders.

#### Appendix F – Schedule of Significant Natural Areas

We would like to acknowledge the extensive work CHBDC is undertaking to fact-check the identified SNA areas and that identifying the SNA is an extremely resource hungry undertaking.

HBRC note that most of the district's indigenous vegetation is classified as "Acutely Threatened" or "Chronically Threatened" land environments as demonstrated in Figure 1. When a significant proportion of habitat is already lost, further habitat loss will lead to a bigger proportion of species loss (see Figure 2). This means the less indigenous vegetation present in an area, the more crucial that habitat is.

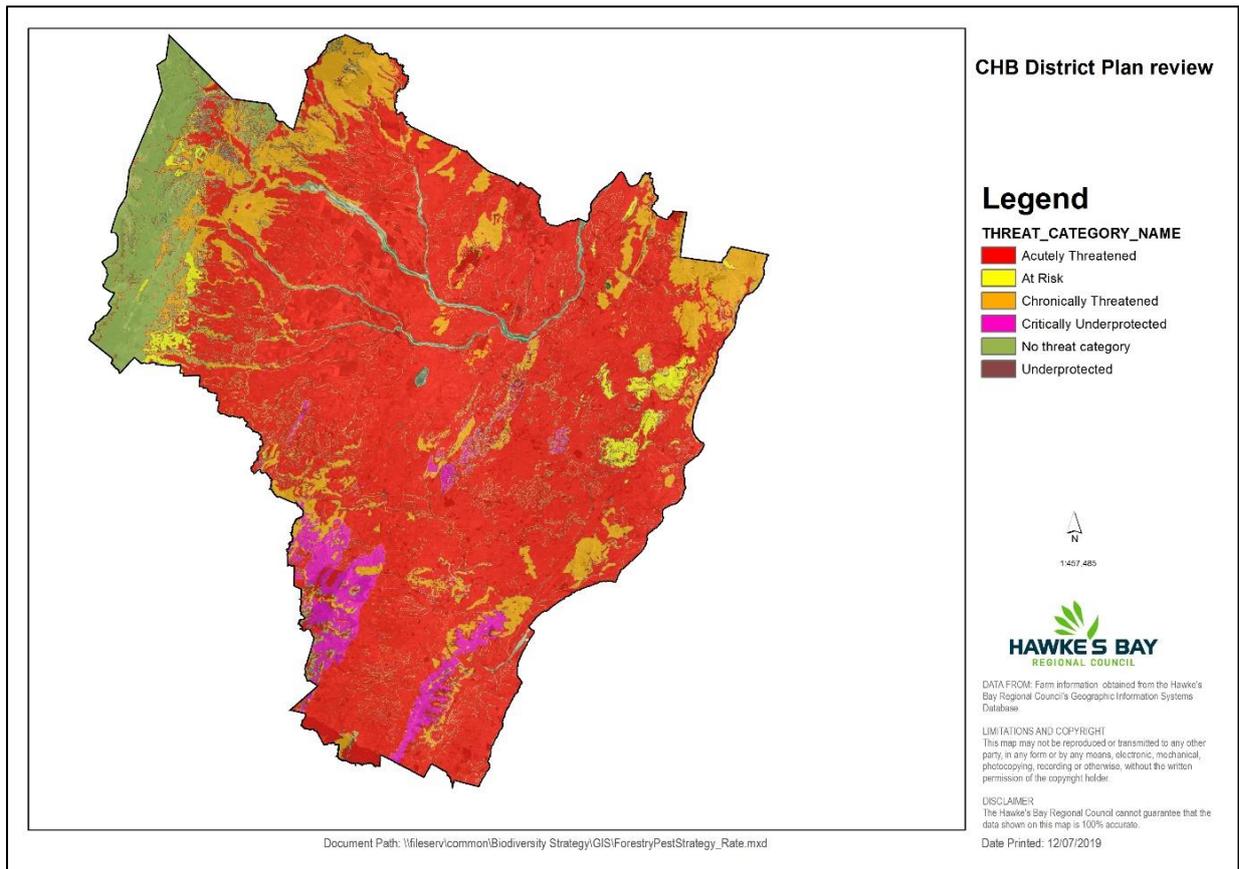


Figure 1. Threat status of land environments in Central Hawke's Bay. The district is predominantly covered by land environments which are either *Acutely Threatened* (land that has less than 10% of indigenous cover remaining) or *Chronically Threatened* (land environments that have less than 20% indigenous cover remaining). An almost identical image is demonstrated in Figure 4 of Hickey-Elliot et al. (2018).

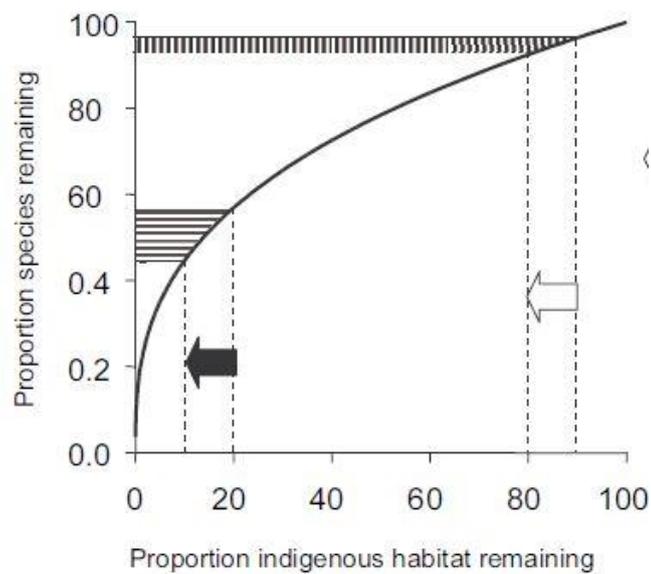
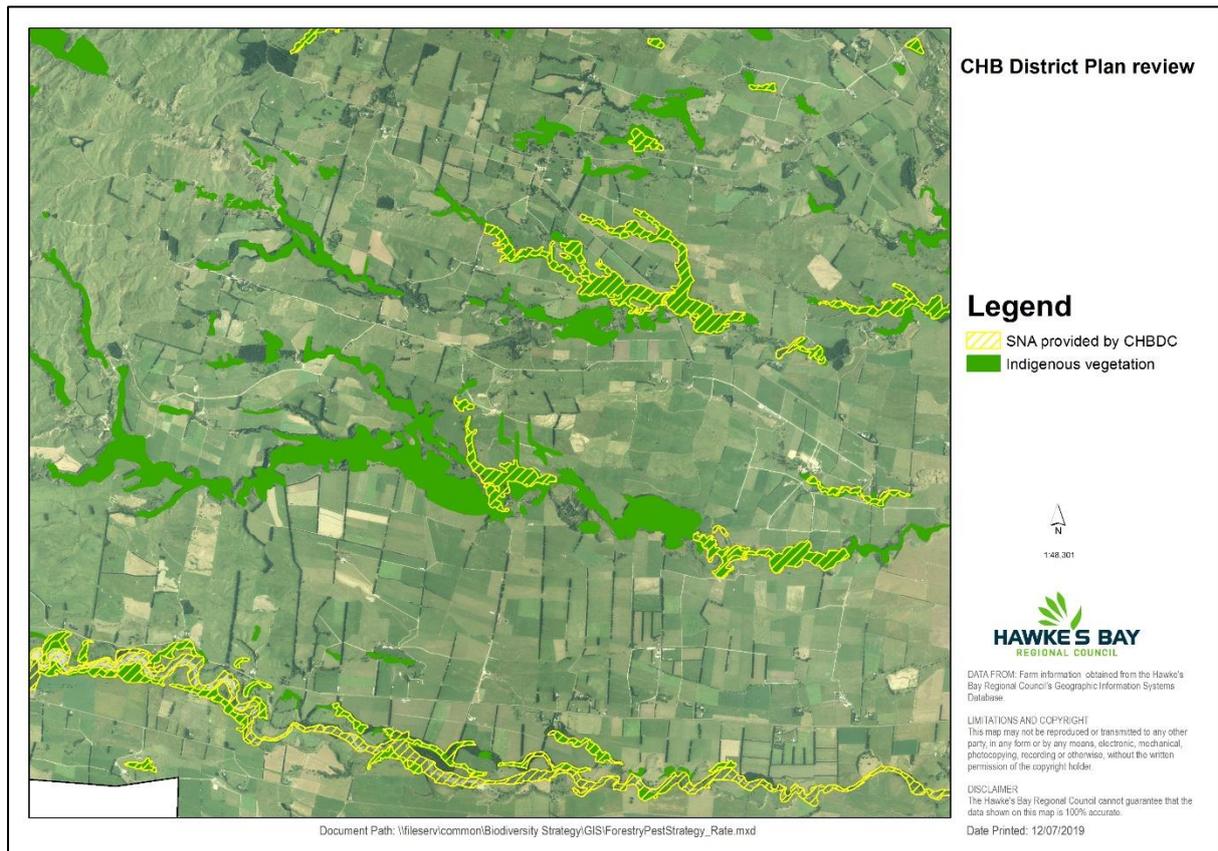


Figure 2. Species Area curve, extracted from Walker et al. (2007). When a significant proportion of habitat remains, 10 % of habitat loss leads to a small portion of species loss (white arrow). When a significant proportion of habitat is already lost, a further 10 % of habitat loss will lead to a bigger proportion of species loss (black arrow).

Although the proposed SNAs for the draft Plan covers a high proportion of the indigenous vegetation identified on the Land Cover Database version 4.1, we suggest that even higher proportion of forest, scrub and shrub land could meet the reviewed SNA criteria (as recommended above) because of the scarcity of biodiversity in the district. As mentioned above, we suggest the whole district does not require reassessment, only those areas of indigenous vegetation which are not currently identified as SNA.

Figures 3 and 4, and their descriptions, are examples of are areas that could meet revised SNA criteria.



*Figure 3. Indigenous vegetation (green polygons) includes 'Indigenous Forest' and 'Broadleaved Indigenous Hardwoods' in Land Cover Database 4.1. SNA layer provided by CHBDC is shown as yellow line-shaded polygon. The indigenous vegetation that is currently not delineated as SNA could qualify for SNA because; a) they represent the same or similar ecosystem types as the SNA, b) they are part of the connectivity, and c) they are some of the few remnants in where there is very little of indigenous vegetation left.*

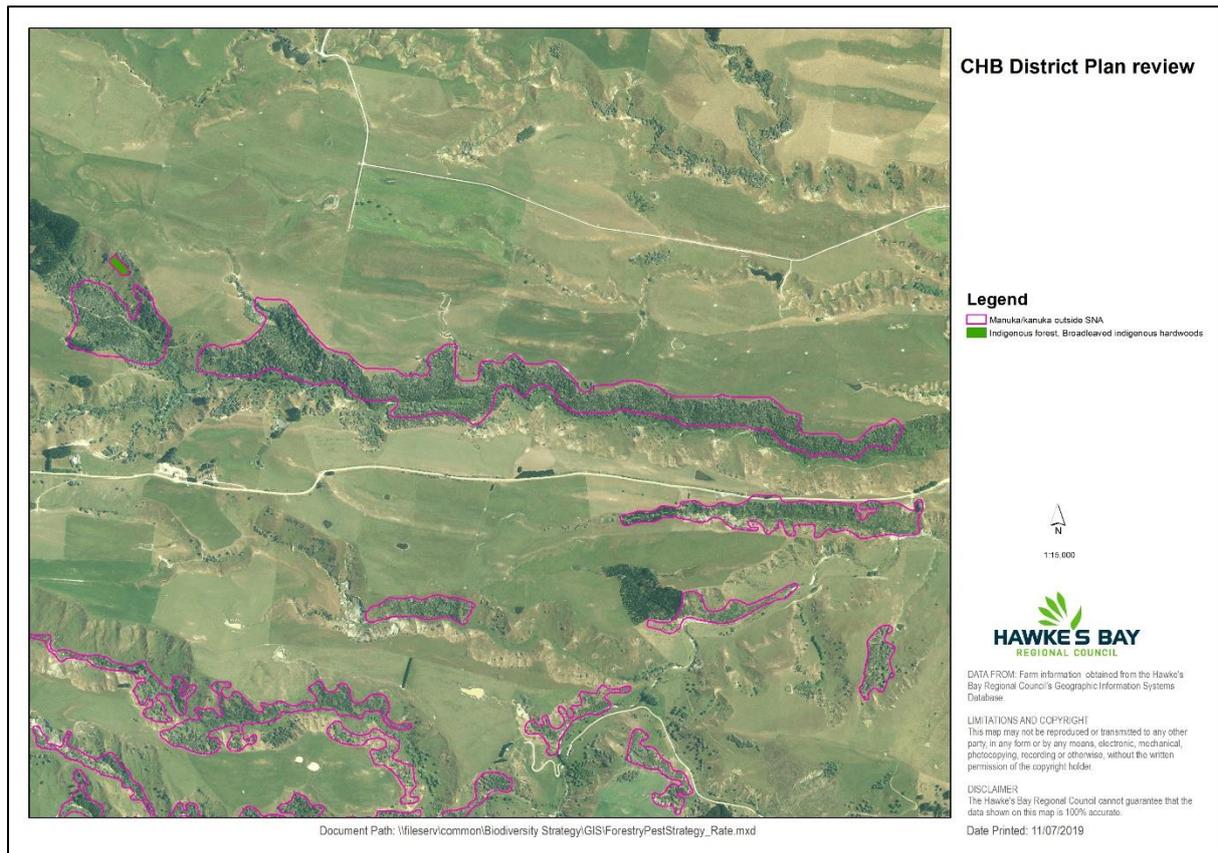


Figure 4. Manuka and/or kanuka shown as pink polygons are currently outside of the proposed SNA. However, such secondary vegetation could qualify as SNA because; a) they are the only indigenous ecosystem areas left in this part of the landscape, b) these secondary vegetation are likely to support indigenous fauna as habitat or as ecological stepping stones, and c) with an adequate management, they have potential to host late-successional species and be restored back to the original ecosystem (such as black beech, totara forest).

#### Identifying SNAs based on presence of 'Threatened' and 'At Risk' species

HBRC are currently developing a database for threatened and at-risk species for the region<sup>3</sup>. Although the database is still in a preliminary state, it enables us to get a picture of where species have been recorded in relation to the SNAs and other spatial information.

According to the preliminary analysis, most of the known historic or current locations of threatened species are within or close by the proposed SNA's. There are a few that fall outside of the proposed SNAs, however, these species are often associated with a rare and degraded ecosystems such as alluvial forests, and often reduced to a few individuals.

HBRC staff would welcome the opportunity to discuss how this preliminary data may be of assistance to CHBDC.

#### Civil Defence and Emergency Management

##### Part C: Strategic Direction

Under 5.4 Policies (p48) suggest including a policy which states that new development areas will avoid areas that are subject to significant risks from natural hazards.

<sup>3</sup> The dataset is a compilation of multiple databases, including all the databases presented in Hickey-Elliot *et.al.* (2018) plus a few more major databases available in New Zealand.

Comments and suggestions related to Climate Change and related impacts including sea level rise are addressed above under the sub-heading “Coastal Environment”.

## Section 10 – Natural Hazards and Climate Change

### Mapping

HBRC strongly recommend removing the ‘Flood Hazard Overlay’ from the District Plan and using the Hazard Information Portal<sup>4</sup> as the reference location for all hazards. The existing flood hazard overlay is not comprehensive and may be potentially misleading. HBRC produced the existing flood hazard overlay some time prior to 1996 and the mapping is very coarse and shows areas that would flood if there were no stop banks present.

In contrast, the portal has the most up to date flood hazard maps for the entire region. A major benefit in referencing the portal is that as further areas are mapped for flood hazards, these can be incorporated into the hazard portal, without having to implement changes to the District Plan. For example.

### Strategic Alignment

We suggest it would be opportune to align the draft Plan with the Hastings District Plan, and with the Hawke's Bay Joint Strategy for Local Authority Land Use Planning<sup>5</sup>. Alignment can be achieved through adopting a risk based approach as to a hazard centric approach, developing rules for tsunami to restrict vulnerable facilities (such as early childcare centres) in inundation zones, protect evacuation routes, and restrict intensification of development in high risk areas, and including reference back to the Councils’ role as a member of the Hawke’s Bay CDEM Group. This would include the Group Plan and the Group Risk Profile and the need for the council to consider and be consistent with the outcomes and objectives sought in these plans. Some examples of specific amendments are noted below:

Amend Objective 10.2.3 (p77) as indicated by bold text: *Activities do not create new, or accelerate or worsen **existing**, risks from natural hazards.* Reason – Our activities can increase consequence/risk, not the hazard itself.

Amend Policy 10.3.2 (p77) to read: *To contribute to the development of up-to-date hazard information, in conjunction with the Hawke’s Bay Regional Council **and the Hawke’s Bay CDEM Group.***

Amend 10.4 Explanations and Reasons (p78), second sentence as indicated by bold text: ***While the Council is not directly involved in primary research of this nature, as a member of the Hawke’s Bay CDEM Group it supports hazard research and ~~but~~ is in a position to collate information and advice and inform the community of new information.***

### Tsunami

The introduction to Section 10 outlines risk from natural hazards can arise from several hazards including earthquake and tsunamis, but then states river flooding, earthquakes, landslides and coastal erosion are the primary natural hazards affecting the Central Hawke’s Bay District. As Central Hawke’s Bay has 600 residents (based on 2013 census data) living within tsunami evacuation zones, and in the holiday season many more visitors staying within these zones, we recommend tsunami is added to this list.

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<sup>4</sup> <https://hbmaps.hbrc.govt.nz/hazards/>

<sup>5</sup> <https://www.hbemergency.govt.nz/assets/Documents/Plans-Procedures-and-Strategies/iPlan20for20HB20Joint20Hazard20Strategy20for20land20use20planning20HBRC20Plan20439720v3.pdf>

## Section 14 - Transport and Parking.

Design of roads and access-ways should include resilience policies, such as resilience to identified natural hazards by permeability, e.g. the ability for people to evacuate should not be impeded by poor street design, such as cul de sacs.

## Transport

### Climate change and carbon emissions

There is a lack of discussion in the draft Plan regarding the transport system's environmental effects in terms of carbon emissions and climate change. New Zealand has made commitments under the Paris Agreement to reduce our carbon emissions and the Climate Change Response (Zero Carbon) Amendment Bill sets a new target of net zero greenhouse gases by 2050. The Government Policy Statement on land transport 2018 sets an environment strategic direction that "reduces greenhouse gas emissions, as well as adverse effects on the local environment and public health". HBRC also have a strategic goal (HBRC Strategic Plan 2017-2021) of carbon neutral Hawke's Bay by 2040 and have declared a climate change emergency (Council meeting 26 June 2019). The transport sector is the third largest emitter in New Zealand<sup>6</sup> and will play an essential part of meeting these commitments and goals.

Although Policy 6 is a step in the right direction, the current policies and implementation methods contain little consideration for reducing transport emissions. Some opportunities for further "whole-of-system" thinking could include:

- ensuring that residential and commercial developments consider how public transport might be provided (e.g. space to provide safe stopping areas, urban design that provides through routes)
- encourage ridesharing and public transport patronage by providing safe, well-lit, designated parking areas for commuters to Hastings and Napier
- adding minimum planting or green space requirements for car parking areas
- highlighting the potential for heavy traffic and freight to be moved to rail
- further enabling the uptake of alternative modes, such as walking and cycling.

### Walking and Cycling

HBRC support CHB's "whole-of-system thinking" such as encouraging the inclusion of cycleways, bike-stands and showers in sub-divisions to promote cycling, and requirements for lighting in order to create a safe system.

However, we believe these references should be taken further and translated into a more explicit commitment to supporting and enabling the uptake of walking and cycling. Throughout Section 14, the broader benefits of walking and cycling (or scootering) should be recognised and promoted. These benefits include the reduction of greenhouse gas emissions and other pollutants from vehicles, reduces traffic congestion, and can help combat obesity.

We suggest CHBDC commit to developing a Central Hawke's Bay cycle strategy. Such a strategy could look at current and future needs and what cycle-infrastructure needs to be incorporated into existing urban and roading infrastructure.

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<sup>6</sup> <https://www.mfe.govt.nz/climate-change/climate-change-and-government/emissions-reduction-targets/reporting-our-targets-0>

In the penultimate paragraph of Section 14.1, we suggest adding the following sentence as indicated in bold to recognise the role and benefits of alternative modes: “...are complimentary to the Council’s goal of achieving an integrated transport network. **Alternative transport modes are environmentally sustainable, helping reduce climate change with a reduction in vehicle congestion and carbon emissions.**”

HBRC also recommend adding a policy to the effect of: “**To facilitate safe, efficient and effective cycling and walking facilities to allow people of all ages to move within the district**”, and supporting implementation methods which demonstrate a commitment to development of a Central Hawke’s Bay Cycle Strategy and subsequent provision of appropriate infrastructure.

### Rail

The draft Plan notes that rail is an integral part to the system. It does not, however, provide any supporting policies or explanations to further this statement.

HBRC also note that safety measures for level crossings consider vehicle traffic only and request that specifications for safe pedestrian and cycle crossings are also included to ensure a safe system for all users and modes.

### Implementation methods

Section 14.5 should also reference the Regional Council’s Regional Public Transport Plan 2019-2029 and the Hawke’s Bay Regional Land Transport Plan 2018, including working together with the Regional Council to implement planned activities.

## Stormwater, wastewater and gravel extraction

### Suggested minor amendments

- Section 21.5, paragraph 9: The Council refers to Code of Practice for Urban Land Subdivision (NZS 4404: 1991), the year reference should be 2010.
- Section 22.11.19 (d): The Institute of Professional Engineers of NZ has a new title – Engineers NZ.

### Definitions

Term	Suggested amendment	Reason
Coastal flood and erosion protection	Change term to “coastal inundation and erosion protection”	For consistency with the passage describing it.
	Add text in bold: <i>works, structures or planting for the protection of property and people from coastal erosion or inundation from the sea; including, areas of vegetation maintained or planted adjacent to the foreshore, embankments, access tracks, rock work, anchored trees, wire rope, iron structures and <b>any</b> other structures <b>providing an inundation and erosion mitigation function.</b></i>	
Flood protection work (river)	Change term to Riverine Flood Protection	For consistency with coastal flood protection.

## Section 6 – Sustainable subdivision and building (Stormwater)

In Sections 6.1, 6.4 and 6.5, HBRC suggest replacing the use of the word “to encourage” with “to implement” or “to promote”. This is to strengthen the intention behind the wording and bring those references more in line with the RMA.

HBRC suggest amending Policy 6.4.2 as indicated in bold:

*To **promote** use of on-site stormwater attenuation measures where appropriate, including, **but not limited to**, rainwater harvesting devices, green roofs, site landscaping, rain gardens, wetland treatment systems and low impact stormwater attenuation systems.*

#### Section 8 – Natural Environment

Under Policy 8.2.3, HBRC suggest specifying flood protection works in the list of allowed activities to ensure clarity.

#### Section 15 – Network Utilities

Under Rule 15.9.7, there is a note about the 6m setback requirements in the RRMP. We note that the reference given is very specific and the RRMP includes other protection of flood channel considerations which must be complied with. In particular, Rule 71 also sets requirements for the integrity of any defence against water, and makes reclamation or drainage a discretionary activity, and Rule 72 includes a range of conditions relating to erection or placement of structure in, on, under or over a river or lake. We suggest the note could be reworded to ensure conformance with all applicable rules within the RRMP.

#### Section 27 – Commercial Zones

This section discusses protecting the natural environment and a number of factors are listed (noise, dust, etc.). Commercial activity can generate stormwater and wastewater which has potential to impact the amenity values of the environment and should also be considered in this section.