

15/12/2023

Napier City Council  
215 Hastings Street  
**Napier, 4110**

Dear Napier City Council

### **SUBMISSION ON PROPOSED DISTRICT PLAN FOR NAPIER CITY**

Thank you for the opportunity to make a submission on the proposed district plan review ('the PDP'). This submission builds upon our earlier 2021 comments we had provided on the then draft district plan and also the 'Spatial Picture.'

While we support the plan in general, there are a few areas where we seek amendments, see attached. HBRC also maintains an interest on the topics which overlap with the Regional Council's roles and functions.

We understand that the PDP does not yet feature provisions relating to natural hazards and indigenous biodiversity as the City Council intends to notify those provisions by way of Variations in 2024. You will be aware that in our earlier 2021 comments on the then draft district plan and Napier 'Spatial Picture,' both of those topics are of particular interest to us given the Regional Council's roles, responsibilities and activities. We anticipate making substantive comments on those Variations in due course.

We welcome the opportunity for discussion on matters raised in our submission over the coming months as officers prepare S42A hearing reports.

HBRC could not gain an advantage in trade competition through this submission.

HBRC wishes to be heard in support of our submission.

Yours sincerely



Katrina Brunton

### **POLICY AND REGULATION GROUP MANAGER**

**Address for Service:**

Hawke's Bay Regional Council  
Private Bag 6006, NAPIER 4142  
Attention: Nichola Nicholson, Acting Manager Policy & Planning  
e: [nichola.nicholson@hbrc.govt.nz](mailto:nichola.nicholson@hbrc.govt.nz)  
p: 06 835 9200

	Topic	Support/Oppose/Amend	Relief Sought	Comment
1	Commercial & Mixed Use	Support in general	None	HBRC supports in principle the efficient provision of infrastructure in order to promote public, active, and multimodal forms of transport as a method to support wellbeing and improved environmental outcomes.
2	Earthworks	Support	None	HBRC supports in principle the proposed approach to the maximum volume thresholds as opposed to a permitted activity with a percentage value.
		Oppose	Seek clarification	HBRC has concerns around the permitted activity status for earthworks associated with the renourishment of the coastal environment. These concerns arise firstly around the potential for permitted earthworks within the coastal margin, and the type of material that could be used for the renourishment. HBRC would expect that both of these at minimum would be a controlled activity.
3	Hawke's Bay Airport	Support in general	None	HBRC supports in principle the proposed approach to imposing setbacks from ecologically sensitive areas. Non-airport activities that may appropriately be located outside of the terminal but within the Airport Zone should not be located within or impact on wetland areas with biodiversity values.
		Oppose	We request that policy AIRPZ-P7: Special landscape character values – sensitive landscape control areas be removed.	HBRC has concerns around the encouragement of development within Sensitive Landscape Control Area 1 near Watchman Road Reserve
4	Hazards and Risk	Amend	Inclusion of objectives, policies, and rules to manage indigenous natural hazards and risks in Napier.	HBRC considers the natural hazards and risk chapter essential to the PDP. The risks created by potential natural hazards are a significant issue in Napier and should be addressed through appropriate plan provisions.
5	Urban Development	Amend	We request objective SD-UFD-O2 (Housing supply and choice) be amended to read, "Housing supply and choice meets demand and reflects the needs of Napier's	HBRC and Napier City Council are two of three partners to the Heretaunga Plains Urban Development Strategy (HPUDS) and are also currently partnering in the preparation of a 'future development strategy' for the Napier-Hastings urban area. We generally support the high-level strategic objectives in the PDP's 'Urban Form and Development' Strategic Direction chapter. What is unclear is how those

	Topic	Support/Oppose/ Amend	Relief Sought	Comment
			communities <u>and is located in areas away from the risk of natural hazards</u> " (or words to similar effect)	strategic objectives (and associated policies etc) relate to, or may be further amended by, the Variations intended to be notified in 2024 relating to natural hazards and biodiversity.
6	Open Space and Stadium Zones	Support in general	None	HBRC supports in principle the proposed approach of retaining and enhancing natural values of Natural Open Space Zones.
		Amend	We seek that policy NOSZ-P2: be amended to require the inclusion of indigenous vegetation and indigenous habitats.	HBRC seeks that the PDP includes provisions that propose/require enhancement of the natural environment through the restoration and replanting of indigenous vegetation and indigenous habitats.
7	Rural/Highly productive land	Amend	We request amendment of the PDP's meaning of 'highly productive land' to repeat in full the same definition as given in the NPSHPL (i.e., by adding the words "... (but see Clause3.5(7) for what is treated as highly productive land before the maps as included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)."	The PDP's Glossary only replicates part of the meaning of 'highly productive land' as defined in the National Policy Statement for Highly Productive Land. HBRC has a programme of work underway to prepare maps of highly productive land in the region and publicly notify those maps for inclusion in the Regional Policy Statement by October 2025 (as directed to do so by the NPSHPL). In the meantime, the NPSHPL features provisions for councils' making decisions on proposed plans and consent applications before those maps of highly productive land are operative in the RPS.
		Amend	We request that the PDP be amended as necessary to remove ambiguity, confusion and increase consistent use of terms when referencing land/soil of high productive value.	Some terms are used interchangeably and inconsistently in the PDP. For example, Issue RLZ-I1 refers to loss of "highly productive land and versatile soil" whereas Definitions feature the term 'versatile land.' Another example of inconsistent terminology is Policy RLZ-P4a which refers to "productive capacity of highly productive land and soils" but not 'versatile' soils here. These are a few examples to illustrate our point, but these may not be the only instances throughout the PDP of such inconsistencies.

	Topic	Support/Oppose/ Amend	Relief Sought	Comment
8	Stormwater	Support	None	HBRC supports the PDP's three stormwater-related objectives (SW-01, SW-02 and SW-03) and generally support the associated policies. As a consent authority, HBRC has granted discharge permits to the City Council for the collection, treatment and discharge of stormwater at various locations around the City. Wastewater contaminant overflows into the Ahuriri Estuary is particularly problematic. It is good to see that provisions in the PDP are aiming to support network improvements and better environmental outcomes for the highly valued Ahuriri Estuary.
9	Biodiversity	Amend	Inclusion of objectives, policies, and rules to manage indigenous biodiversity in Napier.	HBRC considers the ecosystems and indigenous biodiversity chapter essential to the PDP. The loss and decline of indigenous biodiversity are a significant issue in Napier and should be addressed through appropriate plan provisions.
10	Energy, Infrastructure and Transport	Amend		HBRC generally supports the renewable energy provisions however would like to see strengthened direction regarding the resilience of the energy supply and efficient use of energy (inclusive of transport energy) i.e. through appropriately located development and well-designed urban environments and buildings.
			<p>We request:</p> <p>A. Strategic Objective SD-TI-01 (enabling infrastructure) be retained or similar.</p> <p>B. Strategic Objective SD-TI-02 (transport) be retained or similar</p> <p>C. that policies and rules in the PDP allow the use and development of land for infrastructure supporting multi-modal transportation in Napier City.</p>	<p>HBRC generally supports the transport provisions however would like to see strengthened direction regarding active, micro-mobility and public modes and greater recognition of carbon emissions from transport.</p> <p>We support Strategic Objectives SD-TI-01 (enabling infrastructure) and SD-TI-02 (Transport).</p> <p>We support provisions in the PDP that enable and support the provision of multiple modes of transportation in, around and through Napier City. Multi-modal transportation systems contribute to well-connected communities and will also assist in reducing greenhouse gas emissions from vehicle use.</p> <p>In particular, we support policies and rules that:</p>

	Topic	Support/Oppose/ Amend	Relief Sought	Comment
				<ul style="list-style-type: none"> <li>allow use of land for passenger transport infrastructure such as signs, digital signs, seats and shelters etc</li> <li>allow and support provision of cycleways, pathways and infrastructure for the use of active transport modes</li> <li>allow well-located and increasing installation of charging facilities for the rising numbers of electric vehicles in New Zealand.</li> </ul>
11	Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater	Support in general	None	HBRC supports in principle the proposed approach of stormwater retention and treatment while enabling habitat restoration, cultural enhancement, and passive recreation activities.
		Amend	We seek that policy AESZ-P2: Habitat restoration is amended to require/promote nature based solutions	HBRC seeks that the PDP requires/promotes the creation of indigenous habitat (the use of nature-based solutions) which not only contribute to stormwater management but have multiple benefits (such as biodiversity).
12	Other <i>Environmental monitoring infrastructure as permitted activities</i>		We seek that the PDP is amended to allow (permit) the use and development of land for small-scale environmental monitoring devices and associated earthworks and structures.	The PDP features a suite of provisions relating to network utility operations, but by definition, those provisions do not apply to structures for environmental monitoring purposes. Small-scale monitoring devices are important pieces of data infrastructure that inform decisions affecting the wellbeing of our environment and communities. Given that the PDP's definition of network utility operations' is the same as the RMA's definition, we consider that the PDP should be amended elsewhere to ensure small-scale environmental monitoring structures and devices are permitted activities in all zones.