



Plan Change 11 to the City of Napier District Plan

Park Island Re-configuration

Hearing Report

17016S42REPORT
7 May 2018



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1. PURPOSE OF REPORT

This report considers and addresses submissions received in relation to Plan Change 11 (PC11) to reconfigure the existing Main Residential and Sport Park Zones west of Orotu Drive.

2. SUMMARY OF PLAN CHANGE 11

The original Park Island Master Plan was developed in 2013 to provide a blueprint for development over a 30-year timeframe to meet the community's current and growing sport and recreation needs. It considered Park Island in the broader context and its relationship and linkages to surrounding areas, particularly the Parklands subdivision and Mana Ahuriri's Westminster Block. The 'sportsville' concept was the basis of the Master Plan with reorganisation and development focused around sporting 'hubs'. A major component was the inclusion of the substantial Northern Sporting Hub on a greenfields site west of Orotu Drive. A copy of the 2013 Master Plan is provided in **Appendix 1** and can also be seen (conceptionally) in **Figure 1**.

Following the adoption of the Master Plan in 2013, a number of smaller scale projects were completed in the Southern and Central Sports Hubs. However, before proceeding with some of the more significant capital developments, it was identified that a comprehensive review of the Master Plan was warranted.

During the 2016 stakeholder consultation, most sports organisations identified the need for greater capacity in sports fields based on growth of their sports. However, the consultation also confirmed a trend that has dramatically impacted on land requirements for sport demand i.e. a recent increase in the acceptability of the use of artificial turf pitches for sporting codes other than hockey, including football and rugby. This meant the sports demand could be better met by the implementation of artificial turf pitches that can be more intensively utilised and even shared between different codes.

Another significant change to the Plan was the removal of a proposed development of twelve tennis courts as they are no longer seen as needed or supported by the community. This was confirmed by the findings of the Indicative Business Case (IBC) carried out for the Clay Tennis Court proposal in 2015.

An updated Masterplan was subsequently presented to, and adopted by Council in April 2017, and a resolution passed to initiate a District Plan Change *"to rezone Park Islands Northern Sports Hub to meet the Master Plan objectives"*. A copy of the 2017 Master Plan is provided in **Appendix 1**.

Updates to the Master Plan have seen a consolidation of the park layout giving the Northern Sports Hub a more compact urban form and better connectivity to the wider park and surrounds, with the proposed Northern Sports Hub being shifted southeast to overlay currently vacant land bordered by the corner of Orotu Drive and Westminster Avenue.



The Northern Sports Hub now includes additional and dedicated car parking to support the inclusion of a new high-performance facility and game standard training field for the HBRU, which will contribute to the creation of an additional 527 car parks on Park Island in total.

Owing to the relocation of the Northern Sports Hub, the redesign requires a District Plan Change to rezone the Residential Zone on the southeastern boundary to Sports Park Zone, and to rezone much of the current Sports Park Zone in the northeast, to a Main Residential Zone as shown in **Figure 1** below.

Figure 1: Conceptual Reconfiguration



With the updated Master Plan in hand, adjacent owners/occupiers and other residents in the Parklands and Tamatea areas were given an opportunity to provide feedback on the redesign and reconfiguration proposal during June and July 2017. Feedback from this initial engagement was to help inform the proposed Plan Change.

Adjacent residents were personally invited to an information sharing evening in mid-June 2017. All were also welcomed to meet individually with Napier City Council (NCC) planning staff. Six parties took this additional opportunity up.

A second community information evening was held with invitations extended to adjacent residents, all other Parklands residents, and a portion of residents along Westminster Avenue. In addition, notices about the community meeting were distributed through key contacts and locations within the Tamatea community. Information about the proposed redesign and



reconfiguration was posted on NCC's website, providing residents in the area (and more widely) with a further opportunity to seek information and/or provide comment.

Issues raised by residents attending the information sharing sessions was wide reaching. A large portion of the feedback centred on concerns about the possibility of two-storey housing in the next stages of Parklands, and the impact this type of housing may have on outlook, housing quality, and residential amenity. This feedback was in response to a separate process NCC was/is undertaking around changing the nature and form of covenants applying to residential development within the existing zoned and consented Parklands area.

A number of concerns were also raised around plans for extra car parking to accommodate users of the Northern Sports Hub. Residents asked questions about the capacity of the proposed car park in the hub, the likelihood of overflow parking on Orotu Drive and the impact of extra traffic generally. Several residents were concerned about the current excess speeding along both Orotu and Prebensen Drives. Some residents were interested in hours, hireage and licensing arrangements for the clubrooms envisaged to be established in the Northern Sports Hub area.

Residents were generally supportive of the greenspaces, neighbourhood playgrounds and linkages for pedestrians and cyclists proposed for the area as part of the Master Plan.

In terms of the visual impact of the reconfiguration, the focused one-on-one sessions raised concern around changes in outlook, the location and type of potential two-storey houses, interruptions to landscape and skyline views towards the west/north west, and treatment of the interface along Orotu Drive.

In response to the concerns about visual impacts, Council engaged a landscape architect to provide an assessment of the potential effects of the reconfiguration. This assessment concluded that the combined width (60 metres) of the road and drainage reserve along Orotu Drive combined with two recommendations for additional mitigation (clustered planting of specimen trees and a building height restriction for an additional 30 metres into the proposed residential area) were sufficient to address these concerns.

A number of minor consequential changes were also determined to be necessary to fully support the reconfiguration of zones and were ultimately proposed. These include:

- (1) Rezoning areas of the Sports Park Zone to a Reserve Zone that already act as reserves, such as the area of land between Prebensen Drive and existing Main Residential Zone,
- (2) Rezoning areas of the Main Residential Zone to Reserve Zone that are now reserves, such as the area in the south east corner of the existing Main Residential Zone alongside Orotu Drive,
- (3) Rezoning areas of the subject site to better provide for anticipated road linkages as follows:
 - Rezoning the existing link opposite Kapiti Drive from Reserve to Main Residential,



- Rezoning the existing link opposite Pacific Drive from Reserve to Main Residential,
- (4) Rezoning areas of the drainage reserve along Orotu Drive from Main Residential to Reserve now that these areas are no longer required for roading.

The current and proposed District Planning Maps to give effect to the Plan Change are provided in **Appendix 2**.

In considering and preparing the proposed Plan change, the evaluation firstly addressed *'whether reconfiguring the Sports Park and Main Residential Zones alongside Orutu Drive is the most appropriate way to achieve the purpose of the RMA'*. This involved outlining and considering:

- Councils statutory role in managing sports grounds and urban growth,
- Why the Park Island Master Plan was reviewed?
- What was considered in arriving upon the proposed reconfiguration?
- Will there be sufficient sports ground?
- Does the Plan Change give effect to the Regional Policy Statement?

Overall, the proposed reconfiguration was considered an appropriate way to achieve the purpose of the RMA. The following key points were referred to in coming to this view:

- (1) The reconfiguration will improve the integration and connectivity of sport facilities within Park Island,
- (2) The area of the Sports Park Zone will be of sufficient capacity to meet the current and growing needs of the community,
- (3) Effects associated with changes in visual outlook will be less than minor and appropriate for the setting,
- (4) Development will be serviced by existing and planned infrastructure solutions, and there will essentially be no change in this regard as a result of simply reconfiguring the zones,
- (5) Traffic related outcomes will remain within those planned and anticipated for the area,
- (6) There will be no increase in risks associated with soil contamination or natural hazards as a result of zoning areas of the Sports Park Zone to Main Residential,
- (7) The proposal continues to give effect to the RPS,
- (8) That due to all of the above factors the proposed plan change is considered to best serve the purpose of sustainable management of natural and physical resources.

Having determined that the proposed reconfiguration was an appropriate way to achieve the purpose of the RMA, it was a matter of determining whether the *provisions* of the



proposal were the most appropriate way to achieve this in terms of their efficiency and effectiveness.

In the context of this particular Plan Change, as the proposal was essentially a 'switch' of zones that carry with them established provisions to provide for specific landuse outcomes and to avoid, remedy or mitigate adverse effects, it was really only a matter of determining the need for any amendments to those existing Policies, Rules and Conditions.

In this regard, the assessments undertaken in relation to the initial evaluation pointed towards the following matters around which specific focus was required:

- (1) Visual outlook along the interface of the new Main Residential Zone along Orotu Drive,
- (2) Noise arising from the Sports Park Zone in its new location,
- (3) Light spill arising from the Sports Park Zone in its new location.

The appropriateness of the existing Rules of the Sports Park Zone to deliver the intentions of the Park Island Master Plan and Condition 48.12 in particular, which limits the floorspace of buildings were also relevant matters identified in an early audit as requiring reassessment through the plan change.

The way in which the existing provisions of the zones manage all other matters, including traffic and on-site car parking was considered an appropriate way to achieve the reconfiguration. This view was supported by expert traffic input as summarised in (5) above.

In terms of the change in visual outlook along the interface of the new Main Residential Zone along Orotu Drive, this was assessed by Isthmus Group in its report dated September 2017 provided in Appendix 7 of the Section 32 Evaluation, where the following was recommended as part of a mitigation strategy:

- (1) Clustered groupings of specimen trees planted along the western edge of Council owned reserve land (as shown indicatively in Figure 14 of the Isthmus Group report),
- (2) Restrict building height within a 30m wide strip along the Orotu Drive interface (as shown in Figure 14 of the Isthmus Group report) to 6m (generally single storey residential).

Item (1) has been recommended to be implemented through proposed changes to the Master Plan in Appendix 34 and as one of the Methods to implement Objective 4.7, which is *"To maintain and enhance residential amenity through the retention and planting of trees within the residential environment"*.

Condition 5.17 pertaining to building height in the Main Residential Zone has been recommended to be changed to give effect to Item (2).

In terms of noise arising from the Sports Park Zone in its new location, it was determined that the limits in Condition 48.13 are applied on a consistent basis to all Sports Park Zones within the City, many of which (like the Sports Park Zone subject to this Plan Change process in its



existing location) adjoin residential Zones with no known evidence of problems. On this basis, no amendments were considered necessary.

It was a similar matter with light spill, but to ensure that the Sport Park Zone could operate within the limits of Condition 48.14 which fall to apply, the intentions of the Master Plan in terms of lighting were considered by a specialist lighting company (XYST) in its report provided in Appendix 10 of the Section 32 Evaluation. This involved preparing a lighting design and performing light spill calculations with all lights “on” at 100% power with no allowance for depreciation of light output.

Based on design assumptions and report limitations it was concluded that the limits in Condition 48.14 could be complied with, thus negating the need for any changes.

Finally, it was a matter of testing the appropriateness of the existing Rules of the Sports Park Zone to deliver the intentions of the Park Island Master Plan and Condition 48.12 in particular, which limits the floorspace of buildings.

Here it was firstly a matter of expanding upon the type of permitted landuse activities to include gymnasiums, indoor sports facilities and healthcare centres - provided they are ancillary to sports activities undertaken on the Park, in order to recognise and provide for activities promoted by the community via the new Master Plan.

Secondly, and after taking the scale of other existing buildings within the Park Island Sport Park Zone into account, changes were proposed to Condition 48.12 relating to floor space so as not to unnecessarily restrict known and expected development identified in the Master Plan. An increase in the combined maximum floorspace of buildings within each Sports Hub (as identified on the Park Island Master Plan) to 4,000m² was recommended provided no one building exceeds 2,000m² gross floor area, and where buildings exceed 500m² gross floor area, they shall be located no less than 30m apart.

It was noted that the existing 10m maximum height and 6m yard setback provisions in Conditions 48.9 and 48.10 would remain. In respect to the visual outlook from Orotu and Westminster Drives, it was also noted that any built development within the Northern Sports Hub under these provisions would be significantly less than the quantum of built development that is currently provided for under the existing residential zoning of this area.

A copy of the changes to the provisions of the District Plan is provided in **Appendix 3**.

It was noted that Licensed Premises would continue to be classified as a Discretionary Activity under Rule 48.7(b), for which resource consent is required. No changes were proposed in this regard.

Overall, reconfiguring the Northern Sports Hub and developing Park Island in line with the 2017 Park Island Master Plan was considered to improve the way in which the Council provides for and delivers sport facilities for the community. Additionally, residential development alongside the Northern Sports Hub would remain within the area identified in



HPUDS as an appropriate residential growth area – with outcomes in this regard being similar to those anticipated under the existing zoning scenario.

In summary, the Section 32 evaluation confirmed:

1. Providing for residential development as proposed is appropriate as:
 - The area has already been identified as a suitable greenfield growth area for Napier in HPUDS and the RPS,
 - The area will be serviced by existing and planned infrastructure [irrespective of the reconfiguration],
 - The expanded residential Zone will provide for residential growth within urban limits close to social infrastructure including community, education, sport and recreation facilities, public open space and employment opportunities,
2. Whilst there are some perceived concerns in relation to traffic and changes in visual outlook, there is demonstrable community support for development of Park Island to meet sporting demands,
3. The proposed reconfiguration is an appropriate way to provide for the sustainable management of the City's resources in terms of the purpose of the RMA.
4. Adopting the existing provisions of the Sport Park and Main Residential Zones with minor amendments (as a means to mitigate any potential adverse effects) is an efficient, effective and appropriate way to provide for and achieve the reconfiguration.

The adoption of Plan Change 11 to the Napier District Plan was therefore considered to be efficient, effective, and appropriate in terms of Section 32 of the RMA.

3. SUBMISSIONS

PC11 was publicly notified on 6 December 2017 with an extended submission period closing on 9 February 2018. A total of seven (7) submissions were received and need to be considered.

These include two submissions from residents in the area and a resident representing a community group referred to as 'Parklands Neighbourhood Support Group 14A'. One submission sought for the Plan Change to be rejected, while the other two were neutral/supportive but raised views and suggestions mainly around traffic and car parking.

Submissions were also received from Powerco, the Hawkes Bay Regional Council, Launch Active Early Learning and Central Football. All were either neutral or in support.

No submissions raised any specific matters or challenges in terms of the proposed provisions of the Plan Change.



A total of five (5) further submissions were received – two from residents, two from people representing a relevant aspect of the public interest i.e. in relation childcare centres and environmental matters, and one from the Ahuriri Estuary Protection Society Inc.

A summary of the submissions and relief sought/matters raised is provided in **Table 1** below, with a summary of the further submissions included alongside the submission to which they relate. Copies of each are provided in **Appendices 4 and 5**.

The main point of contention relates to traffic, and from where the Northern Sports Hub should be accessed. Some submitters believe this should be from Clyde Jeffery Road, while others support the proposed access configuration.



Table 1: Summary of Submissions

Submitter Name	Submitter No.	Relief Sought / Matters Raised	Further Submissions
Ron Carswell	1	Reject PC11 and consider other options. Comments included: (1) Residential land to be swapped is ideal for a retirement village. (2) Objects to noise, light spill & traffic flows. (3) Site is unsuited to what is effectively a commercial activity. (4) Consider building a sports hub away from residential areas with good road access and adequate parking	
Parklands Neighbourhood Support Group 14A	2	Generally supports PC11 albeit with the amendments outlined in their submission as follows: (1) Vehicle access to the proposed northern sports hub be from Clyde Jeffery Drive (with no access from Orotu Drive). (2) Emergency access to the proposed northern sports hub be from the existing bridge in Westminster Ave. (3) Adequate parking be provided within the sports hubs (notwithstanding recognition of the additional 527 car parks proposed within the Sports Hubs and acceptance that there may be some overflow parking in residential areas during some major national events). (4) Sports buildings should be located as far as practicable from Orotu Drive.	From Sue Mitchell (X2): Opposing vehicle access to the proposed northern sports hub from Clyde Jeffery Drive (with no access from Orotu Drive) as suggested by Parklands Neighbourhood Support Group 14A and seeking that the whole submission be disallowed.
Nigel MacNeil	3	Neutral on PC11 but is concerned about parking on adjacent residential streets so requests either provide an additional 100 carparks on the sports hub or alternatively, create an alternative vehicle access to the sports hub via Clyde Jeffery Drive.	
Powerco	4	Neutral on PC11 but seeks to ensure recognition, protection and access to existing assets in the area plus ensure adequate and secure supply of gas can be supplied to new development where required. Poweco suggest that this would be best be achieved by way of early consultation in relation to future development, setting new buildings or structures back a minimum of 2 metres from existing underground pipes, and coordinating Council infrastructure provision with Powerco's gas delivery infrastructure.	
Central Football	5	Supports PC11 and seeks that there be no additional traffic off Clyde Jeffery Road.	



<p>Hawkes Bay Regional Council</p>	<p>6</p>	<p>No specific relief requested but suggests:</p> <ol style="list-style-type: none"> (1) A fuller assessment of policies in the Regional Policy Statement was warranted as part of notification of PC11. (2) HBRC needs more details on stormwater collection, treatment and disposal to fully understand potential impacts on the quantity of stormwater runoff and water quality of receiving environments. (3) NCC should be aware that there is a natural overland flow path from the Taipo Stream over the existing Park Island Sports Park (Southern Sports Hub) generally towards the development area (the Northern Sports Hub). (4) NCC should undertake an assessment of the capability of the existing wastewater infrastructure to cope with the potential increase in the number of dwellings and share these findings with the HBRC in order to avoid any further incidents associated with discharge of contaminated stormwater due to network capacity issues. (5) Discussions should be held with the HBRC regarding the proposal to discharge secondary runoff from the development area to the Ahuriri Estuary via the Purimu pump station through the existing consent for discharge. The intention is to reduce potential contaminants entering the Ahuriri Estuary by way of stormwater design and treatment through low impact designs. (6) That due to potential liquefaction risk a geotechnical engineer provide input into the design of all buildings, including a site specific assessment of subsurface ground conditions. (7) That due to potential Tsunami inundation risk consideration be given to restricting the location of critical facilities within the development area and design, enhancement and protection of evacuation routes be considered when developing new infrastructure. 	<p>From June Graham (X1): Supporting the HBRC submission.</p> <p>From Sue MacDonald - Ahuriri Estuary Protection Society Inc (X3): Raising concern around stormwater run-off entering the estuary from increased housing closer to the estuary and supporting the HBRC submission in this regard.</p>
<p>Launch Active Early Learning</p>	<p>7</p>	<p>Supports PC11 but believes provision should be made for an 'early childhood education centre' to be included in Parklands Estate (being the new residential development area).</p>	<p>From Matt Finlayson (X4): Opposing the establishment of childcare centres and seeking that the whole submission be disallowed.</p> <p>From Sindy Cormack (X5): Stating that there are 3 existing childcare centres in the area and 1 under construction and seeking that this be considered in considering the submission.</p>



4. CONSIDERATION OF SUBMISSIONS

Submissions may be considered on an individual basis or under common themes or matters. Owing to the small number of submissions received however, and that they are somewhat matter focused in themselves in any case, the following report considers them on an individual basis, except in the case of Submissions (2) and (3), which raise similar matters.

Submissions (2) and (3) are considered ahead of Submission (1) to avoid repetition in terms of traffic and noise matters.

In summary however, Submissions (1) – (3) considered in Sections 4.1 and 4.2 generally relate to traffic and residential amenity, Submission (4) in Section 4.3 to utilities, Submission (5) in Section 4.4 to Park access, Submission (6) in Section 4.5 to servicing and natural hazards, and Submission (7) in Section 4.6 to the establishment of childcare centres. This is illustrated in Table 2 below.

Table 2:

Matter	Submitter	Further Submitter	Report Section
Traffic and Residential Amenity	Ron Carswell		Sections 4.1 and 4.2
	Parklands Neighbourhood Support Group 14A	Sue Mitchell	
	Nigel MacNeil		
Utilities	Powerco		Section 4.3
Access to Park Island	Central Football		Section 4.4
Servicing and Natural Hazards	Hawkes Bay Regional Council	Ahuriri Estuary Protection Society Inc	Section 4.5
		June Graham	
Establishment of childcare centres	Launch Active Early Learning	Matt Finlayson	Section 4.6
		Sindy Cormack	

4.1 Submissions (2) and (3) – Parklands Neighbourhood Support Group 14A and Nigel MacNeil

Submitter Name	Submitter No.	Relief Sought / Matters Raised
Parklands Neighbourhood Support Group 14A	2	Generally supports PC11 albeit with the amendments outlined in their submission as follows: (1) Vehicle access to the proposed northern sports hub be from Clyde Jeffery Drive (with no access from Orotu Drive). (2) Emergency access to the proposed northern sports hub be from the existing bridge in Westminster Ave. (3) Adequate parking be provided within the sports hubs (notwithstanding recognition of the additional 527 car parks proposed within the Sports Hubs and acceptance that there may be some overflow parking in residential areas during some major national events).



		(4) Sports buildings should be located as far as practicable from Orotu Drive.
Nigel MacNeil	3	Neutral on PC11 but is concerned about parking on adjacent residential streets so requests either provide an additional 100 carparks on the sports hub or alternatively, create an alternative vehicle access to the sports hub via Clyde Jeffery Drive.

Items (1) – (3) of Submission (2) and the matters in Submission (3) relate to traffic. Napier City Council's Transportation Team was therefore requested to provide expert input. A copy of the memo received to this effect is provided in **Appendix 6**. Key points include:

- 1. The option of all vehicle access for the Northern Sports Hub being via Clyde Jeffery Drive has been assessed in terms of safety and the level of service that could be achieved. If provided, this would be likely to make the recreational areas more vehicle dominated, introduce additional conflicts and would save very little in terms of distance travelled. Clyde Jeffery Drive and on road car parking in the vicinity is already at full capacity during large sports events.*
- 2. Formalised emergency access from Westminster Drive would require a new bridge across the drain as the existing one lane bridge is not suitable. This would also require additional maintenance to ensure the access was available at all times and may need to be gated to prevent misuse by others. Use of the proposed more resilient access off Orotu Drive is preferred to minimise travel time when attending to an emergency call out. There is no intention to disestablish this bridge and it remains under the NCC inspection and maintenance programme. There is no objection to the sports hub operator providing a gated access at this point to provide additional emergency resilience.*
- 3. The total number of car parks proposed for the Northern Sports Hub is 196, which is considered more than adequate for the proposed layout and calculated demand. There is likely to be an overspill of parking onto Orotu Drive estimated at up to 100 vehicles at peak times that would extend up to 600m along the road. This is acceptable based on the frequency anticipated and not considered to be a safety or capacity issue with the existing geometry of Orotu Drive. The additional 527 carparks proposed for the whole of Park Island will more evenly distribute car parking to match demand and overall reduce parking pressure at peak times.*
- 4. The frequency of "peak" sporting activity times is likely to be once or twice a week including weekends and is expected to be outside the usual peak commuter and school times on the Parklands urban road network.*
- 5. A further 100 constructed car parks provided within the Northern Sports Hub will require additional sealed surfacing to be constructed and maintained with minimal utilisation. The existing on road parking along Orotu Drive is currently under utilised and provides an ideal alternative. The additional 527 carparks proposed for the whole of Park Island will more evenly distribute car parking to match demand and overall reduce parking pressure at peak times.*

As evidenced from the commentary above NCC traffic engineers believe the proposed vehicle access and parking configuration and quantum of spaces provided (as notified in PC11) are the most practicable options to avoid and remedy any potential traffic related



adverse effects. While other options, such as those suggested by the submitters are available, they bring with them their own issues such increased conflict with Park users and delays in movement and associated vehicle queuing if all traffic was to access the whole of Park Island via a single road corridor (as raised by Sue Mitchell in her further submission).

Over supply of car parking also risks the efficient use of resources both in terms of the costs associated with formation of the carpark itself (construction, sealing, stormwater management, landscaping etc) and the opportunity costs of using valuable land for a purpose with a very low and occasional demand.

On this basis, it is recommended that the relief sought in regard to vehicle access to the Northern Sports Hub being from Clyde Jeffery Drive (with no access from Orotu Drive) and additional on-site car parking be disallowed. The relief sought in relation to emergency access to the Northern Sports Hub being available from the existing bridge in Westminster Avenue can be allowed in part however, given NCC's traffic engineers recommendation that the bridge is to be retained and remain part of NCC's regular inspection and maintenance programme, albeit recognising its limitations on use.

The final aspect of Submission (2) was *"residents would like any sports buildings to be located as far as practicable from Orotu Drive so as to maintain their quiet enjoyment and the residential nature of the area"*. This statement relates to maintaining amenity values, which are largely influenced by noise and visual outlook matters.

In terms of noise, the maximum limits specified in Condition 48.13 are applied on a consistent basis to all Sports Park Zones within the City, many of which (like the Sports Park Zone subject to this Plan Change process) adjoin residential zones. Given that there is no evidence of any noise issues associated with this interface of zones throughout the city and no identifiable unique circumstances in this particular instance that would give rise to deviation from this trend, no amendments are considered necessary to maintain amenity in terms of noise.

Regrading visual outlook and separation distances, Sections 5.11 and 5.12 of the Visual Assessment Report provided in Appendix 7 of the Section 32 Evaluation states:

Views from Westminster Avenue (numbers 235 – 251) and Orotu Drive (numbers 2- 23)

- 5.11 *Viewpoints 3 to 6 are taken from Westminster Avenue and Orotu Drive (Figures 7 - 9 Appendix A), looking towards the site. These views are considered representative of what can be seen from the residential properties along Westminster Ave. The changes to landscape as part of the proposed Plan Change will see the relocation of future residential housing to the north, and transferring the Northern Sports Hub to this location. The sports hub will then extend along Orotu Drive as to the existing Unison substation (opposite approximately 23 Orotu Drive). (Refer Figure 2 Graphic Attachments).*
- 5.12 *Although the specific development details of the sports park are yet to be determined, the proposed change from Residential to Sports Park Zone as anticipated under the Master Plan for viewpoints 3 to 6 are considered to have a positive visual effect on the existing landscape.*



Key amenity aspects such as viewshafts and open space will be retained across this section of the site.

Suitably qualified experts have considered the visual impacts of likely development within the Northern Sports Hub on existing residences in the immediate vicinity and concluded that the effects of the nature and scale of anticipated development will be no more than minor and not inappropriate for the setting.

On this basis, no amendments are considered necessary to maintain amenity in terms of visual outlook or separation distances.

It is also noted that with the width of the Reserve, being approximately 30m, together with the minimum 6m yard setback required under Condition 48.9(1)(a) of Chapter 48 pertaining to the Sport Park Zone, there will be a 36m minimum set back from the western side of Orotu Drive – increasing to 61m from dwellings on the eastern side of Orotu Drive due to the width of the road reserve.

Recommendation

It is therefore recommended:

1. That the submissions of **Parklands Neighbourhood Support Group 14A (Submission 2)** and **Nigel MacNeil (Submission 3)** be **allowed** insofar as not opposing PC11 and retaining the existing bridge off Westminster Avenue as a potential emergency access into the Northern Sports Hub, but **disallowed** insofar as the relief sought in relation to vehicle access to the Northern Sports Hub being from Clyde Jeffery Drive (with no access from Orotu Drive) and additional on-site car parking being provided for the Northern Sports Hub.
2. That the further submission of **Sue Mitchell (Submission X2)** be **allowed** insofar as disallowing the relief sought by **Parklands Neighbourhood Support Group 14A (Submission 2)** in relation to vehicle access to the Northern Sports Hub being from Clyde Jeffery Drive (with no access from Orotu Drive) and additional on-site car parking being provided for the Northern Sports Hub, but **disallowed** insofar as retaining the existing bridge off Westminster Avenue as a potential emergency access into the Northern Sports Hub.

The reasons for this recommendation being:

- a) Clyde Jeffery Drive and on road car parking in the vicinity is already at full capacity during large sports events.
- b) Expert input has been received to support the proposed configuration, location of car parking areas and vehicle access points. In particular, the potential car parking overspill is acceptable based on the frequency anticipated and is not considered to be a safety or capacity issue with the existing geometry of Orotu Drive. Furthermore,



use of the under-utilised Orotu Drive road reserve is the preferred alternative to accommodate peak car parking demands.

- c) Taking the existing environment into account and what would occur without PC11, existing and new provisions will maintain amenity levels anticipated for residential environments.
- d) Allowing the full extent of Submissions (2) and (3) would concentrate the type of traffic effects attempting to be resolved to Clyde Jeffery Drive and its surrounds where there is currently no spare capacity during large events and where conflicts with recreational users would be significantly worsened.
- e) That emergency access to the Northern Sports Hub will be possible from the existing bridge in Westminster Avenue given NCC's traffic engineers recommendation that the bridge is to be retained and remain part of NCC's regular inspection and maintenance programme, albeit recognising its limitations on use.
- f) Allowing the full extent of Submissions (2) and (3) will not promote integrated management of natural and physical resources as required by Part II of the Resource Management Act 1991.

4.2 Submission (1) – Ron Carswell

Submitter Name	Submitter No.	Relief Sought / Matters Raised
Ron Carswell	1	Reject PC11 and consider other options. Comments included: (1) Residential land to be swapped is ideal for a retirement village. (2) Objects to noise, light spill & traffic flows. (3) Site is unsuited to what is effectively a commercial activity. (4) Consider building a sports hub away from residential areas with good road access and adequate parking

Retirement Complex's within the Main Residential Zone are classified as a Discretionary Activity under Rule 5.13(1)(b), meaning resource consent is required and every site needs to be considered on its merits. Regardless of the location and configuration of the Main Residential Zone, an application for a Retirement Complex may still be lodged. The proposed Plan Change therefore has no effect on the likelihood of this activity occurring.

While the Sports Park Zone itself does not provide for retirement villages the differences in location between the Northern Sports Hub and the Main Residential Zone as proposed under PC11 are not considered to be material should resource consent be applied for a retirement village. In other words, there is no known reason (either environmental or market led) why consent would be granted for a site towards the south (i.e. within the existing Main Residential Zone) and not on a site slightly further to the north (i.e. within the proposed Main Residential Zone).



Item (2) of the submission objects to noise, light spill and traffic flows. Noise and traffic matters have been considered in Section 4.1 above.

In terms of light spill, the implications of the Master Plan in terms of lighting were considered by a lighting specialist (XYST) in its report provided in Appendix 10 of the Section 32 Evaluation to determine if the Sport Park Zone could operate within the limits of Condition 48.14, which apply maximum permitted light spill levels.

The review involved preparing a lighting design and performing light spill calculations with all lights "on" at 100% power with no allowance for depreciation of light output. Based on design assumptions and report limitations it was concluded that the limits in Condition 48.14 could be complied with, thus concluding there was no need for any changes.

On the basis that the limits in Condition 48.14 are applied on a consistent basis to all Sports Park Zones within the City and are the same as those applied within the Main Residential Zone itself in Condition 5.23 (i.e. a maximum of 10 lux between the hours of 2200 and 0700 measured at the window of any habitable space within a building), no amendments were considered necessary.

In terms of Item (3) (i.e. the site is unsuited to what is effectively a commercial activity) and noting the expanded suite of permitted activities proposed i.e. the amendments to Rule 48.2, the District Plan essentially already anticipates and allows for the activities proposed, albeit under a different configuration, with or without PC11.

It should also be noted that Park Island has for over 30 years been developed as a major sporting and recreation hub for the community of Napier. During its evolution facilities including bespoke buildings have been erected to support the sporting use of the land. The potential HBRFU high performance facility is merely an extension of this ongoing trend, and buildings need to be specially designed to meet modern training standards and requirements. It is simply not realistic to expect a major sports hub without the necessary supporting infrastructure to deliver the full range of needs required by sporting codes in today's environment.

In terms of Item (4) (i.e. consider building a sports hub away from residential areas with good road access and adequate parking) relocating the sport facilities from the site is beyond the scope of the proposed Plan Change. It would also undermine the consolidation of Park Island as a major sporting hub for Napier in a convenient and accessible location that minimises travel time for the majority of residents. It is also noted that Park Island is already located with very good road access from all directions including the Expressway via arterial roads enabling the whole of the regions populace to travel to it directly and efficiently.



Recommendation

It is therefore recommended:

1. That the submission of **Ron Carswell (Submission 1)** that PC11 be rejected be **disallowed**.

The reasons for this recommendation being:

- a) PC11 does not change the framework under which a Retirement Complex could be established on the site.
- b) Taking the existing environment into account and what would occur without PC11, existing and new provisions will maintain amenity levels anticipated for residential environments.
- c) PC11 does not introduce any new land use types, rather it re-configures them and allows improved provision for co-use of facilities between sporting codes.
- d) Park Island already has very good road access and the new Masterplan should provide adequate parking for all sporting codes dispersed throughout the whole of the facility (albeit supported on occasion by on road parking in the surrounding areas).
- e) The buildings provided for the Northern Sports Hub are necessary to support the specific requirements of sporting codes and are not simply a commercial activity/ building.
- f) There are no identifiable adverse effects in terms of noise, traffic, light spill and amenity arising from the Plan Change.
- g) Uplifting the Sport Park Zone over a portion of the site is beyond the scope of the proposed Plan Change.

4.3 Submission (4) – Powerco

Submitter Name	Submitter No.	Relief Sought / Matters Raised
Powerco	4	Neutral on PC11 but seeks to ensure recognition, protection and access to existing assets in the area plus ensure adequate and secure supply of gas can be supplied to new development where required. Poweco suggest that this would be best be achieved by way of early consultation in relation to future development, setting new buildings or structures back a minimum of 2 metres from existing underground pipes, and coordinating Council infrastructure provision with Powerco's gas delivery infrastructure.

The Napier City Council Asset Team was requested to provide expert input on matters relating to servicing. A copy of the memo received to this effect is provided in **Appendix 7**.



In relation to the matters raised by Powerco, it is confirmed in this memo that the suggestions have been noted and that no further comment or provisions are necessary.

In any case, what Powerco has raised in their submission can most effectively and efficiently be addressed and achieved through operational procedures of Council rather than by way of the District Plan. The memo from Napier City Council's Asset Team confirms its awareness of this.

Recommendation

It is therefore recommended:

1. That the submission of **Powerco (Submission 4)** be **allowed** insofar as not opposing PC11, and the advice be noted without the need for any further provisions.

The reasons for this recommendation being:

- a) That Powerco's submission can most effectively and efficiently be addressed and achieved through operational procedures of Council rather than by way of the District Plan.

4.4 Submission (5) – Central Football

Submitter Name	Submitter No.	Relief Sought / Matters Raised
Central Football	5	Supports PC11 and seeks that there be no additional traffic off Clyde Jeffery Road.

The expert advice provided by Napier City Council's Transportation Team provides for this outcome and no changes to this approach have been recommended as a result of assessing the merits of other submissions.

Recommendation

It is therefore recommended:

1. That the submission of **Central Football (Submission 5)** be **allowed** insofar as supporting PC11 and avoiding access to the Northern Sports Hub from Clyde Jefferey Drive.

The reasons for this recommendation being:

- a) Allowing the submission will enable improvements in the way in which the Council provides for and delivers sport facilities for the community and residential development to continue as anticipated under HPU DS and in the District Plan.



- b) Allowing the submission will avoid adverse traffic effects in the vicinity of Clyde Jeffery Drive.

4.5 Submission (6) – Hawkes Bay Regional Council

Submitter Name	Submitter No.	Relief Sought / Matters Raised
Hawkes Bay Regional Council	6	<p>No specific relief requested but suggests:</p> <ol style="list-style-type: none">(1) A fuller assessment of policies in the Regional Policy Statement was warranted as part of notification of PC11.(2) HBRC needs more details on stormwater collection, treatment and disposal to fully understand potential impacts on the quantity of stormwater runoff and water quality of receiving environments.(3) NCC should be aware that there is a natural overland flow path from the Taipo Stream over the existing Park Island Sports Park (Southern Sports Hub) generally towards the development area (the Northern Sports Hub).(4) NCC should undertake an assessment of the capability of the existing wastewater infrastructure to cope with the potential increase in the number of dwellings and share these findings with the HBRC in order to avoid any further incidents associated with discharge of contaminated stormwater due to network capacity issues.(5) Discussions should be held with the HBRC regarding the proposal to discharge secondary runoff from the development area to the Ahuriri Estuary via the Purimu pump station through the existing consent for discharge. The intention is to reduce potential contaminants entering the Ahuriri Estuary by way of stormwater design and treatment through low impact designs.(6) That due to potential liquefaction risk a geotechnical engineer provide input into the design of all buildings, including a site specific assessment of subsurface ground conditions.(7) That due to potential Tsunami inundation risk consideration be given to restricting the location of critical facilities within the development area and design, enhancement and protection of evacuation routes be considered when developing new infrastructure.

The further submission from June Graham (in general support of the HBRC submission) has been acknowledged in considering the submission from HBRC.

Item (1) relates to the approach taken to report on how the proposed Plan Change gives effect to the Regional Policy Statement (RPS). It was stated in the Section 32 Evaluation that as the proposed Plan Change was not so much a rezoning of land but a reconfiguration of zones within the same footprint, it was not considered necessary to analyse the full suite of Policies in the RPS to come to the conclusion that the proposed Plan change would give effect to the RPS. A detailed analysis of the provisions in Chapter 3.1B pertaining to *Managing the Built Environment* was however undertaken.



The submission from HBRC does not raise any issue with the conclusions of the S32 Evaluation in regard to the RPS, rather it seemed to suggest that more written evidence was required to demonstrate how the conclusions were arrived upon.

The following is provided in regard to the Chapters of the RPS referred to in the HBRC submission.

Chapter 3.2 – The Sustainable Management of Coastal Resources

Chapter 3.2 of the RPS contains 7 Objectives. Objective 4 seeks the promotion of the preservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use and development, while Objective 5 is the maintenance, and where practicable, and in the public interest, the enhancement of public access to and along the coast. PC11 is setback from the coastal environment and the proposed reconfiguration is inland of existing development within the area. It is not anticipated to compromise the natural character of the coastal environment nor hinder public access to it.

Objective 6 is the management of coastal water quality to achieve appropriate standards, taking into account spatial variations in existing water quality, actual and potential public uses, and the sensitivity of the receiving environment. In terms of PC11, this is relevant in terms of stormwater management.

Stormwater runoff from the area is already accommodated by way of coastal discharge consent CD990516Wa held jointly by the Napier City Council and the Hawkes Bay Regional Council, where this Objective and an array of other provisions will be considered in its replacement process (a replacement application has been lodged and is currently being assessed by HBRC). This is the most appropriate forum to demonstrate compliance with all relevant objectives and policies given that PC11 is but a portion of the total discharge authorized by this consent and any means of improving stormwater quality will be part of a more holistic package dealing with all stormwater. In other words, there may be efficiencies in treating stormwater as a whole rather than individually, but this will be determined through the consent replacement process. This is expanded upon in terms of Item (5) of HBRC's submission.

Objective 7 is the promotion of the protection of coastal characteristics of special significance to iwi, including waahi tapu, tauranga waka, taonga raranga, mahinga kai and mahinga mataitai. Again, the proposed configuration applies to an area inland of existing development and consultation has been undertaken with iwi. No submissions were received nor any areas of significance to iwi identified for the land subject to PC11.

Objective 8 is 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. PC11 is not located within any of the Coastal Hazard Zones identified in the Regional Coastal Environment Plan, nor any of the more recently determined zones through the joint Coastal Hazard Strategy (Tangoio to Clifton) - albeit they have not yet reached the stage of being incorporated into any



regulatory planning document but are viewable on the HB Hazard portal website.

Objectives 9 and 10 apply to the provision for economic development within the coastal environment, including the maintenance and enhancement of infrastructure, network utilities, industry and commerce and aquaculture, and enabling safe and efficient navigation. These are not considered to be relevant to PC11.

Chapter 3.5 – Effects of Conflicting Land Use Activities

Chapter 3.5 seeks to address the issue of offsite impacts or nuisance effects, especially odour, smoke, dust, noise, vibrations, agricultural spray drift and increased traffic caused by the location of conflicting land use activities.

The existing situation is essentially comprised of residential zones interfacing with a Sports Park Zone (albeit with linear Reserve Zones following drainage channels in between). PC11 does propose any change in this regard. Although some areas will adjoin residential rather than sport park, and vice versa, provisions are in place to avoid any unreasonable conflict.

Chapter 3.9 – Groundwater Quality

Chapter 3.8 seeks to address the risk of contamination of groundwater arising from (a), horticultural, agricultural and industrial land use practices, (b), discharges of contaminants, including the cumulative effects of domestic sewage discharges from unsewered communities, and (c), spills, particularly in the Heretaunga Plains and Ruataniwha Plains aquifer systems, and coastal aquifers. There are a number of Objectives and Policies that follow pertaining to water allocation, transfers, well construction, groundwater volumes, monitoring and surface water connection.

PC11 does not introduce any new activity that is likely to increase the risk of groundwater contamination.

Chapter 3.10 – Surface Water Resources

Chapter 3.10 seeks to address the potential degradation of the values and uses of rivers, lakes and wetlands in Hawke's Bay as a result of (a), the taking, use, damming and diversion of water that may adversely affect aquatic ecosystems and existing lawfully established resource users, especially during droughts, (b), non-point source discharges and stock access that cause contamination of rivers, lakes and wetlands, and degrade their margins, and (c), point source discharges that cause contamination of rivers, lakes and wetlands. There are a number of Objectives and Policies that follow pertaining to water allocation, transfers, minimum flows, allocatable volumes, effects of new takes, monitoring, environmental guidelines and animal buffer zones.

PC11 does not involve any new takes or discharges in itself and will fall within existing resource consents for municipal water takes and the discharge of stormwater.

Chapter 3.12 – Natural Hazards

Chapter 3.12 relates to the susceptibility of the region to flooding, droughts, earthquakes,



volcanic ash falls, and tsunamis, and the potential impact of these on people's safety, property, and economic livelihood. Objective 31 is the avoidance or mitigation of the adverse effects of natural hazards on people's safety, property, and economic livelihood, while Policy 55 relates to the use of non-regulatory methods as the principal means of addressing hazard avoidance and mitigation.

Natural hazards have been considered in the Section 32 Evaluation. In summary:

- The reconfiguration will occur within an existing urban area where its susceptibility to the effects of the sea level rise will not change,
- The area is outside coastal erosion and inundation zones (see hbhazards intramaps below),
- The entire site, together with much of Napier, is located within the 'Tsunami Near Source Inundation Extent', thus the proposed re-configuration does not change the element of risk in this regard (see below),
- On balance, the re-configuration will place a greater area of the Main Residential Zone within the 'Tsunami Distance Source Inundation Extent', however the change is marginal and the outcome will be no different to the existing Parklands residential area on east of Orotu Drive (see below from hbhazards intramaps),
- In regard to liquefaction, the Hawkes Bay Regional Council has advised that the Ministry of Business, Innovation and Employment (MBIE) and the Ministry for the Environment have recently published planning and engineering guidance for potentially liquefaction-prone land and contains guidance for Councils on resource and building consent applications to assist with the use and development of potentially liquefaction prone areas. The Hawkes Bay Regional Council has highlighted that this guidance may result in changes in how this risk has been previously managed. However, this is yet to be determined and this plan change cannot, and indeed need not, predetermine the outcomes of that process,
- As the entire area west of Orotu Drive, together with most of Napier is located within a 'Very High Relative Liquefaction Susceptibility' area (see hbhazards intramaps below), the proposed re-configuration does not materially change the element of risk in this regard or the impact/cost of potential implications on development.

Further comments are provided below in relation to the specific points raised in items (6) and (7) of HBRC's submission.

Chapter 3.13 – Maintenance and Enhancement of Physical Infrastructure

Chapter 3.13 relates to the sustainable management of the physical infrastructure of the region that underpins the economic, cultural, and social wellbeing of the region's people and communities and is essentially reflected in Objective 32.

Objective 33 recognises that some infrastructure which is regionally significant has specific locational requirements. Objective 33A provides for the adverse effects on existing physical infrastructure arising from the location and proximity of sensitive land use activities to be



avoided or mitigated, while Objective 33B provides adverse effects on existing landuse activities arising from the development of physical infrastructure to be avoided or mitigated in a manner consistent with Objectives 16, 17, 18 relating to conflicting land use activities and 32 and 33 as above.

Matters relating to wastewater and stormwater infrastructure at a City level are specifically addressed in relation to items (4) and (5) of HBRC's submission below. PC11 in itself is not considered to give rise to any issues in terms of Chapter 3.13 of the RPS.

Overall, it is considered that the proposed reconfiguration gives effect to the RPS.

Items (2) – (5) of HBRC's submission relate to stormwater and wastewater servicing. The Ahuriri Estuary Protection Society Inc supports the matters raised in regard to stormwater (in its further submission).

The comments provided by the Napier City Council Asset Team in its technical memo provided **Appendix 7** are referred to in addressing these matters below.

Items (2) and (3)

- (2) **HBRC needs more details on stormwater collection, treatment and disposal to fully understand potential impacts on the quantity of stormwater runoff and water quality of receiving environments.**
- (3) **NCC should be aware that there is a natural overland flow path from the Taipo Stream over the existing Park Island Sports Park (Southern Sports Hub) generally towards the development area (the Northern Sports Hub).**

Stormwater servicing solutions have been described in the Section 32 Evaluation and in the technical memo provided in Appendix 7 in which the Napier City Council Asset Team has confirmed that between existing infrastructure and the area of available land within the development site to accommodate secondary flow, and if necessary attenuation, stormwater can be suitably managed with specific design solutions being implemented at subdivision stage in terms of development within the Main Residential Zone, and at landuse /building consent stage in relation to the Sports Park Zone.

As a very rough estimate, the Asset Team has indicated there could be an additional 375 L/s (1 in 10 year) of stormwater from the additional area of dwellings, which it has advised is approximately 0.2 % of the Pirimu pump station capacity.

In terms of (3), the Napier City Council Asset Team has stated:

- *Tenders to build a stormwater computer model for all catchments in the City have been received and is expected to be awarded within a month (May 2018).*
- *Development of the computer model will inform any decisions around any overland flow path from the Taipo Stream.*



Item (4)

- (4) **NCC should undertake an assessment of the capability of the existing wastewater infrastructure to cope with the potential increase in the number of dwellings and share these findings with the HBRC in order to avoid any further incidents associated with discharge of contaminated stormwater due to network capacity issues.**

The Napier City Council Asset Team has stated:

- *A sewer pumping main "Western Trunk" was constructed along Westminster Ave. in 2012, to replace an existing pumping main and provide for growth in the area including Parklands. Redundancy is provided in this part of the sewer network which has a duplicate gravity pipeline draining to a part of the system (Tamatea).*
- *A computer model of the sewer network is currently being built to understand the capacity of the network and the impacts of stormwater inflow and groundwater infiltration. Funding has been planned in the NCC Long Term Plan (LTP) to increase sewer capacity where the model identifies a need.*
- *Additional flow that maybe generated from PC11 will not be of scale to increase the frequency or impact of issues associated with stormwater inflow and groundwater infiltration, and as already outlined, there is sufficient capacity to accommodate wastewater from the additional yield of dwellings that may arise from the Plan Change.*

Item (5)

- (5) **Discussions should be held with the HBRC regarding the proposal to discharge secondary runoff from the development area to the Ahuriri Estuary via the Purimu pump station through the existing consent for discharge. The intention is to reduce potential contaminants entering the Ahuriri Estuary by way of stormwater design and treatment through low impact designs.**

The existing consent referred to is CD990516Wa, held jointly by NCC and HBRC. An application to replace this consent has been recently lodged (by the authors firm) with HBRC.

Preparation of this resource consent application was part of a package of work being undertaken on behalf of the Napier City Council in relation to three discharges to the Ahuriri Estuary and has involved a collaborative process with HBRC as well as a number of affected and interested parties (including the Ahuriri Estuary Protection Society Inc) over a 6 month period.

The basis of the application is to set out a condition framework that allows for an adaptive management approach, including short, medium and long-term actions that will result in material improvements in the quality of stormwater discharged via the Westshore Tidal Gates to the Ahuriri Estuary.

The approach is an enactment of a MERI strategy, which has become popular in natural resource management. MERI stands for Monitoring, Evaluation, Reporting and Improvement, and enables a continuous improvement approach to be taken, while also enabling any investment in works/actions to be both targeted and effective.



The condition framework under this approach sets down a road map towards improving the quality of the Estuary and provides certainty and clarity as to how that is to be achieved, while retaining sufficient flexibility to adapt. It essentially focuses on bringing about improvements in stormwater quality at three different points in the stormwater discharge 'process', these being 'at source' on high risk industrial sites, 'in-stream' within the urban waterways, and at the 'end-of-line'.

The initial 'at source' improvements on high risk industrial sites will involve NCC physically identifying all high risk industrial sites, notifying the owners of the requirement to have an Environmental Management Plan (EMP) completed for their site, landowners then physically implementing the required works to treat stormwater at source and NCC undertaking monitoring to determine the effect that the installation of such 'at source' treatment has had on the urban waterway network and what contaminants remain in the discharge.

Based on this information NCC will then undertake a Feasibility Study that identifies the options available to treat the contaminants that remain in the stormwater discharge through instream mechanisms. The Feasibility Study will be provided to HBRC for certification, upon which NCC will present it to a Collaborative Stormwater Working Group, which will participate in deciding what treatment options should be implemented. NCC will then implement the chosen options and undertake monitoring to determine the effect that the implementation of 'in-stream' treatment has had on the urban waterways, and what contaminants remain in the discharge.

The final 'end-of-line' approach will follow the same process. NCC will undertake a Feasibility Study that identifies the options available to treat the contaminants that remain in the stormwater discharge through an end of line mechanism, the Feasibility Study will be provided to HBRC for certification, NCC will present it to the Collaborative Stormwater Working Group to inform the decision-making process, the chosen options will then be implemented and monitoring undertaken.

Monitoring will be adapted as required as part of each exercise.

In addition to the establishment of a Collaborative Stormwater Working Group and the MERI approach outlined above, NCC has also proposed to:

- Design and undertake a multi-faceted stormwater education programme to try and increase the public's understanding and awareness of the impact of their activities on stormwater and the ways in which they can minimize the contamination of stormwater and impedance of stormwater flows,
- Review the Code of Practice for Subdivision and Land Development to ensure best practice stormwater management is implemented,
- Undertake a Contaminant Source Tracking Survey in response to unusually high concentrations of zinc, microbial contaminants and nutrients within the Purimu/County Catchments.



In response to HBRC's submission in this regard, NCC is actively working with HBRC, albeit within a different planning process, as joint consent holder/applicant to reduce potential contaminants entering the Ahuriri Estuary via a series of approaches. Achieving such improvements is a City-wide matter, and will be implemented by the overall consenting approach, which will go on to fall over the Plan Change area in the same manner as all other areas in the catchment.

Item (6)

- (6) That due to potential liquefaction risk a geotechnical engineer provide input into the design of all buildings, including a site specific assessment of subsurface ground conditions.**

At a zoning level, the proposed re-configuration does not materially change the element of risk in this regard or the impact/cost of potential implications on development.

Specific regard to ground improvement works and foundation design of future buildings is applied at the subdivision stage during land development and the imposition of Consent Notices, which often (if required) require specific design by a geotechnical engineer.

Generally speaking, rib raft foundation design has been the preferred means of mitigating the impacts of liquefaction on buildings, but as alluded to in the submission from the HBRC, MBIE may provide new guidance for future development, which would be applied at either subdivision or building consent stage.

Item (7)

- (7) That due to potential Tsunami inundation risk consideration be given to restricting the location of critical facilities within the development area and design, enhancement and protection of evacuation routes be considered when developing new infrastructure.**

As outlined in the Section 32 Evaluation, the proposed re-configuration does not change the element of risk in regard to Tsunami at a zoning level. Nevertheless, there is already opportunity for relatively easily and quickly accessible vertical evacuation by way of the cemeteries immediately to the west and north of the subject land.

Furthermore, while much of the infrastructure to service development is already in place (i.e. wastewater pump stations, collector roads, water supply mains and the unison substation), the Napier City Council Asset Team is aware of the matter and there are triggers in place to consider such matters during engineering approval processes for new infrastructure.

Recommendation

It is therefore recommended:

1. That the submission of the **Hawkes Bay Regional Council (Submission 6)** be **allowed** insofar as no specific relief was requested, it supported in part and did not oppose



PC11, and that additionally, the advice be noted without the need for any further provisions.

2. That the further submissions of **Sue MacDonald - Ahuriri Estuary Protection Society Inc (Submission X3)** and **June Graham (Submission X1)** be **allowed** insofar as supporting the matters raised in the Hawkes Bay Regional Council submission – which did not oppose PC11.

The reasons for this recommendation being:

- a) Allowing the Submissions will enable improvements in the way in which the Council provides for and delivers sport facilities for the community and residential development to continue as anticipated under HPUDS and in the District Plan.
- b) Noting the advice will contribute to the Napier City Council managing natural and physical resources as required by Part II of the Resource Management Act 1991.

4.6 Submission (7) – Launch Active Early Learning

Submitter Name	Submitter No.	Relief Sought / Matters Raised
Launch Active Early Learning	7	Supports PC11 but believes provision should be made for an 'early childhood education centre' to be included in Parklands Estate (being the new residential development area).

The matters raised by Matt Finlayson and Sindy Cormack have been noted in considering the submission from Launch Active Learning.

Day care centres are provided for as a Permitted Activity under Rule 5.6 of the Main Residential Zone where they cater for no more than 10 people and can comply in all respects with the relevant conditions in the Main Residential Zone conditions table. Failure to comply with these conditions render an activity Restricted Discretionary under Rule 5.12. The same rule framework applies to all other residential zones in the City.

On the basis that day care centres will be provided for in the same manner as all other residential zones, and that there will be no change to how they would fall to be provided for under the both the existing and proposed configurations, it is not considered necessary to introduce any new provisions to relax the framework embodied within the Plan pertaining to the establishment of day care centres.

Introducing new provisions to relax the framework would also be beyond the scope of the Plan Change as originally notified.

As an aside, and outside of the District Plan, it is noted that the submitter, as any party can, could approach the developer direct at the early stages of developing a Scheme Plan to



accommodate a site of the nature referred to in the submission and to commence the process of establishing any such activity at any time.

Recommendation

It is therefore recommended:

1. That the submission of **Launch Active Early Learning (Submission 7)** be **allowed** insofar as supporting PC11 but **disallowed** insofar as it is not recommended to establish additional provisions to relax the framework embodied within the Plan pertaining to the establishment of day care centres.
2. That the further submission of **Matt Finlayson (Submission X4)** be **allowed** insofar as supporting the submission of Launch Active Early Learning being disallowed, noting that any resource consent application (that may be lodged in the future) for the establishment of a day care centre will be assessed on its merits.
3. That the further submission of **Sindy Cormack (Submission X5)** be **allowed** insofar as advising the nature of day centres in the vicinity of PC11.

The reasons for this recommendation being:

- a) PC11 does not change the framework under which a day care centre could be established.
- b) Relaxing the provisions around day care centres within the Main Residential and Sport Park Zones, or as the provisions apply to this particular site within those Zones, is beyond the scope of the proposed Plan Change.

5. SUMMARY AND SECTION 32AA REQUIREMENTS

Having considered the submissions and relief sought no changes are recommended to the provisions proposed. As such, and at this point in time, no further elevation in terms of Section 32AA is required.