
Submission on Napier City Proposed District Plan

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Napier City Council - Planning Unit

Date received: 14/12/2023

Submission Reference Number #:149

This is a submission on the following proposed plan (the **proposal**): Napier City Proposed District Plan

Submitter:

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I wish to be heard: Yes

I am willing to present a joint case: Yes

Could you gain an advantage in trade competition in making this submission?

- **N/A**

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **Yes**

Submission points

Point 149.1

Section: SW - Stormwater

Sub-section: Issues

Provision:

SW-I1: Providing for growth of the city while recognising constraints in the stormwater network

Before the 1931 earthquake, a significant portion of Napier was below sea level. Growth of the early city involved limited reclamations around the base of Mataruahou / Napier Hill. The earthquake uplifted the land and promoted increased draining and reclamation to facilitate the city's growth. The topography we see today is now generally flat and requires 75% of the city's stormwater to be pumped.

The capacity of the stormwater network provided at each stage of Napier's development was not designed for significant infill or the level of impervious areas that have occurred as the city has evolved. Some areas were developed with a low 'level of service' meaning that they only provide for regular weather patterns and do not have capacity to accommodate significant rainfall events. The projected impacts of climate change in the Hawke's Bay region include increased frequency and severity of high intensity rainfall events. The capacity constraints will likely result in more frequent flooding in the future if there is no intervention.

Napier City Council has continually sought to improve capacity in the system. In 1995, the Cross Country Drain was designed to future-proof the drainage of suburban Napier by capturing run-off from areas south/south-west of Napier city and diverting it directly to a coastal outfall, rather than have it flowing through low-lying residential areas. This was intended to free up existing urban capacity for future infill development. Looking towards the future, the 2021-2031 Long Term Plan and accompanying 30-year infrastructure strategy dedicate significant investment to a range of stormwater projects including detention for significant flood events and treatment to improve water quality at Lagoon Farm prior to discharge into Te Whanga (the Ahuriri estuary). A new dedicated special purpose ecology and stormwater treatment zone (AESZ) has been created to enable and support these objectives.

At the same time, the city is continuing to grow. Intensification of our existing urban areas will be one key method to increase housing supply and meet the needs of our communities. Many areas that are otherwise desirable for intensification do not currently have capacity in the stormwater network to accommodate additional run-off during storm events. The District Plan needs to enable growth to meet demand while also managing potential effects on public health and safety from increased flooding risks if stormwater isn't appropriately managed. Managing the stormwater network efficiently also enables the reuse of stormwater to reduce demand on the city's reticulated drinking water supply.

Relying solely on network upgrades will not manage this tension. Further, it is very costly to retrospectively improve the capacity of the reticulated network throughout the whole city for high-intensity but low-frequency rainfall events. Requiring low-impact design and onsite detention is a cost-efficient way to manage impacts while facilitating growth.

Large-scale greenfield developments can and are expected to, provide for integrated low-impact design and catchment-based solutions at the time of subdivision design to manage the increase in stormwater run-off before discharging into the wider city network.

Sentiment: Amend

Submission:

1. Ahuriri Regional Park, being developed to retain and 'treat' water, is not the total solution to clean up the water going into the Ahuriri Estuary.
2. Allowing high-rise, multiple-unit dwellings in urban areas will increase impermeable surfaces exponentially, and place stress on already stressed stormwater infrastructure.
3. What is the action on the report from NCC 3-year monitoring project to treat stormwater prior to it entering the stormwater network, e.g. spot treatment at areas of highest toxicity.
4. Examples of low-impact design need to be shown by NCC following its own guidelines. Do you comply with treatment in your own carparks of 10 spaces or more? Why is the new 'landscaping' in Pandora Rd not using the recommended 'Low Impact Design' - allowing stormwater to run on to garden?
5. Nutrient/toxin levels are continuing to rise in urban waterways.

6. How will you 'treat' the 'first flush' of stormwater when it rains - this is the most highly-toxic.

7. The intermittent release of sewerage into Ahuriri Estuary at times of high rainfall - what is the proposed date for the ending of that requirement?

8. The UWWG - what has happened to it? We joined enthusiastically when it was initiated by NCC last year. It is a requirement of your Consent to Discharge into the Estuary. You'll lose community interest.

Relief sought

1. a) Ensure that pollutants/toxins from roads/industry, businesses/developments and homes are treated 'at source', and don't wait until they reach Ahuriri Regional Park/Ahuriri Estuary.

b) Indicate the level of water quality that will be achieved by Ahuriri Regional Park.

2. Prevent introduction of 3-6 storey-highrise in suburban areas until all rules are in place for developers to ensure low impact design, grey water retention, certain percentage of land remaining permeable, and council can ensure infrastructure can cope with increased stormwater, and ensure you have adequate staffing to ensure all new guidelines are followed.

3. Nutrient/toxin levels are still rising in urban waterways. Utilise your Environmental Solution Team's 3-yr monitoring results of waterways, and install treatment solutions at areas of high pollution.

4. Ensure your own council follows the recommendations of Low Impact Design in Napier-wide projects - they may need training.

5. See answer 3.

6. Acknowledge the toxicity of 'first flush' stormwater, and create recommendations for the treatment of this, e.g. raingardens beside roads.

7. We want to know that sewerage will stop being released into the estuary, even under 'emergency provisions'.

8. Re-start UWWG soon - while the interest is there from the public - you might be pleasantly surprised what people are willing to do voluntarily to look after urban waterways.

Point 149.2

Section: AIRPZ - Airport Zone

Sub-section: Issues

Provision:

AIRPZ-I3: Management of effects

The land within the AIRPZ - Airport Zone is generally well buffered from adjoining residential areas by public reserves, estuarine environments, rural land, and terrestrial transport routes. However, some airport operations may generate adverse effects beyond the zone that require careful management, such as noise, light, and transportation.

The airport adjoins the ecologically sensitive areas of Te Whanga (Ahuriri Estuary), Watchman Road Reserve, and Westshore Wildlife Reserve, which are important wetlands and represent some of the few remaining coastal wetlands along the east coast of New Zealand. Activities within the Airport Zone need to be carefully managed to ensure that any adverse effects on these wetlands are avoided.

Sentiment: Oppose

Submission:

1. The airport wishes to extend their buildings towards their southern boundary (in their extended airport zone)with Ahuriri Estuary.

We oppose the idea of buildings close to the estuary boundary:

- due to effects on the health of the wildlife,
- the imposition of buildings on the natural landscape values of the estuary,
- the effect of noise from construction and development, and possible on-going noise depending on the nature of the business purpose of these buildings
- the run-off of sediment from the building site into the Stormwater system that runs directly into the estuary without treatment
- the increase of untreated stormwater going directly into the estuary due to increased concrete and asphalt and all impermeable surfaces.

Relief sought

We would like the council to:

1. Re airport buildings in extended airport zone:

Ensure that any consent for buildings that approach the estuary boundary includes discussion for a mutually-agreeable distance from the estuary with all those involved in wildlife advocacy there including mana whenua.

Require a buffer of native plantings that would hide the buildings from the estuary, and that the buildings be of a recessive design and colouring.

Expect the increased airport stormwater going into the estuary (due to less pervious surfaces/development) is 'treated' to an acceptable standard, such as NCC are introducing on the other side of the estuary (at Ahuriri Regional Park).

Ensure that the small piece of DOC Conservation land (a wetland) currently enclosed by airport land, in the zone of the extended airport land is retained for the wildlife purposes in the ownership of DOC.

Point 149.3

Section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone

Sub-section: Issues

Provision:

AESZ-I2: The Ahuriri estuary, and its margins is home to significant indigenous species and habitats that are under threat from human activity

The estuary supports over 70 bird species: some critically endangered native species and some migratory visitors from the northern hemisphere. A variety of fish and invertebrate species are found in the estuary, in reduced numbers as a result of water quality issues. Of particular note are the critically endangered bittern and the flounder and cockle species, while the lower estuary is a known yellowbelly flounder species nursery.

Poor water quality threatens these habitats and indigenous species, particularly due to urban stormwater and other contaminants entering the estuary from human activity. Additionally, other land uses located nearby (e.g. the Hawke's Bay airport, farming, and recreational activities) may disturb natural behavioural patterns. The development of the site for recreational or other uses that increase human activity on the site also threatens indigenous species.

Sentiment: Amend

Submission:

AESZ-I2: The Ahuriri estuary, and its margins is home to significant indigenous species and habitats that are under threat from human activity

Ahuriri Regional Park is planned on the border of Ahuriri Estuary. The precious 'remaining' estuary is constantly under threat from human intervention:

- sediment and nutrients
- toxins from the industrial area and stormwater
- rampant invasive tubeworm creating coral-like structures impeding the water flow in the upper estuary. Also that is spreading into waterways and through stopbanks and into council infrastructure.
- intermittent sewerage releases at times of heavy rainfall
- all the above effecting food sources for wildlife - birds, fish, invertebrates

Ahuriri Estuary Protection Society wants confirmation from NCC:

- that all new development on the site of Ahuriri Regional Park will have adequate rules that prevent additional sediment or toxins coming into the estuary at the time of creating the ARP and into the future, and that there is staffing and resources to monitor the process. Insist that bunds be used to prevent spill into waterways.
- that any removal of stopbanks or adjustment to waterways for release of 'retained water' in no way affects the tidal flow of water to the Upper Estuary
- that noise and light spill from new development are researched and mitigated to the same level as the Watchman Rd roundabout.
- that building sites are well clear of the estuary margin, close to Prebensen Drive, and use recessive design techniques to leave the natural landscape of the estuary as open and undisturbed as possible.
- that recreation at ARP has no effect on the estuary and its wildlife, and is absolutely limited to 'passive recreation' - walking, picnicking, birdwatching, etc, within the Lagoon Farm development, and that sensitive wildlife areas are not increasingly opened to the public.
- that any new cycleways created there do not enter the current estuary area.
- that a DOC staff member is consulted on all levels of the planning
- that the proposed new 'treatment' of Napier's stormwater at ARP prior to entering the estuary brings the quality of the water up to a level above recommended minimum standards.

Ahuriri Estuary Protection Society would like to see:

- quicker timelines for following the recommendations from the NCC 3-year waterway monitoring programme for Stormwater upgrading.
- increased staffing and resources to follow through on Environmental Plans required of all business and industry to remove the danger of spills into the estuary.
- invest in 'on the spot' successful treatment solutions at toxic 'hot spots' in the waterways

We would like to speak at the Hearings.

Relief sought

See above for concerns and recommendations.

Point 149.4

Section: AIRPZ - Airport Zone

Sub-section: AIRPZ - Airport Zone - Rules Table

Provision:

AIRPZ-R7: Activities not otherwise provided for (including all retailing, commercial, and industrial activities not otherwise provided for in AIRPZ-R5 to AIRPZ-R6)

Activity Status: Non-complying

Sentiment: Amend

Submission:

2. We oppose any plans the airport has to build a solar farm near estuary waterways.

We have been alerted to research overseas of the danger of solar farms to wildlife, especially migratory water birds. The impact of solar energy on wildlife is an emerging environmental issue. The 'lake' effects fool the birds into changing flight direction during migration to approach the solar farms as they appear to be water from a distance. The birds are then either injured or killed on landing at speed as they arrive on migration, e.g Kuaka/godwits and others.

Relief sought

2. Re solar farm near waterways:

Ensure that the relevant research into the effects of solar farms on wildlife, particularly birds, is done by the airport and council, and that the results be part of any Consent process.

Ensure that best practice is followed with wildlife safety at the forefront of decisions.

Include wildlife advocates, such as Forest and Bird, Mana Ahuriri Trust, Ahuriri Estuary Protection Society, in discussions on this topic and of any mitigation proposed.