
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: 15/12/2023

Submission Reference Number #:171

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

Submitter:

Ahuriri Regional Park Joint Committee

Address for service:

Fleur Lincoln Napier City Council
Napier City Council
215 Hastings Street Napier South Napier 4110
New Zealand

Email: districtplanreview@napier.govt.nz

Attachments:

Submission supporting information.pdf

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?

- **No**

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

- **N/A**

Submission points

Point 171.1

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

Sentiment: Amend

Submission:

Reasons for submission:

1. The land within the Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ) is proposed to be established as a regional park. The Ahuriri Regional Park (ARP) is to be a platform for climate resilience and city sustainability - anticipated to deliver flood mitigation, stormwater quality improvements and biodiversity and estuarine habitat restoration as key outcomes.
2. A Joint Committee involving Napier City and Hawke's Bay Regional Council Councillors and Mana Ahuriri Trust representatives has been formed to provide a vehicle for co-governance, to lead community consultation and to make recommendations on the park's development to each partner.
3. Working under a co-governance approach is the project's primary pillar and presents an opportunity to showcase co-governance on a national scale. As the project develops, the Joint Committee will agree on a name for the ARP. For clarity in implementation, it is appropriate that the name of the Special Zone reflects the agreed name for the ARP.

Relief sought

Relief sought:

Consider renaming the Special Zone to reflect the name for the Ahuriri Regional Park to be determined by the Joint Committee prior to District Plan hearings commencing.

Point 171.2

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

Sub-section: Objectives

Sentiment: Support

Submission:

Reasons for submission:

In general terms, the objectives of the Special Zone reflect the aspirations of the Joint Committee while recognising the location of the Site in close proximity to the Airport. The potential tensions between these key objectives can be resolved through the masterplanning process.

Relief sought

Relief sought:

Retain the objectives for the zone subject to amendments sought in other submission points.

Point 171.3

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

Sub-section: Objectives

Provision:

AESZ-O1: Open space and stormwater function

The zone functions as an open space while providing stormwater retention and treatment.

Relates to AESZ-I1

Sentiment: Amend

Submission:

Reasons for submission:

Objective O1 as currently drafted refers to stormwater retention and treatment. Retention differs from detention as detention is only temporarily holding back water and letting it slowly release into the receiving environment, whereas retention is long term retention of the water on the site. For clarity, an amendment to the wording is recommended to clarify the intention to accommodate detention.

Relief sought

Relief sought:

Amend AESZ-O1 as follows:

The zone functions as an open space while providing stormwater detention, retention and treatment.

Point 171.4

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

Sub-section: Objectives

Provision:

AESZ-O3: Cultural associations, values and practices

Cultural associations and values with water, land, and habitats are improved and protected, and cultural practices are enabled where these are compatible with stormwater management, habitat restoration, and water quality improvements.

Relates to AESZ-I4

Sentiment: Amend

Submission:

Reasons for submission:

Objective 3 recognises that cultural practices would be appropriate but only where they don't conflict with the objectives of stormwater management, habitat restoration, and water quality improvements. Removing the "qualifier" from the objective would place it in the first equal priority category alongside the other objectives, and tensions can be resolved alongside the other objectives as part of the masterplanning process.

Relief sought

Relief sought:

Amend AESZ-O3 as follows:

Cultural associations and values with water, land, and habitats are improved and protected, and cultural practices are enabled ~~where these~~

~~are compatible with stormwater management, habitat restoration, and water quality improvements.~~

Point 171.5

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

Sub-section: Objectives

Provision:

AESZ-O5: Recreational, community, and commercial land uses

Recreational, community, and commercial activities avoid adverse effects on the stormwater management and ecological and cultural restoration functions of the zone.

Relates to AESZ-I1, AESZ-I2, AESZ-I4, and AESZ-I5

Sentiment: Amend

Submission:

Reasons for submission:

Small scale educational facilities are enabled through the rules of the zone and may be appropriate e.g. to support community education around ecological and cultural values of the Site. However, this isn't clearly captured under the definition of "community facilities" therefore should be added to this objective for clarity of intent.

Relief sought

Relief Sought:

Amend AESZ-O5 as follows:

AESZ-O5: Recreational, community, educational and commercial land uses

Recreational, community, educational and commercial activities avoid adverse effects on the stormwater management and ecological and cultural restoration functions of the zone.

Point 171.6

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

Sub-section: Policies

Provision:

AESZ-P1: Activities enabled

Enable passive recreation, stormwater retention, and treatment of stormwater.

Relates to AESZ-O1, AESZ-O2, AESZ-O4, and AESZ-O5

Sentiment: Amend

Submission:

Reasons for submission:

Stormwater detention should be included alongside retention in this policy to give effect to amended AESZ-O1.

Relief sought

Relief sought:

Amend AESZ-P1 as follows:

Enable passive recreation, stormwater retention and detention, and treatment of stormwater.

Point 171.7

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Rules Table

Provision:

AESZ-R3: Activities associated with stormwater collection, retention, treatment, and disposal

AESZ-R3A

AESZ-R3B

Activity Status: Permitted

Activity Status where activity conditions are not met: Discretionary

Where:

1. The activity complies with standards AESZ-S1 to AESZ-S9, and
2. The activity does not reduce the storage capacity of stormwater on the site.

Sentiment: Amend

Submission:

Reasons for submission:

This permitted activity rule gives effect to the relevant objective and policy and therefore is support by the Joint Committee. However, the heading should be amended to include stormwater detention to give effect to amended AESZ-P1.

Relief sought

Relief sought:

Amend the heading of Rule AESZ-R3 as follows:

Activities associated with stormwater collection, detention, retention, treatment, and disposal.

Point 171.8

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table

Provision:

AESZ-S9: Stormwater retention and treatment facilities

Purpose: *activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality.*

1. The treatment of the stormwater is to be in accordance with an approved stormwater discharge consent.

Activity Status where activity conditions are not met: Prohibited

Sentiment: Oppose

Submission:

Reasons for submission:

The requirement for stormwater treatment be in accordance with an approved stormwater discharge consent is unnecessary, as the regional plan requirements apply in addition in any case. Having a prohibited status to infringe this standard could affect the programme of the project e.g. where resource consent is sought for earthworks associated with forming stormwater detention areas and/or treatment wetlands prior to a stormwater discharge consent being approved. We therefore seeking that this standard be removed.

Relief sought

Relief sought:

Delete Standard AESZ-S9.

Point 171.9

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

Sub-section: Policies

Provision:

AESZ-P2: Habitat restoration

Enable the restoration and creation of indigenous habitats where this does not compromise the stormwater management function of this zone.

Relates to AESZ-O2, AESZ-O3, and AESZ-O4

Sentiment: Amend

Submission:

Reasons for submission:

The current wording of Policy AESZ-P2 elevates the stormwater management function of the zone above habitat restoration. This does not directly give effect to the objectives. The Joint Committee will work through these tensions between objectives as part of the masterplanning process rather than having this pre-determined in the District Plan.

Relief sought

Relief Sought:

Amend AESZ-P2 as follows:

AESZ-P2: Habitat restoration: Enable the restoration and creation of indigenous habitats ~~where this does not compromise the stormwater management function of this zone.~~

Point 171.10

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

Sub-section: Policies

Provision:

AESZ-P3: Protecting ecological values

Avoid adverse effects on habitats and ecological values associated with:

- a. watercourses and their margins;
- b. the estuary, the coastal marine area, and their margins;
- c. Indigenous and migratory species, and
- d. public reserves and recreational areas on adjacent land.

Relates to AESZ-O2, AESZ-O3, AESZ-O4, AESZ-O5, and AESZ-O7

Sentiment: Amend

Submission:

Reasons for submission:

Policy AESZ-P3 regarding the protection of ecological values utilises the term “avoid” which is very directive and may not always be completely achievable for all four sub-matters. An effects hierarchy approach could be adopted instead i.e. “Avoid to the extent practicable, and otherwise remedy or mitigate adverse effects”. This is generally consistent with the approach taken in the National Policy Statement for Indigenous Biodiversity.

Relief sought

Relief sought:

Amend AESZ-P3 as follows:

AESZ-P3: Protecting ecological values: Avoid to the extent practicable, and otherwise remedy or mitigate adverse effects on habitats and ecological values associated with:

- a) watercourses and their margins;*
- b) the estuary, the coastal marine area, and their margins;*
- c) Indigenous and migratory species, and*
- d) public reserves and recreational areas on adjacent land.*

Point 171.11

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

Sub-section: Policies

Provision:

AESZ-P4: Enhancement of cultural values

Protect and restore cultural values through the restoration of habitats and ecosystems and enhance cultural values through providing for and celebrating cultural associations of mana whenua with the site and enabling traditional cultural practices where this does not conflict with the stormwater management purpose of this zone.

Relates to AESZ-03, AESZ-04, AESZ-05, and AESZ-07

Sentiment: Amend

Submission:

Reasons for submission:

Policy AESZ-P4 gives effect to the corresponding objective, however, having the enhancement of cultural values be subject to the stormwater management purpose of the zone places it instead in a second tier of priority. For these values and functions to sit alongside each other the Joint Committee seeks deletion of the "conflict" clause of the policy. Tensions between objectives for the Site will be resolved by the Joint Committee through the masterplanning process.

Relief sought

Relief sought:

Amend AESZ-P4 as follows:

AESZ-P4: Enhancement of cultural values: Protect and restore cultural values through the restoration of habitats and ecosystems and enhance cultural values through providing for and celebrating cultural associations of mana whenua with the site and enabling traditional cultural practices where this does not conflict with the stormwater management purpose of this zone.

Point 171.12

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Rules Table

Provision:

AESZ-R5: Māori purpose activities

AESZ-R5A

AESZ-R5B

Activity Status: Permitted

Activity Status where activity conditions are not met: Discretionary

Where:

1. Permission from the Reserves Manager at Napier City Council has been granted for the taking of any materials from the site, and
2. The activity does not preclude public access.

Where the following activity conditions are met:

1. The effects on ecological values and habitats;
2. The effects on the ability of other lawful activities to continue to operate;
3. Risk to public health and safety and the environment, and
4. The potential to impact on the ability of the stormwater retention, treatment, and discharge network to function.

Sentiment: Support

Submission:

Reasons for submission:

Māori purpose activities is defined in the proposed District Plan as “activities relating to the expression and revitalisation of Māori culture, including mahinga kai activities, performing arts/sporting activities, tangihanga and other mourning activities, Matariki and Pūanga observance activities, wānanga, hui, shorter-term (under seven days) events or festivals, temporary (under 14 days) camping that facilitates involvement in Māori customary activities, and other activities that reflect the special relationship mana whenua have to place, including any ancillary structures”. This rule therefore enables both long term and temporary activities associated with Māori purposes from occurring on the site. At this stage, it has not been determined whether any area of the regional park would be set aside for events such as tangihanga, however, this could be managed through the masterplan and management of the park, rather than relying on District Plan standards. In this context, the permitted activity rule is appropriate and gives effect to the policy direction.

Relief sought

Relief sought:

Retain Rule AESZ-R5.

Point 171.13

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

Sub-section: Policies

Provision:

AESZ-P5: Rural land uses

Enable rural land use where these activities do not impact on the ability for the zone to fulfil its stormwater management function.

Relates to AESZ-O1

Sentiment: Oppose

Submission:

Reasons for submission:

To ensure the objectives of the zone are achieved, we suggest that the policy for rural land uses is deleted (there is no directly supporting objective). Existing grazing activities can be provided for through existing use rights and an appropriate permitted activity rule.

Relief sought

Relief sought:

Delete Policy AESZ-P5

Point 171.14

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Rules Table

Provision:

AESZ-R7: Primary production activities

AESZ-R7A

AESZ-R7B

Activity Status: Permitted

Activity Status where conditions are not met:
Restricted Discretionary

Where:

Matters of discretion are:

1. The activity complies with standards AESZ-S1 to AESZ-S9.

1. Rural characteristics and values;
2. Risk to public health and safety and the environment;
3. Fire and pest control;
4. Nature, scale, and intensity of land use;
5. Ecological, aquatic, and natural values;
6. The cumulative effect of non-compliance with more than one standard;
7. Cultural effects, and
8. The effects on the maintenance, use, and development of a watercourse, open drain, or stormwater retention and treatment area.

Sentiment: Amend

Submission:

Reasons for submission:

Ongoing rural production of the land is considered appropriate until development of the Ahuriri Regional Park. Ongoing passive grazing may continue under existing use rights or as secured through the permitted activity. There are no standards, however, associated with the activity. Primary production includes:

- a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and
- b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);
- c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but
- d. excludes further processing of those commodities into a different product.

To ensure the objectives of the zone are achieved, the permitted activity rule should be restricted to grazing of livestock, rather than primary production more generally which incorporates the above listed activities. This is consistent with the approach taken in, for example, the General Residential Zone where grazing is permitted on larger sites that have not yet been developed.

Relief sought

Relief sought:

Amend AESZ-R7 to refer to "Grazing of livestock" instead of "Primary Production".

Point 171.15

Section: Definitions

Sentiment: Amend

Submission:

Reasons for submission:

There is currently no definition of passive recreation or informal recreation in the proposed District Plan. This would be useful to link to rules for these less organized/active recreation activities in zones such as the Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ).

Relief sought

Relief sought:

Introduce definition of "passive recreation" consistent with or similar to the following:

Means any recreation activity where the principal aim is the enjoyment of leisure of a primarily non competitive casual nature that does not involve the use of vehicles (excluding bicycles) and motorised equipment and also excludes any organised sport and freedom camping (responsible camping). It includes amenity and conservation plantings, habitat restoration and enhancement, children's playgrounds, seating and tables, barbeque facilities, pedestrian walkways, cycleways, jogging tracks, viewing platforms and lookouts, the erection and use of information boards, directional signage, fencing, public artwork/sculptures, public toilets and other buildings and structures necessary for the maintenance and operational needs of the recreation area and associated carparking.

Point 171.16

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Rules Table

Provision:

AESZ-R4: Recreational activities

AESZ-R4A

AESZ-R4B

Activity Status: Permitted

Activity Status where activity conditions are not met: Discretionary

Where:

1. The activity is informal recreation;
2. Walking and/or cycle paths, and
3. The activity complies with standards AESZ-S1 to AESZ-S9.

Sentiment: Amend

Submission:

Reason for submission:

Neither passive recreation (Policy AESZ-P1) or informal recreation (AESZ-R4A) are defined terms in the PDP. We suggest a definition be added and “passive recreation” rather than “informal recreation” used across both the policy and rule. In principle, this activity is anticipated for the regional park and therefore this approach is supported. Other recreational activities would require resource consent and be assessed against the objectives and policies for the zone.

Relief sought

Relief sought:

Amend AESZ-R4A to refer to “passive recreation” rather than “informal recreation”.

Point 171.17

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Rules Table

Provision:

AESZ-R6: Community facilities

AESZ-R6A

AESZ-R6B

Activity Status: Permitted

Activity Status where activity conditions are not met: Restricted Discretionary

Where:

Matters of discretion are:

1. Activities are limited to education and research activities and facilities directly related to the open space;
2. Information facilities accessory to a permitted activity;
3. Public amenities, and
4. The activity complies with standards AESZ-S1 to AESZ-S9.

1. The effects on ecological values and habitats;
2. The potential to impact on the ability of the stormwater retention, treatment, and discharge network to function;
3. Risk to public health and safety, and the environment;
4. Layout and design of vehicle parking, access, and manoeuvring areas;
5. The effects on traffic safety;
6. The design and appearance of the building(s);
7. Hours of operation, and
8. Effects on amenity values.

Sentiment: Amend

Submission:

Reasons for submission:

Community facility means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility. The range of community facilities provided is consistent with the intended regional park use of the zone, including education and research activities directly related to the open space. Buildings larger than 80sqm would trigger a resource consent assessment. Appropriate siting and design of any buildings can be considered through the masterplanning process. To give effect to the objective and policy changes above, we suggest that the rule for community facilities explicitly be extended to educational facilities.

Relief sought

Relief sought:

Amend the heading of AESZ-R6 to refer to Community facilities and educational facilities.

Point 171.18

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

Sub-section: Policies

Provision:

AESZ-P6: Recreational, community, and commercial land uses

Enable small-scale and ancillary recreational community and/or commercial activities where they do not adversely affect the stormwater management and ecological and cultural restoration functions of the zone.

Relates to AESZ-O1, AESZ-O2, AESZ-O3, AESZ-O4, and AESZ-O5

Sentiment: Amend

Submission:

Reasons for submission:

This policy gives effect to the corresponding objective. Educational activities should be explicitly provided for alongside community and other land uses.

Relief sought

Relief sought:

Amend AESZ-P6 as follows:

Recreational, community, educational and commercial land uses: Enable small-scale and ancillary recreational, community, educational and/or commercial activities where they do not adversely affect the stormwater management and ecological and cultural restoration functions of the zone.

Point 171.19

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Rules Table

Provision:

AESZ-R8: Commercial activities associated with the sale of food and drink

AESZ-R8A

AESZ-R8B

Activity Status: Restricted Discretionary

Activity Status where activity conditions are not met: Discretionary

Where:

1. A lease or licence to occupy has been granted by Napier City Council
2. The gross floor area of any building is less than 80 m², and
3. The activity complies with standards AESZ-S1 to AESZ-S9.

Matters of restriction are restricted to:

1. The effects on the hydrological and ecological values of Te Whanga (the Ahuriri estuary), any watercourse, retention area, or open drain;
2. The effects on the natural character of the area;
3. The effects on recreational, amenity, and landscape values;
4. The location and provision of public access and effects on traffic and pedestrian safety;
5. The potential to limit the future restoration of the estuary;
6. The potential to limit the storage and treatment capacity of the stormwater system;
7. The location, design, and appearance of a building or structure;
8. Layout, location and design of vehicle parking, and access and manoeuvring areas;
9. Hours of operation;
10. Impervious surfaces and building coverage, and
11. The risk to the activity from natural hazards and/or the effects of climate change, both now and in the future.

Sentiment: Support

Submission:

Reasons for submission:

This rule enables commercial activities associated with the sale of food and drink as a restricted discretionary activity, which gives effect to AESZ-P6.

Relief sought

Relief sought:

Retain AESZ-R8

Point 171.20

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

Sub-section: Policies

Provision:

AESZ-P7: Other land uses

Avoid residential and/or industrial activities.

Relates to AESZ-O2; AESZ-O3, AESZ-O4, AESZ-O6, and AESZ-O7

Sentiment: Support

Submission:

Reasons for submission:

The general avoidance of residential and industrial activities in the zone is appropriate to give effect to the objectives.

Relief sought

Relief sought:

Retain AESZ-P7

Point 171.21

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Rules Table

Provision:

AESZ-R11: Residential and industrial activities

Activity Status: Prohibited

Sentiment: Amend

Submission:

Reasons for submission:

Although avoiding residential and industrial activities will generally be appropriate, there may be limited situations where they are appropriate such as small scale manufacturing of natural products. A prohibited activity status would not allow resource consent to be sought for those activities. A non-complying activity status still gives effect to the policy direction but would allow a potentially appropriate activity to be assessed on its merits against the objectives and policies for the zone as a whole.

Relief sought

Relief sought:

Amend AESZ-R11 to make residential and industrial activities Non-complying rather than Prohibited.

Point 171.22

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Rules Table

Provision:

AESZ-R10: Activities not otherwise provided for

AESZ-R10A

AESZ-R10B

Activity Status: Discretionary

Activity Status where activity conditions are not met: Non-complying

Where:

1. The activity complies with all of the District Plan standards
2. standards AESZ-S1 to AESZ-S9, and
3. Public access is provided to Tāipo Stream and the Ahuriri estuary.

Sentiment: Amend

Submission:

Reasons for submission:

Other activities not specifically listed in the activity table, such as commercial activities not otherwise provided for, should be non-complying rather than discretionary. Access to the Taipo Stream and Ahuriri Estuary may not be appropriate in all circumstances and where it is appropriate, should not be tied to an activity status for other activities not specifically anticipated in the zone.

Relief sought

Relief sought:

Amend AESZ-R10A to change status from Discretionary to Non-Complying and remove the activity standards.

Point 171.23

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

Sub-section: Policies

Provision:

AESZ-P8: Safe and efficient operation of Hawke's Bay Airport

Avoid the use and development of the zone where this adversely affects the ability of Hawke's Bay Airport to be able to safely and efficiently operate.

Relates to AESZ-O6 and AESZ-O7

Sentiment: Support

Submission:

Reasons for submission:

There are no specific activity rules for airport related activities. This policy supports the height limit standard, and would also be a relevant consideration for the assessment of any resource consent application in the zone. This is considered to be appropriate and is a matter that

will be considered by the Joint Committee in developing the masterplan for the Site.

Relief sought

Relief sought:

Retain AESZ-P8.

Point 171.24

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

Sub-section: Policies

Provision:

AESZ-P9: Natural hazards and climate change

Avoid land use activities and development where the impacts of natural hazards and climate change are not able to be mitigated in a way that minimises the risk to life, property, and habitats.

Relates to AESZ-O2 and AESZ-O7

Sentiment: Support

Submission:

Reason for submission:

There are no specific activity rules for natural hazards and climate change. This policy supports the avoidance of residential activities in the zone, and would also be a relevant consideration for the assessment of any resource consent application in the zone. This is considered to be appropriate.

Relief sought

Relief sought:

Retain AESZ-P9.

Point 171.25

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table

Provision:

AESZ-S1: Development setback

Purpose: *activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins,*

1. No building is permitted within 200 m of the with Te Whanga (the Ahuriri estuary), landward toe of any stopbank, and/or of land administered under the Conservation Act 1987.

Activity Status where activity conditions are not met: Discretionary

to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality.

Sentiment: Support

Submission:

Reasons for submission:

The development setback standard gives effect to the policy direction for the zone.

Relief sought

Relief sought:

Retain AESZ-S1.

Point 171.26

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table

Provision:

AESZ-S2: Yards

Purpose: activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality.

1. Front yards:
 - a. no part of a building (including eaves and guttering) is closer than 6 m to the road boundary.
2. Other yards:
 - a. no part of a building (including eaves and guttering), fence, or permanently fixed structure is closer than 200 m to the top of the bank of any watercourse, retention area, or open drain.
 - b. no part of a building (including eaves and guttering) is closer than 6 m from the boundary of any property with a different zone:
 - i. a minimum of a 2-metre-wide area planted with native species is provided within this yard parallel to the zone boundary.

Activity Status where activity conditions are not met: Discretionary

Sentiment: Support

Submission:

Reasons for submission:

The yards setback standard gives effect to the policy direction for the zone.

Relief sought

Relief sought:

Retain AESZ-S2.

Point 171.27

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table

Provision:

AESZ-S3: Height

Purpose: activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality.

1. No part of a building or structure exceeds the Airport Height Control Designation in APP1.
2. No part of a building or structure shall exceed 4.5 m in height or exceed the Airport Height Control Designation in APP1, whichever is lesser.

Activity Status where activity conditions are not met:
Discretionary

Sentiment: Support

Submission:

Reasons for submission:

The height standard gives effect to the policy direction for the zone.

Relief sought

Relief sought:

Retain AESZ-S3.

Point 171.28

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table

Provision:

AESZ-S4: Height in relation to boundary

Purpose: activities are compatible with open

1. No part of a building or structure shall project beyond a building envelope constructed by

Activity Status where activity conditions are not met: Discretionary

space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality.

drawing planes along all site boundaries. The planes must commence 2 m above ground level at the site boundary and must be inclined at an angle of 45 degrees to the horizontal.

2. Where the site abuts an entrance strip or access, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of applying the height in relation to boundary condition.

Sentiment: Support

Submission:

Reasons for submission:

The height in relation to boundary standard gives effect to the policy direction for the zone.

Relief sought

Relief sought:

Retain AESZ-S4.

Point 171.29

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table

Provision:

AESZ-S5: Building materials and roof surfaces

Purpose: *activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality.*

1. All new roof surfaces are to be constructed from inert materials or painted with non-metal based paint.

Note: All onsite stormwater discharges are regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice.

Activity Status where activity conditions are not met: Discretionary

Sentiment: Support

Submission:

Reasons for submission:

The building materials and roof surfaces standard gives effect to the policy direction for the zone.

Relief sought

Relief sought:

Retain AESZ-S5.

Point 171.30

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table

Provision:

AESZ-S6: Landscaped area

Purpose: *activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality.*

1. A minimum 2-metre-wide planted area must be provided adjacent to all buildings.
2. A landscape planting and maintenance plan must be provided and approved by the Reserves Manager at Napier City Council.
3. No part of a tree (including when fully mature) exceeds the Airport Height Control Designation in APP1.

Activity Status where activity conditions are not met: Restricted Discretionary

Matters of discretion are:

1. Consistency with the reinstatement of values and protection of the Ahuriri estuary and its margins;
2. The effects on the visual amenity of the area, and
3. The effects on the quality, maintenance, use, and protection of the estuary, watercourse, or open drain.

Sentiment: Support

Submission:

Reasons for submission:

The landscaped area standard gives effect to the policy direction for the zone.

Relief sought

Relief sought:

Retain AESZ-S6.

Point 171.31

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

Sub-section: AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table

Provision:

AESZ-S8: Building coverage

Purpose: *visual*

Activity Status where activity conditions

amenity; activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality.

are not met: Discretionary

1. Each site shall have a total building coverage of no more than 1000 m² in area.

Sentiment: Oppose

Submission:

Reasons for submission:

The total building coverage rule of 1000m² is intended to capture potential cumulative effects. However, it is largely arbitrary for a site of this size. The visual amenity and other effects associated with buildings will depend more on the scale of each building, and the placement within the site and landscape. It is noted buildings are also managed under the landscape overlay. This standard is therefore not required to achieve the objectives for the zone.

Relief sought

Relief sought:

Delete AESZ-S8.

Point 171.32

Section: NFL - Natural Features and Landscape

Sentiment: Support

Submission:

The specific provisions of the proposal that this submission relates to:

Te Whanganui-ā-Orotu Special Character Landscape overlay.

Reasons for submission:

The Joint Committee supports the proposed provisions of the special character landscape overlay as they provide a clear management framework for minimising effects on the cultural landscape that includes the Site.

Relief sought

Relief sought:

Retain the landscape overlay provisions.

Point 171.33

Section: NFL - Natural Features and Landscape

Sub-section: Assessment criteria

Provision:

**NFL-AC2: Buildings or structures within an outstanding natural feature and special character feature (NFL-R1);
Buildings or structures within a special character landscape (NFL-R2)**

Visual impact and landscape values

- a. The extent to which the location, scale, height, design, external appearance, and overall form of the building or structure is appropriate to the landscape context.
- b. Whether the colours and material used for roofs, walls, and windows are of low reflectivity and integrate with the surrounding landscape.
- c. Whether there are any practical alternatives to the location of the building.
- d. Whether building design and appearance are appropriate, taking into account the vulnerability of the landscape to accommodate change.
- e. The scale of modification to the landscape, including any indigenous vegetation removal.
- f. Whether access roads, utilities (power, phone, pipe work, and water tanks) are appropriately designed and sited to reduce their visibility.
- g. The extent to which landscape design is able to provide a visual buffer to mitigate any visual impact of the building or structure.

Cultural values

- h. The extent to which the proposed development will impact on mana whenua values.

Sentiment: Amend

Submission:

The specific provisions of the proposal this submission relates to:

Te Whanganui-ā-Orotu Special Character Landscape overlay.

Reasons for submission:

The View shafts control area shown on the planning maps currently only has rules within the Airport Zone. Any new building or structure within the View Shaft Control Area within that zone requires resource consent with an assessment of visual amenity and landscape effects. We understand the control is shown over the subject site to demonstrate the wider context of the view corridors. However, there are no controls that apply within the Ahuriri Regional Park site itself. We suggest that any building triggering a resource consent under the Special Character Landscape provisions should be assessed having regard to the potential impacts on identified View Shafts, through an additional assessment criteria.

Relief sought

Relief sought:

Amend the assessment criteria in the landscape overlay to require consideration of effects on identified View Shafts for any building or structure requiring resource consent (NFL-AC2).

Point 171.34

Section: Planning Maps

Sentiment: Amend

Submission:

The specific provisions in the proposal this submission relates to:

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

Reasons for submission:

The AESZ - Te Whanganui-a-Orotū (Ahuriri Estuary) Ecology and Stormwater Zone is mapped to cover the full extent of the Lagoon Farm Site north of Prebensen Drive. The masterplan for the Ahuriri Regional Park has not yet been prepared. The submission of the Ahuriri Regional Park Joint Committee seeks to ensure the zone provisions align with the vision for the regional park. However, it may be that the full Site is not required to facilitate the development of the regional park and achieve the objectives. There may be opportunity for a part of the Site to be rezoned for alternative uses. The Council would like to keep the door open on the final zoning of any potential residual land post masterplan confirmation.

Relief sought

Relief sought:

Consider rezoning part of the land identified as AESZ - Te Whanganui-a-Orotū (Ahuriri Estuary) Ecology and Stormwater for alternative uses following completion of the Ahuriri Regional Park Masterplan.

Ahuriri Regional Park Joint Committee – Submission on the proposed District Plan

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	General	General	Amend	<p>The land within the Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ) is proposed to be established as a regional park. The Ahuriri Regional Park (ARP) is to be a platform for climate resilience and city sustainability - anticipated to deliver flood mitigation, stormwater quality improvements and biodiversity and estuarine habitat restoration as key outcomes.</p> <p>A Joint Committee involving Napier City and Hawke's Bay Regional Council Councillors and Mana Ahuriri Trust representatives has been formed to provide a vehicle for co-governance, to lead community consultation and to make recommendations on the park's development to each partner.</p> <p>Working under a co-governance approach is the project's primary pillar and presents an opportunity to showcase co-governance on a national scale.</p>	Consider renaming the Special Zone to reflect the name for the Ahuriri Regional Park to be determined by the Joint Committee prior to District Plan hearings commencing.

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
				As the project develops, the Joint Committee will agree on a name for the ARP. For clarity in implementation, it is appropriate that the name of the Special Zone reflects the agreed name for the ARP.	
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Objectives	General	Support	In general terms, the objectives of the Special Zone reflect the aspirations of the Joint Committee while recognising the location of the Site in close proximity to the Airport. The potential tensions between these key objectives can be resolved through the masterplanning process.	Retain the objectives for the zone subject to amendments sought in other submission points.
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Objectives	AESZ-O1	Amend	Objective O1 as currently drafted refers to stormwater retention and treatment. Retention differs from detention as detention is only temporarily holding back water and letting it slowly release into the receiving environment, whereas retention is long term retention of the water on the site. For clarity, an amendment to the wording is recommended to clarify the intention to accommodate detention.	Amend AESZ-O1 as follows: <i>The zone functions as an open space while providing stormwater <u>detention</u>, retention and treatment.</i>
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Objectives	AESZ-O3	Amend	Objective 3 recognises that cultural practices would be appropriate but only where they don't conflict with the objectives of stormwater management, habitat restoration, and water quality	Amend AESZ-O3 as follows: <i>Cultural associations and values with water, land, and habitats are improved and protected, and cultural practices are enabled where these</i>

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Ecology Special Zone (AESZ)				improvements. Removing the “qualifier” from the objective would place it in the first equal priority category alongside the other objectives, and tensions can be resolved alongside the other objectives as part of the masterplanning process.	are compatible with stormwater management, habitat restoration, and water quality improvements.
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Objectives	AESZ-O5	Amend	Small scale educational facilities are enabled through the rules of the zone and may be appropriate e.g. to support community education around ecological and cultural values of the Site. However, this isn’t clearly captured under the definition of “community facilities’ therefore should be added to this objective for clarity of intent.	Amend AESZ-O5 as follows: AESZ-O5: Recreational, community, <u>educational</u> and commercial land uses <i>Recreational, community, <u>educational</u> and commercial activities avoid adverse effects on the stormwater management and ecological and cultural restoration functions of the zone.</i>
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Policies	AESZ-P1	Amend	Stormwater detention should be included alongside retention in this policy to give effect to amended AESZ-O1.	Amend AESZ-P1 as follows: <i>Enable passive recreation, stormwater retention <u>and detention</u>, and treatment of stormwater.</i>
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Rules	AESZ-R3	Amend	This permitted activity rule gives effect to the relevant objective and policy and therefore is support by the Joint Committee. However, the heading should be amended to include stormwater detention to give effect to amended AESZ-P1.	Amend the heading of Rule AESZ-R3 as follows: <i>Activities associated with stormwater collection, <u>detention</u>, retention, treatment, and disposal</i>

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Standards	AESZ-S9	Oppose	The requirement for stormwater treatment be in accordance with an approved stormwater discharge consent is unnecessary, as the regional plan requirements apply in addition in any case. Having a prohibited status to infringe this standard could affect the programme of the project e.g. where resource consent is sought for earthworks associated with forming stormwater detention areas and/or treatment wetlands prior to a stormwater discharge consent being approved. We therefore seeking that this standard be removed.	Delete Standard AESZ-S9.
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Policies	AESZ-P2	Amend	The current wording of Policy AESZ-P2 elevates the stormwater management function of the zone above habitat restoration. This does not directly give effect to the objectives. The Joint Committee will work through these tensions between objectives as part of the masterplanning process rather than having this pre-determined in the District Plan.	Amend AESZ-P2 as follows: <i>AESZ-P2: Habitat restoration: Enable the restoration and creation of indigenous habitats where this does not compromise the stormwater management function of this zone.</i>
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Policies	AESZ-P3	Amend	Policy AESZ-P3 regarding the protection of ecological values utilises the term "avoid" which is very directive and may not always be completely achievable for all four sub-matters. An effects hierarchy approach could be adopted instead i.e. "Avoid to	Amend AESZ-P3 as follows: <i>AESZ-P3: Protecting ecological values: Avoid <u>to the extent practicable, and otherwise remedy or mitigate</u> adverse effects on habitats and ecological values associated with:</i>

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
				the extent practicable, and otherwise remedy or mitigate adverse effects". This is generally consistent with the approach taken in the National Policy Statement for Indigenous Biodiversity.	<ul style="list-style-type: none"> a) watercourses and their margins; b) the estuary, the coastal marine area, and their margins; c) Indigenous and migratory species, and d) public reserves and recreational areas on adjacent land.
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Policies	AESZ-P4	Amend	Policy AESZ-P4 gives effect to the corresponding objective, however, having the enhancement of cultural values be subject to the stormwater management purpose of the zone places it instead in a second tier of priority. For these values and functions to sit alongside each other the Joint Committee seeks deletion of the "conflict" clause of the policy. Tensions between objectives for the Site will be resolved by the Joint Committee through the masterplanning process.	Amend AESZ-P4 as follows: <i>AESZ-P4: Enhancement of cultural values:</i> Protect and restore cultural values through the restoration of habitats and ecosystems and enhance cultural values through providing for and celebrating cultural associations of mana whenua with the site and enabling traditional cultural practices where this does not conflict with the stormwater management purpose of this zone.
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Rules	AESZ-R5	Support	Māori purpose activities is defined in the proposed District Plan as "activities relating to the expression and revitalisation of Māori culture, including mahinga kai activities, performing arts/sporting activities, tangihanga and other mourning activities, Matariki and Pūanga observance activities, wānanga, hui, shorter-term (under seven days) events or festivals, temporary (under 14 days)	Retain Rule AESZ-R5

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
				camping that facilitates involvement in Māori customary activities, and other activities that reflect the special relationship mana whenua have to place, including any ancillary structures". This rule therefore enables both long term and temporary activities associated with Māori purposes from occurring on the site. At this stage, it has not been determined whether any area of the regional park would be set aside for events such as tangihanga, however, this could be managed through the masterplan and management of the park, rather than relying on District Plan standards. In this context, the permitted activity rule is appropriate and gives effect to the policy direction.	
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Policies	AESZ-P5	Oppose	To ensure the objectives of the zone are achieved, we suggest that the policy for rural land uses is deleted (there is no directly supporting objective). Existing grazing activities can be provided for through existing use rights and an appropriate permitted activity rule.	Delete Policy AESZ-P5
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and	Rules	AESZ-R7	Amend	Ongoing rural production of the land is considered appropriate until development of the Ahuriri Regional Park. Ongoing passive grazing may continue under existing use rights or as secured through	Amend AESZ-R7 to refer to "Grazing of livestock" instead of "Primary Production".

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Ecology Special Zone (AESZ)				<p>the permitted activity. There are no standards, however, associated with the activity. Primary production includes:</p> <ul style="list-style-type: none"> a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but d. excludes further processing of those commodities into a different product. <p>To ensure the objectives of the zone are achieved, the permitted activity rule should be restricted to grazing of livestock, rather than primary production more generally which incorporates the above listed activities. This is consistent with the approach taken in, for example, the General Residential Zone where grazing is permitted on larger sites that have not yet been developed.</p>	

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Definition	General	General	Amend	There is currently no definition of passive recreation or informal recreation in the proposed District Plan. This would be useful to link to rules for these less organized/active recreation activities in zones such as the Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ).	<p>Introduce definition of “passive recreation” consistent with or similar to the following:</p> <p><u>Means any recreation activity where the principal aim is the enjoyment of leisure of a primarily non competitive casual nature that does not involve the use of vehicles (excluding bicycles) and motorised equipment and also excludes any organised sport and freedom camping (responsible camping). It includes amenity and conservation plantings, habitat restoration and enhancement, children’s playgrounds, seating and tables, barbeque facilities, pedestrian walkways, cycleways, jogging tracks, viewing platforms and lookouts, the erection and use of information boards, directional signage, fencing, public artwork/sculptures, public toilets and other buildings and structures necessary for the maintenance and operational needs of the recreation area and associated carparking.</u></p>
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and	Rules	AESZ-R4A	Amend	Neither passive recreation (Policy AESZ-P1) or informal recreation (AESZ-R4A) are defined terms in the PDP. We suggest a definition be added and “passive recreation” rather than “informal	Amend AESZ-R4A to refer to “passive recreation” rather than “informal recreation”.

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Ecology Special Zone (AESZ)				recreation" used across both the policy and rule. In principle, this activity is anticipated for the regional park and therefore this approach is supported. Other recreational activities would require resource consent and be assessed against the objectives and policies for the zone.	
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Rules	AESZ-R6	Amend	Community facility means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility. The range of community facilities provided is consistent with the intended regional park use of the zone, including education and research activities directly related to the open space. Buildings larger than 80sqm would trigger a resource consent assessment. Appropriate siting and design of any buildings can be considered through the masterplanning process. To give effect to the objective and policy changes above, we suggest that the rule for community facilities explicitly be extended to educational facilities.	Amend the heading of AESZ-R6 to refer to Community facilities <u>and educational facilities</u> .
Te Whanganui-a-Orotū (Ahuriri	Policies	AESZ-P6	Amend	This policy gives effect to the corresponding objective. Educational	Amend AESZ-P6 as follows:

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Estuary) Stormwater and Ecology Special Zone (AESZ)				activities should be explicitly provided for alongside community and other land uses.	<i>Recreational, community, <u>educational</u> and commercial land uses</i> : Enable small-scale and ancillary recreational, community, <u>educational</u> and/or commercial activities where they do not adversely affect the stormwater management and ecological and cultural restoration functions of the zone.
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Rules	AESZ-R8	Support	This rule enables commercial activities associated with the sale of food and drink as a restricted discretionary activity, which gives effect to AESZ-P6.	Retain AESZ-R8
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Policies	AESZ-P7	Support	The general avoidance of residential and industrial activities in the zone is appropriate to give effect to the objectives.	Retain AESZ-P7
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Policies	AESZ-P7	Support	The general avoidance of residential and industrial activities in the zone is appropriate to give effect to the objectives.	Retain AESZ-P7

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Rules	AESZ-R11	Amend	Although avoiding residential and industrial activities will generally be appropriate, there may be limited situations where they are appropriate such as small scale manufacturing of natural products. A prohibited activity status would not allow resource consent to be sought for those activities. A non-complying activity status still gives effect to the policy direction but would allow a potentially appropriate activity to be assessed on its merits against the objectives and policies for the zone as a whole.	Amend AESZ-R11 to make residential and industrial activities Non-complying rather than Prohibited.
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Rules	AESZ-R10A	Amend	Other activities not specifically listed in the activity table, such as commercial activities not otherwise provided for, should be non-complying rather than discretionary. Access to the Taipo Stream and Ahuriri Estuary may not be appropriate in all circumstances and where it is appropriate, should not be tied to an activity status for other activities not specifically anticipated in the zone.	Amend AESZ-R10A to change status from Discretionary to Non-Complying and remove the activity standards.
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and	Policy	AESZ-P8	Support	There are no specific activity rules for airport related activities. This policy supports the height limit standard, and would also be a relevant consideration for the assessment of any resource consent	Retain AESZ-P8

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Ecology Special Zone (AESZ)				application in the zone. This is considered to be appropriate and is a matter that will be considered by the Joint Committee in developing the masterplan for the Site.	
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Policies	AESZ-P9	Support	There are no specific activity rules for natural hazards and climate change. This policy supports the avoidance of residential activities in the zone, and would also be a relevant consideration for the assessment of any resource consent application in the zone. This is considered to be appropriate.	Retain AESZ-P9
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Standards	AESZ-S1	Support	The development setback standard gives effect to the policy direction for the zone.	Retain AESZ-S1
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Standards	AESZ-S2	Support	The yards setback standard gives effect to the policy direction for the zone.	Retain AESZ-S2
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Standards	AESZ-S3	Support	The height standard gives effect to the policy direction for the zone.	Retain AESZ-S3

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Ecology Special Zone (AESZ)					
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Standards	AESZ-S4	Support	The height in relation to boundary standard gives effect to the policy direction for the zone.	Retain AESZ-S4
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Standards	AESZ-S5	Support	The building materials and roof surfaces standard gives effect to the policy direction for the zone.	Retain AESZ-S5
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Standards	AESZ-S6	Support	The landscaped area standard gives effect to the policy direction for the zone.	Retain AESZ-S6
Te Whanganui-a-Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ)	Standards	AESZ-S8	Oppose	The total building coverage rule of 1000m ² is intended to capture potential cumulative effects. However, it is largely arbitrary for a site of this size. The visual amenity and other effects associated with buildings will depend more on the scale of each building, and the placement within the site and landscape. It is noted	Delete AESZ-S8

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
				buildings are also managed under the landscape overlay. This standard is therefore not required to achieve the objectives for the zone.	
Te Whanganui-ā-Orotu Special Character Landscape overlay	General	General	Support	The Joint Committee supports the proposed provisions of the special character landscape overlay as they provide a clear management framework for minimising effects on the cultural landscape that includes the Site.	Retain the landscape overlay provisions.
Te Whanganui-ā-Orotu Special Character Landscape overlay	Assessment criteria	NFL-AC2	Amend	The View shafts control area shown on the planning maps currently only has rules within the Airport Zone. Any new building or structure within the View Shaft Control Area within that zone requires resource consent with an assessment of visual amenity and landscape effects. We understand the control is shown over the subject site to demonstrate the wider context of the view corridors. However, there are no controls that apply within the Ahuriri Regional Park site itself. We suggest that any building triggering a resource consent under the Special Character Landscape provisions should be assessed having regard to the potential impacts on identified View Shafts, through an additional assessment criteria.	Amend the assessment criteria in the landscape overlay to require consideration of effects on identified View Shafts for any building or structure requiring resource consent (NFL-AC2)

Section	Subsection	provision	Amend/Oppose/ Support	Reasons	Relief sought
Planning maps	general	general	Amend	<p>The AESZ - Te Whanganui-a-Orotū (Ahuriri Estuary) Ecology and Stormwater Zone is mapped to cover the full extent of the Lagoon Farm Site north of Prebensen Drive. The masterplan for the Ahuriri Regional Park has not yet been prepared. The submission of the Ahuriri Regional Park Joint Committee seeks to ensure the zone provisions align with the vision for the regional park. However, it may be that the full Site is not required to facilitate the development of the regional park and achieve the objectives. There may be opportunity for a part of the Site to be rezoned for alternative uses. The Council would like to keep the door open on the final zoning of any potential residual land post masterplan confirmation.</p>	<p>Consider rezoning part of the land identified as AESZ - Te Whanganui-a-Orotū (Ahuriri Estuary) Ecology and Stormwater for alternative uses following completion of the Ahuriri Regional Park Masterplan.</p>