

ASW - Activities on the Surface of Water

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R4: The use of motorised craft in Te Whanganui-a-Orotū (Ahuriri Estuary)	Fleur Lincoln Napier City Council	196.93	Oppose	This rule applies to water that is within the coastal marine area and therefore outside of Napier City Council's jurisdiction. Te Whanganui-a-Orotū (Ahuriri estuary) water is located below mean high water springs. Activities in the coastal marine area are managed under the Regional Coastal Plan. This rule should therefore be deleted.	Delete Rule ASW-R4	Open Submission
ASW - Activities on the Surface of Water /Introduction /	Fleur Lincoln Napier City Council	196.94	Amend	The introduction includes reference to the Council managing land use and activities on the surface of water in Te Whanganui-a-Orotū (Ahuriri estuary) above the coastal marine area boundary. All of the estuary is located within the coastal marine area and is therefore outside of the jurisdiction of Napier City Council and the District Plan. References to the estuary in this introduction should therefore be removed.	Amend the introduction of this chapter to remove references to Te Whanganui-a-Orotū (Ahuriri estuary).	Open Submission
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /General	Ella Shields Carmen Taylor	246.56	Amend	The submitter considers that ASW - Activities on the Surface of Water - Rules Table should be amended as Ravensdown and no doubt a range of other resource users in the broader region, have a range of research and environmental monitoring obligations, generally associated with regional resource consent requirements. In addition, universities also undertake research. Given the PDP's ASW proposed Rule framework, these parties would need to seek a non-complying resource consent, in accordance with Rule ASW-R8, to meet these obligations. These parties would also be prohibited from carrying out scientific research in Te Whanganui-a-Orotū (Ahuriri Estuary) (Rule ASW-R4B). It is considered this rule framework is too restrictive and that a permitted activity rule, given the nature of effects associated with these activities, should be included in the PDP to provide for these activities throughout the city.	Amend the ASW - Activities on the Surface of Water - Rules Table by inserting the following rule: <u>ASW-RX: Non-motorised and motorised environmental monitoring and scientific research activities</u> <u>Activity status: Permitted</u> <u>Where:</u> <u>Any water craft used on Te Whanganui-a-Orotū (Ahuriri Estuary), must not be powered by a motor exceeding ten horsepower.</u>	Open Submission
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R4: The use of motorised craft in Te Whanganui-a-Orotū (Ahuriri Estuary)	Ella Shields Carmen Taylor	246.57	Amend	The submitter considers that Rule ASW-R4: The use of motorised craft in Te Whanganui-a-Orotū (Ahuriri Estuary) should be amended as Rule ASW-R4A permits the use of motorised craft in Te Whanganui-a-Orotū (Ahuriri Estuary) for a range of activities, including environmental monitoring and scientific research provided it is carried out by or for the listed organisations. Where the conditions of this rule cannot be complied, the use of motorised craft on the estuary becomes a prohibited activity (Rule ASW-R4B). For the reasons discussed, it is considered that the new permitted activity rule requested above, more appropriately provides for the monitoring and research needs within the city as a whole. For this reason, changes to Rule ASW-R4A are required (i.e., so the new rule applies to these activities and not Rule ASW-R4A).	Amend Rule ASW-R4 as follows: ASW-R4A Activity Status: Permitted Where: 1. The use of motorised craft may be for one or more of the following purposes: a. emergency purposes. b. water safety training purposes. c. environmental monitoring; d. scientific research, undertaken by or on behalf of: i. Department of Conservation; ii. the HBRC; iii. a territorial authority; iv. a district health board, or v. NIWA or other Crown Research Institute.	Open Submission
ASW - Activities on the Surface of Water /Objectives /ASW-O1: Balancing activities on the surface of water	Trevor Ellis	253.52	Amend	considers that the objective as read prioritises recreational, commercial, and cultural activities over the health of the waterbodies. Freshwater bodies are managed under the National Policy Statement for Freshwater Management and thus should be managed in Te Mana o te Wai framework which prioritises the health and wellbeing of the waterbody. Inserting the words "avoiding, mitigating or remedying adverse" in front of "effects on the environment" will ensure that the NPS-FM is implemented to prioritise the health and wellbeing of waterbodies.	seeks to amend the wording as follows: ASW-O1: Balancing activities on the surface of water The surface of waterbodies is utilised for a wide range of recreational, commercial, and cultural activities and for water protection activities, while providing for the safe and efficient management of people and avoiding, mitigating or remedying adverse effects on the environment.	Open Submission
ASW - Activities on the Surface of Water /Objectives /ASW-O2: Natural character, recreational, and intrinsic values	Trevor Ellis	253.53	Support	ASW-O2 gives effect to the Act	Retain as notified.	Open Submission
ASW - Activities on the Surface of Water /Policies /ASW-P1: Managing conflicts between people, and the environment	Trevor Ellis	253.54	Support	ASW-P1 gives effect to the NPS-FM and NPS-IB. Being able to restrict activities depending on the state of the environment is beneficial to restore the environment where it has been degraded or is undergoing treatment.	Retain as notified.	Open Submission

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ASW - Activities on the Surface of Water /Policies /ASW-P2: Use of motorised water craft on rivers	Trevor Ellis	253.55	Support	ASW-P2 gives effect to the NPS-FM and NPS-IB. Restricting access to rivers and waterbodies is vital to maintaining, restoring, and enhancing riparian margins.	Retain as notified.	Open Submission
ASW - Activities on the Surface of Water /Policies /ASW-P3: Conflict between activities	Trevor Ellis	253.56	Support	Reducing the risk of conflict between activities is important to maintain healthy waterbodies. ASW-P3 combined with the other policies allows for safe use of freshwater bodies with the protection of the environment.	Retain as notified.	Open Submission
ASW - Activities on the Surface of Water /Policies /ASW-P4: Effects of recreational, commercial, and cultural activities	Trevor Ellis	253.57	Support	ASW-P4 gives effect to the Act and the NPS-FM.	Retain as notified.	Open Submission
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R2: Pest control and control of noxious flora and fauna	Trevor Ellis	253.58	Amend	considers that pest control being permitted without conditions may have adverse effects on the water bodies, surrounding indigenous biodiversity (see herbicides) and receiving environments. It may have additional adverse effects on human health when used in areas that frequently have recreational activities ongoing.	seeks to amend wording as follows: ASW-R2: Pest control and control of noxious flora and fauna Activity Status: Permitted <u>Note: The discharge of chemicals to water is an activity that may require a resource consent from the Hawkes Bay Regional Council.</u>	Open Submission
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R3: The use of motorised craft by a local authority or organisation exercising powers, functions and duties required as part of their responsibilities under any relevant statutory provisions	Trevor Ellis	253.59	Amend	considers that except in emergency situations, there should be a requirement that they are limited to launching and returning in designated sites to not disrupt or destroy flora and fauna. Support the activity status of prohibited where ASW-R4A is not met.	seeks to amend ASW-R3 and ASW-R4 to include a requirement that, except in emergency situations, launching and returning to land should be done in designated launching sites to prevent harm to flora and fauna.	Open Submission
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R4: The use of motorised craft in Te Whanganui-a-Orotū (Ahuriri Estuary)	Trevor Ellis	253.60	Amend	considers that except in emergency situations, there should be a requirement that they are limited to launching and returning in designated sites to not disrupt or destroy flora and fauna. Support the activity status of prohibited where ASW-R4A is not met.	seeks to amend ASW-R3 and ASW-R4 to include a requirement that, except in emergency situations, launching and returning to land should be done in designated launching sites to prevent harm to flora and fauna.	Open Submission
ASW - Activities on the Surface of Water /General /General	Dr. Chantal Pagel Natasha Sitarz	289.127	Amend	As set out in the s32 report, most significant indigenous biodiversity is in and around Te Whanganui-a-Orotū, the current low levels of indigenous habitat are at risk of accelerated decline and local extinctions.	Ensure that provisions in the ASW provide strong protection for Te Whanganui-a-Orotū.	Open Submission
ASW - Activities on the Surface of Water /Issues /ASW-I2: Activities on the surface of water can have detrimental effects on the quality of the water resource and its flora and fauna	Dr. Chantal Pagel Natasha Sitarz	289.128	Support	Support	Retain	Open Submission
ASW - Activities on the Surface of Water /Issues /ASW-I4: Vehicle access to water and use of motorised craft can have detrimental effects on plant and animal life through noise disturbance, wave lap, and/or physical contact, particularly at certain periods of the year when water levels are low	Dr. Chantal Pagel Natasha Sitarz	289.129	Support	Support	Retain	Open Submission
ASW - Activities on the Surface of Water /Objectives /ASW-O2: Natural character, recreational, and intrinsic values	Dr. Chantal Pagel Natasha Sitarz	289.130	Support	Support	Retain	Open Submission
ASW - Activities on the Surface of Water /Policies /ASW-P4: Effects of recreational, commercial, and cultural activities	Dr. Chantal Pagel Natasha Sitarz	289.131	Support	Support	Retain	Open Submission
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R3: The use of motorised craft by a local authority or organisation exercising powers, functions and duties required as part of their responsibilities under any relevant statutory provisions	Dr. Chantal Pagel Natasha Sitarz	289.132	Oppose	Considers this rule is too broad, and does not give effect to the policy direction to ensure that effects on the environment are managed.	Seeks to Make controlled. Delete the reference to 'other organisation'. The Department of Conservation could be inserted instead.	Open Submission

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ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R6: Non-commercial motorised water recreation activities on Waiohinanga/Esk River	Dr. Chantal Page Natasha Sitarz	289.134	Support	Support	Retain	Open Submission
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R7: Commercial motorised water recreation activities	Dr. Chantal Page Natasha Sitarz	289.135	Support	No Submission Made	Retain	Open Submission
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R8: Activities not otherwise provided for	Dr. Chantal Page Natasha Sitarz	289.136	Support	No Submission Made	Retain	Open Submission
ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R9: Temporary events when low flow water take restrictions on the river is in place	Dr. Chantal Page Natasha Sitarz	289.137	Support	No Submission Made	Retain	Open Submission