

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	ECO - Ecosystems and Indigenous Biodiversity	289.1	Amend	Forest & Bird considers it to be essential that the proposed chapter on Ecosystems and Indigenous Biodiversity is notified before hearings on other related parts of the District Plan take place. This will enable the Hearing Panel to understand the Council's overall position, to ensure that the plan is internally consistent and integrated, and to ensure that the entire plan properly implements national and regional policy instruments. Is concerned that the Council's staged approach to notification could result in this chapter not being properly integrated into other parts of the plan. The plan as currently notified should clearly state that all activities with adverse effects on indigenous species, habitats and biodiversity must be avoided, remedied, or mitigated in accordance with the provisions of the ECO chapter. Concerned about the protection of ecosystems and indigenous biodiversity during the period prior to notification of the ECO chapter, in circumstances where the Council will be relying on the ECO chapter to give effect to national and regional policy statements.	Seeks to ensure that all activities with adverse effects on natural environment values must be avoided, remedied or mitigated in accordance with the provisions of the ECO chapter. Seeks to include strategic objectives giving effect to s 6(a) to 6(d) of the Act, the NPS-FM, NPS-IB, and the Regional Policy Statement (currently contained in the Hawke's Bay Regional Resource Management Plan)
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Overview /SD - Strategic Direction /General	289.2	Amend	Considers that the plan should include a separate Strategic Direction to address the matters of national importance set out at s 6(a) to 6(d) of the Act. Also considers that SD-SRCC-O4 does not currently give effect to s 6(c) of the Act and Objective 15 of the Regional Policy Statement.	Seeks to include a separate Strategic Direction for natural environment values. Seeks to include strategic objectives giving effect to s 6(a) to 6(d) of the Act, the NPS-FM, NPS-IB, and the Regional Policy Statement (currently contained in the Hawke's Bay Regional Resource Management Plan). Seeks to Amend SD-SRCC-O4 as set out below: <u>Significant indigenous vegetation, and significant habitats of indigenous fauna, in Napier are protected and restored, and biodiversity beyond significant areas is maintained and restored. Outstanding waterbodies are protected, and the amenity and quality of waterways are maintained, and enhanced.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /CE - Coastal Environment /Introduction	289.3	Amend	Considers that the proposed plan is not consistent with guiding legislation and policy, in particular s 6(a) to 6(d) of the Act and the NZCPS. Considers it is essential that the plan gives full effect to the protection for the coastal environment contained in the NZCPS as our native wildlife is facing unprecedented pressure from beach users, and addressing these challenges requires stricter control.	Seeks that the Coastal Environment chapter of the plan should give effect to s 6(a) to 6(d) of the Act, and to the provisions of the NZCPS, particularly Policies 3, 11, 13, 14 and 15, and should be consistent with the Hawkes Bay Regional Coastal Environment Plan. The remaining chapters in the Plan must also give effect to the NZCPS.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	Definitions /Definitions /GREEN INFRASTRUCTURE	289.4	Support	The impact of climate change is a significant issue, including for Napier which was affected by Cyclone Gabrielle. Large volumes of sediment and vegetation came down with the flood waters to the north of Napier with catastrophic effects and to the west of Napier.	Supports the definition of "Green Infrastructure" contained in the proposed plan, and submits that this concept should be applied throughout the plan where it would potentially contribute to addressing the critical issue of climate change, for example in relation to stormwater attenuation and treatment.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /Objectives /SW-O3: Receiving environment	289.5	Amend	Supports the recognition in the plan of the adverse effects of stormwater discharges on the receiving environment, and in particular Te Whanga (the Ahuriri estuary), together with the recognition that improving stormwater quality, including to meet the requirements of the NPS-FM 2020 and Te Mana o te Wai, "... can be most easily required as part of the development process". Supports SW-O3 but submits that stronger policies need to be included to achieve this objective, together with rules and standards to put these policies into effect.	Seeks a policy for stormwater treatment, utilising the concept of Green Infrastructure. Considers the criteria for permitted activities rely heavily on "approved stormwater management devices", and seeks more detail to be provided in the plan to ensure that the criteria for approving such devices are consistent with SW-O3. Seeks that the activity status for SW-R1 to SW-R5 should be restricted discretionary where these activities are likely to result in increased stormwater discharges, and the matters of discretion should include low-impact design techniques and green infrastructure. Seeks that the Rules Table in the Stormwater chapter should state that it is subject to any rules in the Ecosystems and Indigenous Biodiversity chapter that place greater or additional restrictions on activities with adverse effects on receiving environments.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /CE - Coastal Environment - Rules Table /	289.6	Amend	The coastal environment is a key habitat for many of our native species and particularly vulnerable to disturbance caused by high-impact human activity such as private vehicle use on our local beaches. An overwhelmingly proportion of Aotearoa New Zealand's councils have inadequate bylaws, monitoring, and compliance for vehicles on beaches. This means coastal species and their habitats are left vulnerable and unprotected eg Banded Dotterels.	Seeks that NCC enact regulations to significantly reduce the use of beaches by vehicles and restrict dog access to areas known as critical breeding and resting grounds for marine wildlife by amending the objective so while public access is maintained it is controlled in areas that constitute key habitats for indigenous biodiversity. Seeks that Napier should support efforts to change legislation in New Zealand so that beaches are no longer considered roads and only vehicular use specifically permitted by district councils is allowed.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /General /General	289.7	Amend	Considers the Ahuriri Estuary is of particular importance as a gazetted Wildlife Reserve. Forest & Bird considers that there needs to be an integrated approach to avoiding, remedying and mitigating adverse effects of activities on the Ahuriri Estuary, extending throughout all relevant provisions of the Napier District Plan.	Seeks that Objectives, policies, rules and standards which recognise and provide for the importance of Ahuriri Estuary and surrounding wetlands to retaining shorebirds in Napier, including the important role of the estuary in supporting biodiversity values of other remaining remnant areas of indigenous biodiversity in the district are included in the PDP. Seeks that Objectives, policies, rules and standards which recognize the ecological connections between the Ahuriri Estuary and other parts of the district, and that the Ahuriri Estuary can support opportunities for other ecological restoration, including in urban areas, thereby also helping to provide climate change resilience are included in the PDP.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	General Approach /Structure of the District Plan /	289.8	Amend	The explanation of this section states that "The objectives and policies in the District Plan are to be read and achieved in a manner consistent with the strategic objectives." Forest & Bird considers this wording inappropriate for the reasons set out below (refer to full submission):??? refer to table	Amend as follows: <u>"The strategic objectives help to implement relevant Council strategies and policies as well as statutory planning documents that the District Plan must give effect to. The strategic objectives may provide guidance on what the objectives and policies in other chapters of the District Plan are seeking to achieve, but these are to be considered together, and no fixed hierarchy exists between them."</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	General Approach /General Approach /General	289.9	Amend	Ensure that reference is made to the ECO chapter in all relevant chapters under the heading of 'Other related chapters include'. Some of the chapters include this heading (e.g. NFL), while others do not (e.g. the Energy, Infrastructure and Transport chapters).	Seeks to refer to the ECO chapter in all relevant chapters under the heading of 'Other related chapters include'. Seeks to consistently refer in each chapter to the other relevant chapters that a plan user should also check. The approach set out under the heading 'Other relevant District Plan provisions' in the CE chapter is a good template that should be used throughout.

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Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	Definitions /Definitions /MINOR UPGRADING OF NETWORK UTILITIES	289.10	Support	Supports the definition of 'Minor upgrading of network utility' as it is helpful to clarify interpretation of "minor upgrading" for network utilities. This in turn provides some certainty of potential scale for adverse effects associate with minor upgrades. However, relying on this definition alone may not be appropriate where activities to undertake upgrading would have adverse effects beyond the footprint of the network utility.	Seeks to retain the definition as proposed. Consider the need for standards and conditions in rules to manage adverse effects.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	Definitions /Definitions /CONSERVATION PLAN	289.11	Amend	Considers that the definition is only used in relation to the HH chapter and should be limited to Historic Heritage.	Seeks to amend as follows <u>In relation to Historic Heritage</u> , means a document that sets out what is significant about a site and what policies are appropriate to enable that significance to be retained in the site's future use and development.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	Definitions /Definitions /SIGNIFICANT NATURAL AREA	289.12	Amend	Considers that the definition does not provide for areas of significant indigenous vegetation and significant habitats of indigenous fauna that are not yet identified in the district plan, for example an area discovered as part of a consenting process. While the SNA provisions in the NPSIB only apply to areas identified in plans, the Council still has responsibilities under s6(c) to recognise and provide for the protection of all significant areas, not only those that are identified in the Plan.	Amend as follows: Includes: a) <del>areas meeting the definition</del> <u>has the same meaning</u> as in the National Policy Statement for Indigenous Biodiversity 2023 (NPSIB) <del>and means:</del> i) any area that, after the commencement date [of the NPSIB], is notified or included in a district plan as a Significant Natural Area (SNA) following an assessment of the area in accordance with Appendix 1 of the NPSIB; and ii) any area that, on the commencement date [of the NPSIB], is already identified in a policy statement or plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna (regardless of how it is described); in which case it remains as an SNA unless or until a suitably qualified ecologist engaged by the relevant local authority determines that it is not an area of significant indigenous vegetation or significant habitat of indigenous fauna; <u>and</u> b) <u>areas that have not been identified in the Plan, but that meet the criteria in Appendix 1 of the NPSIB.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Overview /Overview /General	289.13	Amend	Although generally supportive, the strategic objective relating to the natural environment does not give effect to higher order documents or provide clear outcomes for protection of significant values. Considers that the objectives for natural values are inadequate to give effect to the RPS, NZCPS, NPSIB, NPSFM and to achieve the purpose of the Act. Concerned with the absence of the Ecosystem and Indigenous Biodiversity chapter in the proposed plan and the intent for this to be added by way of variation at a later date, as it unclear whether further plan provisions will give effect to matters that are not adequately addressed in the SD, or in fact whether that is precluded given the explanation wording in Part 2 District Wide matters on SD objectives. The wording is inappropriate in that these objectives do not give effect to higher order documents in themselves, do not capture all council's responsibilities and functions, or resolve potential conflicting outcomes. SD objectives should be read to provide guidance on what other objectives and policies of the plan are seeking to achieve, but not to direct implementation. In addition, as Forest & Bird considers below the wording of some SD objectives would detract or conflict with achieving other SD objectives, as such that wording is not the most appropriate to achieve the purpose of the Act.	Seeks to retain SD overview as proposed. Amend the strategic objectives as sought in subsequent submission points.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Sustainability, Resilience, and Climate Change /	289.14	Amend	Considers the grouping of these matters under the heading "Sustainability, Resilience, and Climate Change" does not adequately reflect the inclusion of strategic direction on the natural environment. "Sustainability" should not be limited to these objectives. All objectives should be achieving the purpose of the Act.	Consider deleting the term "sustainable" from the heading. Make a new heading "Natural Environment" and include strategic direction on indigenous biodiversity and coastal environment under that.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Issues /SD-SRCC-11: Natural hazard resilience	289.15	Support	Support as this is a reasonable description.	Retain as notified.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Issues /SD-SRCC-12: Te Whanganui-a-Orotū (Ahuriri Estuary) and other water bodies	289.16	Amend	Considers that the explanation fails to explain the importance of addressing this issue in terms of the potential for collapse of biodiversity and ecological functions. As set out in the s32 report, in Napier most significant indigenous biodiversity is in and around Te Whanganui-a-Orotū. Currently only 5.94% of Napier's land area is represented as Significant Natural Area, which is below the 10% level of indigenous habitat that is required in biodiversity depleted environments to avoid an accelerating rate of biodiversity loss and local extinctions.	Amend the explanation to address concerns raised and to capture the issues identified at 6.1.13 Biodiversity in the s32 report.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Issues /SD-SRCC-13: Biodiversity	289.17	Amend	Considers the explanation limits protection to being from adverse effects of land use and development. This does not reflect the wording of s6(c) which places a responsibility on the council to protect significant indigenous biodiversity, not limited to the management of adverse effects. The explanation focus is on significant indigenous biodiversity and does not explain that council has functions to maintain indigenous biodiversity more generally. The s32 report provides a better explanation of this issue. In particular that biodiversity levels are below the 10 percent needed to protect and maintain indigenous biodiversity in the district.	Seeks to amend the explanation to address Forest & Bird's concerns and to capture the issues identified at 6.1.13 Biodiversity in the s32 report.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Strategic Objectives /SD-SRCC-01: Risk and vulnerability	289.18	Support	Support.	Retain.

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Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Strategic Objectives /SD-SRCC-02: Resilient Napier	289.19	Amend	It is not clear what a significant increase in the risk from natural hazards would be. Even where this may be determined, on a case by case consenting basis cumulative impacts could be significant.  The objective does not align with the RPS, including:  - RPS OBJ UD1 for urban from is to avoid or mitigate increasing the frequency or severity of risk to people and property from natural hazards. - RPS OBJ 8 The avoidance of further permanent development in areas prone to coastal erosion or inundation, taking into account the risk associated with global sea level rise and any protection afforded by natural coastal features.	Reconsider this objective with the Natural Hazard provisions variation. Ensure that the scope of the future variation includes the SD objectives.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Strategic Objectives /SD-SRCC-03: Natural systems	289.20	Amend	It is not clear from the Objective wording that this relates to natural hazards or is intended to contribute to a reduction of stormwater runoff to receiving water bodies enabling the protection of significant habitat and the management of risks from natural hazards as a matter of natural importance (as set out in the s32 report). The term "natural systems" is not used in relevant higher order documents. More appropriate terminology would be to refer to "ecosystem health" and "ecosystem services and functions." Amending this objective will also create better alignment with SW-03: Receiving environment.	Amend: <u>Ecosystem health and ecosystem services and the functions of natural systems are protected in the management of stormwater and natural hazard risk from inappropriate subdivision, use, and development.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Strategic Objectives /SD-SRCC-04: Ecology	289.21	Amend	Concerned that capturing all these matters in one objective detracts from clearly setting out the outcome to be achieved. The objective fails to include restoration which is critical to the protection and maintenance of indigenous biodiversity in Napier. The term "enhance" is uncertain and could result in the loss of remaining significant indigenous biodiversity. The term "restoration" should be used instead. That term is consistent with Policy 13 and 14 of the NPSIB and aligns with Policies 5, 6 and 13 of the NPSFM.	Amend as follows: Significant indigenous vegetation, <u>and</u> significant habitats of indigenous fauna, <u>in Napier are protected and restored, and biodiversity beyond significant areas is maintained and restored. Outstanding waterbodies are protected, and the amenity and quality of waterways are maintained, and enhanced.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Strategic Objectives /SD-SRCC-05: Coastal environment	289.22	Oppose	Considers this objective is uncertain in terms of Policy 11 and Policy 14 of the NZCPS. However, if Policy 11 matters are addressed within SD-SRCC-04 above as sought, that aspect would be resolved. It would clearer to amend the wording for "natural character be preserved and restored" to better reflect Objective 2 of the NZCPS, in particular to include "restoration" given the identified issues. The proposed words "inappropriate subdivision, use and development" in a strategic objective is not supported. This is because how protection is achieved is better set out in the coastal chapter provisions where policy can provide direction on what is inappropriate, ie by avoiding adverse effects on Outstanding Natural Character and landscape as per Policies 13 and 15 of the NZCPS.	Amend as follows: <u>The natural character, landscape values and biodiversity values of Napier's coastal environment is preserved and restored protected from inappropriate subdivision, use, and development</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Sustainability, Resilience, and Climate Change /Strategic Objectives /SD-SRCC-06: Climate change adaptation	289.23	Amend	Considers it is important that location as well as design supports climate change adaptation. Climate adaptation also needs to make space for indigenous biodiversity. For example, allowing for landward migration of coastal bird breeding and feeding habitat affected by sea level rise, erosion and storm events.	Amend as follows: and use, subdivision, and development <u>location and design supports climate change adaptation and climate-resilience for communities and indigenous biodiversity.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Tangata Whenua /Objectives /SD-TW-03: Sites of significance to Māori	289.24	Amend	Considers that the wording is not consistent with s6(f) of the RMA for the protection of historic heritage, and which includes sites of significance to Māori.	Amend to include protection of sites of significance to Māori.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Transport and Infrastructure Provision /Introduction /	289.25	Oppose	Concerned that not all infrastructure is critical or of regional importance and that the definition of infrastructure is very broad.	Amend the introduction to explain that "infrastructure" is broad and that the SD objectives focus on "Strategic Infrastructure" and "Strategic Transport Networks" which capture critical infrastructure such as for lifeline utilities. Change the word "enabled" to "provide for" and retain "while ensuring that its effects on the environment are appropriately managed." Amend wording in the subsequent infrastructure and transport chapters to provide policy direction to avoid, remedy or mitigate adverse effects on the environment. Reword the sentence that states that infrastructure must be "protected." Protection is from reverse sensitivity effects and does not mean that council has a broader responsibility to protect all infrastructure. Make consequential changes to the SD-TI issues and objectives. Include an infrastructure section under the Energy, Infrastructure and Transport heading to capture infrastructure that is not "strategic" and that is not captured within: NU Network utilities RE Renewable energy SW Stormwater TPT Transport Include rules to ensure that effects on the environment of permitted activities are not more than minor and that non-renewable energy generation is a non-complying activity.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Transport and Infrastructure Provision /Strategic Objectives /SD-TI-01: Enabling infrastructure	289.26	Amend	The objective does not align with the locational requirements/considerations in the NZCPS (for example: Policies 20(2) and 25(d)) and NPSIB (for example 3.11(b) and (c)). Disagrees with the s32 report. This objective as proposed could compromise the recognition of, or the provision of matters of national importance.	Amend as follows: <u>"Strategic Infrastructure" and "Strategic Transport Networks" Infrastructure that supports economic growth, including the port, airport, transportation, and electricity transmission networks, is enabled is provided for in appropriate locations and protected from reverse sensitivity effects.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Transport and Infrastructure Provision /Strategic Objectives /SD-TI-03: Managing adverse effects of infrastructure	289.27	Oppose	Disagrees with the s32 report. This objective could compromise the recognition of, or the provision of matters of national importance, including for the protection of significant indigenous biodiversity. The objective could result in the development of other plan provisions and consent decisions being inconsistent with the NZCPS.	Delete.

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Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Urban Form and Development /Objectives /SD-UFD-07: Heretaunga Plains	289.28	Amend	Considers it is not clear from reading the objective that the intent, as set out in the s32 Report, is to “ensure that the high- quality soils within this locality are sustained for future generations.”	Amend as follows: The contribution that the soils within the Heretaunga Plains makes to food supply is protected and sustained for future generations <del>from inappropriate subdivision, urban use and development.</del>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SD - Urban Form and Development /Objectives /SD-UFD-09: Infrastructure and land use planning	289.29	Amend	Considers it is not clear from reading the objective that the intent includes to “mitigate the adverse effects of development on the receiving environment and from climate change through reducing carbon emissions” as set out in the s32 report.Considers the term “avoid” should be included as necessary to give effect to the NZCPS, NPSIB and for integrated management under the RPS.	Amend as follows: Infrastructure planning is integrated with land use planning to facilitate efficient development in identified growth areas; <u>including by reducing carbon emissions and avoiding or mitigating adverse effects on receiving environments.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	FC - Financial Contributions /Objectives /FC-O1:To maintain and enhance the health, safety, and wellbeing of people and the amenity and cultural values of the city while sustaining physical resources for use and development for future generations.	289.30	Amend	Considers that the objective needs to include environmental values to enable environmental corridors and the protection of indigenous biodiversity in urban and suburban areas.	Amend as follows: To maintain and enhance the health, safety, and wellbeing of people and the amenity and cultural <u>and environmental</u> values of the city while sustaining physical resources for use and development for future generations.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	FC - Financial Contributions /General /General	289.31	Oppose	Arising from late notification of the ECO-chapter	Add: <u>“The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to financial contributions. Where there is a conflict between the Financial Contributions chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply”</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TPT - Transport /General /General	289.32	Amend	Considers the overlap between these chapters makes it very confusing to understand which infrastructure activities are addressed and in which chapter(s) they are addressed. The overlap between provisions in these chapters also makes it unclear how effects are managed and to understand implications for how the ECO provisions may or may not apply to these activities.	Seeks clarification of what activities are addressed in which chapters.Include provisions for infrastructure that is not a “network utility”, “renewable energy generation”, “Stormwater” or “transport”.Rename the section heading or change section names to Energy, Infrastructure and Transport.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RE - Renewable energy /RE - Renewable Energy /General	289.33	Amend	Considers the overlap between these chapters makes it very confusing to understand which infrastructure activities are addressed and in which chapter(s) they are addressed. The overlap between provisions in these chapters also makes it unclear how effects are managed and to understand implications for how the ECO provisions may or may not apply to these activities.	Seeks clarification of what activities are addressed in which chapters.Include provisions for infrastructure that is not a “network utility”, “renewable energy generation”, “Stormwater” or “transport”.Rename the section heading or change section names to Energy, Infrastructure and Transport.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /General /General	289.34	Amend	Considers the overlap between these chapters makes it very confusing to understand which infrastructure activities are addressed and in which chapter(s) they are addressed. The overlap between provisions in these chapters also makes it unclear how effects are managed and to understand implications for how the ECO provisions may or may not apply to these activities.	Seeks clarification of what activities are addressed in which chapters.Include provisions for infrastructure that is not a “network utility”, “renewable energy generation”, “Stormwater” or “transport”.Rename the section heading or change section names to Energy, Infrastructure and Transport.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /General /General	289.35	Amend	Considers the overlap between these chapters makes it very confusing to understand which infrastructure activities are addressed and in which chapter(s) they are addressed. The overlap between provisions in these chapters also makes it unclear how effects are managed and to understand implications for how the ECO provisions may or may not apply to these activities.	Seeks clarification of what activities are addressed in which chapters.Include provisions for infrastructure that is not a “network utility”, “renewable energy generation”, “Stormwater” or “transport”.Rename the section heading or change section names to Energy, Infrastructure and Transport.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /Introduction /General	289.36	Amend	Considers not all network utilities provide critical services as lifeline utilities nor are all network utilities recognised as nationally significant with specific provision for them under a national policy statement.Where the plan is more stringent than the NESETA or NESTF regulations the plan should apply over the NES. This is necessary to ensure effects are managed in accordance with the district plan for Napier.	Seeks clarification of the scope of the chapter and to distinguish between network utilities that are lifeline utilities and those that are not.Include a definition for critical infrastructure/lifeline utilities consistent with the Civil Defence Emergency Management Act 2002.Amend the section on Introduction to explain that where the plan has more stringent provisions those provisions apply over the NESETA or NESTF.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /Objectives /NU-O1: Essential role of network utilities	289.37	Amend	Considers the objective should clarify what essential services are in terms of lifeline utilities.	Seeks to amend the objective to address “lifeline utilities” and add a definition of lifeline utilities consistent with the Civil Defence Emergency Management Act 2002.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /Objectives /NU-O2: Adverse effects of network utilities	289.38	Amend	Considers the objective as proposed to be inconsistent with the NZCPS and the RMA. As an outcome, an objective that “avoided, remedied, or mitigated, as far as is practicable,” is uncertain as to the extent of adverse effects on the environment not be addressed by avoidance, remediation or mitigation. While it may be appropriate in some cases to only avoid adverse effects “as far as practicable” there are cases where adverse effects are to be avoided or significant adverse effects are to be avoided and other effects avoided, remedied and mitigated, such as under the NZCPS. The recognition of functional and operational needs for “strategic network utilities” (as captured by the RPS definition of Strategic Infrastructure) is for strategic integration of infrastructure with land use, rather than as a consideration for interpreting adverse effects on the environment as this objective suggests. This broader consideration could be captured in policy rather than an objective.Any specific recognition of constraints in terms of adverse effects on the environment should be limited to the NPSET at the policy level (NPSET Policy 4). The objective as proposed may conflict with the ECO and NH chapters reducing the effectiveness of provisions for achieving the purpose of the Act.	Amend as follows: The adverse effects of network utilities on the environment are avoided, remedied, or mitigated, <del>as far as is practicable, while recognising the functional and operational needs of network utilities (including those associated with their scale, design, and locational requirements).</del> Consider including a new policy: <u>“Recognising the functional and operational needs of network utilities (including those associated with their scale, design, and locational requirements) in managing land use, subdivision and development activities.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /Policies /NU-P1: Essential role of network utilities	289.39	Amend	Considers specific provision should be made for lifeline utilities separate to other utilities. The provision as worded may be inconsistent with the NZCPS and could conflict with the ECO chapter provisions. The policy needs to be clarified to ensure that provision for activities is in the context of avoiding, remedying and mitigating adverse effects on the environment. It is unclear how this policy for “network utilities” relates to NU-P2 for “infrastructure” due to the use of different terminology. For the reason provided in the submission point for NU-O2 recognising functional and operational needs should be specific to strategic network utilities as captured by the RPS definition of Strategic infrastructure”.	Delete. Or amend clauses (a) and (b): a. <del>enabling providing for the effective and reasonable</del> operation, maintenance, repair, minor upgrade and removal of network utilities throughout the city, <u>while managing adverse effects on the environment;</u> b. providing for upgrades to, and the development of, new network utilities <u>where adverse effects on the environment can be avoided, remedied or mitigated;</u> Amend: d. recognising the functional and operational needs of <u>strategic</u> network utilities.

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Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /Policies /NU-P2: Adverse effects of network utilities	289.40	Amend	Considers the policy to “avoid, remedy or mitigate” is appropriate to leave scope for other chapters to provide further direction on effects management. However, the policy fails to capture direction from the NPSET for substantial upgrades to be used as opportunity to reduce existing adverse effects (NPSET Policy 6)	Seeks to retain and amend to add opportunities to reduce existing adverse effects. Add a note or addition to the policy to make clear that the provisions of other chapters (e.g. ECO, NFL, CE, SOSM) will be relevant, and that those more topic- specific provisions should prevail.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /Policies /NU-P3: Adverse effects of network utilities on protected areas and sites of significance	289.41	Oppose	While specific policy direction on significant sites maybe useful, the management of effects on those sites should be as set out in the chapters identifying these sites, eg the ECO, NFL, CE and SOSM chapters. Effects on significant natural areas (SNAs) should be managed in accordance with the ECO chapter which is not included at this time. It is unclear how these provisions can be applied in the absence of that chapter and plan provisions for the identification of SNAs. The policy focus on upgrades and new development would exclude consideration of adverse effects of operation and maintenance activities. The relationship with NU-P2 is uncertain. Overall the policy does not appear to be needed as Policy NU-P2 provides direction on effects management.	Delete.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /Policies /NU-P5: Adverse effects of amateur radio configuration	289.42	Oppose	Considers that the policy does not provide adequate management of adverse effects on the environment; the policy is inconsistent with the NZCPS and NPSIB; and the activities already appear to be captured with in Policy NU-P2 as it applies to all “infrastructure”.	Delete or amend to ensure adverse effects on the environment are avoided, remedied or mitigated.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /Policies /NU-P6: Adverse effects of the National Grid Yard and National Grid Corridor	289.43	Amend	State that the word “enable” is not used in the NPSET and could create inconsistencies with the NZCPS and the NPS-IB, including provisions yet to be included in the ECO chapter. The policy fails to capture direction from the NPSET for substantial upgrades to be used as opportunity to reduce existing adverse effects (NPSET Policy 6)	Amend as follows: <del>Enable</del> Consider providing for major upgrading and development of the National Grid while managing adverse effects on the environment, including by: Add: <u>e: using major upgrades as an opportunity to reduce existing adverse effects</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /General /General	289.44	Oppose	Arising from late notification of ECO-chapter	Add: <u>“The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to network utilities. Where there is a conflict between the Network Utilities chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply”</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NU - Network utilities /NU - Network Utilities - Rules Table /General	289.45	Oppose	Considers the rules do not ensure adverse effects within the coastal environment are in accordance with the requirements of the NZCPS. In particular the rules do not give effect to Policies 11, 13 and 15 of the NZCPS. The rules also potentially conflict with the ECO chapter provisions and as drafted do not give effect to the NPSIB.	Seeks to add a condition/standard to all rules that the activity is not within the coastal environment, any outstanding waterbody, outstanding NFL or significant natural area. Where this is not complied with the activity must comply with rules in the ECO chapter or is a non- complying activity.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RE - Renewable energy /Introduction	289.46	Amend	Considers it is not clear how this chapter “interrelates” with the Network utility chapter. For example, is this only to the extent that or in circumstances where RE activities may affect network utilities?	Seeks clarification of how and the extent to which the chapter “interrelates” with the NU chapter or amend so that the NU chapter does not apply to RE activities.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RE - Renewable energy /Objectives /RE-O1: Sustainable use and development of renewable energy resources	289.47	Amend	Considers that the direction on managing adverse effects is inconsistent with s5 and the NPSREG as it fails to include “remedying” adverse effects. Setting direction on how effects are to be managed should sit within policy and provide for specific direction on effects management to come from other chapters including the CE, NFL, ECO and NH chapters.	Amend as follows: Sustainable use and development of renewable energy resources <del>are encouraged by enabling for renewable electricity generation activities throughout the city, while avoiding, mitigating, or offsetting adverse effects that are more than minor.</del>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RE - Renewable energy /Policies /RE-P1: Provision for use and development of renewable energy resources	289.48	Amend	Generally supportive of the contribution renewable electricity generation can make towards addressing effects of climate change. However, it is not clear whether renewable generation activities will need to demonstrate that contribution. Nor is the policy direction clear in term of ensuring that the recognition of benefits for addressing climate change considers impacts of the activity on natural values which may also be addressing effects of climate change. Is concerned that as proposed the consideration of benefits of the renewable electricity generation activity would override or is considered in absences of any consideration of loss of ecosystem function or indigenous biodiversity that may also be of benefit in terms of reducing the impacts of climate change.	Seeks to add policy direction to ensure that the effects of renewable energy generation on natural values that reduce the impacts of climate change are considered when considering the benefits of the activity.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RE - Renewable energy /Policies /RE-P2: Providing for renewable electricity generation activities	289.49	Oppose	Considers that the policy is inconsistent with the NZCPS. SNAs are not yet identified in the plan, and not all areas meeting the criteria for significance will necessarily be mapped due to factors such as natural changes and access to private property. Given the loss of, and low level of indigenous vegetation in Napier, even low value indigenous vegetation or areas of exotic vegetation could provide important connectivity and habitat. The plan should include policy direction for protection of all significant indigenous biodiversity whether specifically “identified” in the plan or not. The Ahuriri Estuary Te Whanganui-a-Orotū is an outstanding water body in terms of the NPSFM. The policy is not clear in terms of managing adverse effects of renewable electricity generation activities, nor do other policies capture this.	Amend as follows: Provide for the identification, investigation, establishment, development, upgrading, operation, and maintenance of new and existing renewable electricity generation activities in a manner that: 1. supports the protection of: a. significant natural areas <del>identified in the Plan;</del> b. outstanding natural features and significant landscape features <del>identified in the Plan;</del> c. sites of significance to Māori identified in the Plan, and d. historic heritage areas, heritage items, and notable trees identified in the Plan.; and 2. <u>avoids, remedies or mitigates adverse effects on the environment.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RE - Renewable energy /Policies /RE-P4: Providing for small-scale renewable electricity generation activities	289.50	Oppose	Considers that the policy fails to include adequate provision to avoid, remedy or mitigate adverse effects on the environment.	Amend as follows: Provide for small-scale renewable electricity generation activities <del>and manage their where adverse effects on the environment are so as to avoided, remedied or mitigated adverse effects on the character and amenity of the zone in which they are located.</del>



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Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RE - Renewable energy /General /General	289.51	Oppose	Opposes the whole chapter, including Introduction, Objectives, Policies and Rules.Arising from late notification of ECO-chapter.	Seeks to add: <u>"The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to renewable energy. Where there is a conflict between the Renewable Energy chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RE - Renewable energy /RE - Renewable Energy - Rules Table /General	289.52	Oppose	Considers that the rules do not ensure adverse effects within the coastal environment are in accordance with the requirements of the NZCPS. In particular the rules do not give effect to Policies 11, 13 and 15 of the NZCPS. The rules potentially conflict with the ECO chapter provisions.	Seeks to add a condition/standard to all rules that the activity is not within the coastal environment, any outstanding waterbody, outstanding NFL or significant natural area. Where this is not complied with the activity must comply with rules in the ECO chapter or is a non- complying activity.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /Objectives /SW-O3: Receiving environment	289.53	Amend	Considers that the Objective needs to support the protection of the coastal environment from the adverse effects of stormwater run- off, in accordance with the NZCPS.Further, the plan should reflect an intention to consider alternative discharge points. Discharging stormwater into one of the most ecologically important areas in the district is questionable.	Seeks to add to SW-O3 as follows: <u>d. Ensure that all stormwater discharges avoid adverse effects on areas of significant biodiversity in the coastal environment, and avoids significant adverse effects on other areas of biodiversity in the coastal environment.</u> Seeks to add a new objective, or incorporate into O3 the following or similar provision, and policy to support that objective as follows: <u>Investigate alternative discharge points that would reduce adverse effects on the coastal environment, in particular Te Whanga.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /Policies /General	289.54	Amend	Supports the concept of green infrastructure but notes that this concept has not been utilised consistently throughout the plan.	Seeks to include a new policy for stormwater treatment, utilising the concept of green infrastructure, and requiring this to be used in all appropriate situations.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /Policies /SW-P1: Onsite detention in existing urban areas with a connection to a public stormwater network	289.55	Support	Support.	Retain.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /Policies /SW-P2: Stormwater management in greenfield growth areas	289.56	Support	Support	Retain.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /Policies /SW-P3: Overland flow paths	289.57	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /Policies /SW-P4: Low impact design	289.58	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /Policies /SW-P5: Roofs, car parks, and roads	289.59	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /SW - Stormwater - Rules Table /General	289.60	Amend	Considers that the criteria for permitted activities rely heavily on "approved stormwater management devices".	Seeks to provide a definition of "approved stormwater management devices", to ensure that the criteria for approving such devices are consistent with SW-O3
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /General /General	289.61	Oppose	Opposes the whole chapter, including Introduction, Objectives, Policies and Rules.Arising from late notification of ECO-chapter	Seeks to add: <u>"The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to stormwater. Where there is a conflict between the Stormwater chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /General /General	289.62	Amend	Considers that the Coastal Environment chapter should also include provisions relating to stormwater, for example to avoid adverse effects on indigenous ecosystems and habitats, biodiversity and threatened or at-risk species.	Seeks to add: <u>"The Coastal Environment chapter includes provisions which relate to stormwater. Where there is a conflict between the Stormwater chapter and the Coastal Environment chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".</u> Seeks to ensure that the CE chapter makes clear that its provisions apply to all activities effecting the CE.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SW - Stormwater /SW - Stormwater - Rules Table /General	289.63	Oppose	Considers that the class of permitted activities in the Stormwater chapter is too wide. Further, the PA standards do not appear to require that there is no increase in SW discharge. This permissive approach is contrary to the SW Issues, Objectives and Policies.	Seeks to amend the rules for Stormwater as follows:Alter activity status for SW-R1 to SW-R5 to restricted discretionary where these activities are likely to result in increased stormwater discharges, with matters of discretion to include low-impact design techniques, green infrastructure, and improved outcomes for indigenous biodiversity.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TPT - Transport /Introduction /General	289.64	Oppose	Oppose this chapter. Considers it is not clear why this chapter is needed given the scope of the NU chapter as explained in the TPT introduction.Nor does the introduction recognise the importance of designing transport infrastructure for low emissions.	Seeks clarification on what aspect of Transport is addressed in this chapter. Amend the first sentence of the introduction (or include elsewhere in the Introduction): <u>"The purpose of the Transportation chapter is to manage development to achieve an integrated approach to land use and transportation planning,with a preference for low emission transportation".</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TPT - Transport /Issues /TPT-I2: Reliance on private motor vehicles may detract from public health and community wellbeing	289.65	Amend	Considers that the issue does not recognise the benefits in terms of reduction in carbon emissions from moving towards active transport modes.	Seeks to include explanation of benefits from a carbon emission perspective of preferring active transport and other low-carbon transport options.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TPT - Transport /Issues /TPT-I4: Traffic generation may detract from environmental and amenity values	289.66	Amend	Considers that the issue does not recognise the impact of transport on carbon emissions and therefore climate change.	Seeks to include explanation of the importance of reducing carbon-emitting transport in terms of climate change. Alternatively, include a separate issue dealing with this topic.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TPT - Transport /Objectives /TPT-O5: Environmental and amenity values	289.67	Oppose	Opposes objective as it is uncertain and potentially inconsistent with s6 "not detract from" is not the same as "protect."	Seeks to add: <u>"and protects natural character, outstanding natural features and landscapes, significant indigenous biodiversity and sites of significance to Māori."</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TPT - Transport /General /General	289.68	Oppose	Opposes whole chapter, including Introduction, Objectives, Policies and RulesArising from late notification of ECO-chapter	Seeks to add: <u>"The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to transport. Where there is a conflict between the Transport chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".</u>

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Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TPT - Transport /TPT - Transport - Rules Table /General	289.69	Oppose	Considers it is not clear whether the rules provide for activities such as vegetation clearance or earthworks.As such the rules do not ensure adverse effects within the coastal environment are in accordance with the requirements of the NZCPS. In particular the rules do not give effect to Policies 11, 13 and 15 of the NZCPS. The rules potentially conflict with the ECO chapter provisions.	Seeks to add an advice section before the rules setting out that the earthworks, ECO chapter rules apply.That the "NU" rules also apply to structures associate with transport activities addressed in the TPT rules and include standards restricting activities within the CE and outstanding area and significant site overlays.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NH - Natural Hazards /NH - Natural Hazards /	289.70	Oppose	Concerned that provisions within the currently notified plan may be inconsistent with achieving the objectives of the natural hazards chapter.	Seeks to Ensure that the scope of the variation of the NH chapter provisions includes the SD chapters and the Infrastructure chapters so that submission can be made on those chapters with respect to Natural hazards.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NH - Natural Hazards /NH - Natural Hazards /	289.71	Oppose	Opposes the whole chapter, including Introduction, Objectives, Policies and RulesArising from late notification of ECO-chapter	Seeks to add: <u>"The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to natural hazards. Where there is a conflict between the Natural Hazards chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TREE - Notable Trees /Introduction	289.72	Amend	Considers that notable trees, whether indigenous or exotic, may be significant habitat for native species. This should be mentioned in the introduction.The identification and protection of notable trees should not be limited to those in public ownership. While the plan provisions cannot create a positive obligation on private landowners to maintain their trees, the plan can at least ensure that notable trees are not adversely affected by inappropriate trimming and removal.	Seeks to amend as follows: "The purpose of the Notable Trees chapter is to provide for the identification and protection of trees within Napier that are of significance for their historical, social, cultural, botanical, amenity, and/or landmark values.  <u>Some notable trees or groups of trees with significant values may also provide habitat for significant indigenous fauna.Trees of outstanding...."</u>  Delete the paragraph commencing: "The identification of...".
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TREE - Notable Trees /Issues /TREE-I1: Identification and protection of notable trees	289.73	Amend	Considers that the issue should not be restricted to trees on Council- owned land. Trees in private ownership can be as important as those on public land.	Amend as follows: There is a risk or removal or damage to notable tree <del>on council owned land</del> with people.... Delete the paragraph commencing "Due to the sheer scale" and replace with a paragraph recognising the importance of maintaining and protecting notable trees on Council-owned land, and ensuring that adverse effects on privately owned trees are avoided, remedied or mitigated.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TREE - Notable Trees /Objectives /TREE-O1: Identification and protection of notable trees	289.74	Amend	Considers that the objective should also capture the importance of trees to foster local biodiversity, habitat and connectivity.The identification and protection of notable trees should not be limited to those in public ownership.	Amend as follows: Trees (individual or groups) in public <del>or private</del> ownership that significantly contribute to the city's character, history, amenity, <del>and</del> identity or are of botanical significance <del>or of importance to indigenous biodiversity</del> are identified and protected.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TREE - Notable Trees /Policies /TREE-P1: Identification of notable trees	289.75	Amend	Considers that some notable trees and groups of trees with significant value may provide habitat for significant indigenous fauna. This policy should recognise that.It should also apply to trees in private ownership.	Amend as follows: "Identify, map, and schedule notable trees in public <del>and private</del> ownership that significantly contribute to the city's character, history, amenity, and identity or are of botanical significance <del>or of importance to indigenous biodiversity</del> . Trees will be evaluated using Standard Tree Evaluation Method (STEM), with those achieving the following benchmarks being scheduled as notable:  · a minimum STEM value of 180;  · a minimum of 50 years old, and  be significant for at least one of the following reasons: historical importance, botanical rarity, importance as a significant landscape feature, size, age, form, and condition or function value (e.g. <u>key habitat for indigenous fauna</u> )"
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TREE - Notable Trees /General /General	289.76	Oppose	Opposes the whole chapter, including Introduction, Objectives, Policies and RulesArising from late notification of ECO-chapter	Seeks to add: <u>"The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to notable trees. Where there is a conflict between the Notable Trees chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on natural environments will apply".</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R1: Trimming, pruning, and treatment of a notable tree	289.77	Oppose	Considers that the Rule needs to be amended to provide for work to be undertaken by a suitably qualified and/or experienced arborist, where not on Council land.	Seeks to amend 3 to provide for work to be undertaken by a suitably qualified and/or experienced arborist, where not on Council land.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	TREE - Notable Trees /TREE - Notable Trees - Rules Table /TREE-R2: Removal or destruction of a notable tree	289.78	Oppose	Considers that the Rule needs to consider bird breeding season and ensure removal or destruction to be conducted outside of those periods.	Seeks to amend the permitted activity standard so that activities won't be conducted during roosting periods.Amend 3. for work to be undertaken by a suitably qualified and/or experienced arborist, where not on Council land.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	ECO - Ecosystems and Indigenous Biodiversity /ECO - Ecosystems and Indigenous Biodiversity /	289.79	Amend	Concerned that provisions within the currently notified plan may be inconsistent with achieving the objectives of the Ecosystems and Biodiversity chapter (refer provision below).The provisions relating to Ecosystems and Indigenous Biodiversity have not been included in the Proposed District Plan and will be released at a later date as a variation.	Seeks to ensure that the scope of the variation of the ECO chapter provisions includes the SD chapters and the Infrastructure chapters so that submission can be made on those chapters with respect to Ecosystems and Biodiversity.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /General /General	289.80	Amend	Considers the s32 report notes that the Council commissioned a Landscape Assessment Study from Isthmus. Forest & Bird has been unable to locate that Study on the Council website. Forest & Bird notes that the Plan does not include any ONLs, and only one ONF. If the Isthmus Study identified any further outstanding areas, these should be included in the plan.	Seeks to include any ONLs and ONFs identified in the Isthmus Study in the plan, that have not been already carried through to the plan.

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Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SCHED2 - Schedule of Natural Features and Landscapes /SCHED2 - Natural Features and Landscapes Schedule /General	289.81	Amend	Considers the s32 report notes that the Council commissioned a Landscape Assessment Study from Isthmus. Forest & Bird has been unable to locate that Study on the Council website. Forest & Bird notes that the Plan does not include any ONLs, and only one ONF. If the Isthmus Study identified any further outstanding areas, these should be included in the plan.	Seeks to include any ONLs and ONFs identified in the Isthmus Study in the plan, that have not been already carried through to the plan.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Objectives /NFL-O1: Protection of Ōtātara as an outstanding natural feature	289.82	Support	Supports the approach of identifying outstanding and special landscapes and features, and applying a regulatory approach to ensure their protection.	Retain as proposed.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Objectives /NFL-O2: Protection of special character features	289.83	Amend	Supports the identification and protection of special character features in the plan, along with a regulatory approach to support that. Also seeks that the provisions ensure that the NZCPS is given effect to. Currently the provisions do not clearly achieve that. We have sought changes to the policies below to reflect that, but Council should consider also reflecting this in the objectives.	Amend as follows: The natural and historical characteristics and visual qualities of Napier's special character features and landscapes identified in Schedule 7 are protected from <del>inappropriate</del> subdivision, land use, and development. Include specific reference to SCLs and SCFs that are in the coastal environment, either here or in a separate objective.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Objectives /NFL-O3: Protection of special character landscapes	289.84	Amend	Considers in many circumstances, 'mitigating' effects will not be sufficient in order to achieve protection. Further, there are SCLs in the coastal environment. These must be protected by avoiding significant adverse effects (NZCPS policy 15(b)). 'Mitigation' does not reflect that requirement. Finally, certain activities are prohibited in special character landscapes. Forest & Bird supports that. However, the policy basis for prohibited activity status is not provided by only requiring mitigation.	Amend as follows: "Protect the unique features by <u>avoiding, remedying or</u> mitigating the adverse effects..." Include specific reference to SCLs that are in the coastal environment, either here or in a separate objective.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Policies /NFL-P1: Identification of outstanding natural features, special character landscapes, and special character features	289.85	Support	Supports the approach of identifying outstanding and special landscapes and features, and applying a regulatory approach to ensure their protection.	Retain as proposed.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Policies /NFL-P2: Protection of Ōtātara as an outstanding natural feature	289.86	Support	Support the policy approach to protection of the ONF.	Retain as proposed.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Policies /NFL-P4: Protection of special character landscapes	289.87	Amend	Considers minimising adverse effects is not an appropriate end point for effects management. Minimised effects still need to be managed. It also does not give effect to the direction in O3, which is to protect the SCLs. Further, the policy does not give effect to NZCPS policy 15.	Amend as follows: <del>Minimise</del> <u>Protect special character landscapes by managing</u> the effects of development within Napier's special character landscapes by: a. limiting the scale of earthworks, managing building sizes, colours, and plantation forestry; <u>and</u> b. <u>avoiding, remedying and mitigating the effects of those activities; and</u> c. in the Coastal Environment, <u>avoiding significant adverse effects on the special character landscapes.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Policies /NFL-P5: Protection of outstanding natural features, special character landscapes, and special character features in future rezoning, structure plans, and subdivisions	289.88	Amend	Considers SUB-R4 does not appear to provide for protection of SCLs. The correct reference appears to be SUB-R7. Further, mitigation is not sufficient. SCLs are meant to be protected in the plan. Further, the policy does not give effect to NZCPS policy 15.	Amend as follows: Protect Napier's outstanding natural features, special character landscapes, and features by: a. requiring any future rezoning and/or structure plans within landscape overlays to comply with requirements for protecting the landscape values identified in Schedule 7, and b. requiring any subdivisions under rule SUB-R4 and SUB-R6 within landscape overlays to <u>avoid, remedy or</u> mitigate potential effects on the landscape values identified in Schedule 7; and c. in the Coastal Environment, <u>avoiding significant adverse effects on the special character landscapes.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Policies /NFL-P6: Avoid extractive industries	289.89	Amend	Considers this policy should extend to SCLs. This would implement the direction in the objective to protect the SCLs. It would also give effect to the direction of the NZCPS, for those SCLs in the CE.	Amend as follows: Avoid extractive industries (quarrying and mining) within or in the vicinity of outstanding natural features, <u>special character landscapes</u> and special character features.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Policies /NFL-P7: Manage the effects of network utilities	289.90	Amend	Strongly support the direction to avoid locating network utilities in ONFs and SCFs, however, this is weakened by the qualification. Further, for SCLs, mitigation is not sufficient. These landscapes are meant to be protected. Further, the policy does not give effect to NZCPS policy 15.	Amend as follows: Avoid locating network utilities: a. <u>on prominent positions and/or ridgelines</u> within outstanding natural features and special character features, and b. <u>on prominent positions and/or ridgelines within special character landscapes; and</u> c. <u>anywhere in special character landscapes in the Coastal Environment.</u> <del>Mitigate the adverse effects of network utilities on special character landscapes.</del>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /General /General	289.91	Amend	Considers amending the Whole chapter, including Introduction, Objectives, Policies and Rules Arising from late notification of ECO-chapter	Seeks to Add: "The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to natural features and landscapes. Where there is a conflict between the Natural Features and Landscapes chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on natural environments will apply".



Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R1: Earthworks or land disturbance within a special character landscape (excluding the Special Purpose Airport Zone)	289.92	Amend	Considers permitted activity status for earthworks in the coastal environment is unlikely to ensure that significant adverse effects are avoided.Further, does not support the preclusion from notification. An activity not meeting the permitted standards could cause adverse effects such that public participation is warranted.	Amend NFL-R1A as follows: a. The maximum amount of earthworks in any 12- month period does not exceed 50 m3 per site; b. A maximum cut and fill height of 2 m, and c. Compliance with all other earthworks permitted activity standards EW-S3 - EW-S7; and d. <u>the activity is outside the Coastal Environment.</u>  Delete the 'Notification status' note from NFL-R1B.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /General	289.93	Amend	Considers there does not appear to be any restriction on earthworks within the ONF or SCFs, as NFL-R1 only applies to SDLs.This is contrary to the objectives and policies of the NFL chapter, and also to NZCPS policy 15.	Seeks a new rule, making earthworks in the ONF or SCFs non-complying.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R2: Buildings or structures within an outstanding natural feature and special character feature	289.94	Amend	Considers It is not clear that a 3m tall building, albeit a small one, will avoid adverse effects in the ONF or SCFs.The rule could require that buildings are not on prominent positions and/or ridgelines. However, this is not a very clear standard. Alternatively, this could be controlled activity, with control reserved over the location of the building.	Seeks to make this activity controlled, with control reserved over the location of the building.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R3: Buildings or structures within a special character landscape (excluding the Special Purpose Airport Zone)	289.95	Amend	Considers permitted activity status for buildings up to 300m2 in the coastal environment is unlikely to ensure that significant adverse effects are avoided.Further, we do not support the preclusion from notification. An activity not meeting the permitted standards could cause adverse effects such that public participation is warranted.	Seeks to include the following standard in NFL-R3A: <u>e.the building is not in the Coastal Environment.</u> Delete the 'Notification status' note from NFL-R3B.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R4: Vehicle parking areas to provide public access to outstanding natural features and special character features	289.96	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R5: Land use activities allowed for in a management plan required under the Reserves Act 1977 within an outstanding natural feature and special character feature	289.97	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R6: Plantation forestry within a special character landscape (excluding the Special Purpose Airport Zone)	289.98	Support	Considers this is appropriate, provided that there is adequate policy direction to manage effects appropriately.However, in the coastal environment this activity should be non-complying, in order to avoid significant adverse effects, in accordance with the NZCPS.	Seeks to retain, and ensure the policy is amended in line with above submission points.Make the activity non-complying in the Coastal Environment.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R7: Quarrying or mining activities within a special character landscape (excluding the Special Purpose Airport Zone)	289.99	Support	Considers this is appropriate, provided that there is adequate policy direction to manage effects appropriately.However, in the coastal environment this activity should be prohibited, in order to avoid significant adverse effects, in accordance with the NZCPS.	Seeks to retain, and ensure the policy is amended in line with above submission points.Make the activity non-complying in the Coastal Environment.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R8: Quarrying or mining activities within an outstanding natural feature and special character feature	289.100	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R9: Plantation forestry within an outstanding natural feature and special character feature	289.101	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Assessment criteria /NFL- AC1: Earthworks in NFL areas (NFL-R1 to NFL-R3)	289.102	Amend	Considers The reference to the rules is incorrect. Only NFL-R1 manages earthworks.The criteria need to clearly direct the decision maker to consider the effects in the coastal environment. There also needs to be direction to consider avoiding, remedying and mitigating effects everywhere.	Amend to correctly cross-reference rules.  Include the following new criterion under Landscape values:  <u>The extent to which significant adverse effects in thecoastal environment are avoided, and other effects areavoided, remedied or mitigated.</u>  Also include the criteria in NFL-AC2.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Assessment criteria /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)	289.103	Amend	Considers The criteria need to clearly direct the decision maker to consider the effects in the coastal environment. There also needs to be direction to consider avoiding, remedying and mitigating effects everywhere.	Seeks to include the following new criterion under Landscape values: <u>The extent to which significant adverse effects in the coastal environment are avoided, and other effects area voided, remedied or mitigated.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NFL - Natural Features and Landscape /Assessment criteria /NFL-AC3: Vehicle parking areas to provide public access to outstanding natural features and special character features (NFL-R4)	289.104	Amend	Considers the criteria needs to clearly direct the decision maker to consider the effects in the coastal environment for those SNFs that are located there.	Seeks to include the following new criterion under Landscape values: <u>The extent to which significant adverse effects in the coastal environment are avoided, and other effects area voided, remedied or mitigated.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	PA - Public Access /Objectives /PA-O1: Ensuring public access to the coastal marine area, estuary, rivers, and lakes	289.105	Amend	Public access should be restricted to ecologically vulnerable areas and/or during critical bird breeding periods. The way those sensitive areas are used needs to be managed (e.g. restricting driving on beaches and dog access in key habitats for native fauna).	Seeks to amend the objective so while public access is maintained it is controlled in areas that constitute key habitats for indigenous biodiversity.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	PA - Public Access /General /General	289.106	Amend	Amend Whole chapter, including Introduction, Objectives, Policies and RulesArising from late notification of ECO-chapter	Seeks to Add: "The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to public access. Where there is a conflict between the Public Access chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on natural environments will apply".
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Issues /SUB-I2: The impacts of subdivision on natural resources (landscapes, water quality, biodiversity, and highly productive land)	289.107	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Objectives /SUB-O2: Impact of the built environment on landscapes, biodiversity, water quality, and other key environmental matters	289.108	Support	Strongly supports the objective of ensuring that subdivision protects, maintains and enhances natural environmental values.	Retain

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P1: Compatible land use	289.109	Amend	Considers this policy, which refers in general terms to supporting the objectives, policies and rules of the District Plan, should also refer to the need to protect, maintain and enhance natural environmental values, and to climate change resilience.	Seeks to Add: <u>f. enables natural environmental values to be protected, maintained and enhanced.</u> <u>g. reflects the need to ensure that new development will be resilient to climate change, including locating new subdivisions away from flood plains.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P2: Quality living environments	289.110	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P3: Subdivision design integrates with the environment	289.111	Amend	Considers the policy should ensure integration with ecological corridors and also refer to indigenous biodiversity. The important concepts of low impact design and green infrastructure should be used consistently throughout the plan. Additions are needed to provide guidance towards green infrastructure and low impact design and planting (it is not clear what indigenous landscaping is).	Amend as follows: a. protects, maintains, and enhances natural ecosystems, <u>ecological corridors</u> , waterbodies, and indigenous vegetation <u>and biodiversity</u> , including the retention of mature trees and vegetation <del>where possible</del> ; b. incorporates sufficient space for onsite stormwater attenuation and disposal including the use of water-sensitive <u>and low-impact</u> design solutions <u>and green infrastructure</u> , constructed in a way that mitigates the adverse effects of the quantity and quality of stormwater being discharged from sites; ... d. includes indigenous landscaping <u>and planting</u> to enhance biodiversity, reduce rate of stormwater run-off, assist with the removal of contaminants, and to soften the built form.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P5: Open space and reserves	289.112	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P6: Protection and maintenance of landscapes in identified landscape overlay areas	289.113	Amend	Considers the policy needs to be broader than 'visually prominent locations', and is too low a bar for the coastal environment.	Amend as follows: Within outstanding natural features and special character features and landscapes, land is subdivided in a way that avoids the need to place buildings, earthworks, and features in visually prominent and <u>ecologically sensitive</u> locations, <u>recognising that in the coastal environment, buildings may not be appropriate at all.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P7: Providing for connectivity	289.114	Support	Supports direction to provide for walking and cycleways.	Retain.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P12: Provision of infrastructure in rural areas	289.115	Amend	Considers the requirement for rural subdivision to provide for self-contained servicing should also refer to low-impact design and green infrastructure.	Seeks to add the following: a. <u>iv. The use of low-impact design solutions and green infrastructure where possible.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P15: Natural hazards	289.116	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P16: Protecting significant natural areas	289.117	Amend	The provisions relating to Ecosystems and Indigenous Biodiversity have not been included in the Proposed District Plan and will be released at a later date as a variation.	Seeks to ensure that the provisions (objectives, policies and rules) of the ECO chapter manage subdivision in or near SNAs in order to protect those areas. Alternatively, include policies and rules to that effect in the SUB chapter.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /Policies /SUB-P17: Conservation sites	289.118	Oppose	Considers 'Conservation sites' are not defined in the plan. Assumes that such areas would be protected from development and not be allowed to be built on. Assumes this would not extend to areas of indigenous biodiversity. Subdivision of areas of biodiversity can result in loss or fragmentation.	Seeks to include a definition of conservation sites in the plan, that clarifies that these sites are to be protected from development. Clarify that this policy does not apply to areas of indigenous biodiversity. The plan should not provide for subdivision of important biodiversity areas.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /General /General	289.119	Oppose	Opposes whole chapter, including Introduction, Objectives, Policies and Rules arising from late notification of ECO-chapter	Seeks to add: "The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to subdivision. Where there is a conflict between the Subdivision chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /SUB - Subdivision - Rules Table /General	289.120	Amend	Considers the rules do not appear to deal with subdivision in the coastal environment. The CE chapter objectives and policies must be given effect to in the SUB rules.	Seeks to include a new rule making subdivision in the coastal environment restricted discretionary. Ensure that the matters of discretion include effects on coastal values.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R1: Subdivision	289.121	Oppose	Considers the matters of control should include natural environmental values relating to indigenous ecosystems and biodiversity.	Seeks to Add: <u>10. Indigenous ecosystems and biodiversity, including the protection of SNAs;</u> And re number subsequent points
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R3: Subdivision of land for the purpose of public works, network utilities, reserves, or access	289.122	Oppose	Considers the matters of control should include natural environmental values relating to ecosystems and indigenous biodiversity.	Seeks to Add: <u>6. Indigenous ecosystems and biodiversity, including the protection of significant natural areas;</u> And renumber subsequent points
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R6: Subdivision on land within or containing a significant natural area	289.123	Amend	Seeks a rule making subdivision of land within or containing an SNA non-complying. Clarify whether conservation lots can be created.	Ensure that subdivision of land within or containing an SNA is non-complying.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R7: Subdivision of land within or containing a special character landscape	289.124	Amend	Considers the matters of discretion need to include coastal values. They should also refer to habitats for indigenous fauna, as these are not limited to indigenous vegetation and trees.	Include coastal values and habitat for indigenous fauna in matters of discretion.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R7: Subdivision of land within or containing a special character landscape	289.125	Oppose	Considers the matters of discretion relating to natural environmental values should be clarified and expanded.	Amend as follows: 8. Protection, maintenance, and/or enhancement of <u>natural environmental values including</u> natural features, indigenous trees and vegetation, <u>indigenous habitats and biodiversity, and significant natural areas;</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R10: Subdivision of land within an outstanding natural feature and/or special character features	289.126	Support	Support	Retain

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	ASW - Activities on the Surface of Water /General/General	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.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	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	289.128	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	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	289.129	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	ASW - Activities on the Surface of Water /Objectives /ASW-O2: Natural character, recreational, and intrinsic values	289.130	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	ASW - Activities on the Surface of Water /Policies /ASW-P4: Effects of recreational, commercial, and cultural activities	289.131	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	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	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.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	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)ASW-R4A	289.133	Support	Considers military training activities should not be provided for at this important ecological site.	Amend as follows: <del>e. temporary military training activities</del>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	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	289.134	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R7: Commercial motorised water recreation activities	289.135	Support	No Submission Made	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	ASW - Activities on the Surface of Water /ASW - Activities on the Surface of Water - Rules Table /ASW-R8: Activities not otherwise provided for	289.136	Support	No Submission Made	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	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	289.137	Support	No Submission Made	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Introduction /General	289.138	Oppose	Considers the CE Introduction notes that the chapter does not contain rules to give effect to the CE objectives and policies, rather, rules are found in various other chapters in the plan. Forest & Bird submits that if this approach is going to work, all other relevant chapters need to include CE-specific rules. Only some chapters appear to do this.The Earthworks chapter for example, includes various rules that do not apply any differently within or outside of the coastal environment.The NFL similarly appears to make no distinction.The Subdivision chapter also does not appear to treat subdivision within our outside of the coastal environment any differently, other than for one rule in the Coastal Hazard Zone. The matters of control for many rules are silent on coastal values.The Open Space Zone chapter does contain CE-specific rules, but the Rural Production Zone doesn't.Council needs to undertake a comprehensive review of all chapters to ensure this approach works.	Seeks to amend each chapter to include specific rules managing activities in the coastal environment. These will usually need to be much more stringent than for activities outside the coastal environment, because of the sensitivity of coastal values, and also because of the different higher order policy direction. Most activities will not be appropriate as permitted activities in the coastal environment.Alternatively, include rules in the CE chapter to achieve the appropriate effects management approach.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Introduction /General	289.139	Amend	Considers Under Other relevant District Plan provisions:Ecosystems and Indigenous Biodiversity: Provisions relating to significant natural areas in the coastal environment are located in the Ecosystems and Indigenous Biodiversity chapterThis is still absent from the notified proposed District Plan.	Ensure that when it is notified, the ECO chapter contains CE-specific provisions to give effect to policy 11 NZCPS.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Issues /CE-I1: The values associated with the natural character of the coastal environment are identified and protected from significant adverse effects	289.140	Amend	Considers the s32 report states that:"Nevertheless, there are residual areas, natural features, ecosystems, and ecological values that have retained original elements and processes of the environment, along with significant habitats of migratory species providing opportunities to restore the natural character and ecology of the coastal environment."Forest & Bird questions the statement that there are no high or significant areas of natural character have been identified in the coastal environment. It is unclear how Council arrived at that conclusion, and we submit that Council should undertake a review to ensure that no areas have been missed. Te Whanga, for example, is surely a site of outstanding natural character, and should be identified and protected as such.	Seeks to amend the issue to the effect that, to date, the Council has not yet identified areas of significant or high or outstanding natural character in the coastal environment, but that it will undertake a review to assess this.Include areas, such as Te Whanga, that have high natural character in the coastal environment in the plan.Include objectives, policies and rules to ensure any areas of natural character are appropriately protected.

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Issues /CE-I3: There has been an incremental loss of indigenous ecosystems, natural character, landscape, and scenic values along extensive areas of the coast	289.141	Amend	Considers the s32 report states that:“Nevertheless, there are residual areas, natural features, ecosystems, and ecological values that have retained original elements and processes of the environment, along with significant habitats of migratory species providing opportunities to restore the natural character and ecology of the coastal environment.”Forest & Bird questions the statement that there are no high or significant areas of natural character have been identified in the coastal environment. It is unclear how Council arrived at that conclusion, and we submit that Council should undertake a review to ensure that no areas have been missed. Te Whanga, for example, is surely a site of outstanding natural character, and should be identified and protected as such.	Seeks to amend the issue to the effect that, to date, the Council has not yet identified areas of significant or high or outstanding natural character in the coastal environment, but that it will undertake a review to assess this.Include areas, such as Te Whanga, that have high natural character in the coastal environment in the plan.Include objectives, policies and rules to ensure any areas of natural character are appropriately protected.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Issues /CE-I7: The need to protect ecosystems	289.142	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /General /General	289.143	Amend	Considers amending the whole chapter.It is not yet clear whether the ECO chapter will specifically address indigenous biodiversity in the CE. If it does not,this chapter will need specific objectives, policies and rules to give effect to policy 11 NZCPS.	Seeks to include in either this chapter, or the upcoming ECO chapter, objectives and policies and rules to give effect to policy 11 NZCPS.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Objectives /CE-O1: Avoid adverse effects on natural character	289.144	Amend	Support, however questions, whether there are any areas of outstanding natural character that have not been included in the plan. If there are such areas, such as Te Whanga, this objective will need to be amended to give effect to NZCPS policy 13(a).	Retain, but amend to require avoidance of adverse effects on any areas of outstanding natural character in the CE.The objective should also require that other effects (ie on non-outstanding areas of NC) are remedied or mitigated.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Objectives /CE-O2: Retain public access	289.145	Amend	Considers It should be determined what public access looks like. While recreationists going for a walk staying on designated paths has limited impacts on a protected environment, vehicle use or access with dogs may be inappropriate, particularly during critical life cycles such as bird breeding periods and should be avoided.	Seeks to specify extent of public access to ensure that policy 11 and 13 NZCPS are given effect to.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Objectives /CE-O3: Values and functions of the coastal environment	289.146	Amend	Considers it is not clear that adverse effects will be avoided, remedied or mitigated consistent with the NZCPS.	Amend as follows: “Provide for activities and development in the coastal environment that protect and/or restore the following values and functions <u>where adverse effects can be appropriately avoided, remedied or mitigated:...</u> ”
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Objectives /CE-O4: Natural character and mauri	289.147	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Objectives /CE-O6: Integrated management approach	289.148	Amend	Considers this needs amendment to be able to be applied as a tool to guide decision making. It is not clear how this would apply otherwise.	Amend as follows: The Plan acknowledges the coastal environment as a significant part of the city which affects and relates to numerous parts of land use activities. The Council is collaborating with the Hawke's Bay Regional Council as well as the Department of Conservation, <del>including</del> . The Plan's objectives for the coastal environment include:
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P1: Identify and protect the natural features and natural character of the coastal environment	289.149	Oppose	Considers as per the King Salmon decision what is inappropriate/appropriate is to be determined with respect to the values that are to be protected. Functional need is not relevant to that inquiry.The policy should also refer to the requirement protect natural character and biodiversity, and manage effects in certain ways.	Amend as follows: In determining whether an activity may reduce the natural character in the coastal environment, and is inappropriate, particular regard must be given to:  a. <del>the requirement to avoid, remedy or mitigate effects in accordance with policies 11, 13 and 15 NZCPS;</del> b. <del>the nature and intensity of the proposed activity including:</del> i. <del>the functional need or operational requirement to locate within the coastal environment, and</del> ii. <del>the opportunity to mitigate anticipated adverse effects of the activity.</del> c. the degree to which the natural character will be modified, damaged or destroyed including: i. the duration and frequency of any effect; ii. the magnitude or scale of any effect; iii. the irreversibility of adverse effects on natural character values, and/or iv. whether the activity will lead to cumulative adverse effects on the natural character of the site/area. d. the degree of naturalness and resilience of the site or area to change. e. the opportunities to restore, remedy or mitigate previous damage to the natural character. f. the existing land uses on the site.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P3: Minimise disturbance of natural features and coastal values	289.150	Amend	Considers NZCPS policy 11 and 13 require the protection of biodiversity and natural character in the coastal environment. It is unclear what ‘minimal’ disturbance will mean. In some cases, even minimal disturbance will produce an adverse effect of concern.Of specific concern is the current extent of private vehicle use threatening natural features and coastal values.	Amend as follows: <del>Protect</del> <del>Minimise</del> natural features and coastal values <u>by minimising and managing</u> disturbance. The character of the coastal environment is retained by ensuring there is minimal disturbance to the natural contours, coastal vegetation, habitats of indigenous coastal species, and any significant heritage, cultural, and ecological features. <u>In some circumstances, even minimal disturbance will need to be avoided to ensure values are protected.</u>
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P4: Control activities to prevent the incremental loss of biodiversity and natural values	289.151	Support	Support	Retain

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P5: Improve the natural character of the coastal environment	289.152	Amend	Considers the wording in this policy needs amending to give direction.It is not clear how an activity being compatible with these matters would "improve the natural character of the coastal environment". For example, providing for 'Bank stability and areas for the treatment of stormwater' is not appropriate for a policy aimed at the restoration of natural character. Nor is public access etc relevant to natural character restoration	Amend as follows: Policy 14 of the NZCPS promotes the restoration or rehabilitation of the natural character of the coastal environment where it has been degraded. The use, development, and protection of natural and physical resources in the coastal environment must be compatible with: a. providing maintaining, and improving ecological corridors; <del>b. public access, open space, recreation, and amenity values;</del> c. maintenance of indigenous biodiversity; <del>d. bank stability and areas for the treatment of stormwater;</del> e. reinstatement of natural hydrological systems, and f. retaining and restoring natural coastal features, ecosystems, and habitats.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P6: Include Māori within integrated management approach	289.153	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P7: Restrict activities within and close to sensitive coastal areas	289.154	Amend	Considers policy needs to also include that complete avoidance will sometimes be necessary.It would also be helpful to specify here, or in another policy, a non-exhaustive list of the types of activities that will need to be restricted.	Amend as follows: To restrict the location and timing of activities, or <u>require the complete avoidance of activities</u> , ... Consider including a non-exhaustive list of activities to be restricted/avoided. Include rules for these activities, including: private vehicle use on beaches, access of dogs and the establishment of buffer/setback from estuary of at least 20m.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P8: Retain and reinstate natural values in the coastal environment	289.155	Amend	Considers reinstate is unclear, restoration is a better term.	Amend to provide for restoration.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P9: Maintain natural buffer areas and setbacks around significant indigenous biodiversity	289.156	Amend	Considers policy is supported.However, the policy does not specify buffer/setback in Ahuriri Estuary or the minimum area requirement for those zones. This is acceptable as long as the rules provide that level of detail.	Amend as follows: a. To maintain a high level of pedestrian access to the coast, estuary, rivers and their margins and require any use and development to enhance public access unless there may be: - potential effects on nesting, breeding or feeding habitats of indigenous species or on natural coastal features, or - security or public health and safety reasons for restricting that access. <u>b.To recognise that dog access needs to be restricted in areas where vulnerable indigenous biodiversity is present.</u>  And ensure that rules in the Plan restricts dog access to areas that have vulnerable biodiversity value
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P10: Avoid activities in coastal and riparian margins	289.157	Amend	Considers the policy is supported; however, it is unclear what 'undue risk' means.	Clarify what 'undue risk' means.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P11: Manage pedestrian access to the coast and riparian margins	289.158	Amend	Considers the policy does not consider dogs.	Amend as follows: a. To maintain a high level of pedestrian access to the coast, estuary, rivers and their margins and require any use and development to enhance public access unless there may be: - potential effects on nesting, breeding or feeding habitats of indigenous species or on natural coastal features, or - security or public health and safety reasons for restricting that access. b.To recognise that dog access needs to be restricted in areas where vulnerable indigenous biodiversity is present.  And ensure that rules in the Plan restricts dog access to areas that have vulnerable biodiversity values.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /CE-P12: Restrict vehicle access	289.159	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /General	289.160	Amend	There is no policy giving effect to Policy 13 of the NZCPS	Add policy to give effect to Policy 13 of the NZCPS
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Policies /General	289.161	Amend	Considers there is no policy in the CE chapter to give effect to policy 15 NZCPS. We have made submissions to amend the NFL chapter to incorporate this, but there could also be policy direction in this chapter.	Add policy to give effect to Policy 15 of the NZCPS.



Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /Assessment criteria /CE-AC1: All activities in the coastal environment	289.162	Amend	Considers the assessment criteria do not refer to the requirement to avoid adverse effects, and in other cases avoid significant effects, and remedy and mitigate other effects. This needs to be included in order to give effect to policies 11, 13 and 15 NZCPS. For example, for effects on natural character, I suggests that if development cannot practically be located elsewhere, then development is acceptable. However, the NZCPS requires that significant adverse effects on NC in the CE are avoided, regardless of whether there is another practicable location. The assessment criteria need to appropriately refer to landscape values, given that the NFL chapter currently doesn't adequately address coastal NFL values. The assessment criteria for indigenous biodiversity are far too narrow on one hand, and on the other, include irrelevant matters. Note that courtship and mating at the beginning and fledging towards the end are critical stages within the bird breeding season. Durations of breeding cycles are likely to be impacted due to climate change and may be different for various shore bird species. Consider restrictions during critical bird breeding periods in coastal key habitats between 1 August and 30 March.	Amend to make clear that some adverse effects will need to be avoided – regardless of whether the activity contributes to other desired outcomes (e.g. increasing public access) or has a practicable alternative location. This will give effect to the NZCPS. Changes are needed under the headings 'Effects on natural character...' and 'Effects on indigenous biodiversity', and a new heading is required for 'Effects on natural landscapes' (or incorporate into natural character heading). The criteria for indigenous biodiversity are far too narrow. They need to be significantly expanded, to ensure that protection in accordance with s6, s30, and policy 11 NZCPS will occur. They also include two matters that are irrelevant to biodiversity: z. iii. and z. iv should be deleted from the 'Effects on indigenous biodiversity' section, and included elsewhere in the assessment criteria.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /General /General	289.163	Oppose	Whole chapter, including Introduction, Objectives, Policies and Rules Arising from late notification of the ECO-chapter	Seeks to Add: "The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to activities in the coastal environment. Where there is a conflict between the Coastal Environment chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Introduction /	289.164	Amend	Considers earthworks can also have impacts on indigenous biodiversity. This chapter lacks a section in the Introduction alerting the plan user to other relevant chapters.	Amend as follows: - Adverse effects on natural features and landscapes, <u>indigenous biodiversity</u> , and amenity and cultural values Amend to include reference to all other relevant chapters that may apply.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Objectives /EW-01: Environment (soils, ecosystems, waterways)	289.165	Amend	Considers the reference to 'reasonable development opportunities' is unclear.	Amend as follows: Enable earthworks necessary to support <u>appropriate reasonable development opportunities</u> while ensuring that the life-supporting capacity of soils, ecosystems, and waterways are protected.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Objectives /EW-02: Landscapes, significant natural areas, cultural and heritage values	289.166	Amend	Considers the objective refers to significant landscapes, which does not correspond with the terms used in the plan. The objective should refer to all sensitive environments that need protection from the effects of earthworks.	Amend to include all areas of natural and other value that need protection, e.g.:  Landscapes <u>and features, the coastal environment</u> , significant natural areas, cultural and heritage values  Earthworks are managed so that <u>significant outstanding and special character landscapes and features</u> , significant natural areas, <u>the coastal environment including areas of natural character</u> , and cultural and heritage values are protected.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Objectives /EW-03: Hazards and health and safety	289.167	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Objectives /EW-04: River control and drainage works	289.168	Amend	Considers this objective is not worded in a way that gives direction to decision makers. This objective should also give effect to Policy 7 NPSFM	Amend as follows: Earthworks related to river control and drainage works and renourishment of material along the coast by a local authority <u>should be provided for where appropriate are necessary</u> to ensure flood protection duties can be exercised and risks of erosion mitigated, <u>while avoiding the loss of river extent and values to the extent practicable</u> .
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Policies /EW-P1: Allow for earthworks	289.169	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Policies /EW-P2: Environment	289.170	Amend	Considers effects on natural waterbodies should be specifically managed. The policy should also recognise that certain natural areas will need to be avoided, in order to protect their values.	Amend c: "providing adequate setbacks from site boundaries, <del>or</del> structures, <u>SNAs, areas of natural character in the coastal environment, and natural waterbodies</u> "; Amend e: "controlling the movement of dust and sediment beyond the area of development, particularly to avoid nuisance effects on neighbouring sites, silt and sediment entering stormwater systems or <u>natural waterbodies</u> , or impacting on overland flow paths and/or roads."
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Policies /EW-P3: Natural landforms, features, drainage patterns, indigenous vegetation	289.171	Amend	The policy needs to avoid the listed impacts, not simply 'consider' them.	Amend by replacing 'that consider' with ' <u>that avoid</u> '.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Policies /EW-P4: Visual amenity	289.172	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Policies /EW-P5: Natural hazards	289.173	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /Policies /EW-P7: River control and drainage works	289.174	Amend	Considers this policy should give effect to Policy 7 NPSFM, and should reflect that there may be other adverse effects that need consideration. A simple 'enable' direction is opposed.	Amend as follows: <del>Enable</del> <u>Provide for</u> earthworks activities associated with river control and drainage works to be carried out by local authorities <u>where appropriate, and while avoiding the loss of river extent and values to the extent practicable</u> .
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /General /General	289.175	Oppose	Whole chapter, including Introduction, Objectives, Policies and Rules Arising from late notification of ECO-chapter	Seeks to add: "The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to earthworks. Where there is a conflict between the Earthworks chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply."

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /EW - Earthworks - Rules Table /General	289.176	Amend	Seek exclusion from all Permitted activities for EW in SCLs, ONFs, SCFs, SNAs and the Coastal Environment. We note again that the CE chapter relies on the other chapters in the plan to give effect to the objectives and policies of the CE chapter, but the EW rules do not provide for specific management in the coastal environment.	Seek new rules making all earthworks in SCLs, SCFs, ONF, SNAs and the Coastal Environment non-complying. Notification should not be precluded for any activity in these areas. Should any earthworks remain as restricted discretionary, ensure that the matters of discretion include natural character in the coastal environment.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	EW - Earthworks /EW - Earthworks - Rules Table /General	289.177	Amend	We seek that the ECO chapter is also listed as a relevant chapter, and a statement that where there is a conflict, the more restrictive provisions applies.	Amend in line with submission point.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	CE - Coastal Environment /General /General	289.178	Amend	Notes that the CE objectives and policies are meant to be implemented by rules in the other chapters of the plan, including the area specific chapters. It is not clear that this has occurred in a comprehensive manner.	Seeks to amend each chapter to include specific rules managing activities in the coastal environment. These will usually need to be much more stringent than for activities outside the coastal environment, because of the sensitivity of coastal values, and also because of the different higher order policy direction. Most activities will not be appropriate as permitted activities in the coastal environment.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RCA - Rural Specific Control Area /Policies /RCA-P5: Discourage development and uses that cause irreversible damage	289.179	Amend	Seeks a reference in each of the area -specific chapters that the provisions of the ECO chapter apply.	include a reference in each of the area -specific chapters that the provisions of the ECO chapter apply.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RCA - Rural Specific Control Area /Policies /RCA-P5: Discourage development and uses that cause irreversible damage	289.180	Amend	Considers the word "discourage" is inappropriately vague in this context.	Amend to: " <del>Discourage</del> Prohibit development and uses that cause irreversible damage"
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	RCA - Rural Specific Control Area /General /General	289.181	Oppose	Whole chapter, including Introduction, Objectives, Policies and Rules Arising from late notification of ECO-chapter	Seeks to add: "The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to the Rural Specific Control Area. Where there is a conflict between the Rural Specific Control Area chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NOSZ - Natural Open Space Zone /Objectives /NOSZ-O1: Natural Open Space Zone purpose	289.182	Amend	It is unclear whether "retaining" natural values will require the avoidance of adverse effects of activities.	Amend to: " <u>Adverse effects of activities on t</u> The natural values of the Natural Open Space Zone are avoided, and these natural values are retained and enhanced."
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NOSZ - Natural Open Space Zone /Policies /General	289.183	Amend	Considers several of the natural open space zones in the district are in the coastal environment. The plan should state that the policies of the Coastal Environment chapter also apply to these zones.	Seeks to add: "The policies of the Coastal Environment chapter apply in the coastal environment in addition to those below." Also see submission point regarding the need for rules in all relevant zones to give effect to the CE objectives and policies.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	NOSZ - Natural Open Space Zone /General /General	289.184	Oppose	Arising from late notification of ECO-chapter.	Seeks to add: "The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to the Natural Open Space Zone. Where there is a conflict between the Natural Open Space Zone chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /Objectives /AESZ-O2: Protection and enhancement of ecological values	289.185	Amend	Considers this objective should also refer to the need to avoid adverse effects of activities on threatened or at-risk indigenous species.	Amend to: "The life-supporting capacity of habitats are protected and enhanced and ecological values of Te Whanga (the Ahuriri estuary), Tāipo Stream, Napier waterways and their margins are protected, <u>and adverse effects of activities on threatened or at-risk indigenous species are avoided.</u> "
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /Objectives /AESZ-O4: Natural character and amenity	289.186	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /Policies /AESZ-P3: Protecting ecological values	289.187	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /General /General	289.188	Oppose	Whole chapter, including Introduction, Objectives, Policies and Rules Arising from late notification of ECO-chapter	Seeks to add: "The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to the Ecology and Stormwater Zone. Where there is a conflict between the Ecology and Stormwater Zone chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply".
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Rules Table /AESZ-R3: Activities associated with stormwater collection, retention, treatment, and disposal	289.189	Oppose	Activities associated with stormwater collection, retention, treatment and disposal" are potentially wide- ranging. As submitted below, the proposed standards do not provide an adequate basis for treating these as permitted activities. It will not be possible to apply the assessment criteria set out at AESZ-AC1 where these activities are permitted. Restricted discretionary status would be more appropriate for this class of activities.	Amend activity status to restricted discretionary, and specify appropriate matters of discretion, including those matters currently included at AESZ-AC1 as assessment criteria.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table /General	289.190	Amend	Considers standards should also provide for minimising the development of impervious surfaces in this zone.	Seeks to include a new standard requiring impervious surface areas to be as small as is practicable.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table /AESZ-S1: Development setback	289.191	Support	Support	Retain
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table /AESZ-S8: Building coverage	289.192	Oppose	Considers the maximum total building coverage per site in this zone is excessive considering the purposes of the zone.	Seeks to reduce the maximum total building coverage to a level that is more consistent with issues, objectives and policies.
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone /AESZ - Te Whanganui-a-Orotu (Ahuriri Estuary) Ecology and Stormwater Zone - Standards Table /AESZ-S9: Stormwater retention and treatment facilities	289.193	Amend	Considers this is currently the only standard that is directly applicable to AESZ-R3. The Hawke's Bay Regional Council will be responsible for granting discharge consents, but the plan should also include standards for "Activities associated with stormwater collection, retention, treatment and disposal" as above.	As above the activity status for AESZ-R3A should be amended to restricted discretionary, and standards should be included that are consistent with the issues, objectives and policies in this zone.

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird)	SCHED1 - Notable Trees /SCHED1 – Schedule of Notable Trees /Notable Trees	289.194	Amend	Considers the Schedule needs to be updated to include trees on privately owned land.	Retain currently listed trees, and undertake a review to ensure all privately owned trees meeting the relevant criteria are included.