

FORM 6



FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSION ON NOTIFIED PROPOSED NAPIER DISTRICT PLAN

We encourage you to complete this submission form online at sayitnapier.nz

CLAUSE 8 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT 1991

This form can be submitted via:

Post: Napier City Council, District Plan Further Submissions, Private Bag 6010, Napier 4142

Email: districtplanreview@napier.govt.nz

In person: NCC Customer Service Centre, 215 Hastings St

We welcome all submissions to be provided by **5pm, 7 May 2024**. If you would like to speak to your submission, please indicate this and provide your contact details on your submission. We will be in touch to let you know the date and time.

Your name and submission will be published, but your contact details will be kept private. Your submission form will be treated in accordance with the Privacy Act 2020. To view our privacy statement, visit sayitnapier.nz

[Submissions close in response to the Submissions on the Proposed Napier District Plan at 5pm, 7 May 2024](#)

Notes:

A copy of your further submission must be served on the original submitter within five working days after it is served on the local authority.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

To Napier City Council	
Date:	3 May 2024
Name of person making a further submission:	Hawke's Bay Regional Council
Name/s: (Full name)	Hawke's Bay Regional Council
Contact person:	Nichola Nicholson
Address for Service of Submitter:	159 Dalton Street, Napier
Email address:	nichola.nicholson@hbrc.govt.nz

Phone number:

027 290 8612

This is a further submission in support of (or in opposition to) a submission on the following proposed policy statement (or on the following proposed plan or on a change proposed to the following policy statement or plan, or on the following variation to the proposed policy statement or a variation to the following proposed plan or a variation to a change proposed to the following existing policy statement or plan) (the proposal).

Further submission:

This is a further submission on the Proposed Napier District Plan I am (Tick whether you are)

a person representing a relevant aspect of the public interest.
In this case, also specify the grounds for saying that you come within this category; or

a person who has an interest in the proposal that is greater than the interest the general public has. In this case, also explain the grounds for saying that you come within this category; or

the local authority for the relevant area.

I wish do not wish to be heard in support of my further submission.

*If others make a similar submission, I will consider presenting a joint case with them at a hearing Yes

No

Signature of submitter:



Date:

3/5/2024

Please see attached table for all further submissions

Further Submissions on Napier City Proposed District Plan

HBRC Ref	NC PDP Provision	Submitter Ref	Submitter	Position	Reason
1	ASW-R4	196.93	Napier City Council	Allow	The Hawke's Bay Regional Coastal Environmental Plan covers all activities in the coastal marine area
2	ASW-Introduction	196.94	Napier City Council	Allow	The Hawke's Bay Regional Coastal Environmental Plan covers all activities in the coastal marine area
3	SD-SRCC-O6	99.26	Transpower NZ Ltd	Allow	Activities that reduce greenhouse gas emissions are also important for mitigating climate change
4	SUB-S3	194.1	Cameron Lloyd	Do not allow	Rural Lifestyle zoning minimum allotment size standards should be sufficient to enable on-site wastewater treatment where it is not possible to connect to a reticulated wastewater system. Regional Rule 37 (Permitted activity for new sewage system) of the Hawke's Bay Regional Resource Management Plan sets permitted activity performance standards. When applied on the ground, much larger sites than the minimum site size specified (of 2500m ²) are often needed. For example, sites that are sloping, poorly drained or near waterways or wetlands add complexity to meeting the other standards specified.
5	Sub-S3	128.11	Emerald Hills Joint Venture Ltd	Do not allow	Mission Rural Residential Precinct and Rural Lifestyle zoning minimum allotment size standards should be sufficient to enable on-site wastewater treatment where it is not possible to connect to a reticulated wastewater system. Regional Rule 37 (Permitted activity for new sewage system) of the Hawke's Bay Regional Resource Management Plan sets permitted activity performance standards. When applied on the ground, much larger sites than the minimum site size specified (of 2500m ²) are often needed. For example, sites that are sloping, poorly drained or near waterways or wetlands add complexity to meeting the other standards specified.
6	Sub-S1	131.2	The Surveying Co Hawke's Bay Ltd	Do not allow	Mission Rural Residential Precinct and Rural Lifestyle zoning minimum allotment size standards should be sufficient to enable on-site wastewater treatment where it is not possible to connect to a reticulated wastewater system. Regional Rule 37 (Permitted activity for new sewage system) of the Hawke's Bay Regional Resource Management Plan sets permitted activity performance standards. When applied on the ground, much

Further Submissions on Napier City Proposed District Plan

HBRC Ref	NC PDP Provision	Submitter Ref	Submitter	Position	Reason
7	SUB-R12	131.3	The Surveying Co Hawke's Bay Ltd	Do not allow	larger sites than the minimum site size specified (of 2500m ²) are often needed. For example, sites that are sloping, poorly drained or near waterways or wetlands add complexity to meeting the other standards specified. Recent caselaw, <i>Blue Grass Ltd and others v Dunedin City Council NZEnvC83 (2024)</i> , indicates that it is appropriate to use the HPL mapping tool for plan-making, but at the consent level, the assessment may include site-specific analysis for highly productive land.
8	SUB-S3	189.20	Angela McFlynn	Do not allow	Mission Rural Residential Precinct and Rural Lifestyle zoning minimum allotment size standards should be sufficient to enable on-site wastewater treatment where it is not possible to connect to a reticulated wastewater system. Regional Rule 37 (Permitted activity for new sewage system) of the Hawke's Bay Regional Resource Management Plan sets permitted activity performance standards. When applied on the ground, much larger sites than the minimum site size specified (of 2500m ²) are often needed. For example, sites that are sloping, poorly drained or near waterways or wetlands add complexity to meeting the other standards specified.
9	SUB-S8	189.22	Angela McFlynn	Do not allow	The scale and location of earthworks are important in assessing the suitability of a proposed building platform. While the site may offer multiple opportunities for building platforms, at least one needs to be demonstrated to be viable.
10	SUB-S13	189.23	Angela McFlynn	Do not allow	Stormwater management is an integral part of subdivision design and should be addressed comprehensively well ahead of site by site proposals.
11	SD-UFD-P3	189.4	Angela McFlynn	Do not allow	The Future Development Strategy for Napier (and Hastings) is being prepared now, as required by the NPS-UD. Highly productive land is one of the factors to be accounted for in this exercise. Public consultation is planned for mid-2024 and decisions are due later in 2024. As these decisions will inform where Napier's future residential and business growth may be accommodated over the next 30+ years, it is appropriate to

Further Submissions on Napier City Proposed District Plan

HBRC Ref	NC PDP Provision	Submitter Ref	Submitter	Position	Reason
12	SUB-R12	189.18	Angela McFlynn	Do not allow	retain, or make any necessary change, to reflect outcomes from that process. The Future Development Strategy for Napier (and Hastings) is being prepared now, as required by the NPS-UD. Highly productive land is one of the factors to be accounted for in this exercise. Public consultation is planned for mid-2024 and decisions are due later in 2024. As these decisions will inform where Napier's future residential and business growth may be accommodated over the next 30+ years, it is appropriate to retain, or make any necessary change, to reflect outcomes from that process.
13	RPROZ-R5	189.33	Angela McFlynn	Do not allow	To retain land for primary production, it is appropriate to locate housing away from highly productive land, wherever possible.
14	RPROZ-R6	189.34	Angela McFlynn	Do not allow	To retain land for primary production, it is appropriate to locate housing away from highly productive land, wherever possible.
15	SUB-O5	189.8	Angela McFlynn	Do not allow	Subdivisions should not increase the level of natural hazard risk, or potential for increased risk from subsequent development.
16	SUB-P19	257.39	Horticulture NZ	Allow	Relevant provisions in the NPS-HPL should be referenced but not repeated in the District Plan. The reference to section 3.8 of the NPS-HPL is more accurately given effect by Horticulture NZ's proposed wording.
17	SUB-Standards Table	210.12	Guy Panckhurst	Allow in part	It would be efficient to have a clear definition of what constitutes a flood-free building platform.
18	EW-S2	151.69	Chorus NZ Ltd and others	Do not allow	Earthworks which do not meet the cut and fill standards warrant closer consideration while works are being undertaken. The matters of discretion identify the main areas of concern. This rule should apply even when the finished result returns the land to a neutral position.
19	SD-TI-O4	151.19	Chorus NZ and others	Allow	A new definition of regionally significant infrastructure will clarify the term 'significant' and assist in more effective and efficient plan implementation.

Further Submissions on Napier City Proposed District Plan

HBRC Ref	NC PDP Provision	Submitter Ref	Submitter	Position	Reason
20	SD-TI-O4	168.25	Kiwi Rail Holdings Ltd	Allow	A new definition of regionally significant infrastructure will clarify the term 'significant' and assist in more effective and efficient plan implementation.
21	EW-R1	165.30	NZ Frost Fans Ltd	Do not allow	Earthworks which do not meet the standards set warrant closer consideration, while works are being undertaken. The matters of discretion identify the main areas of concern with respect to ongoing environment effects.