



FUTURE NAPIER COMMITTEE

Open Attachments Under Separate Cover

Meeting Date: Thursday 30 July 2020

Time: Following the Sustainable Napier Committee

Venue: Large Exhibition Hall
Napier War Memorial Centre
Marine Parade
Napier

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Summary of District Plan Review recommendations for Council endorsement

19th March 2020 – 25th June 2020

The preliminary policy position recommendations below will form the basis for the content in the Draft Plan and therefore form the adopted policy position of Council for community engagement through the draft District Plan process (scheduled for November 2020 – February 2021).

Feedback from stakeholders and the public through the November 2020 – February 2021 draft District Plan engagement will be reported back to Council in early 2021. Council will consider potential revisions to the preliminary policy position in response to feedback prior to notifying the proposed District Plan for formal submissions in 2021.

Premier Park for Ahuriri Estuary (Rezoning of Lagoon Farm to a stormwater and ecological zone)

- To be reported on as a separate agenda item

Commercial Zones: City Centre Zone, Mixed Use Zone for City fringe, Napier City Heritage precinct, and other commercial zones

Residential

- **All centres:** Residential permitted above ground level (acoustic insulation in City Centre and Town Centre – subject to heritage controls)
- **Mixed use zone:** Residential permitted (acoustic insulation)
- **Large format retail:** No residential
- **All residential in commercial zones:**
 - Design assessment for multi-unit development
 - Outlook / privacy requirements
 - Minimum permitted unit size

Height

Zone	Height limit
Napier City Heritage Precinct	10m
City Centre Zone (outside heritage precinct)	24m
Mixed Use Zone	12m
Medium Density Residential	12m

Retail

Zone	Permitted retail	Permitted hospitality
City Centre Zone – Napier Heritage Precinct	No limits	No limits
City Centre Zone – outside Napier Heritage Precinct Mixed Use Zone – City Centre fringe	Minimum 500m ² GFA permitted Between 200m ² - 500m ² subject to restricted discretionary activity resource consent	No limits
Town Centre (Taradale)	Maximum floor area 1,000m ² GFA	No limits
Local Centres	Maximum floor area 500m ² GFA	No limits
Neighbourhood Centres	Maximum floor area 200m ² GFA	No limits
Mixed Use (Ahuriri)	Ahuriri – retail only related to goods produced onsite (maximum 20% of GFA)	Permitted in West Quay Discretionary activity for other new hospitality (outside West Quay)

Large Format Retail (Prebensen Drive)	Minimum 1,000m ² GFA	One hospitality activity per site Maximum GFA 150m ²
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Office

Zone	Permitted office
City Centre Zone – Napier Heritage Precinct	No limit (likely smaller offices due to building controls)
City Centre Zone – outside Napier Heritage Precinct	Minimum 500m ² GFA
Mixed Use Zone – City Centre fringe	Permitted if ancillary to light industry Otherwise Restricted Discretionary (encourage offices in City Centre zone)
Town Centre (Taradale)	No limit
Local Centres	No limit
Neighbourhood Centres	Permitted above ground floor Otherwise Restricted Discretionary (does office displace neighbourhood centre functions e.g. dairy)
Mixed Use (Ahuriri)	<ul style="list-style-type: none"> • Permitted if ancillary to light industry • Restricted Discretionary in identified business hub and West Quay • Otherwise Non-complying <i>Subject to Ahuriri workstream</i>
Large Format Retail (Prebensen Drive)	Non-complying

Industrial

Zone	Permitted Industrial
City Centre Zone – Napier Heritage Precinct	Non-complying
City Centre Zone – outside Napier Heritage Precinct	Discretionary activity for Light Industry (light manufacturing and servicing; repair and maintenance services; warehousing and storage)

Mixed Use Zone – City Centre fringe and Ahuriri	Permitted – Light Industry only
Town Centre, Local Centres, Neighbourhood Centres	Non-complying
Large Format Retail (Prebensen Drive)	Non-complying

City Centre and Town Centre

- All new buildings require resource consent (restricted discretionary, non-notified where all controls met)
- *Urban Design Panel*: optional but free – requires funding (next LTP)
- *Assessment criteria / design guidelines*:
 - Break up mass of buildings, emphasise corners
 - Attractive street frontages, visual interest, outlook - especially key entrance routes
 - Avoid long, blank walls
- *Assessment criteria / design guidelines (continued)*:
 - Clear entrances
 - Minimise glare and wind
 - Durable and easily maintained materials and finishes
 - Integrated roof form
 - Connectivity for large blocks

Te Aranga Design Guidelines? - guidance/advocacy approach

Napier Heritage precinct

- 10m height
- Specific criteria and design requirements within the heritage precinct to recognise the character
- Paint colours managed for all of precinct
- Control of external additions and alterations

City Centre and Town Centre

- *Height*:
 - *City Centre*: 24m but step backs from adjoining properties required over 12m
 - *Town Centre*: 12m (3-4 storeys)
- *Verandahs*: Continuous verandahs required except if conflicting with heritage

- *Frontages*: Buildings to adjoin street, glazing, no residential at ground level within 10m of street frontage
- *Residential design requirements*

Local and Neighbourhood Centres

- *New buildings*: No resource consent requirement
- *Height*: 10m (2-3 storeys)
- *Height in relation to boundary*: 3m + 45 degrees from residential zone boundaries
- *Yards*: 6m from residential zone boundaries
- *Active street frontages*: Identified streets to require verandahs, glazing, no residential units within 10m of street frontage
- *Other streets*: Either as above, or minimum 2m wide landscaping

Mixed Use Zone

- *New buildings*: resource consent requirement for new large buildings (over 400sqm GFA). Additional criteria apply in heritage character precincts (e.g. Iron Pot character, Ahuriri)
- *Landscaping*: For car parks and street frontages (where buildings set back)

Large Format retail Zone

- *New buildings*: Resource consent / design assessment (includes pedestrian/cycle access consideration)
- *Height*: 12m
- *Setback*: 20m from Prebensen Drive frontage
- *Outdoor storage*: Screened from public view
- *Landscaping*: for car parks

All commercial zones - Resilience

- *Vertical evacuation towers*:
 - Assessment criteria for height infringements to enable consideration of resilience benefits
 - Design guidance to require consideration of providing structural integrity and availability of public access to rooftops to provide evacuation options
- *Criteria for new buildings*: Maintain identified evacuation routes (e.g. through-site links)

Rezoning

Consider the following rezoning options for consultation in the Draft Plan:

Established neighbourhood shops/recently consented ones from General Residential Zone to Neighbourhood Centre Zone.

Commercial area south of Puketapu/Meeanee Roads to Mixed Use Zone

Mixed Use Zone for Ahuriri (as part of targeted stakeholder engagement)

Confirmation that targeted stakeholder engagement would explore rezoning options for the Ahuriri Mixed Use Zone, comparing the status quo with more refined zoning that explored rezoning parts of the Ahuriri Mixed Use Zone to Industry Zone (around and adjacent to the Bulk Oil Facilities), Mixed Use Zone and Business Hub Area, General Residential Zone and retention of the existing Mixed Use Zone in the remaining areas.

Port Noise

Confirmation that targeted stakeholder engagement would explore the Port of Napier proposals for how to address Port Noise issues in the Draft Plan.

The Port of Napier presented their position on the new Port Noise provisions they are recommending to be included into the Draft Plan. The proposal is to replace the existing plan provisions with the current mitigation approach undertaken by the Port of Napier as a voluntary scheme administered as part of the Port Noise Management Plan. This will make the voluntary scheme mandatory and enforceable through the District Plan.

Open Space – Temporary Events

Parks and reserves - Change of status for commercial activities from Non Complying to Discretionary Activities

Parks and reserves – Up to 18 temporary events per year per site in – Marine Parade Recreation Control Area, Open Space Zone (Coastal Environment) and Anderson Park
Parks and reserves – Up to 5 temporary events per year per site in all other parks and reserves.

Restricted Discretionary resource consent to exceed allowances.

McLean Park

Hours for sporting events with amplified sound Sundays – Thursdays extended from 10pm to 11pm for maximum of 3 days per year

Rodney Green Centre

Non Sporting Events extended from 5 to 10 per year

Temporary Events on Private Land

Amplified Noise for entertainment – reduce permitted noise limits from 90dbA to:

75dB LAeq Sunday – Thursday max 10pm

80 dB LAeq Saturdays, Sundays or any day preceeding a public holiday max 11 pm
except 1am New Year's Eve

Restricted Discretionary to exceed

Construction - specific rules in line with NZStandard to be put into District Plan for clarity rather than just reference to the NZStandard

General Noise

Confirmation of approach where lower noise limits in Residential zones, moderate in Rural zones. Higher in City Centres and Industrial Zones

City Centre – 10pm-midnight Thursday, Friday, Saturday and day before a public holiday
60dBA (up from 50dBA)

Day Care Centres - additional 5dBA above zone Monday to Friday 7am to 6pm but -5dBA all other times

Noise Sensitive Activities required to acoustically insulate themselves from noise arising within; City Centre, Mixed Use Zones, Industrial Zones, within 80 metres of a rail corridor or state highway. Requires acoustic insulation and mechanical ventilation (approx. \$15 000 per house)

Helicopter landing areas – new rules to balance enabling flight paths for helicopter landing areas while protecting amenity for nearby residential dwellings.

Rural Production Activities (Bird scaring and frost fans) – retain harmonized rules with HDC

Signage

Central Character Precinct (Heritage) – No ACM Boards, no signs on roof of verandah, unpainted surfaces must remain unpainted

Footpath signs – remove from District Plan as addressed under Footpath Management Policy
Temporary signs (election signs) reduce the timeframe to meet current legislative requirements

Genetically Modified Organisms

Harmonize provisions with HDC – Prohibit the outdoor release of GMO's and outdoor field trials of GMO's

Activities on Surface of Water

Status quo - retain harmonized rules with HDC

Lighting

McLean Park

Hours for sporting events - align additional lighting hours with extended noise hours

b.

Working Draft Napier City District Plan:

Part 3: Area Specific Matters: Special Purpose Zone

Chapter X: Te Whanganui-a-Orotū (Ahuriri Estuary) Ecology and Stormwater Treatment Zone (AESZ)

Introduction

This zone applies to the southernmost area of land adjacent to Te Whanganui-a-Orotū (Ahuriri Estuary) that was uplifted in the 1931 earthquake (commonly known as “Lagoon Farm”). The area has the Ahuriri Estuary on its northernmost side, and is adjacent to Prebensen Drive and the Taipō Stream.

The area has potential for ecological improvements and the creation of stormwater treatment wetlands and aquatic habitats. The context of the land within this zone includes the cultural and seismic history, and its location adjacent to an outstanding waterbody and an area of regional and national significance for its ecological values.

The ecological vision for the Lagoon Farm site is restoration, expansion and enhancement of a high value coastal ecosystem through the creation of a new complex mosaic of freshwater wetland habitats connected to a constructed salt marsh¹.

The land has been altered significantly by both natural events (the 1931 earthquake) and subsequent human intervention such as drainage and flood control schemes. A number of urban waterways and drains traverse the area, some of which carry contaminants, and discharge into the estuary. There are stopbanks in place; however, natural hazards remain an issue. Much of the land within the zone is low lying and vulnerable to ponding, tsunami, inundation and seismic events. The area receives floodwaters from urban areas.

The zone is located adjacent to the Hawke's Bay Airport, and parts of it are within the airport noise boundary and height controls apply. This makes these areas unsuitable for sensitive land uses, including residential and rural residential development.

The proximity to the City and the cycleway means that the publicly accessible areas are well used. Public access needs to be located away from sensitive activities and habitats to ensure the high values associated with indigenous and migratory species in the adjacent estuary are retained and improved.

‘Premier Park’ and ‘Great Urban Areas’ are two key outcomes. A key value mentioned in relation to the Ahuriri estuary is Mauri – to visibly see mauri, to be able to safely swim in the

¹ Boffa Miskell Lagoon Farm Strategic land Use report at page 60

b.

water, and safely eat from the estuary. To achieve these key objectives, the provisions in this zone promote the following outcomes:

- To improve the stormwater retention function of the site, and treat stormwater pollutants in constructed wetlands before it reaches the estuary.
- To reduce the amount of sediment and other potential sources of contaminants entering waterways and the estuary
- Use and development is carefully controlled and must be compatible with the values of the adjacent Ahuriri estuary, wildlife reserve and airport
- The estuarine / wetland and stream edges are planted, ecosystem types that are missing from the area are established, and a more natural estuary edge is created.
- Areas of significant indigenous vegetation and significant habitats of indigenous fauna in the adjacent estuary and its margins are protected and improved
- The values and interests of mana whenua are recognised and reflected in the use and development of the area
- The exercise of kaitiakitanga and the ethic of stewardship is promoted
- The life-supporting capacity of soil and water is safeguarded, and the intrinsic values of water bodies and ecosystems are recognised
- Use and development occurs in a way that recognises adjacent land uses (such as the airport); improves the management of stormwater discharges, and is compatible with restoration and safeguarding the values of water and the estuary
- Activities are set back from waterbodies and the coastal marine area to manage potentially contaminated stormwater run-off; to promote opportunities to improve the natural character of the area, and to safeguard the life supporting capacity of natural resources and eco-system health
- Indigenous biological diversity and ecosystem functioning of the adjacent Ahuriri estuary and its margins is maintained and improved

The planning approach in this zone allows the council to promote strategic outcomes for improving ecosystems and water quality as a priority, to control potential effects on the ecology of the estuary, and consider the natural hazards, soils and topography and cultural interests when determining what development (if any) is appropriate.

Activities are to be set back from the estuary and waterbodies to manage potentially contaminated stormwater run-off; to provide opportunities to reinstate some of the natural character; and to improve the life supporting capacity of natural resources and ecosystem health.

Use of the land for stock pasture, and the creation of a wetland for collection and treatment of stormwater discharges is in keeping with the outcomes for the area. Aside from the stormwater treatment wetland, other activities may be appropriate in some places, provided these are located, designed and operated in a way that is compatible with the outcome of improving water quality in the adjacent estuary, providing compatible recreation opportunities and increasing ecological values.

b.

Cross referencing

Sites of Significance in Napier are identified in the planning maps and the Ecosystems and Indigenous; Biodiversity Chapters. Stormwater runoff and discharges to the network are covered by the Council's Stormwater Bylaw; the Code of Practice for Subdivision and Land Development and the Stormwater management provisions of the draft district plan. The Natural hazards and risk is covered by the Natural Hazards Chapter.

Issues

AESZ-I1 There are potential conflicts between land uses, natural values and the future reinstatement and protection of the values of the Ahuriri Estuary and its margins

As the Ahuriri Estuary Ecology and Stormwater Zone is located adjacent to the environmentally sensitive Ahuriri Estuary, the level of effects generated by activities on the receiving environment must be kept to a minimum. The special zone recognises strategic outcomes associated with stormwater management that contributes to the restoration of the estuary and its margins, caters for those activities that are compatible with the ecological values of the estuary, and considers the operational requirements of the nearby airport.

The complexity of potential conflicts between biodiversity and human activities is likely to increase in number, or intensify where there are changes or increases in the nature, scale and intensity of land uses. It is essential to better understand those potential conflicts and manage these through the resource consent process.

AESZ-I2 The modification of natural systems, drainage and contamination of stormwater has altered the natural character and ecological values of the Ahuriri Estuary and its margins

The pumps and drainage systems, and activities located adjacent to the estuary have consequences for water quality and indigenous biodiversity and ecosystems. The 1931 earthquake was followed by human intervention that has altered the Ahuriri lagoon and estuary. Nevertheless, there remains opportunities for creating or enhancing habitat for indigenous and migratory species; rehabilitating the estuary margins, and enhancing areas important for linking habitats or maintaining biological values.

AESZ-I3 Habitats of indigenous species in the coastal environment are important for recreational, commercial, traditional or cultural purposes

Healthy, functioning ecosystems and indigenous biodiversity contributes to the quality and quantity of ecosystems, as well as amenity, open space and recreational values. The estuary and its margins provide a resource for cultural use, recreational opportunities, natural character, and a sense of identity and place.

b.

AESZ-I4 While the landscape and values of the Ahuriri Estuary have been modified, there is an opportunity to promote the natural regeneration of indigenous species, restoration and rehabilitation of the natural character of the estuary

The Ahuriri Estuary and Coastal Edge Masterplan 2018 states that the estuary “*supports over 70 bird species, some critically endangered native species, some migratory visitors from the northern hemisphere. A variety of fish and invertebrate species are found in the estuary, in reduced numbers as a result of water quality issues. Of particular note are the critically endangered Bittern and the flounder and cockle species, with the lower estuary a known yellowbelly flounder species nursery.*”²

There is an opportunity to build on the vision in the masterplan, by addressing water quality issues, promoting natural regeneration of indigenous species, and restoring and rehabilitating the natural character of the estuary and its riparian and intertidal margins. Improvements can be made by managing stormwater and reducing or eliminating discharges of contaminants, promoting activities that create or enhance habitat for indigenous species, recognising the need for effective weed and animal pest management; and encouraging and facilitating appropriate uses while acknowledging and managing the challenges faced by existing significant infrastructure such as the airport.

AESZ-I5 The water quality of the estuary is poor, and the estuary and surrounding land is vulnerable to flood hazards

Napier’s stormwater enters the Ahuriri estuary from the Taipō Stream, Pūrimu drain, County/Plantation drains, the airport and Lagoon farm pump stations, the Thames - Tyne drains and a number of smaller outfalls.

A number of the urban Napier waterways that flow into the Ahuriri estuary have their own ecological values. Discharges into those water bodies can have detrimental effects on both the ecological values of those waterbodies, and the water quality of the estuary.

Stormwater is a natural resource. Directing stormwater into constructed wetlands can remove contaminants, and in turn improve estuary and stream health. Keeping impervious areas to a minimum, encouraging on-site pre-treatment, and storage or detention is maximised also assist with contaminants and managing fluctuations in the water cycle.

The availability of a large area of publicly owned land adjacent to the estuary presents an opportunity to manage stormwater discharges, and create an improved and resilient estuarine environment. Improving the quality of water entering the estuary has the potential for educational, recreation and ecological benefits. Directing stormwater onto land and into constructed wetlands can remove contaminants, and play a role in attenuating discharges to manage high rainfall events.

² Ahuriri Estuary & Coastal Edge Masterplan July 2018 at page 7

b.

AESZ-I6 The efficient functioning of the ecology of the estuary can be compromised or improved by nearby land uses

The ecosystem functioning and long-term viability of the estuary is vulnerable to the inappropriate placement of infrastructure, and inappropriate land uses being located nearby. The values of the Estuary can be improved, or adversely affected, by nearby land uses.

Controlling use and development in waterbody margins helps to manage the potential for disturbance of species in adjacent habitats, and retains the potential to make improvements to stormwater discharges. Setbacks ensure that works in and around water courses and their margins are kept to a minimum to preserve aquatic resources, improve riparian margins, and allow for vegetative buffers.

AESZ-I7 The site is subject to a number of development constraints

The land within the zone site is subject to a number of development constraints. The area is not serviced by suitable infrastructure and the cost of providing it is likely to be high. The land is vulnerable to a number of physical constraints including ponding, flooding, inundation and seismic hazards. Development of the site needs to be consistent with the Council's strategic approach to direct greenfield growth to the hills. The nearby airport has a noise boundary and height controls that need to be recognised.

AESZ-I8 The area, water and its natural resources has associations with Māori

The Ahuriri Estuary Masterplan discusses the Waitangi Tribunal reports and touches on rich historical associations of Māori with the estuary for settlement and food, and for recreation, with an abundance of food sourced from the estuary, and pā sited on the western hills and islands. The cultural interests in the wider area are reflected in the naming of natural features that have been passed on as inter-generational knowledge through oral histories, song and prose. Sites have been attributed to ancestors that give an indication of time ascertained through whakapapa (genealogy), leading to prominent naming of sites by eponymous ancestors such as that of Kahungunu when he travelled through the area circa 1450AD.³

AESZ-I9 There are existing designations for public works and a floodwater ponding area

Parts of this zone are set aside to receive floodwaters from urban areas and for stormwater management. There is an existing Council designation over some of the land for "Drainage Purposes for Stormwater Treatment and Disposal Napier City Council"⁴.

Objectives

³ Ahuriri Estuary and Coastal Edge Masterplan at pages 6 to 9

⁴ Operative Napier City District Plan: Designation D50 G5 3.15.3.2 Drainage Purposes for Stormwater Treatment and Disposal Napier City Council

b.

AESZ-O1: Stormwater collection, storage and treatment

Activities do not compromise the potential to use and develop land for the collection, storage and treatment of stormwater discharges.

Relates to AESZ-I1; AESZ-I3; AESZ-I4; AESZ-I5 and AESZ-I9

AESZ-O2: Cultural connections and ecological values

The cultural connections and ecological values of the Ahuriri estuary, Taipō stream, waterways, city drains and their margins are improved and safeguarded.

Relates to AESZ-I1; AESZ-I2; AESZ-I3; AESZ-I4; AESZ-I6 and AESZ-I8

AESZ-O3: Land use is compatible with the regional airport

Aircraft are able to safely and efficiently approach, land, take-off and depart from the region's airport.

Relates to AESZ-I1 and AESZ-I7

AESZ-O4: Protection of ecological and cultural values

Activities do not conflict with the life-supporting capacity, ecological values, or the recreational and cultural importance of the Ahuriri estuary, Taipō stream, Napier waterways and their margins.

Relates to AESZ-I1; AESZ-I2; AESZ-I3; AESZ-I4; AESZ-I6; and AESZ-I8

AESZ-O5: Cultural associations and values

Cultural practices and associations with the water, estuary and its coastal edge and margins are enabled where that is compatible with water quality and habitat improvements.

Relates to AESZ-I1; AESZ-I2; AESZ-I3; AESZ-I4 and AESZ-I8

AESZ-O6: Avoid inappropriate activities

All use and development responds to the natural, geological and geotechnical constraints, and residential and industrial development is avoided.

Relates to AESZ-I1; AESZ-I5; AESZ-I6; AESZ-I7 and AESZ-I9

b.

AESZ-O7: Reverse sensitivity

The operation and safety of the airport is not compromised by potential reverse sensitivity or physical obstructions.

Relates to AESZ-I1

AESZ-O9: Cumulative Effects⁵

Cumulative effects do not deplete the natural resources, cultural and amenity values, outstanding natural features and waterbodies, significant or special landscapes, or extent of the uplifted seabed.

Relates to AESZ-I2; AESZ-I6; AESZ-I7; AESZ-I8 and AESZ-I9

Policies

AESZ-P1: Improving and protecting estuary values

To ensure use and development is compatible with increasing and protecting the ecosystems and habitats associated with the Taipō stream, Napier waterways, the Ahuriri Estuary and their margins.

Relates to AESZ-O1; AESZ-O2; AESZ-O4; AESZ-O5; AESZ-O6; AESZ-O7; and AESZ-O8

AESZ-P2: Use and development

Use and development is to contribute to improving the values associated with the Taipō stream, urban waterways or the Ahuriri estuary and their margins by:

- a. increasing biodiversity, natural character, mahinga kai and environmental qualities;
- b. retaining or improving ecological corridors between ecosystems;
- c. improving the connectivity between fragmented indigenous habitats
- d. reflecting the historic landscape of the Ahuriri seabed;
- e. providing recognition of traditional connections and features;

⁵ AESZ-I9

- b.
- f. facilitating the ability for the local authority to hold, treat and discharge stormwater from the site
 - g. ensuring activities are compatible with the habitats in the nearby wildlife refuge and the status of land subject to the Conservation and Reserves Acts
 - h. implementing a 200m wide setback line to protect the estuary ecosystem values providing adequate buffering from the water margins, stopbanks and areas of significant indigenous ecosystems and habitats
 - i. avoiding adverse effects on areas that provide seasonal or core habitat for indigenous or migratory species
 - j. protecting the life supporting capacity of indigenous ecosystems and habitats
 - k. protecting and reinstating the ecological functions of riparian margins
 - l. recognising the cultural associations of mana whenua with the site
 - m. Implementing opportunities to remedy or mitigate previous damage to the natural character

Relates to AESZ-O1; AESZ-O2; AESZ-O4; AESZ-O5; AESZ-O6; AESZ-O7; and AESZ-O8

AESZ-P3: Avoid adverse effects on water margins and land with sensitive values

To avoid adverse effects on:

- a. stormwater and waterbodies
- b. the estuary, the coastal marine area and margins of waterbodies
- c. habitats of indigenous species and significant ecological sites
- d. public reserves and recreational areas on adjacent land; and
- e. sensitive land uses such as residential areas.

Relates to AESZ-O1; AESZ-O2; AESZ-O4; AESZ-O5; AESZ-O6; AESZ-O7; and AESZ-O8

AESZ-P4: Public access

Public access does not conflict with the stormwater treatment facilities and wetland or habitats in the Ahuriri Estuary or Taipo stream.

Relates to AESZ-O1; AESZ-O3; AESZ-O4; AESZ-O7 and AESZ-O9

AESZ-P5: Business and service activities

b.

To provide for services in a limited area of buildings in places that are not vulnerable to inundation or seismic events and that:

- a. provide facilities to the public to meet their social, cultural or recreational needs;
- b. are set back at least 200m from the stopbank or margins of the estuary
- c. are of a scale that is related to the sensitivity and vulnerability of the Ahuriri Estuary and its margins
- d. are compatible with a conservation, open space setting and public access for recreation and cultural uses .
- e. will not result in land use or development of a nature, scale or intensity that is out of keeping with the future use of the area for stormwater collection and treatment
- f. will not affect the consolidated urban form of the CBD and suburban retail and commercial centres
- g. are connected to Council water, stormwater and wastewater infrastructure

Relates to AESZ-O1; AESZ-O2; AESZ-O3; AESZ-O5; AESZ-O6; AESZ-O7; AESZ-O8; and AESZ-O9

AESZ–P6: Use and development

To identify and implement opportunities for restoration or rehabilitation of the cultural and ecological values of the estuary as part of any development or changes in land use.

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

AESZ–P7: Compatible activities

To enable activities that contribute to:

- a. the expansion of the Ahuriri estuary saltmarsh ecosystem and estuary restoration,
- b. flood retention and the storage, treatment and disposal of stormwater
- c. reinstatement, restoration and protection of ecological corridors and habitats for indigenous and migratory species
- d. activities that protect the significant values and water quality of the Inner Harbour and Ahuriri Estuary, and
- e. the protection of the significant values and water quality of Taipō stream, the Inner Harbour and Ahuriri Estuary

b.

Relates to AESZ-O1; AESZ-O2; AESZ-O3; AESZ-O4; AESZ-O5; AESZ-O6; AESZ-O7; AESZ-O8; and AESZ-O9

AESZ-P8: Stormwater retention capacity

To ensure that use and development does not reduce the stormwater retention capacity of land in the zone, while keeping earthworks and land contouring to a minimum.

Relates to AESZ-O1; AESZ-O2; AESZ-O4; AESZ-O5; and AESZ-O9

AESZ-P9: Stormwater retention and treatment

To enable flood retention and the storage, treatment and disposal of stormwater that improve the water quality of discharges to the Ahuriri Estuary.

Relates to AESZ-O1; AESZ-O2; AESZ-O4; AESZ-O5; and AESZ-O9

AESZ-P10: Adverse effects on the values of water

In determining whether any activity or effects are inappropriate, particular regard shall be given to the potential for detrimental effects on stormwater treatment wetlands, the Ahuriri estuary, inner harbour, coastal water, waterways, Taipō stream and their margins.

Relates to AESZ-O1; AESZ-O2; AESZ-O4; AESZ-O5; AESZ-O6; AESZ-O7; AESZ-O8; and AESZ-O9

AESZ-P11: Education and recreational activities

To ensure that educational, cultural and passive recreational activities complement the water quality improvements, and are compatible with increased biodiversity, by:

- a. ensuring activities only occur in areas that will not disturb habitats of indigenous or migratory species, and
- b. only restricting access to water bodies where necessary to manage the stormwater improvements

Relates to AESZ-O1; AESZ-O2; AESZ-O3; AESZ-O4; AESZ-O5; AESZ-O6; AESZ-O7; AESZ-O8; and AESZ-O9

AESZ-P12: Inappropriate activities

Activities that use hazardous substances generate industrial waste, trade waste and potentially contaminated stormwater are inappropriate within the zone.

Relates to AESZ-O1; AESZ-O2; AESZ-O3; AESZ-O4; AESZ-O5; AESZ-O6; AESZ-O7; AESZ-O8; and AESZ-O9

b.

AESZ-P13: Reverse sensitivity

The safety and operational requirements of the regional airport are not compromised by use and development located on adjacent land.

Relates to AESZ-O1; AESZ-O8; and AESZ-O9

AESZ-P14: Incompatible activities

To avoid use and development that is incompatible with cultural or ecological values by:

- a. locating buildings, facilities and structures (not including discharge pipes) more than 200m from the margins of the estuary and Taipō stream,
- b. preventing activities that discharge contaminants or waste or require a connection to council water and waste infrastructure
- c. preventing activities that are not compatible with the long term protection and restoration of the estuary, its tributaries and their margins.
- d. managing land uses that reduce water quality, or increase the amount and rate of contaminants in runoff entering the Ahuriri Estuary
- e. controlling earthworks and the removal of vegetation in and around the estuary, open drains and watercourses to preserve riparian and aquatic resources.
- f. ensuring impervious areas are kept to the smallest area possible; and
- g. maximising infiltration, storage and detention of runoff from surfaces and buildings prior to entering waterbodies

Relates to AESZ-O1; AESZ-O2; AESZ-O3; AESZ-O4; AESZ-O5; AESZ-O6; AESZ-O7; AESZ-O8; and AESZ-O9

AESZ-P15: Conflicts between natural and recreational values

To manage potential conflicts between natural and recreational values of the adjacent estuary by restricting access and activities to areas that remove the potential to damage or disturb nesting, breeding and feeding areas.

Relates to AESZ-O1; AESZ-O2; AESZ-O4; AESZ-O5; AESZ-O6; AESZ-O7; AESZ-O8; and AESZ-O9

AESZ-P16: Cultural values

The cultural values of mana whenua are recognised and supported through:

- a. connecting people with the estuary and its coastal edge and margins where that does not conflict with habitats of indigenous or migratory species

b.

- b. strengthening the life supporting capacity of the ecosystem,
- c. making improvements to reinstate the mauri of the area,
- d. recognising and providing for the exercise of kaitiakitanga,
- e. the use of indigenous species in landscaping,
- f. improved stormwater treatment and management,
- g. the use of [low impact urban design](#)⁶ methods and principles,
- h. consultation and consistency with the cultural values, and
- i. the reinstatement of indigenous species and habitats.

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

AESZ-P17: Cumulative Effects

To ensure that the cumulative adverse effects of subdivision, use and development of land deplete the versatility and productivity of the soil resource and on rural resources, natural resources, outstanding natural features, and significant landscapes are recognised, and avoided, remedied or mitigated.

Relates to AESZ-O9

AESZ-P18: Promote the maintenance, protection and restoration of the Ahuriri Estuary and its margins

Council will work with mana whenua, people and organisations to identify the measures to:

- a. to reinstate hydrological and ecological systems;
- b. increase areas of indigenous vegetation; and
- c. identify the measures that will be used to maintain, protect and restore indigenous biodiversity

Relates to AESZ-O2; AESZ-O4; AESZ-O5 and AESZ-O9

Rule Overview Table

⁶ Low Impact Urban Design and Development: the big picture: An introduction to the LIUDD principles and methods framework Marjorie van Roon and Henri van Roon University of Auckland Landcare Research Science Series No. 37
https://www.landcareresearch.co.nz/publications/researchpubs/Science_Rep_LIUDD_optimised.pdf

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Activities / use	Rule Number
Planting, plant maintenance, pest and noxious plant control, habitat restoration and conservation activities	AESZ-R1
Growing and supplying native species of plants	AESZ-R2
Activities associated with stormwater collection, treatment and disposal	AESZ-R3
Businesses associated with cultural practices and mahinga kai	AESZ-R4
Business premises for the sale of food and drink	AESZ-R5
Activities not otherwise provided for	AESZ-R6
Any activity requiring a resource consent from the Regional Council for a discharge to water, land or air.	AESZ-R7
Residential and Industrial activities	AESZ-R8

Ahuriri Estuary Ecology and Stormwater Zone - Activity Table

All discharges are subject to the Hawke’s Bay Regional Resource Management Plan and may require an approved resource consent from the Hawkes Bay Regional Council.

A lease or licence to occupy the land may also be required from the Napier City Council. The issuing of a lease or licence does not remove the need to obtain a resource consent under the district plan rules

The Council’s Significance and Engagement Policy under the Local Government Act may apply to a lease or licence

District-wide rules apply in addition to the activities below. The permitted activity standards apply to all activities

AESZ -R1 Planting, plant maintenance, pest and noxious plant control, habitat restoration, and conservation activities	
Activity Status: Permitted	Activity Status where activity conditions are not met:

b.

<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the district plan standards 2. The activity is consistent with an approved planting plan; or a management plan prepared under the Reserves Act or Conservation Act 1987 	<p>Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Timing and location of the activity 2. Planting or landscaping plan 3. Effects on airport safety 4. Pest management planning
<p>AESZ –R2 Growing and supplying native species of plants</p>	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the district plan standards 2. The plants and seeds collected, propagated and provided for sale and distribution are native species with a priority on supplying plants and seeds eco-sourced from the area 	<p>Activity Status where activity conditions are not met:</p> <p>Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on water quality discharging to the estuary 2. The effects on the ecology of the Ahuriri Estuary. 3. The potential to limit future restoration of the Ahuriri Estuary 4. The effects on the natural character of the area. 5. The effects on the maintenance, use and development of a watercourse or open drain. 6. The location of any buildings or structures on the site 7. Areas of impervious surfaces 8. Storage of hazardous substances 9. Layout and design of vehicle parking, access and manoeuvring areas.

b.

	<p>10. The effects on traffic safety.</p> <p>11. The design and appearance of the building(s).</p> <p>12. Hours of operation</p> <p>13. Effects on amenity values</p> <p>14. Public access</p>
<p>AESZ –R3 Activities associated with stormwater collection, treatment and disposal</p>	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the district plan standards 2. The treatment of the stormwater is in accordance with an approved stormwater discharge consent 3. The activity does not reduce the storage capacity 	<p>Activity Status where activity conditions are not met:</p> <p>Discretionary</p>
<p>AESZ–R4 Business activities associated with cultural practices and mahinga kai</p>	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 4. The activity complies with all of the district plan standards 5. All discharges are in accordance with an approved discharge consent 6. The activity does not reduce the storage capacity 	<p>Activity Status where activity conditions are not met:</p> <p>Discretionary</p>

b.

AESZ-R5 Business premises for the sale of food and drink	
<p>Activity Status: Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the District Plan Standard that is breached 2. The effects on the hydrological and ecological values of the Ahuriri Estuary, any watercourse or open drain. 3. The effects on the natural character of the area. 4. The effects on recreational, amenity and landscape values. 5. The location of and provision of public access and effects on traffic and pedestrian safety. 6. The potential to limit the future restoration of the Estuary 7. The potential to limit the storage and treatment capacity of the stormwater system 8. The effects on the safe and efficient operation of the airport. 9. The effects on the development of the airport 10. The location, design and appearance of a building or structure 11. Layout, location and design of vehicle parking, access and manoeuvring areas. 12. Hours of operation 	<p>Activity Status where activity conditions are not met: Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all standards except the development setbacks, yards, height, or height in relation to boundary standards and the activity standards that apply to activities on the surface of water in Chapter xx 2. The activity does not have potential to limit the storage and treatment capacity of the stormwater system 3. The premises is connected to council water supply, stormwater and wastewater infrastructure 4. There are no more than two similar operations

b.

<p>13. Impervious surfaces and building coverage</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. A lease or licence to occupy has been granted by Napier City Council 2. There are no adverse effects on: <ol style="list-style-type: none"> a. the hydrological and ecological values of the Ahuriri Estuary, or any watercourse or open drain b. existing recreational activities, amenity or landscape values. c. the safe and efficient operation of the airport. 3. The premises is connected to council water supply, stormwater and wastewater infrastructure 4. The Gross Floor Area of any building is less than 80m² 5. The activity complies with all of the district plan standards 	
<p>AESZ-R6 Activities not otherwise provided for</p>	
<p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Standards 2. Public access is provided to Taipō stream and the Ahuriri Estuary away from significant habitats 	<p>Activity Status where activity conditions are not met: Non-complying</p>

b.

<p>3. The activity is not a multi-unit, Residential or Industrial activity</p> <p>4. The treatment and discharge of any wastewater or stormwater is in accordance with a Stormwater Management Plan and approved resource consent</p>	
<p>AESZ-R7 Any activity requiring a resource consent from the Regional Council for a discharge to water, land or air.</p>	
<p>Activity Status: Non-complying</p>	
<p>AESZ-R8 Residential and Industrial activities</p>	
<p>Activity Status: Prohibited⁷</p>	

Ahuriri Estuary Ecology and Stormwater Zone - Standards Table

All activities must comply with all of the following permitted activity standards set out below:

<p>AESZ-S1 Development setback</p>		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary;</i></p>	<ol style="list-style-type: none"> 1. No development is permitted within 200 metres of the boundary with the Ahuriri Estuary, and land administered under the Conservation Act 1987, or the landward toe of any stopbank. 2. No development is permitted within 50 metres of the airport noise control boundary. 	<p>Activity Status where activity conditions are not met: Discretionary</p>

⁷ From Rule 43.8 and Rule 27.8

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<p><i>and to protect water quality</i></p>		
<p>AESZ-S2 Yards</p>		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<p>1. Front Yards</p> <ul style="list-style-type: none"> a. No part of a building (including eaves and guttering) is closer than 6 metres to the road boundary. b. A minimum of a 3 metre wide area planted with native species is provided adjacent to the boundaries of roads <p>2. Other Yards</p> <ul style="list-style-type: none"> a. No part of a building (including eaves and guttering), fence or permanently fixed structure is closer than 200 metres of the top of the bank of any watercourse or open drain. b. No part of a building (including eaves and guttering) is closer than 6 metres from the boundary of any land with a different zone c. A minimum of a 2 metre wide area planted with native species is provided within this yard parallel to the zone boundary. 	<p>Activity Status where activity conditions are not met: Discretionary</p>

b.

AESZ-S3 Height		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<ol style="list-style-type: none"> 1. No part of a building or structure exceeds the Airport Height Control Designation in Appendix x. 2. No part of a building or structure exceeds 4.5m in height⁸ 	<p>Activity Status where activity conditions are not met: Discretionary</p>
AESZ-S5 Height in relation to boundary		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<ol style="list-style-type: none"> 3. No part of a building or structure exceeds the Airport Height Control Designation in Appendix x. 4. No part of a building or structure projects beyond a building envelope constructed by drawing planes along all site boundaries. The planes must commence 2.0 metres above ground level at the site boundary and must be inclined at an angle of 45 degrees to the horizontal. 5. Where the site abuts an entrance strip or access the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of 	<p>Activity Status where activity conditions are not met: Discretionary</p>

⁸ Estuary zone

b.

	applying the height in relation to boundary condition.	
AESZ-S6 Building materials and roof surfaces		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<p>1. All new roof surfaces are to be constructed from inert materials or painted with non-metal based paint and thereafter maintained in good order.</p> <p>Note: All on-site stormwater discharges are regulated by the Hawke’s Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke’s Bay Regional Council for advice.</p>	<p>Activity Status where activity conditions are not met: Discretionary</p>
AESZ-S7 Landscaped area		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<p>1. A minimum two metre wide planted area must be provided adjacent to all buildings⁹.</p> <p>2. A landscape planting and maintenance plan must be consistent with the reinstatement of the indigenous species and habitats of the estuary and reflects the context of the area.</p> <p>3. No part of a tree (including when fully mature) exceeds the Airport Height Control Designation in Appendix x</p>	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. Consistency with the reinstatement of values and protection of the Ahuriri Estuary and its margins</p>

⁹ Estuary zone

b.

		<ol style="list-style-type: none"> 2. The effects on the open space and conservation activities. 3. The effects on the shading of adjacent sites. 4. The effects on the visual amenity of the area. 5. The effects on people's health and safety. 6. The nature and quantity of the material to be stored. 7. The method of disposal of both the solid material and/or liquid leachate. 8. The methods to be employed to avoid accidental discharges to ground. 9. The effects on the quality, maintenance, use and protection of the estuary, watercourse or open drain
<p>AESZ-S8 Building Coverage</p>		

b.

<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Visual amenity; Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<p>1. Total building coverage on the site does not exceed 1000m² ¹⁰</p>	<p>Activity Status where activity conditions are not met: Discretionary</p>
<p>AESZ-S11 Aerials, Lines and Support Structures</p>		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<p>1. Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix x, except in a Surface Penetration Area the maximum height shall be 8m.</p> <p>2. Aerials, lines and/or support structures must not exceed 12 metres in height¹¹.</p> <p>3. Dish antenna must not exceed 1.2 metres in diameter.</p> <p>4. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions:</p>	<p>Activity Status where activity conditions are not met: Discretionary</p>

¹⁰ Operative DP – rural conservation zone 37.16

¹¹ Estuary zone

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	<p>5. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction.</p> <p>6. There is no more than one structure on the site.</p> <p>7. The aerial, line and/or support structure must comply with the conditions relating to development setbacks, yards and height.</p>	
AESZ-S12 Stormwater retention and treatment facilities		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<p>1. The treatment of the stormwater is to be in accordance with an approved stormwater discharge consent</p>	<p>Activity Status where activity conditions are not met: Prohibited</p>

Assessment criteria

1. When considering an application and whether or not it can be granted, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

a.

AESZ-AC3 General

- a. The implementation of the relevant Objectives and Policies of the district plan; including the District Wide Chapter and this Chapter, the purpose of the rule, and whether an

b.

infringement will more effectively achieve the objectives and policies having regard to the specific characteristics and context of the site

b. Whether the site or the development has any special or unusual characteristics; including, but not limited to, those listed below:

- i. Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood retention capacity or susceptibility to natural hazards;
- ii. Particular site development characteristics: including the location of existing buildings or their internal layout, unusual use or location of buildings achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of public space, achievement of a better relationship between the site and the Ahuriri Estuary
- iii. Unusual environmental circumstances: including proximity to an outstanding waterbody, the wildlife reserve or any significant natural areas or habitats

c. Whether or not the use of the permitted baseline test is appropriate and will ensure RMA Part 2, and the objectives, policies and purpose of the rule will be achieved

d. Where more than one standard will be infringed, the cumulative effects of all infringements considered together

b. AESZ-AC4 Consistency with the improvement of ecological values and protection of the Estuary and its margins

a. Whether the activity promotes the conservation of the values of the estuarine environment

b. Whether the activity reflects cultural associations with the wider area

c. Whether the activity may have an adverse effect on any sites of significance to Māori, cultural values or heritage values

d. The extent to which the activity reduces or improves the ecosystem functioning, cultural or ecological values within the site and the surrounding area.

e. Whether the activity is compatible with, or may have adverse effects on the water quality or aquatic habitats in any watercourse, open drain, Ahuriri Estuary or any other waterbody.

f. Whether there are any actual or potential positive or adverse effects on indigenous flora and fauna, their habitats or other conservation values within the site or on the surrounding area.

g. Whether the land use will have any adverse effects on outstanding natural features, outstanding waterbodies and the tributaries, significant landscapes, character and amenity.

h. The extent to which public access and recreation opportunities are located away from sensitive habitats or other conservation values

b.

- i. Whether the activity contributes to the outcomes and vision of the Ahuriri Estuary and Coastal Edge Masterplan 2018.

c. AESZ-AC5 stormwater retention capacity and treatment

- a. Whether the nature, scale and intensity of the use is compatible with stormwater retention and treatment, and the surrounding environment.
- b. The extent to which the activity implements an approved stormwater discharge consent
- c. The extent to which the activity provides for stormwater retention and treatment, and retains storage capacity for a 50 year event
- d. Whether the activity has the potential to exacerbate flood risk, or to have beneficial effects for the Ahuriri Estuary or are consistent with protecting the ecological health of the estuary, water bodies or open drains from contaminants.
- e. Whether the volume of water, or rate and composition of discharges may have adverse effects on the Council's reticulated tradewaste, wastewater and stormwater network infrastructure; or on the Ahuriri Estuary, Inner Harbour, open drain, or any water body.

d. AESZ-AC6 Effects on Physical Environment

- a. Whether the activity would produce any physical effects that have the potential to impact on the ecology of the Ahuriri Estuary or inner harbour.
- b. The degree to which any mitigation deals with potential effects from natural hazards of a low probability, but high potential impact.
- c. Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.

e. AESZ-AC7 Setback distances

- a. The location of the land use in relation to the nearest open drain, waterbody or the coastal marine area and the extent to which the proposal may compromise or facilitate the future reinstatement and restoration of the Ahuriri Estuary.
- b. The extent to which a reduced set back or separation distance would protect, maintain or enhance biological diversity, ecosystem functioning, or any recreational, cultural or ecological values of the Ahuriri Estuary or Inner Harbour.
- c. The extent to which the nature, scale and location of the land use could produce adverse or positive effects on the habitats, biological diversity, ecosystem functioning or aquatic life of the Ahuriri Estuary.
- d. Whether the stability of water body banks and adjacent land is maintained and sedimentation and erosion reduced; and access for the planting and maintenance of open drains, water bodies and coastal margins is enabled.
- e. Whether the development will ensure that the ability of water body margins, channels or ponding areas to store and/or convey surface water safely and efficiently is not impeded
- f. Whether there is potential to exacerbate adverse effects from flood events

- b.
 - g. The extent to which access for maintenance is enabled
 - h. Whether the ability of water body margins, channels or ponding areas to store and/or convey surface water safely and efficiently is impeded
- f. AESZ-A8 Conflicting development*
- a. Whether the works and activities are inconsistent with the Council's designation for drainage and stormwater treatment and disposal, or could reduce the capacity for floodwater retention.
 - b. Whether or not the proposal complies with any structure plan or infrastructure service standards.
 - c. The extent to which the land use has potential for positive or adverse effects on human health and safety
 - d. Whether the development is serviced by a connection to reticulated water, wastewater and stormwater infrastructure with sufficient capacity to ensure untreated discharges to the estuary are avoided.
 - e. Whether the activity is an industrial or residential activity, or includes elements of those activities
 - f. Whether the land use involves the manufacturing, storage or use of materials that could have an adverse environmental effect
 - g. Whether the pre-treatment methods and mitigation measures will avoid or reduce existing levels of contamination of water.
- g. AESZ-AC9 Vehicle parking and safe cycle and pedestrian access*
- a. The extent to which stormwater runoff from any roof, paved or impervious surfaces is pre-treated and mitigation measures will prevent pollutants entering networks, the Ahuriri Estuary and any waterbodies.
 - b. Whether the land use will adverse effects on vehicular or pedestrian safety
 - c. Whether the proposed access routes to any buildings or structures may have effects on the ecology, or pedestrian and vehicle safety
- h. AESZ-AC10 Cumulative Effects*
- a. Whether the land use may generate cumulative adverse effects on habitats of indigenous or migratory species at adjacent sites, or the Ahuriri Estuary or surrounding area.
- i. AESZ-AC11 Air Traffic Safety and Reverse Sensitivities*
- a. Whether the proposed land use will have an adverse actual or potential effect on the safety, efficiency and operations (including landings and take-offs) of the Hawke's Bay Airport.
 - b. Whether in the nature, size and scale of the development may lead to potential conflict with airport activities; or constrain the way in which the Airport operates.

b.

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Map changes

Include operative District Plan Business Park Zone into the Ahuriri Estuary special zone

