

Chapter 51A DEFERRED AIRPORT ZONE – RULES**51A.1 INTRODUCTION**

This chapter contains rules for managing land uses in the Deferred Airport Zone. The boundaries of this zone are shown on the planning maps.

The land underlying the Deferred Airport Zone (excluding the residential property at 55 Watchman Road) is subject to a “land swap” proposal between the current landowners Landcorp Farming Ltd, and the Hawke’s Bay Airport Authority (HBAA) to enable HBAA to acquire the land for future airport development.

The land swap proposal however, has yet to be concluded due to an unsettled Treaty of Waitangi claim (Wai 55) over Te Whanganui-a-Orotu (the Ahuriri Lagoon) that includes the land underlying the Deferred Airport Zone and the existing Airport Zone. Negotiations between the Crown and claimants are continuing with a view to reaching a final settlement. The ownership of the Landcorp block and the ownership structure of the Hawke’s Bay Airport Authority are subject to the negotiations and may form part of the final settlement. Accordingly the land transfer cannot be concluded until such time as the final ownership of the land is finalised. It also assumes that any eventual owner of the land other than Landcorp agrees to make the land available to HBAA for airport related and ancillary purposes.

The Napier City Council considers that the land should be available for airport purposes (with the agreement of the owners) to enable the ongoing operation, maintenance, and development of the Hawke’s Bay Airport currently located to the north of the land. In particular the land is required to allow for further extensions to the airports primary runway 16-34 to meet the operational requirements of future aircraft types using the airport, and to provide land for associated taxiways, airport approach lights, and navigational aids.

Restricting land use activities to the uses provided for under the Airport Zone may restrict the ability of Landcorp or any eventual owner under the Wai 55 settlement to utilise the land in the manner it is currently being used for (i.e. for rural land uses).

For these reasons, it is the Council’s intention to identify the area for future airport expansion, but to defer any development until such time that the land ownership of the Landcorp block is finalised following settlement of the Treaty of Waitangi (Wai 55) claim on the land, and/or the land is transferred into the ownership of the Hawke’s Bay Airport Authority (HBAA) or any successors of the HBAA or a long term lease entered into with the owners of the land which allows its use for airport related and ancillary land uses. In the meantime, the provisions of the Rural Conservation Zone will apply to the deferred zoning until which time any land transfer is concluded.

51A.2 RULES

1. The following rules apply throughout the Deferred Airport Zone unless otherwise stated.
2. The rules of the Rural Conservation Zone (Chapter 37) will apply until such time that the land is transferred to the Hawke’s Bay Airport Authority (HBAA) or any successor in title, or a lease agreement of not less than 35 years for lease of the land by the Hawke’s Bay Airport Authority (HBAA) or any successor in title is signed, and the Council has resolved that deferred zoning ceases to apply. After the resolution, the full provisions of the Airport Zone (Chapter 51) will apply.

NOTE: For the purposes of this rule, a copy of the new certificate of title confirming the ownership of the land by the HBAA, or a copy of a signed lease agreement for the land must be supplied prior to Council resolving that airport development may proceed.