

PLAN CHANGE 12: MISSION SPECIAL CHARACTER ZONE

Operative City of Napier District Plan

S42A Hearing Report

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1. Introduction

- 1.1 This report has been prepared under section 42A of the Resource Management Act 1991 (RMA). It discusses the various issues raised by submissions and makes recommendations in relation to these issues in order to assist the Commissioners in drafting the Council's decision.
- 1.2 Although this report is intended as a stand-alone document, you are also advised to read the Section 32 report and associated documentation available on the Council's [website](#)
- 1.3 My name is Kim Anstey and I'm employed as a Policy Planner at Napier City Council. I have held this position since August 2016. I hold a Bachelor of Arts (Environmental Studies) and a Master of Arts (Sociology) from Massey University.
- 1.4 Along with contextual information and other factual matters, this report includes my professional views and recommendations to accept or reject points made in submissions on Plan Change 12. These views and recommendations are my own, except where I indicate otherwise.

2. Background

- 2.1 The proposed notified plan change seeks to include a new Mission Special Character Zone (MSCZ) to replace the Western Hills Residential Zone and an adjacent portion of the Rural Residential zone in the Operative City of Napier District Plan.
- 2.2 The plan change was initially prepared as a private plan change by the land owner Mission Holdings (Greenmeadows) Ltd (MHL). On lodgement of the plan change, Council was required to consider the plan change request under Part 2 of the first schedule of the RMA. At a Council meeting on 20 December 2017, Council approved the officers recommendation that the plan change be adopted and processed as a Council plan change for the following reasons:
- That the Plan Change has significant public good elements such as the protection of the visual amenity of the Mission landscape as a backdrop to the city;
 - The development of a public walkway network that links with other existing Napier City walkways on the Western Hills;
 - The opportunity to provide a different style of significant residential development in an area free from the risks of known natural hazards;
 - There is sufficient information to proceed to publicly notify the plan change;
 - There are no reasonable grounds on which to reject the request;
 - The Plan Change request addresses valid resource management issues;
 - It is not appropriate for the request to be dealt with as a resource consent application; and
 - The merits of the Plan Change will be examined following submissions through the hearing process.

3. Site Description

- 3.1 The land subject to the Plan Change is owned by Marist Holdings (Greenmeadows) Limited (MHL) and comprises the Mission Estate Winery and associated vineyard, a range of buildings on the lower slopes and areas of farmland and forestry.



Figure 1. Proposed Mission Special Character Zone Boundaries

- 3.2 The total area of the property is 288.6ha and the Mission Special Character Zone is proposed over the whole property. The property is currently under a mixture of zonings in the Operative City of Napier District Plan, being the Western Hills Residential Zone (51ha), the Rural Residential Zone (207ha) and the Main Rural Zone (31ha).

4. Summary of Plan Change 12

- 4.1 The residential development opportunity provided by the current Western Hills Residential Zone in the District Plan (all of which is within the MHL property) is considered by Council and the landowner to be suboptimal in terms of the character and amenity that would result from its development and in regard to market expectations. Therefore, following a reassessment of the opportunities for the site, a new 'special character zone' has been proposed for the whole property.
- 4.2 Development objectives for the proposed future of the MHL land have been formulated in consultation with Napier City Council. These development objectives are to:

- Protect the visual amenity value of this landscape as a backdrop to Taradale and the City of Napier and in particular the integrity of the skyline;
 - Provide connectivity as a walkway link across the Western Hills;
 - Provide connectivity as part of an ecological corridor within the City Reserves Network; and
 - Provide a different style of residential opportunity in Napier.
- 4.3 The intent of the proposed zone is to retain the productive flat and versatile land for agriculture, horticulture and viticulture and to ensure that the subdivision, use and development of the remainder of the property is undertaken in such a way as to maintain and enhance the character of the landscape. The proposed zone is to be divided into precincts based on land use capabilities and landscape character protection principles.
- 4.4 The proposed '*residential precinct*' includes the existing Western Hills Residential Zone and part of the existing Rural Residential Zone. The intent of the proposed residential precinct is to enable the establishment of a new community with a more distinctive character than currently provided for in the Western Hills Residential zoning. It is designed to have a character reflective of the heritage and landscape setting of Mission Estate and drawing on historical cues from Napier Hill. It is also designed to respond to the natural topography, including a low impact stormwater system and an extensive open space network utilising the gullies and valleys. The precinct will also provide for a variety of section sizes and housing types, and have a distinctive street layout in response to topography.
- 4.5 The proposed '*landscape and visitor precinct*' includes the existing hub of Mission Estate in the Grande Maison building and other buildings and facilities, including the concert venue. It also includes the backdrop hills framing the Mission landscape as viewed from Church Road.
- 4.6 This precinct is proposed to accommodate and provide for the existing hospitality activities of the Mission Estate. In protecting and enhancing the landscape values, the steep eastern hillside is to be planted as woodland, including deciduous and evergreen trees. In the long term, individual trees on the lower slopes may be selectively harvested for timber and replanted. However, the trees on the upper slopes will be retained permanently to ensure the skyline of the landscape as viewed from Church Rd is enhanced by vegetation that also screens any visibility of buildings within the residential precinct on the hill tops.
- 4.7 Walkways are also proposed for the landscape and visitor precinct connecting with the Napier City walkway network at either end of the property; walking access to the Grande Maison and to the proposed hill top reserve; and the walkway and street network proposed within the residential precinct.
- 4.8 The landscape and visitor precinct also provides opportunity through the resource consent process for the development of a boutique hotel (via the redevelopment of the accommodation buildings used by the former seminary), and discretely located and designed individual accommodation buildings termed 'Art Cabins'. These Art Cabins are

proposed to be separately located within or adjacent to the proposed woodland on the lower slopes of the hill within the area identified on the proposed structure plan map.

- 4.9 The other two precincts proposed are the '*productive rural*' and '*rural residential*' precincts, which will be reflective of the existing Main Rural and Rural Residential zones respectively, with specific modifications appropriate to their setting within the wider Mission landscape.
- 4.10 The Mission Special Character Zone Structure Plan Overall Map shows key features including: land use precincts within the Zone, indicative reserve areas, stormwater infrastructure, indicative road layout, indicative off-road public path routes, areas of proposed revegetation, notable existing buildings and structures, and areas to which specific planning provisions relate.
- 4.11 It is proposed that a Mission Special Character Zone Structure Plan be added to the District Plan as Appendix 26, which would replace the existing Western Hills Residential Zone Concept Plan. A separately proposed Appendix 26A sets out the Mission Special Character Zone Structure Plan Design Outcomes which are cross referenced in the proposed District Plan rules relating to the Mission Special Character Zone.
- 4.12 The design outcomes are intended to provide a written explanation of what is sought by components of the Structure Plan Map as well as providing an 'assessment criteria' function for the assessment of subdivision and land use applications within the Mission Special Character Zone.
- 4.13 The overall intent of the proposed zone is to retain the productive flat and versatile land for agriculture, horticulture and viticulture and to ensure that the subdivision, use and development of the remainder of the property is undertaken in such a way as to maintain and enhance the character of the landscape.

5. Submissions

- 5.1 The plan change was publically notified on 7 Feb 2018 and with the period for submissions closing on 9 March 2018. A total of 19 submissions were received during this time. The period for further submissions ran from 2 - 16 May 2018 and 4 further submissions were received during this time. This report deals with the submissions by topic with specific submission points identified and addressed where appropriate.
- 5.2 The following section of the report provides a summary detail of each submission point and any further submission points sorted by topic. My analysis is then provided with a recommendation on each submission/point raised with a reason for the recommendation provided.
- 5.3 In order for this Section 42A report to provide informed recommendations in relation to the points raised in submissions, further transportation and traffic advice has been obtained from Council's Team Leader Transportation, Robin Malley. This statement is attached as Appendix B.

6. Visual Amenity

Submitter	Plan Provision(s)
2. Anthony Kite, 3. Murray Arnold 6. Tony Brightwell, 7. Merv McNatty,	Appendix 26B-1 Structure Plan
	Design Outcome 1, 5, 7, 11, 16 and 20
	Residential Precinct Rules
Summary of Submission Points	
<p>2.2 Suggests the location of the bridle path and green screen are adjusted to take into account any road improvement changes</p> <p>2.3 Suggests planting of the green screening belt (Puketitiri Road buffer strip) occurs prior to the commencement of the subdivision</p> <p>2.4 Suggests that the area of development adjacent to the Puketitiri Rd contain a larger minimum lot size as per the Western Hills Residential Zone – 1500m²</p> <p>3.1 Suggests that the southern revegetation belt on the boundary between the residential precinct and the rural residential precinct be a minimum of 20m wide and included in the 'indicative open space including reserve areas' to be vested in Council to ensure retention and protection of this area on an ongoing basis.</p> <p>3.2 Suggests specific assessment criteria for the establishment and ongoing maintenance of the revegetation belt is achieved through strengthening of Design Outcome 20.</p> <p>6.1 Concerned about residential houses being viewed from Church Road and impact this will have on property values. Suggests reconsideration of zoning to a large zone in the immediate area surrounding the Mission Estate, 200-300m from the Grande Maison Building</p> <p>7.1 Suggests the plan change consider the number, density and location of buildings/platforms to retain and protect adequate rural amenity value in terms of adverse visual, noise, landscape and environmental effects on neighbouring properties zoned as rural.</p> <p>7.2 Suggests a 5 metre vegetation strip (ideally native) planted along the boundary of neighbouring properties zoned rural, in particular 266 Puketapu Road.</p> <p>7.3 Requests development is adequately mitigated through the use of vegetation and recessive building materials and colours.</p> <p>7.4 Suggests that the developer incorporates native plantings wherever possible to support wildlife.</p>	
Further Submitter	
X2 MHL Holdings	
<p>2.4 There is no justification for the requested larger lot sizes adjacent to Puketitiri Road with the mitigation provided by the Buffer Reserve (as identified on the Structure Plan map and as</p>	

specified in Design Outcome 11), therefore the submitters concerns are mitigated by the Structure Plan and Plan Change as it stands.

3.1 Structure Plan Design Outcomes 1 and 20 in combination require that the components of the green network shown in the structure plan will have been planted, including a 20m wide band of vegetation on the southern side of the residential precinct that would be enforced by subdivision consent conditions.

6.1 Plan Change 12 includes substantial planting of the eastern hill face to screen any view of the development from Church Road and therefore mitigates the visual effects that the submitter is concerned about.

7.1 Plan Change 12 does not include a change in planning status to the land adjoining the submitters boundary, it is currently zoned Rural Residential and is now proposed as Rural Residential Precinct within the Mission Special Character Zone. Any subdivision of that area will be subject to the relevant district plan provisions including the Structure Plan Design Outcomes. The suggested amendment to Design Outcome 1 in response to submission 3 would also be beneficial in addressing the concerns of this submitter.

Analysis

Submission Point 2.2 Anthony Kite - Road widening and its effect on the bridle path

6.1 During the development of the plan change, Council signalled their plan to upgrade Puketitiri Road. This resulted in the following statement within the Structure Plan Design Outcome 11:

If land within the zone is required to be purchased for the upgrading of Puketitiri Road the internal reserve boundary is to be moved to maintain the reserves proposed width and purpose.

6.2 Improvement road works on Puketitiri Road, including realignment and widening, have been included in the first four years of Councils 2018-2025 Long Term Plan (See expert evidence in Appendix B). Communication between the developer and Councils Transportation Team on the status of the roading upgrade at the time of subdivision will ensure the scheme plan design takes the road widening into account. This will ensure the reserve's proposed width and purpose is maintained.

Submission Point 2.3 Anthony Kite - Timing of the planting of the green screening belt (Puketitiri Bridle Path Reserve)

6.3 The Structure Plan Design Outcome 1 *Green Network and Reserves* and Design Outcome 11 *Puketitiri Road Buffer Strip*, provide Council with the means to stipulate consent conditions for the timing of landscaping within the reserves to be vested. Subdivision consent conditions will be in accordance with both the design outcomes and the landscaping and reserve requirements in the NCC Code of Practice for Subdivision and Land Development.

- 6.4 This provides Council with the mechanism to ensure the Puketitiri Bridle Path Reserve is planted prior to the commencement of housing construction e.g. through a subdivision consent condition requiring planting to be undertaken prior to the issue of s224(c) certification. In addition, the northern end of the Mission Special Character Zone adjacent to Puketitiri Road has been identified for the final stages of development. This allows for sufficient time for planting to establish prior to the construction of houses. The provision of the buffer is further supported by the following policy for the Residential precinct:

51b.4.2 f) Ensure the provision of a buffer of landscaped open space fronting Puketitiri Road and the Zone boundary to the west so as to reduce off site visual impacts and reverse sensitivity effects.

Submission point 2.4 Anthony Kite – Lot Sizes

- 6.5 This submission suggests that the larger lots sizes (1500m²) on the periphery of the existing Western Hills Residential Zone should remain as a means to mitigate amenity effects on adjacent properties on the opposite side of Puketitiri Road. The creation and maintenance of visual amenity values is addressed in Section 5 of the Urban Design, Landscape and Recreation Assessment (Appendix A of the Plan Change documents).
- 6.6 As identified in the report, amenity values in this vicinity will be maintained by a reserve strip and bridle path proposed along the boundary of the Residential Precinct and Puketitiri Rd. This reserve is designed to create a buffer between housing in the Residential precinct and views from properties on the opposite side of Puketitiri Road.
- 6.7 The report asserts that properties in Poraiti that are in view of the residential precinct are largely positioned to the north and east with their backs to the development. While the Western Hills Residential Zone (currently undeveloped) provides for larger lot sizes around the perimeter, in comparison, the Mission Special Character Zone provides for a more definitive green buffer. Design Outcome 11 requires trees capable of growing to 9m high with the stated outcome of reducing the prominence of Residential Precinct houses as viewed from Puketitiri Road. The Puketitiri Bridle Path Reserve is to be vested as a Council reserve at the time of first subdivision.

Submission 6. Tony Brightwell - View of residential houses from Church Road

- 6.8 This submission is concerned about the view of residential houses from Church Road. The Urban Design, Landscape and Recreation Assessment and Design Outcome 16 address the planting and staging of development on the eastern hill face that has been designed to screen the residential precinct from Church Road. Further protection is proposed through rule 51b.75 that determines that Residential Activities within the 'prominent visual development areas' are a controlled activity with the following provision:

b) That buildings will be screened from view from Church Road by their location and design or by existing vegetation (as at the time the consent is applied for) to be demonstrated by cross section diagrams.

- 6.9 The matters to be assessed for the controlled activity are the effects on the integrity of the woodland landscape of the eastern hill face as viewed from Church Road.
- 6.10 Submission 6. Tony Brightwell requests reconsideration of the residential zoning to be within 200-300m diameter from the Mission Estate building, to protect the immediate area surrounding the Mission Estate. This is an irrelevant consideration as the plan does not allow for any residential development on this eastern hill face, with the exception of future art cabins to be situated within the woodland planting and with restricted discretionary status to control the effects. In summary, the current provisions are deemed sufficient to manage the effects on views of houses from Church Road.

Submission points 7.1, 7.2 Merv McNatty - Neighbouring Rural/Rural residential interface

- 6.11 Submission 7. Merv McNatty is concerned with the mitigation of the development as viewed from the South, in particular the properties zoned rural on the southern boundary of the development. The submission concerns include the number, density and location of building platforms, the use of vegetation throughout the development (in particular native plantings to support wildlife) and a request of a 5m vegetation buffer on the southern boundary.
- 6.12 Mitigation of the development through vegetation is provided for by Design Outcome 1 that provides for “an extensive green network to create connected corridors of restored indigenous vegetation, particularly on the south facing slopes”. I agree with the expert opinion expressed in the Urban Design and Landscape Assessment Report¹ that has resulted in the inclusion of Design Outcome 1. The indigenous revegetation areas on the southern slopes are designed to create a buffer between the neighbouring rural and the rural residential interface that will have a positive impact on views from the south. In addition, indigenous vegetation will support wildlife. As discussed above, subdivision consent conditions to give effect to Design Outcome 1 can include a requirement for planting to be undertaken prior to the issue of 224(c) certification to provide sufficient time for plant growth prior to houses being built.
- 6.13 In respect of the maintenance of amenity values on the southern rural/rural residential boundary interface and request for a 5m vegetation buffer this boundary, the MSCZ does not propose a change to the existing zoning that neighbours the rural area to the South. The plan change relies on the existing objectives and policies of the rural residential zoning in the Napier District Plan to provide protection to surrounding areas from the adverse effects of development. In addition, topography of the rural residential precinct as viewed from the interface with the neighbouring properties to the south is generally steep and therefore a 5 meter vegetation buffer on this boundary would have minimal overall mitigation impacts.

Submission point 7.3 Merv McNatty - Neighbouring Rural/Rural Residential Interface, Recessive Building Materials and Colours

¹ <https://www.napier.govt.nz/assets/Documents/District-Plan-Change-12/Appendix-A-Urban-Design-Landscape-and-Recreation-Assessment.pdf>

- 6.14 Submission 7. Merv McNatty further alludes to the potential for the use of recessive building materials and colours. The use of recessive building materials and colours is a design technique to make buildings appear unobtrusive in the landscape and are used to help mitigate effects on rural and high amenity areas. Recessive building materials include the use of textured surfaces over smooth and dark colours over light. Smooth surfaces are more likely to cause glare whereas textured surfaces scatter the light. Dark colours are of low reflectance value.
- 6.15 Design Outcome 7 partially addresses this suggestion by providing for the development of a Design Manual to guide the built environment through design principles.
- 6.16 The potential effects of the development on the characteristics that contribute the heritage and amenity values of the Mission Landscape have been recognised through the following issues, objectives and policies of the MSCZ.

Significant Resource Management Issue:

- 51b.2.1** Potential effects of development on the characteristics that contribute to the heritage and visual amenity values of the Mission Landscape (especially as experienced from Church Road).

The specific characteristics of the mission landscape include:

- Picturesque compositional qualities (foreground, middle-ground, background);
- Coherence of land use to landform (vineyard on valley floor, historic building precinct on terrace, backdrop of undeveloped hill face);
- Landmark and historic qualities of the Grande Maison;
- Landmark qualities of Sugar Loaf;
- Other memorable details (avenue of planes, meandering course of Taipo Stream in juxtaposition to lines of vines).

Objectives and policies:

Objective 51b.3: To provide for the sustainable management of the Mission Special Character Zone including the retention and enhancement of the values of the landscape, heritage, archaeology and versatile land resources that create the special character of the Zone.

Policy 51b.3.5: Ensure that the district plan rules and conditions are generally consistent with those applying to other rural and residential environments within the City, but modified where appropriate to achieve the objectives and implement the policies of the Mission Special Character Zone.

- 6.17 The District Plan contains the following policy in the Residential and Rural Environments to address visual amenity issues:

Policy 4.2.4 and 33.2.5: Require specific consideration of the landscape and visual effects of development proposals where they are located on landscapes identified as outstanding or significant in the Napier City Landscape Assessment Study.

- 6.18 The Napier Landscape Assessment Report (July 2009) identifies 'The Western Hills' (of which the MSCZ falls within), as a broad, single landscape unit as having significant amenity values that warrant maintenance and enhancement given their context as the backdrop to Napier City. The report recommends the Western Hills be classified as a 'Significant Amenity Feature'.
- 6.19 The report identifies threats to this environment as patchwork patterns of subdivision, development in prominent locations (particularly on the steep hill faces and along the skyline) and recommends District Plan controls to avoid prominent houses and earthworks on upper surfaces and skyline ridges.
- 6.20 While the significant resource management issue 51b.2.1 of the MSCZ singles out effects experienced from Church Road, it cannot be denied that the requirement to protect visual amenity values applies to the whole of the Mission Landscape and the wider Western Hills as identified Napier Landscape Assessment Study. Objective 51b.3 recognises this by providing for the retention and enhancement of the landscape values that create the special character of the Mission Special Character Zone.
- 6.21 However, the proposed rural residential precinct relies largely on the existing objectives and policies of the Rural Environments in Napier District Plan to mitigate the effects of development and maintain important amenity values in the rural residential precinct. Policy 51b.3.5 suggests modification of these rules may be required where necessary to achieve the objectives and implement the policies of the MSCZ.
- 6.22 While Design Outcome 7 only provides an indication of what the design manual may include, I am of the opinion that Design Outcome 7 could be strengthened to more accurately reflect the proposed resource management issues and subsequent objectives and policies of the MSCZ.
- 6.23 I therefore recommend an amendment to Design Outcome 7 to require the design manual (subject to Council approval) recommends the use of recessive building materials and colours in visually prominent areas and in the rural residential zone. I also recommend that the Design Manual be developed to apply to the rural-residential precinct, in addition to the residential precinct. This will further mitigate the visual impact of development within the zone, particularly in the period prior to landscape buffers being fully established at their intended height.
- 6.24 In my view, the recommended changes would make the plan change more effectively and efficiently respond to the significant landscape features identified and recommended for the 'Western Hills' as identified in the Napier Landscape Assessment Report (July 2009). Further, the recommended changes are appropriate to achieve proposed Objective 51b.3.

Submission 3. Murray Arnold – Residential/Rural Residential Precinct Buffer

6.25 Submission 3. Murray Arnold raises concerns about the insufficiencies of provisions to ensure the maintenance of the Residential/Rural Residential precinct buffer revegetation strip during and after development.

6.26 The Structure Plan Design Outcome 20 provides for revegetation on the boundary between the residential precinct and the rural residential precinct with the following outcome:

Planting of a band of indigenous vegetation (nominally 20m wide) on the south side of the residential precinct to soften views of housing, and provide shelter in the event the existing pine plantation is removed.

This provides the means for which Council can stipulate consent conditions at the time of subdivision for landscaping in accordance with both Design Outcome 20 and the landscaping requirements in the NCC Code of Practice for Subdivision and Land Development.

6.27 This submission requests that the revegetation area on the boundary of the Residential and Rural/Residential Precinct be vested in Council to ensure ongoing maintenance. Currently, the proposed Reserves to be vested do not include the revegetated areas.

6.28 Vested Reserves have been identified and provided in accordance with the District Plan requirements for the existing Western Hills Residential Zone at a minimum of 75m² per dwelling. The proposed Mission Special Character Zone provides for up to 550 dwellings which would require approximately 4.1 ha to be vested. The proposed 6 ha of land to be vested as Reserves exceeds such requirements and therefore Council is not in a position to request additional areas as sought in Mr Arnolds submission.

6.29 However, I propose some strengthening of Design Outcome 1 to ensure the revegetated areas are maintained on an ongoing basis. The requirement for maintenance will be in keeping with the objective 51b.3 of providing for the sustainable management of the MSCZ including the retention and enhancement of the values of the landscape, heritage and versatile land resources that create the special character of the zone.

6.30 Strengthening of Design Outcome 1 will have the effect of ensuring a consent condition is applied at the time of subdivision to require a consent notice on the title specifying that revegetation areas are planted and maintained in perpetuity.

6.31 The further submission of MHL supports this recommendation in their request to allow this submission to be allowed in part. They request an amendment of Appendix 26A Structure Plan Design Outcome 1 by adding the second bullet point of Design Outcome 20 (or similar wording) to cover the requirement for the Rural Residential Zone buffer strip planting as shown on the Structure Plan Map.

Recommendation 1 – Visual Amenity

6.32 That Submission points 2.2, 2.3 and 2.4 of Submission 2. Anthony Kite, Submission 6. Tony Brightwell and submission points 7.1, 7.2 and 7.4 Merv McNatty regarding visual amenity be disallowed.

The reasons for this recommendation being:

6.33 I agree with the expert opinion expressed in the Urban Design and Landscape Assessment report. The plan as proposed provides adequate mitigation for visual amenity to address these submitters concerns. The Puketitiri Road Buffer Strip Reserve is designed to manage reserve sensitivity issues that may be experienced by residents in Puketitiri Road. The Eastern Hill Face woodland has been designed to screen the residential precinct from Church Road and the use of vegetation to mitigate visual affects within the plan change area is significant. The Design Outcomes and consent requirements are sufficient to give effect to the objectives and policies of the Mission Special Character Area.

Recommendation 2 – Visual Amenity

6.34 That the submission point 7.3 Merv McNatty be allowed in part.

6.35 In order to ensure the design outcomes accurately reflect the issues and the objectives and policies designed to address such issues, I propose the following amendments to Design Outcome 7. The changes expand the proposed careful management of the built environment to include both the residential and rural residential precincts and include a recommendation of what the design manual may encompass prior to submitting to Council for approval.

Design Outcome 7: Design Manual and Review Process

A design manual and design review process is to be implemented to ensure houses contribute positively to the streetscape and character of the Residential and Rural Residential Precincts. The design manual is to be submitted with the first subdivision consent application involving land within the Residential Precinct and be given effect to by way of condition of consent. The design review process is to be administered by Marist Holdings (Greenmeadows) Ltd or successor – be a condition of subdivision consent – enforced by consent notice on the title of each residential and rural residential allotment. Napier City Council's role will be to certify that the process is followed in accordance with the condition. The Design Manual will be assessed on its ability to ensure that built development within the Residential and Rural Residential Precincts will give effect to the objectives and policies of the Mission Special Character Zone and in particular objective 51b.4 and policies 51b.4.2 and 51b.4.5. The Design Manual is to include design principles and guidelines which buildings are to be assessed against in the design review process. It is to address such matters as:

- Relationship of house to street (i.e. including such matters as setbacks, orientation of entrance to the street, provision of windows overlooking street).

- House design and appearance (e.g. the design guide is to set out themes characteristic of Napier houses; design principles such as variety, use of materials characteristic of the area, modelling of façade and roof forms to create interest to streetscape and the use of recessive building and colours to mitigate the effects of the development in the Rural Residential Precinct and in the Prominent Visual Development Area).
- Garaging (including avoidance of visual dominance of garage doors, maximum garage door width as proportion of house width, setbacks from the street, – but also including instances where garages may be appropriate close to the street boundary as part of the distinctive character of the precinct).
- Landscape design (including street fencing and contribution of trees in front yards to streetscape).
- Specific guidelines and design principles for the Neighbourhood Centre (see Design Outcome 9).

The reasons for this recommendation being:

6.36 The strengthening of Design Outcome 7 so that the design manual is utilised for residential developments in both the residential and rural residential precincts and that it addresses such matters and the use of recessive building materials and colours will ensure the plan change more effectively and efficiently responds to the significant landscape features identified and recommended for the ‘Western Hills’ as identified in the Napier Landscape Assessment Report (July 2009). Further, the recommended changes are appropriate to achieve proposed Objective 51b.3.

Recommendation 3 – Visual Amenity

6.37 That the submission 3. Murray Arnold be accepted in part with the following wording inserted into Design Outcome 1:

- Connected corridors of restored and maintained indigenous vegetation - including a nominally 20m wide buffer of indigenous vegetation on the South side of the residential precinct.

The reasons for this recommendation being:

6.38 This amendment will provide greater certainty of the maintenance of the restored indigenous vegetation areas as specified in the Structure Plan.

7. Productive Rural Zone Rules

<i>Submitter</i>	<i>Plan Provision</i>
12. Hawkes Bay Fruit Growers Association	51b.1, 51b.2.4, 51.b.2.6, 51.b.3.5, 51.b.4.3, 51b.4.3c, 51b.6(10) and 51b.16a 51b.17
<i>Summary of Submission Points</i>	

12.1 Suggests consistency in wording by updating all references to 'versatile and/or productive soils' to 'versatile and/or productive land' as Horticulture NZ define land as a more encompassing term.

12.2 Suggests that Places of Assembly be moved from discretionary activity status to non-complying status.

Further Submitter

X2 MHL Holdings

12.1 MHL Holdings agree with suggestion to replace references to 'versatile and / or productive soils' with 'versatile and / or productive land' throughout the Plan Change 12 District Plan provisions.

12.2 Discretionary activity status in the Rural Productive Precinct carries over the existing activity status from the Main Rural Zone, being its current zoning. Given the history of the site and its association with the Church and that a discretionary activity requires a full assessment against all relevant district plan objectives and policies, MHL considers a 'discretionary activity status' for a Place of Assembly as appropriate.

Analysis

Submission Point 12.1 – Productive soils vs productive land

- 7.1 This submission asserts that 'soil' is only one factor associated with the productivity and versatility of the land. By making reference to versatile and/or productive 'soils' instead of versatile and/or productive 'land', the plan change fails to recognise the encompassing value of the versatile and productive land that warrants protection.
- 7.2 The suggestion to change from the term 'versatile and/or productive soils' to 'versatile and/or productive land' aligns with the terminology of Horticulture NZ, Heretaunga Plains Urban Development Strategy 2017 and the Regional Policy Statement (RPS) that references the protection of versatile land. It is noted that the landowner agrees with the suggested amendment.

Submission Point 12.2 - Places of Assembly

- 7.3 The District Plan provides the following definition for places of assembly:

means LAND and/or BUILDINGS which are used in whole or in part for the assembly of persons for such purposes as deliberation, public and private worship, religious ceremonies, services, instruction, entertainment, education, recreation or similar purposes and includes any church, hall, public library, amusement arcade, clubroom, funeral directors chapel, any gymnasium, pavilion, indoor sports facility, community centre and marae buildings.

- 7.4 The rules proposed for the Productive Rural Precinct are largely consistent with the land use provisions of the Main Rural Zone of the Napier District Plan, while being appropriate for meeting the objectives of the Mission Special Character Zone. The point of difference with the Mission Special Character Zone and the Productive Rural Precinct within the zone is the provision for greater tourism and recreational opportunities that are usually not offered in a Main Rural Zone. The basis for providing for these opportunities relates to the zone's history, association with the Church and current activities that occur within this zone, including activities in the winery buildings and the Mission Concert held in the adjacent Landscape and Visitor Precinct.
- 7.5 The proposed discretionary status for places of assembly is consistent with the same activity in the Main Rural Zone and gives Council the discretion to approve or decline such proposals with or without conditions. In doing so, the Council will have regard to the objectives, policies, assessment criteria and structure plan design outcomes of the Mission Special Character Zone, in addition to the full assessment of effects on the environment. This would include the consideration of effects on productive land.
- 7.6 The appropriateness of 'places of assembly' rules on productive land in the main rural zones across Napier is something to be considered at a broader level as part of the upcoming review of the District Plan, rather than within this plan change.

Recommendation 4 – Productive Rural Zone Rules

- 5.6 That the submission point 21.1 from Hawkes Bay Fruitgrowers Association be allowed in that all references in the plan change to 'versatile and/or productive soils' be changed to 'versatile and productive land'
- 7.7 That submission point 12.2 Hawkes Bay Fruit Growers Association on changing the status of places of assembly from discretionary to non-complying be disallowed.

The reasons for this recommendation being:

- 7.8 A reference to versatile and productive 'land' over and above versatile and productive 'soils' will ensure broader protection of the resource that the plan change is seeking to protect and will be consistent with the terminology in the RPS.
- 7.9 A discretionary status for place of assembly is the most appropriate in this instance considering the MSCZ purpose, objectives and policies. Any review of 'places of assembly' rules in productive land zones should be undertaken as part of the full District Plan review.

8. Landscape and Visitor Precinct

<i>Submitter</i>	<i>Plan Provision</i>
8. Garth Eyles	No specific rule identified

Summary of Submission Points
8.2 Concerned with fire risk posed by the eucalyptus plantation behind the Mission Winery and requests removal of trees before development.
Further Submission
X2 MHL Holdings
Issue related to fire risk of eucalyptus plantation is considered an operational issue rather than a plan change matter and is noted by MHL.

Analysis

- 8.1 The proposed plan change does not involve the removal of the Eucalypt plantation behind the Mission Winery. Rather, the plan proposes to extend plantings behind the Mission Winery with woodland plant species proposed across the entire eastern hill face.
- 8.2 It needs to be recognised that the selection of individual plant species on private property is not something generally regulated through the District Plan. However, non-regulatory methods proposed in the plan change include the development of a Landscape and Planting Plan in partnership with the Council. Further, Design Outcome 16 *Woodland Hillside* requires consideration of planting and this will be required to be addressed at the time of subdivision consent. This will provide the opportunity for Council to assess suitable trees species for all future woodland plantings on the Eastern Hill Face, and also any required separation between woodland plantings and buildings to mitigate fire hazards.

Recommendation 6 – Landscape and Visitor Precinct

- 8.3 No changes are recommended as a result of submission 8. Garth Eyles

The reasons for this recommendation being:

- 8.4 Tree species is not something regulated through the District Plan. The concern for the danger of Eucalyptus trees has been noted in the further submission from MHL and will therefore be a consideration in the development of a Landscape and Planting plan for the proposed Eastern Hill Face planting to achieve Design Outcome 16

9. Esplanade Reserves

Submitter	Plan Provision
13. Hawkes Bay Regional Council (HBRC)	Appendix 26A, Design Outcome 21, Chapter 66 Code of Practice 6.1.3(4)
Summary of Submission Points	

13.4 Suggests the proposed Plan Change 12 is amended to provide a reserve corridor alongside the Taipo Stream to provide for maintenance and enhancement of the stream corridor for drainage purposes and to support ecological values. Or alternatively, retain provisions 6.1.3.(4) in Vol 2 of current District Plan.

Further Submitter

X2 MHL Holdings

13.4 The requested amendment for a widened esplanade reserve along the Taipo Stream is not supported on the basis that a 6m wide easement is proposed by Structure Plan Design Outcome 21 for stormwater management. Public access is better provided for by the proposed track network than an esplanade reserve.

Analysis

- 9.1 Esplanade Reserve requirements for where the Taipo Stream traverses the Mission Special Character zone were a topic of further information requests and discussions between Council staff and MHL. The discussions led to the creation of Design Outcome 21 which requires the creation of an easement of 6m for the Taipo Stream in place of the requirement for an Esplanade Reserve.
- 9.2 The purpose of this 6m easement is to allow for stream maintenance and stormwater management purposes as an alternative instrument to the 20m Esplanade reserve requirement in the District Plan Code of Practice. Through discussions between Council and MHL, it was agreed that a 6m width either side of the stream is sufficient to provide for access, maintenance and stormwater management.
- 9.3 A requested outcome in the HBRC submission is the provision of 'some form' of a reserve corridor to provide for 'the maintenance and enhancement of the Stream's corridor for drainage purposes, for its ecological values and maintaining or enhancing water quality in the Stream'.
- 9.4 The proposed easement for stream maintenance and stormwater management purposes satisfies stream drainage purposes and would also allow for potential future enhancement projects designed to maintain or enhance ecological values and water quality in the Taipo Stream.
- 9.5 Another potential purpose of esplanade reserves, as set out in s229 of the RMA, is to enable public access and/or public recreational use, where the use is compatible with conservation values. Public access to the proposed track network that extends across other areas of the MSCZ will provide for public recreation and wellbeing. Public access for well being is therefore not necessarily required alongside the Taipo Stream.
- 9.6 Nevertheless, to ensure clarity in the application of plan provisions, the Taipo Stream Easement requirement could be made clearer in the proposed changes to the Code of Practice through the addition of a note referring to the 6m easement requirement in Design Outcome 21.

Recommendation 7 – Esplanade Reserves

That rule 6.1.3.4 in the Code of Practice, Volume 2 of the Napier District Plan be updated with the following wording:

4. The esplanade reserves for the Taipo Stream shall be 6 metres and 20 metres, except for where it traverses the Mission Special Character Zone where there is no esplanade reserve requirement as shown on Appendix A4 attached

Note: Design Outcome 21 in the Mission Special Character Zone Structure Plan provides for a 6m easement for maintenance and stormwater management purposes

The reasons for this recommendation being:

This minor change to wording will provide clarity to the Taipo Stream Easement requirements in the MSCZ.

10. Infrastructure Services

Submitter	Plan Provision
5. Lynne Anderson, 14. Powerco Ltd	No specific provision identified
Summary of Submission Points	
5.1 Concerned that Napier infrastructure and services, especially health services, roads and education services etc. cannot support the proposed number of new households. Suggests these services need to be further developed before new households are built.	
14.1 Suggests adequate time be given to Powerco to enable forward planning for the provision and laying of new gas supply pipes prior to the establishment of above ground assets. Requests that gas supply infrastructure be coordinated with other utilities to ensure orderly and timely provision of gas supply.	
Further Submitter	
X2 MHL Holdings	
5.1 The Residential Precinct within the MSCZ is consistent with HPUDS. HPUDS is the strategic residential growth document upon which infrastructure and service providers can base their long-term planning. The Ministry of Education have been consulted with regarding local schools and have factored the anticipated population growth into their long term planning.	

14.1 Plan Change 12 does not prevent gas supply to the Mission Special Character Zone. No amendments to the Plan Change are requested by this submission and MHL acknowledges the request to coordinate gas supply infrastructure.

X1 Powerco Ltd

5.1 Powerco support the submission point that services need to be further developed before new households are built as this aligns with Powerco's submission regarding the provision of gas infrastructure to new residential areas.

Analysis

Submission point 5.1 Lynne Adams - Provision of Infrastructure Services

- 10.1 While the provision of roads to service development is the responsibility of Council, the provision of Napier's health and education services falls to a number of outside agencies. As noted in the further submission by MHL, the Ministry of Education has been consulted with regarding schools and have factored in the anticipated population growth into their long term planning.
- 10.2 The Heretaunga Plains Urban Development Strategy (HPUDS) is designed to accommodate residential development growth based on national population projections that are publically available. The purpose of HPUDS is to provide a strategic approach to growth, including by providing clear direction to infrastructure providers on the location and scale of future growth areas. HPUDS identified the Mission development as a future growth area in 2010. This has allowed health and education services providers with opportunity to plan for this growth in this area.
- 10.3 In regards to the provision of roading, I agree with the expert opinion in the Traffic Engineering Report² that was commissioned to comment on the traffic related effects of servicing the development at this location. The report concludes that the general conditions and capacity of the current roading network is sufficient to support the increased traffic flows resulting from the development facilitated by the Plan Change. This is supported by the expert evidenc^t of Robin Malley in Appendix B. The plan change area is 700m west of the Prebensen Drive/Puketitiri Road intersection and the Napier District Plan identifies Puketiriri Road as a principal road and Prebenson Drive is an arterial road. The report concludes that the local roading network is easily able to accommodate the predicted flows from the proposed development. Traffic is discussed further in the following Section 11.

Submission 14.1, Powerco - Provision of Infrastructure Services

- 10.4 The provision of gas supply pipe lines has been discussed with Council's infrastructure team that oversees the delivery of services through Councils Code of Practice and Engineering approval process.

² <https://www.napier.govt.nz/assets/Documents/District-Plan-Change-12/Appendix-C-Transportation-Report.pdf>

10.5 In addition and as discussed in the further submission from MHL Holdings, Powerco's request for adequate time for the planning, provision and laying of gas supply pipelines and coordination with other utilities has been noted by the developer. The point raised in their submission can most effectively and efficiently be addressed and achieved through operational procedures of Council, rather than through the District Plan.

Recommendation 8 – Infrastructure Services

10.6 That submission point 5.1 Lynne Anderson that relates to the provision of infrastructure services be disallowed and submission 14. Powerco is out of scope of the District Plan.

The reasons for this recommendation being:

10.7 The submissions relating to the provision of infrastructure services do not warrant any changes to the plan as notified. Adequate notification has been given to external infrastructure service providers of the proposed development and I concur with the expert opinion expressed in the Traffic report that the existing roads have adequate capacity to service the new development

11. Traffic

Submitter	Plan Provision
1. Keith Moretta, 2. Anthony Kite, 5. Lynne Anderson	Design Outcome 6
Summary of Submission Points	
<p>1.1 Concerned about visibility for traffic entering and exiting subdivision from both proposed entrances on Puketitiri Road. Suggest speed controls in the form of a reduced speed limit or turning lanes, roundabout or modification of road to improve visibility at both entrances proposed on Puketitiri Road</p> <p>2.1 Would like speed and accident problem on the section of road between Poraiti Road and the new entranceway addressed through road widening and modification of corner. Suggests speed problem be addressed through reduced speed restrictions and/or roundabouts</p> <p>5.2 Suggests road connection with Puketapu Road to avoid congestion on Church Road</p>	
Further Submitter	
X2 MHL Holdings	
<p>2.1 The traffic issues raised by the submissions are addressed in the Traffic Design Group Report which shows that the effects of the increased traffic generated by the future residential development will be appropriately managed by the existing roading network and mitigated by the proposed entrance designs.</p>	

5.2 The traffic assessment confirms that Church Road can adequately accommodate the additional traffic generated

Analysis

- 11.1 A response to these submissions has been provided for by Robin Malley Councils Team Leader for Transportation (Appendix B). The response includes the following comments on traffic:
- 11.2 Both accesses to the sub-division will be designed to the relevant design standards and checked by Napier City Council's Transportation team to ensure that the safe movement for all road users on Puketitiri Road is provided. In addition to this Napier City Council has programmed a number of safety improvements to Puketitiri Road including seal widening and improvements to the horizontal and vertical alignments. Napier City Council are currently reviewing the speed limit on Puketitiri Road and it is intended for it to be reduced to 80km/h.
- 11.3 Submission point 5.2 Lynne Anderson suggests that the access road be connected to Puketapu Road, rather than via the Puketitiri Road/Church Road roundabout. This would cause significant congestion at peak time in Taradale centre and is not deemed to be a practical alternative. Puketitiri Road and its roundabout with Church Road has sufficient capacity to accommodate the increased traffic numbers.

Recommendation 9 – Traffic

- 11.4 That submission points 1.1 Keith Moretta, 2.1 Anthony Kite and 5.2 Lynne Anderson be disallowed

The reasons for this recommendation being:

- 11.5 I agree with the expert evidence of Robin Malley Team Leader Transportation and the Traffic Engineering Report. The current roading network is sufficient to cater for the increase in traffic. Planned safety improvements will assist but are not necessary in order for the plan change to be granted.

12. Archaeology

Submitter	Plan Provision
11. Historic Places Hawkes Bay	Appendix 26A – Design Outcome 3
Summary of Submission Points	
<p>11.2 Suggests the following if Plan Change 12 is approved: -</p> <ul style="list-style-type: none"> • an updated archaeological report • further archaeological surveying undertaken prior to any earthworks 	

- archaeological monitoring during earthworks and excavation to identify any current unrecorded sites
- The developer observes hapū-driven protocols if any undiscovered taonga is unearthed during any ground disturbance.

Further Submitter

X2 MHL Holdings Ltd

11.2 Design Outcome 3 states that an updated archaeological assessment will be submitted at the time of subdivision and would incorporate a protocol for taonga being unearthed from an unidentified archaeological site during earthworks (an accidental discovery protocol)

Analysis

- 12.1 The plan change Archaeological Assessment of Environmental Effects (AEE)³ Report recognises the archeological significance of the Mission Special Character Zone and provides recommendations on the protection of the sites if the plan change is approved. The report details 10 recorded and identified archaeological sites, one recorded heritage site and five unidentified sites. The report recommends that an updated AEE be prepared prior to the application for subdivision consent which would include a recommendation that an authority application be submitted to Heritage New Zealand.
- 12.2 The Archaeological AEE report recommendations are reflected in Design Outcome 3: Archeology, which requires an updated Archeological AEE to be submitted with applications for subdivision consent within the residential precinct, felling of the Southern pine plantation, construction of walkway paths and of art cabin accommodation. Further protection is afforded by the Heritage NZ Pouhere Taonga Act 2014 which makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or part of any archaeological site without the prior authority of Heritage NZ.
- 12.3 The subdivision consenting process will determine the exact locations of works to be undertaken through a scheme plan and affords a suitable time for an archaeological authority to be obtained. The process of obtaining an authority through Heritage NZ requires the development of an accidental discovery protocol and consultation with mana whenua as kaitiaki of the land within which the Mission Special Character Zone is sited.
- 12.4 The Cultural Impact Assessments from Ngāti Pārau and Te Taiwhenua o Te Whanganui ā Orotū (discussed further in Section 16) request the establishment of a cultural discovery protocol, an example of which has been provide in the CIA from the Taiwhenua. The formulation of the protocol will be developed by the landowner, archaeologist and mana whenua before an authority application to Heritage NZ is made. This will be in accordance with the Pouhere Taonga Act 2014.

Recommendation 10 - Archaeology

- 12.5 That no changes to the proposed plan change are made as a result of this submission.

³ <https://www.napier.govt.nz/assets/Documents/District-Plan-Change-12/Appendix-D-Archaeological-AEE-Report.pdf>

The reasons for this recommendation being:

- 12.6 Principle protection of archaeological sites is afforded through the Heritage NZ Pouhere Toanga Act 2014 and the plan change as it stands. In particular, Design Outcome 3.

13. Heritage

Submitter	Plan Provision
11. Historic Places Hawkes Bay	Appendix 26A – Design Outcome 3
Summary of Submission Points	
11.1 Suggests that the Grande Maison building and the Observatory pedestal be listed as items of heritage significance in the Napier District Plan, as part of the plan change.	
Further Submitter	
X2 MHL Holdings Ltd	
11.1 The Grande Maison’s heritage and landscape significance is recognised in the objectives, policies and Structure Plan Design Outcomes of the Mission Special Character Zone (Design Outcome 15), it is not a building listed by Heritage NZ, is not original to its site and has been altered internally over the years, so the proposed Mission Special Character Zone provisions provide the appropriate level of protection. The observatory pedestal is protected by the Mission Special Character Zone provisions (Design Outcome 3).	

Analysis

- 13.1 The heritage schedule and associated District Plan provisions are being reviewed as part of the recently commenced review of the Napier District Plan. This process is the appropriate time to consider whether the inclusion of Grand Maison Building and Observatory Pedestal as items of heritage significance is warranted.
- 13.2 The Plan Change itself will not increase the risk to any heritage values of the building of the Observatory Pedestal. The layout of the precincts has had regard to the existing buildings and archaeological sites. Further, Design Outcome 15 will require the heritage and landscape significance of the Grande Maison building to be considered at the time of resource consent.

Recommendation 11 - Heritage

- 13.3 That the submission point 11.1 Historic Places Trust be disallowed.

The reasons for this recommendation being:

- 13.4 The plan change process is not the appropriate time to consider the inclusion of new items of heritage significance. The Plan Change does not increase risk of effects to any heritage values of existing buildings compared with the current zonings.

14. Stormwater

Submitter	Plan Provision
13. Hawkes Bay Regional Council (HBRC), 10. P and L Alexander Partnership	Appendix 26E, Design Outcome 2
Summary of Submission Points	
<p>13.2 Express doubts as to the adequacy of current technical reports regarding addressing stormwater discharge issue. Suggests further information and/or that re-evaluation of stormwater discharge parameters are made to address stormwater concerns raised by HBRC Asset Managers.</p> <p>13.3 Suggests Napier City Council ensure that the capability of existing stormwater and wastewater infrastructure avoids further incidences of contaminated stormwater into the Ahuriri Estuary.</p> <p>10.1 Suggests that work is done to the Springfield culvert so that it is able to accommodate an increase in stormwater generated by the Mission development. Concerned that the increase in impervious surfaces as a result of the Mission development will create flooding issues in the Tarirau catchment (land immediately to the west of the proposed development).</p>	
Further Submitter	
X2 MHL Holdings Ltd	
<p>13.2 MHL have met with the Hawke's Bay Regional Council with reference to the stormwater issues and have agreed an approach to modelling and stormwater storage pond design with the results showing that there are no downstream effects of the discharge from the development. A consent process for the stormwater discharge is nearing completion.</p> <p>10.1 MHL have met with the submitter to discuss their concerns. Stormwater modelling shows no downstream effects from the development and the Hawke's Bay Regional Council resource consent process for the stormwater discharge is nearing completion. The resource consent and its conditions to be issued by the Regional Council will ensure that any adverse effects resulting from stormwater runoff on downstream properties are avoided or mitigated.</p>	

Analysis

- 14.1 The management of stormwater was the topic of further information requests and numerous discussions between the Council, MHL and the Hawkes Bay Regional Council (as the consenting authority for stormwater discharges from the MSCZ).
- 14.2 Napier City Council's concerns were mitigated through the modification of Design Outcome 10 that provided clearer overarching guidance/design principles for the stormwater system, including provision of details about infrastructure to be vested in Council upon subdivision, the operation and maintenance of the system and the associated annual cost estimations.
- 14.3 HBRC concerns have since be dealt with through the discharge permit application process through which MHL was required to provide additional technical information to HBRC as required. At the time the plan change was notified and during the submission

period, the HBRC were still processing the discharge permit application for Stormwater. A permit was granted on 25 May 2018.

- 14.4 The discharge permit conditions stipulate the standards required to satisfy the requirements of HBRC and therefore submission point 13.3 from HBRC on the adequacy of the technical reports to support the discharge of stormwater is now an irrelevant consideration.
- 14.5 Submission point 13.4 from HBRC raises concern on the capability of existing stormwater and wastewater infrastructure to avoid further instances of contaminated stormwater entering the Ahuriri Estuary.
- 14.6 The Stormwater Runoff and Flood Effects Assessment⁴ for the MSCZ determines that the majority of stormwater from the development will be discharged to the west away from the Estuary. It will enter the HBRC open drain network prior to crossing the Hastings District Council boundary and eventually entering the Tutaekuri River that discharges to the ocean at the Waitangi Estuary.
- 14.7 The report notes that the proposed development will increase impervious coverage by approximately 43ha for land draining west to the Turirau stream with effects mitigated by stormwater attenuation (storage). In comparison, the development will increase impervious coverage by 3.4ha for land draining east to the Tiapo stream which leads to the Ahuriri Estuary. The Stormwater report asserts that due to extensive planting proposed for the eastern hill face, net stormwater runoff for land draining to the east will decrease.
- 14.8 The risk of wastewater contaminated stormwater entering the Estuary will not be compounded by development in the MSCZ. The capacity of Napier's wastewater network to manage over loading as a result of illegal stormwater connections and stormwater infiltration is an issue predominately experienced in the older suburbs of Napier where there is aging infrastructure and high density development. The location of the MSCZ is on the outer fringes of Napier's stormwater network as it approaches the Estuary with the stormwater solution for the development designed to HBRC requirements through the discharge permit. In addition, new stormwater and wastewater infrastructure will be required to comply with current Code requirements.
- 14.9 The concerns of submission 10. P. Alexander are addressed through the process of HBRC granting the stormwater discharge permit. Mr Alexander has been sent a copy of the discharge permit that was finalised on 25 May 2018 and the final revised Stormwater Runoff and Flood Effects Assessment Report that was subsequently updated in April 2018 after consultation with HBRC.
- 14.10 The CIA from Te Taiwhenua o Te Whanganui ā Orotū expresses concern on the impact of stormwater on the Tutaekuri River, Taipo and Turirau streams and request the opportunity to discuss this further with MHL.

⁴ <https://www.napier.govt.nz/assets/Documents/District-Plan-Change-12/Appendix-F-Stormwater-and-Flooding-Effects-Assessment.pdf>

Recommendation 12 – Stormwater

14.11 That no changes to made as a result of the submissions on Stormwater.

The reasons for this recommendation being:

14.12 Concerns of both submitters have been addressed through the Stormwater Discharge approval process managed by the HBRC.

15. Hazards

Submitter	Plan Provision
13. Hawkes Bay Regional Council	Non-specific
Summary of Submission Points	
13.5 Suggests consideration of natural hazard risks including considering enhanced foundation requirements in areas susceptible to liquefaction, restricting critical facilities in tsunami inundation areas and protection of tsunami evacuation routes. Submission notes that contaminated land assessments are required for any change in land use although no specific relief sought.	
Further Submitter	
X2 MHL Holdings Ltd	
Summary	
13.5 Natural Hazard avoidance is one of the strongest justifications for the subdivision and the hazards referred to by the submitter are only relevant to the Productive Rural Precinct where there is no provision for residential development. The NES for Soil Contamination would also only be primarily relevant to the Productive Rural Precinct where there is no provision for residential development.	

Analysis

15.1 Submission 13. Hawkes Bay Regional Council (HBRC) requests the consideration of natural hazards in land use planning and refers the reader to the Hawkes Bay Civil Defence Emergency Management Hazard Information Portal⁵ for further information of hazards in the MSCZ.

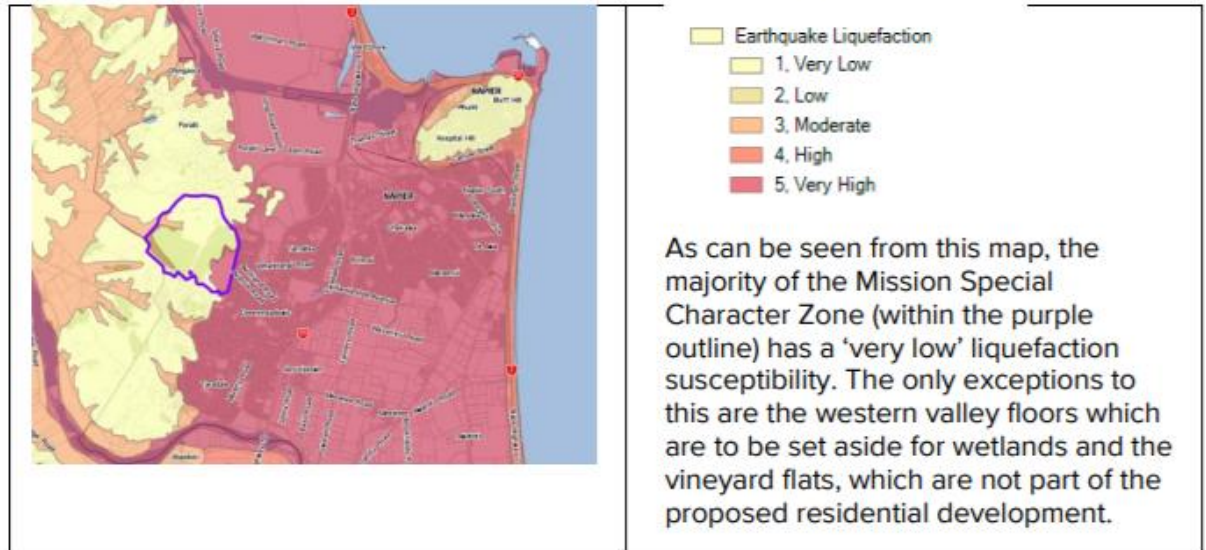
15.2 Natural Hazards are addressed in detail in the Assessment of Environmental Effects (AEE) Report and I agree with the assessment made on the reduced susceptibility to natural hazards provided in the MSCZ.

⁵ <http://www.hbemergency.govt.nz/hazards/portal>

Liquefaction

- 15.3 The portal identifies medium liquefaction vulnerability on only a section of the productive rural precinct and approximately 1.3ha of the rural residential zoning adjacent to Church Road. The following Figure 7 from the AEE shows the extent of the liquefaction hazard in relation to the MSCZ.

Figure 7 – Earthquake Liquefaction Hazard Map – Napier City



- 15.4 Managing development in medium liquefaction areas is the subject of MBIE published document: *Planning and Engineering Guidance for Potentially Liquefaction-Prone land*. This resource has been designed to assist all parties associated with the use and development of land in potentially liquefaction prone areas.
- 15.5 The Geotechnical Report⁶ to support the plan change confirms the suitability of residential development in the MSCZ with recommendations for benching and fill placement for earthwork platforms so that building may proceed in accordance with NZS 3604:1999. The report is supported by Design Outcome 14 on Geotechnical Stability that requires detailed investigation of the existing ground and proposed earthworks to demonstrate that each lot will satisfy the requirements of 'good ground' under the New Zealand Building Code: NZBC B1/AS4.

Tsunami Inundation Zone

- 15.6 The HBRC submission refers to a recommendation in the *Hawke's Bay Joint Hazard Strategy for Local Authority Land-Use Planning (2011)*⁷ on minimising the risk to human lives by a requirement to restrict the location of critical facilities in tsunami inundation areas identified as tsunami zones within District Plans. While the Napier District Plan does not

⁶ <https://www.napier.govt.nz/assets/Documents/District-Plan-Change-12/G3TT-Geotech-October-2004.pdf>

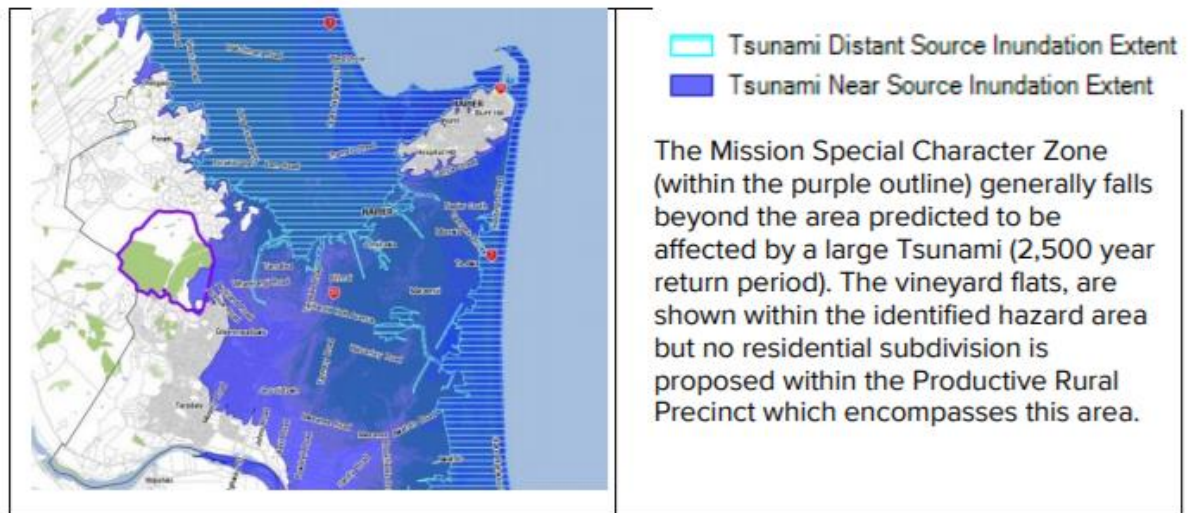
⁷

<http://www.hbemergency.govt.nz/assets/Documents/iPlan20for20HB20Joint20Hazard20Strategy20for20land20use20planning20HBRC20Plan20439720v3.pdf>

specifically identify the MSCZ as falling within a Tsunami zone, the plan change does not propose the location of critical facilities in the areas identified the HB Hazards Portal.

- 15.7 The portal identifies the tsunami near source inundation extent (2500 year return period) to be largely within the productive rural zone with approximately 1.9ha falling within the rural residential precinct. The following figure 9 from the AEE shows the extent of tsunami inundation in relation to the MSCZ.

Figure 9 – Tsunami Inundation Extent – Napier City



- 15.8 The submission makes further reference to the recommendation in the Joint Hazard Strategy that the design, enhancement and protection of evacuation routes are taken into account in new developments. The design of MSCZ not only protects existing tsunami evacuation routes but provides for a path network on the eastern hill face that connects with Church Road at a number of places. This provides an increased number of options for Tsunami evacuation routes for the general population that reside on the plains.
- 15.9 The recommendation for contaminated land assessments has been noted. The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) will apply, where applicable, at the time of subdivision and/or land use consent. The Plan Change does not remove the requirement to comply with the NES at the time of development.
- 15.10 I concur with the further submission of MHL. Natural hazard avoidance is one of the strongest justifications for the development of the MSCZ as a new greenfield growth area for the Napier District, when compared with alternative growth options on the plains. The hazards referred to by the submitter are largely only relevant to the Productive Rural Precinct where there is no provision for residential development.

Recommendation 13 – Hazards

15.11 That no changes are made as a result of submission point 13.5 from Hawkes Bay Regional Council.

The reasons for this recommendation being:

15.12 The proposed plan change gives sufficient consideration to natural hazards and if anything contributes positively to the Napier District by providing a development option outside of existing coastal hazard and liquefaction risk zones.

16. Cultural Values and Consultation

<i>Submitter</i>	<i>Plan Provision</i>
15. Moteo B2G2 Reserve, 16. Moteo Marae, 17. Te Taiwhenua o te Whanganui a Orotu (Tania Eden) 18. Te Taiwhenua o te Whanganui a Orotu (Peter Eden), 19. Waiohiki Marae Trustees 11. Historic Places Hawkes Bay	Non-specific
<i>Summary of Submission Points</i>	
<p>15.1 Opposes Plan Change from a Māori cultural perspective, under section 6 of the RMA. There has been no consultation with local hapū associated with Moteo Marae (Ngāti Hinepare, Ngāti Mahu, Ngāi Tawhao).</p> <p>15.2 Requests that a Māori Cultural Impact Assessment be undertaken with consultation to enable local hapū to voice concerns in regard to kaitiakitanga.</p> <p>16.1 Opposes all matters relating to the environs of the proposed development, impact on environment and cultural significance of the area. In particular sites of cultural significance, wāhi tapu, kumara pits and historical sites.</p> <p>16.2 Opposes plan change until full and comprehensive consultation is carried out with local marae, local hapū, Iwi groups and members of the community.</p> <p>17.1 Opposes all matters pertaining to the environs of this development. Suggests immediate consultation with the local hapū, local marae (including Moteo Marae and other Iwi groups impacted by this development).</p> <p>18.2 Concerned about the impact of urban development and liaison with tangata whenua, impact on sites of cultural significance, impact on landscapes and codes of practice regarding lot size and density.</p> <p>18.3 Suggests that plan change is not progressed until full consultation is carried out with affected parties including the community and local hapū.</p> <p>19.1 Requests a cultural impact assessment be undertaken on behalf of Ngāti Pārau.</p>	

11.3 Suggests a cultural impact report be undertaken as part of an updated archaeological assessment report.

Further Submission

X2 MHL Holdings

The concerns raised by these submitters are partially addressed in the archaeological report appended to the Plan Change documentation which concludes that archaeological effects can be suitably mitigated by the plan change as it stands and in association with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Section 42 of that Act protects both recorded and unrecorded archaeological sites from modification or destruction. If an application is made under that Act for an archaeological authority, section 46 requires that an assessment of the 'archaeological, Māori, and other relevant values' is provided, as is a statement regarding the consultation undertaken with tangata whenua.

Analysis

- 16.1 Further consultation with these submitters occurred after the closing date for submissions. At a meeting held at the Mission on May 11 that was attended by representative of MHL, Napier City Council, Te Taiwhenua o te Whanganui ā Orotu and Ngāti Pārau, it was agreed that a Cultural Impact Assessment (CIA) was required to document the cultural values, interests and associations that mana whenua have with the plan change area.
- 16.2 A draft brief was developed by Council and circulated to Te Taiwhenua o te Whanganui ā Orotū and Ngāti Pārau. The objectives of the CIA were to document the cultural values and the cultural significance of the plan change area and provide recommendations on how mana whenua, Council and the landowners can work together to avoid, remedy or mitigate any potential adverse effects of the proposed activities on cultural values.
- 16.3 The desired outputs of the CIA were that:
- Hapū associated with this area will gain a broader understanding of the proposed plan change
 - Marist Holdings (Greenmeadows) Limited and Council will gain a clearer understanding of cultural values held over the land that is subject to the plan change proposal
 - Marist Holdings (Greenmeadows) Limited and Council will gain a clearer understanding of the potential effects of the proposal on cultural values along with any suggested methods for recognising and providing for the relationship of mana whenua with the plan change area, allowing these matters to better be taken into account in both the reporting on, and decision making for Proposed Plan Change 12

- All parties shall develop a level of confidence and understanding through the evolution of a relationship between mana whenua, Marist Holdings (Greenmeadows) Limited and Council.
- 16.4 The plan change area extends into the traditional boundaries of Ngāti Pārau, Ngāti Hinepare, Ngāti Mahu and Ngāi Tāwhao. While these hapū are represented by the Te Taiwhenua o Te Whanganui ā Orotū, it was deemed appropriate to commission two CIAs in order to address the concerns and requests of these hapū as lodged by separate submissions. This would also recognise each hapū status as mana whenua and kaitiaki of the plan change area that contains overlapping hapū boundaries.
- 16.5 Two cultural impact assessments have been provided to inform this plan change. One is from the perspective of Ngāti Pārau. The other is from the perspective of Te Taiwhenua o Te Whanganui ā Orotū with special significance to Ngāti Hinepare, Ngāti Mahu and Ngai Tawhao.
- 16.6 The CIA from Ngāti Pārau provides support of the plan change on the basis that the developer continue regular and active engagement with Ngāti Pārau as kaitiaki of Mataruahou. They request active involvement in the progress of the development, further engagement on archaeological accidental discovery protocols and request feasibility to be undertaken to determine how cultural values can be incorporated into the MSCZ. Suggestions include the erection of pou on the development, the possible gifting of names for precincts, streets or reserve names, the blessing of particular sites and the acknowledgement of stories in the form of plaques or memorials in the area
- 16.7 Ngāti Pārau recognise that while there are no specific sites of cultural significance to Ngāti Pārau within the plan change area itself, the report describes the cultural significance of the sites immediately surrounding the Mission Special Character Zone that are worthy of consideration. They provide a valuable assessment of cultural values and historical associations of the broader area, including the historical connections between the Marist community and Ngāti Pārau.
- 16.8 The Ngāti Parāu CIA supports the Archaeological AEE report⁸ commissioned by Marist Holdings Ltd that provides evidence to suggest historical Maori occupation within the plan change area was highly probable.
- 16.9 The CIA from Te Taiwhenua o Te Whanganui ā Orotū does not oppose the plan change but provides a number of recommendations for avoidance or mitigation of cultural impacts of the proposal.
- 16.10 The Taiwhenua CIA asserts that the Archaeological AEE report provides clear evidence of Māori occupation on the site. They request the establishment of a cultural protocol to ensure cultural sites of significance further identified are protected. A draft protocol has been provided in the CIA.

⁸ <https://www.napier.govt.nz/assets/Documents/District-Plan-Change-12/Appendix-D-Archaeological-AEE-Report.pdf>

16.11 Further recommendations that are of significance to the plan change include a request for Taiwhenua input into the design of areas to recognise cultural significance through signage, street names and appropriate cultural art. The CIA requests engagement into the design of protecting 'recorded identified sites' including those known to mana whenua and input into the design of walkways to recognise the importance of the area to Ngāti Hinepare who traversed these hills to gather food supplies from Ahuriri.

16.12 In summary, I consider that the process of engaging with mana whenua post the submission period and the CIA reports provided to support the proposed plan change have provided me with sufficient information on the effects of the Plan Change on cultural and mana whenua values to make a recommendation.

Recommendation 14 – Cultural Values

16.13 That objective 51b.3 be amended as follows:

Objective 51b.3

To provide for the sustainable management of the Mission Special Character Zone including the retention and enhancement of the values of the landscape, heritage, cultural, archaeology and versatile land resources that create the special character of the Zone.

That a new policy is inserted as follows:

Policy 51b.3.4

Ensure that kaitiaki status of mana whenua is recognised and provided for through development design that takes into account and reflects the relationship of the site to mana whenua ancestral values.

That design outcome 3 be expanded as follows:

Design Outcome 3: Archaeology and Cultural Values

Subdivision and development, including tree planting, is to be designed to avoid the disturbance of the 'Recorded Identified Sites' as shown on the Map of Archaeological Sites in Appendix 26F, including a 10m buffer zone around such sites.

An updated archaeological Assessment of Environmental Effects is to be submitted with applications for the following activities:

- Subdivision consent within the Residential Precinct.
- Felling the southern pine plantation
- Constructing walkway paths
- Construction of 'art cabin' accommodation

Cultural values are to be recognised and respected in the design of the development, in particular, in open spaces and public pathways, to reflect the whakapapa, ancestral names, history and stories of the area through engagement with Te Taiwhenua o te Whanganui ā Orotū and Ngāti Pārau. This may include:

- the erection of pou whenua and/or cultural art on the development.
- the possible gifting of names for precincts, streets and/or reserves.
- the acknowledgement of stories in the form of plaques or memorials in the area.
- locally sourced fruiting and flowering natives appropriate for the environment.
- the acknowledgement of the historical pathways of Ngāti Hinepare in the design of public pathways

16.14 Consequential changes have also be recommended to Design Outcome 1: Green Network and Reserves and Design Outcome 17: Public Path to cross reference Design Outcome 3. This is to ensure mana whenua values are considered in the design of the green network, reserves and public paths.

The reasons for this recommendation being:

The CIA’s clearly demonstrate the significance to mana whenua of the broader Western Hills area that the Mission Special Character Zone fits within. The CIA’s provide the mandate to ensure the relationship of mana whenua with their culture and traditions with their ancestral lands will be recognised and provided for in accordance with Section 6(e) of the Resource Management Act.

17. General

Submitter	Plan Provision
8.1 Garth Eyles, 9. Marist Holdings (Greenmeadows) Ltd, 12 Hawkes bay Fruitgrowers Association, 13.1 Hawkes Bay Regional Council	Non-specific
Summary of Submission Points	
8.1 General Support of the plan change and its development objectives	
9.1 Supports plan change in its entirety. Suggests Council approve the Plan Change in accordance with the version notified and that any consequential changes as a result of submissions do not alter the intent of the plan change	
12.3. Submitter supports the potential of the plan change to offer elevated housing opportunities to enhance residential developments in Napier	
13.1 Supports Plan Change 12 in so far at it meets the needs identified through the Heretaunga Plains Urban Development Strategy, subject to further assessments as outlined in policies UD10.1, UD10.3, UD10.2 and UD12.	

17.1 I acknowledge the points raised in submissions supporting the Plan Change. I agree that the Plan Change will facilitate the provision of additional housing generally consistent with HPUDS. I recommend the Plan Change be approved subject to the minor recommendations addressed elsewhere in this report.

18. Range of Issues

Submitter	Plan Provision
4. Tania Eden	Non-specified
Summary of Submission Points	
4.1 The number of precincts and residential allotments, the discretionary activities allowed with the plan change, the code of practice regarding density and lot sizes, the land scape and visitor precincts, the impact of the development on the Taipo stream and esplanade, archaeological sites and further tourism in the area.	
4.2 Opposes the plan change until full consultation with the community and tangata whenua occurs	
Further Submission	
X3 Te Taiwhenua and Moteo Marae	
Submission opposed on that grounds outlined in the previous submissions made and secondly based on previous consultation excluding hapu and mana whenua	
X4 Chey Dearing	
Requests a new policy be included in the plan change to further protect the landscape and amenity values of the Taradale Hills	

- 18.1 The matters raised by Ms Eden have not been elaborated on, and no specific relief is sought in the submission. The submitter opposes the plan change until full consultation is carried out with tangata whenua and the community. I note that Cultural Impact Assessments (CIAs) have now been completed by Te Taiwhenua o Te Whanganui ā Orotū and Ngāti Pārau (following close of submissions), and are addressed in section 16 of this report.
- 18.2 The number of residential allotments, the density and lot sizes are consistent with the main residential zone of the Napier District Plan. Other matters raised in the submission have been addressed elsewhere in this report including the Taipo Stream and Esplanade (section 9.4 and 14.7) and archaeological sites (section 12).
- 18.3 The further submission of Te Taiwhenua o Te Whanganui ā Orotū and Moteo Marae raises further concern regarding mana whenua consultation. Following the further submission period, and following consultation with the submitter, Napier City Council commissioned CIAs from both Te Taiwhenua o Te Whanganui ā Orotū and Ngāti Pārau. Further, additional meetings have been held between the landowners, Council and mana whenua to develop relationships which will continue through the design and development phase.
- 18.4 The further submission X4 Chey Dearing does not relate to a primary submission point and is therefore an irrelevant consideration. However, the points the submission makes relating to visual amenity and significant landscapes have been addressed elsewhere in the report.

19. Assessment against Relevant Statutory Provisions

- 19.1 In adopting a plan change, decision makers are required to assess the proposal in accordance the relevant statutory provisions. The Assessment of Environmental Effects Report (AEE) provide a comprehensive assessment of the plan change against Part 2 of the RMA, the relevant objectives and policies of the Regional Policy Statement (RPS), the Regional Resource Management Plan (RRMP) and the Napier District Plan. I agree with the assessments made in the AEE.
- 19.2 The relevant national and regional planning documents for assessment are listed in Table 1. Following this, the relevant objectives and policies from each of these documents are grouped by theme with an analysis following that covers matters not raised in the regulatory assessment of the AEE. A full list of objectives and policies are contained in Appendix C.
- 19.3 The themes covered include Urban Growth and Capacity, Visual Landscape, Cultural and Mana Whenua Values, Natural Environment and Environmental Risk (Natural Hazards and Contaminated Soil).

Planning Document	Description
Resource Management Act 1991 – Part 2	Part 2 of the RMA sets out the Acts purpose, matters of national importance, other matters and the Treaty of Waitangi. All Plan Changes are required to be assessed against these provisions.
National Policy Statement for Urban Development Capacity (NPS – UDC)	This Policy Statement provides direction to decision-makers on planning for urban environments under the RMA. It recognises the national significance of well-functioning urban environments with a particular focus on enabling urban environments to grow and change in response to the changing needs of the community and future generations. The NPS- UDC covers both housing and business and recognises that mobility and connectivity between the two are important to achieving well-functioning environments.
New Zealand Coastal Policy Statement 2010 (NZCPS)	This policy statement guides local authorities in decision making on the coastal environment in accordance with the Resource Management Act . District Plans are required to give effect to the NZCPS. The area that plan change 12 falls within is not adjacent to the coast yet can be viewed from the coast and is within close proximity to the coast. Therefore this report makes an assessment of the plan change against the relevant policies of the NZCPS.
Hawke’s Bay Regional Policy Statement (RPS) and Regional Resource Management Plan	The Regional Policy Statement sits within the Regional Resource Management Plan and provides the policy framework for managing resource use activities across the Hawkes Bay region. Of particular significance to this plan change is section 3.1b – <i>Managing The Built</i>

	<i>Environment</i> that was included in the RPS in March 2013. These specific policies were designed to assist local authorities in implementing the Heretaunga Plains Urban Development Strategy through District Plans.
Heretaunga Plains Urban Development Strategy 2017 (HPUDS)	A jointly developed strategy by Hawkes Bay Regional Council, Napier City Council and Hastings District Council to accommodate and adapt to new growth projects, demographic changes and market drivers for housing and business land needs out to 2045.
National Environmental Standard for Assessing and Managing Contaminants in soil to Protect Human Health (NES – Contaminated Land)	These regulations provide a national environmental standard for activities on pieces of land whose soil may be contaminated in such a way as to be a risk to human health.
Operative City of Napier District Plan	The principle land use planning document that provides objectives, policies and rules for managing land use in the Napier District. Prepared in accordance with the RMA

Table 1. Description of relevant planning documents

Urban Growth and Capacity

Document	Relevant objective/policy (Refer Appendix C)
NPS-UDC	Objectives OA1, OA2, OC1, OD1, OD2 Supporting policies PA1, PA2, PA3, PA4, PC1, PC4, PC11
NZCPS	Policy 7 Strategic planning
Regional Policy Statement	Objectives OBJ UD1, OBJ UD4, OBJ UD5, OBJ UD6 Policies POL UD4.3, POL UD8, POL UD9.1, POL UD10.1, POL UD10.3, POL UD10.4, POL UD11, POL UD12, POL UD13.
Heretaunga Plains Urban Development Strategy	Relevant sections: <ul style="list-style-type: none"> • 2.1.3 Density • 2.1.5 Amendments to the Settlement Pattern • 2.1.9 Long Term Development Capacity • 2.2.2 Greenfield Growth areas • 4.3.4. Assessment of Growth Option Sites
Napier District Plan	Objective 4.2 and supporting Policy 4.2.1 Objective 4.3 and supporting Policy 4.3.5 Policy 33.2.8

Analysis

- 19.4 The requirement under the NPS-UDC for local authorities to coordinate and align planning decisions across boundaries and provide sufficient development opportunities to meet demand is met through the sub-regional Heretaunga Plains Urban Development

Strategy (HPUDS 2017). The Mission Plan Change area is recognised as a growth area in HPUDS 2017 as identified in the strategy objectives listed above.

- 19.5 The Mission Special Zone in itself offers a range of dwelling typologies to meet the varied needs of people and communities with the overall offering complementary to existing development opportunities in the Napier District by means of its location and proximity to the rest of Napier. The additional capacity (estimated 550 dwellings) will assist Napier City Council in meeting its obligations under the NPS - UDC.
- 19.6 Plan Change 4 of the RRMP introduced objectives and policies to give effect to the first rendition of HPUDS in 2010. Both documents seek a target density of 15 dwellings per hectare. The proposed residential precinct of the MSCZ is 142ha with only 43ha identified in the structure plan for urban development. The minimum subdivision area size of 250m² enables flexibility to use the land efficiently within the topographical constraints of the site. Further, the provision of large areas of common open spaces responds to the landscape, topographical constraints and need for stormwater management as well as providing amenity for residents. Therefore while 15 dwellings per hectare may be unrealistic within the urban development area (with an anticipated density of around 12 dwellings per hectare), the overall intent of the MSCZ provides an efficient use of greenfield development land while also responding to the context of the development area.
- 19.7 POL UD10.3 and POL UD 10.4 of the RRMP are adhered to as the Mission Plan Change provides for a range of housing choices through precincts which respond to the landscape and have been identified through the required structure planning process.
- 19.8 The Structure Plan Design Outcomes will ensure that the development has a sense of character and identity, incorporates urban design principles and recognises the cultural values identified in the Cultural Impact Assessments
- 19.9 Importantly, and in accordance with the HPUDS strategy, the location of the development is such that it will not encroach on the versatile land of the Heretaunga Plains. The development is planned to integrate with infrastructure provision, including low impact stormwater management, an appropriate transport network and enhanced walking and cycling connectivity. It avoids reverse sensitivity effects by siting residential lots away from productive soils, significant infrastructure (e.g. expressway) and away from any industrial activities
- 19.10 The distribution of rural-residential and residential land uses within the MSCZ is planned and not ad-hoc and responds to recognised landscape values.
- 19.11 A detailed assessment of the consistency of the proposed MSCZ against the relevant Napier District Plan Objectives and Policies for residential and rural residential development is provided in Section 4.6 of the AEE Report and I concur with this assessment.

- 19.12 This assessment, and that provided in the AEE, demonstrates that the Proposed Mission Special Character Zone aligns with and satisfies both national and regional objectives and policies for urban growth and capacity.

Visual Landscape

Document	Relevant objective/policy
RMA Part 2	Section 6(a), 6(b), 7(c)
NZCPS	Objective 2 Policy 15 Natural features and natural landscapes
Regional Policy Statement	Objectives OBJ UD1, OBJ UD4, OBJ UD5, OBJ UD6 Policies POL UD4.3, POL UD8, POL UD9.1, POL UD10.1, POL UD10.3, POL UD10.4, POL UD11, POL UD12, POL UD13.
Napier District Plan	Objective 4.2 and supporting policies 4.2.3 and 4.2.4 Objective 4.7 and supporting policies 4.7.3 Objective 33.2 and supporting policies 33.2.3, 33.2.4 and 33.2.5

Analysis

- 19.13 The Western Hills, of which the Mission Special Character Zone is sited within, has been identified as a “significant amenity feature” in the Napier Landscape Assessment Study (referenced in Policy 4.2.4 and Policy 33.2.5 of the Napier District Plan). The Mission is classified as a ‘significant amenity landscape’ in the same study. The Mission and the Western Hills are not outstanding natural landscapes protected under s6 of the RMA and the NZCPS.
- 19.14 The Mission Special Character Zone was informed by an expert *Assessment of Landscape and Visual Effects* report and I agree with this assessment (subject to minor recommendations to the Structure Plan Design Outcomes as addressed elsewhere in this report). The structure plan supports the appropriate distribution of residential and rural-residential development; the location and design of extensive landscape plantings; and the development of design guidelines to minimise effects on the landscape.
- 19.15 The Plan Change and Mission Special Character Zone provide sufficient protection of visual amenity through methods to provide a visual buffer to houses as viewed from Church and Puketitiri Roads. This will be managed through the design outcomes and specific rules that apply to the Prominent Visual Development Area.
- 19.16 Further methods managed through the Structure Plan Design Outcomes seek to both respond to and enhance the amenity values of the landscape. This is through the inclusion of native plantings within the west draining gullies and valley floors as part of the low impact stormwater system, the woodland planting on the eastern hill face and the Landscape and Visitor and Productive Rural Precincts designed to maintain the key elements of the Mission Landscape.
- 19.17 The subdivision, use and development of land enabled under the Plan Change is therefore considered to be appropriate, having regard to the statutory planning framework for the protection of visual amenity.

Cultural and Mana Whenua Values

Document	Relevant objective/policy
RMA Part 2	Section 6(e), 7(a), 8
NZCPS	Objective 3
Regional Policy Statement	Objectives OBJ 7, OBJ 34, OBJ 36, OBJ 37
Napier District Plan	Objective 3.6 and supporting policies 3.6.1 and 3.6.3 Objective 56.4 and supporting policies 56.4.1, 56.4.2, 56.4.3 and 56.4.4 Policy 33.6.3

Analysis

- 19.18 The Plan Change area does not include any specific sites of significant to mana whenua identified in the Napier District Plan and other statutory planning documents. However, it is acknowledged that the area is of significance to mana whenua as further discussed in the CIAs.
- 19.19 The importance of cultural heritage in this area will be recognised through Objectives, Policies and Design Outcomes, as amended through recommendations outlined in this report. This includes potential for road naming recognising significant ancestors and/or local places; interpretative signage and pou/structures in public open space to be vested; and other matters to be agreed with mana whenua in accordance with the recommendations of the CIA.
- 19.20 Principle protection of archaeological sites is managed through Heritage New Zealand who has statutory responsibility to for archaeological sites under the Pouhere Taonga Act 2014. Further engagement with mana whenua will occur prior to the commencement of earthworks through the process of obtaining an archaeological authority and the development of an accidental discovery protocol. This is to ensure any discovered archaeological sites are appropriately managed including through notifying mana whenua.
- 19.21 The recommendations in this report assist in facilitating and enabling the exercise of tino rangatiratanga and kaitiakitanga of mana whenua in accordance with Objective 56.4 of the Napier District Plan. The recommendations also seek to give effect to section 6(e) of the RMA by recognising and providing for the relationship of mana whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Natural Environment

Document	Relevant objective/policy
RMA Part 2	Section 6(a), 6(c), 7(b), 7(d), 7(f)

Document	Relevant objective/policy
NZCPS	Objective 1 Supporting policy 11 and policies 21-23
Regional Policy Statement	Objectives OBJ 6 and OBJ 15
Napier District Plan	Policy 33.6.3

Analysis

19.22 Stormwater management in the MSCZ has been designed to meet the requirements for a comprehensive discharge permit from HBRC, with low impact stormwater attenuation ponds incorporated into the overall design of the precinct. This will reduce effects on changes in flow and contamination of receiving environments, including the coastal environment.

19.23 The Ecological Effects Assessment⁹ concludes that while the site contains a small number of indigenous species, none are of conservation concern. The site does not contain any ecological elements that could be significant under section 6(c) of the RMA.

19.24 The proposed plantings (both exotic and indigenous) have considerable ecological merit in comparison to the current pasture landscape with overall ecological value contingent and optimised on the species chosen.

Environmental Risk (Natural Hazards, Contaminated Land)

Document	Relevant objective/policy
RMA Part 2	Section 6(h), 7(i)
NZCPS	Objective 5, supporting policies 23 - 25
NES: contaminated land	Explanatory note: These regulations provide a national environmental standard for activities on pieces of land whose soil may be contaminated in such a way as to be a risk to human health.
Regional Policy Statement	Objectives OBJ 8, OBJ 11, OBJ 14, OBJ 22, OBJ 31
Napier District Plan	Objective 62.3 and supporting policy 62.3.4 Objective 62.4 and supporting policies 62.4.1 and 62.4.2

Analysis

19.25 The proposed planting will contribute positively to erosion control on the steep slopes within the MSCZ. Further, all building will be required to be undertaken in accordance with the recommendations of the geotechnical report.

⁹ <https://www.napier.govt.nz/assets/Documents/District-Plan-Change-12/Appendix-I-Ecological-Effects-Assessment.pdf>

- 19.26 Section 5.5 of the AEE assesses the effects of the plan change on natural hazards. Overall, the location of the residential and rural residential precinct at elevation results in reduced susceptibility to natural hazards in comparison to the rest of Napier. Within the MSCZ only the productive rural precinct and a small portion of the rural residential precinct is of medium liquefaction susceptibility and at risk of Tsumani inundation (with a return period of 2500yrs). Flood risk is appropriately managed through stormwater management areas outside of the identified development areas.
- 19.27 The soils in the residential precinct and the rural residential precinct are not identified as being 'at risk' as defined by the Hazardous Activities and Industries List or of high productive value. It is noted that the Plan Change does not remove the requirement to apply with the NES: contaminated land where relevant.
- 19.28 The Plan Change will not facilitate activities or development that would degrade the quality of groundwater and overall the plan change seeks to retain and enhance the existing land resource.

20. Conclusion

- 20.1 The minor amendments to the plan change as detailed in the recommendations do not alter the intent of the plan change. Therefore I recommend the plan change be approved, subject to the minor recommendations made in this report. The recommendations will ensure the Mission Special Character Zone is responsive to community concerns and adheres to the national and regional planning frameworks.

Appendix A – Summary of Recommendations

1. Recommendation 2 – Visual Amenity

Design Outcome 7: Design Manual and Review Process

A design manual and design review process is to be implemented to ensure houses contribute positively to the streetscape and character of the Residential and Rural Residential Precincts. The design manual is to be submitted with the first subdivision consent application involving land within the Residential Precinct and be given effect to by way of condition of consent. The design review process is to be administered by Marist Holdings (Greenmeadows) Ltd or successor – be a condition of subdivision consent – enforced by consent notice on the title of each residential and rural residential allotment. Napier City Council's role will be to certify that the process is followed in accordance with the condition. The Design Manual will be assessed on its ability to ensure that built development within the Residential and Rural Residential Precincts will give effect to the objectives and policies of the Mission Special Character Zone and in particular objective 51b.4 and policies 51b.4.2 and 51b.4.5. The Design Manual is to include design principles and guidelines which buildings are to be assessed against in the design review process. It is to address such matters as:

- Relationship of house to street (i.e. including such matters as setbacks, orientation of entrance to the street, provision of windows overlooking street).
- House design and appearance (e.g. the design guide is to set out themes characteristic of Napier houses; design principles such as variety, use of materials characteristic of the area, modelling of façade and roof forms to create interest to streetscape and the use of recessive building and colours to mitigate the effects of the development in the Rural Residential Precinct and in the Prominent Visual Development Area).
- Garaging (including avoidance of visual dominance of garage doors, maximum garage door width as proportion of house width, setbacks from the street, – but also including instances where garages may be appropriate close to the street boundary as part of the distinctive character of the precinct).
- Landscape design (including street fencing and contribution of trees in front yards to streetscape).
- Specific guidelines and design principles for the Neighbourhood Centre (see Design Outcome 9).

2. Recommendation 3 – Visual Amenity

Design Outcome 1: Green network and reserves

The west-facing valleys within the Residential Precinct are to be designed as a single interconnected green network as depicted on the Structure Plan Overall Map in Appendix 26B. The green network is to be designed to integrate stormwater management, ecological functions, recreation and an interconnected path network so as to provide for

multi-purpose reserves to be vested in the Napier City Council. In particular, the green network is to include:

- Open grassed areas and wetlands within the valley floors.
- Stormwater ponds and wetlands designed as amenity features.
- Planting design that creates an attractive park-like character.
- Connected corridors of restored [and maintained](#) indigenous vegetation – particularly on south facing slopes.
- A path network (see Design Outcome 8).
- The location and size of the green network and vested reserves is to be generally consistent with that shown on the Structure Plan Area Plan Map in Appendix 26B-2.
- The reserves identified in Appendix 26B-2 are to be vested at the time of subdivision of the land surrounding the reserve and be fully developed consistent with the purpose of the reserve. As identified on the 3 Waters Staging Plan in Appendix 26G, the time of vesting would be Lookout Reserve – Stage 2; Neighbourhood Centre Reserve – Stage 3; and Local Neighbourhood Reserves – Stages 2 and 5 respectively.
- [Refer also to Design Outcome 3: Archaeology and Cultural Values](#)

3. Recommendation 4 – Productive Rural Zone Rules

That all references in the plan change to ‘versatile and/or productive [soils](#)’ be changed to ‘versatile and productive [land](#)’ (51b.1, 51b.2.4, 51.b.2.6, 51.b.3.5, 51.b.4.3, 51b.4.3c, 51b.6(10) and 51b.16a 51b.17)

4. Recommendation 7 – Esplanade Reserves

That rule 6.1.3.4 in the Code of Practice, Volume 2 of the Napier District Plan be updated with the following wording:

4. The esplanade reserves for the Taipo Stream shall be 6 metres and 20 metres, [except for where it traverses the Mission Special Character Zone where there is no esplanade reserve requirement as shown on Appendix A4 attached](#)

[Note: Design Outcome 21 in the Mission Special Character Zone Structure Plan provides for a 6m easement for maintenance and stormwater management purposes](#)

5. Recommendation 14 – Cultural Values

That objective 51b.3 be amended as follows:

Objective 51b.3

To provide for the sustainable management of the Mission Special Character Zone including the retention and enhancement of the values of the landscape, heritage,

cultural, archaeology and versatile land resources that create the special character of the Zone.

That a new policy is inserted as follows:

Policy 51b.3.4

Ensure that kaitiaki status of mana whenua is recognised and provided for through development design that takes into account and reflects the relationship of the site to mana whenua ancestral values.

That design outcome 3 be expanded as follows:

Design Outcome 3: Archaeology and Cultural Values

Subdivision and development, including tree planting, is to be designed to avoid the disturbance of the 'Recorded Identified Sites' as shown on the Map of Archaeological Sites in Appendix 26F, including a 10m buffer zone around such sites.

An updated archaeological Assessment of Environmental Effects is to be submitted with applications for the following activities:

- Subdivision consent within the Residential Precinct.
- Felling the southern pine plantation
- Constructing walkway paths
- Construction of 'art cabin' accommodation

Cultural values are to be recognised and respected in the design of the development, in particular, in open spaces and public pathways, to reflect the whakapapa, ancestral names, history and stories of the area through engagement with Te Taiwhenua o te Whanganui ā Orotū and Ngāti Pārau. This may include:

- the erection of pou whenua and/or cultural art on the development.
- the possible gifting of names for precincts, streets and/or reserves.
- the acknowledgement of stories in the form of plaques or memorials in the area.
- locally sourced fruiting and flowering natives appropriate for the environment.
- the acknowledgement of the historical pathways of Ngāti Hinepare in the design of public pathways.

Design Outcome 1: Green network and reserves

The west-facing valleys within the Residential Precinct are to be designed as a single interconnected green network as depicted on the Structure Plan Overall Map in Appendix 26B. The green network is to be designed to integrate stormwater management, ecological functions, recreation and an interconnected path network so as to provide for

multi-purpose reserves to be vested in the Napier City Council. In particular, the green network is to include:

- Open grassed areas and wetlands within the valley floors.
- Stormwater ponds and wetlands designed as amenity features.
- Planting design that creates an attractive park-like character.
- Connected corridors of restored [and maintained](#) indigenous vegetation – particularly on south facing slopes.
- A path network (see Design Outcome 8).
- The location and size of the green network and vested reserves is to be generally consistent with that shown on the Structure Plan Area Plan Map in Appendix 26B-2.
- The reserves identified in Appendix 26B-2 are to be vested at the time of subdivision of the land surrounding the reserve and be fully developed consistent with the purpose of the reserve. As identified on the 3 Waters Staging Plan in Appendix 26G, the time of vesting would be Lookout Reserve – Stage 2; Neighbourhood Centre Reserve – Stage 3; and Local Neighbourhood Reserves – Stages 2 and 5 respectively.
- [Refer also to Design Outcome 3: Archaeology and Cultural Values](#)

Design Outcome 17: Public Path

A publicly accessible path is to be provided through the Landscape and Visitor Precinct to connect with the existing Napier City Council path network upon the subdivision of the land identified in Stage 5 of the '3 Waters Staging Plan' in Appendix 26G (when the Residential Collector Road, from which the path will extend, reaches its southern most extent along the main ridge). Side paths such as that to the Lookout Reserve will be developed at the same time as the corresponding reserve that access is being provided to. The path may overlap onto adjoining precincts within the Mission Special Character Zone. The path (including any side path connections) is to achieve the following outcomes:

- Connection with the existing public network at Tironui Drive behind Mary Knoll (potentially using access to the Napier City reservoir with the agreement of the neighbouring landowner) at the southern end and in the vicinity of the Church Road / Prebensen Drive roundabout to the north. Alternatively the southern walkway connection is to be directly to Church Road adjacent the Taipo Stream crossing as shown on the Structure Plan Map in Appendix 26B-1.
- A high amenity experience of the Mission landscape.
- Access to hilltop lookouts.
- A public access easement of a minimum 3m width with track formation consistent with the 'short walk' classification in Standards New Zealand Hand Book 8630:2004 'Tracks and Outdoor Visitor Structures.'
- [Refer also to Design Outcome 3: Archaeology and Cultural Values](#)

By way of explanation, it is envisaged the path will follow an existing farm track behind the amphitheatre and the main ridgeline with a spur path that will lead to the Grande Maison.

Appendix B – Transportation Memo

Memo



To:	Kim Anstey		
Cc:	Dean Moriarity		
Date:	22 August 2018	File Ref:	[File Number]
Subject:	PLAN CHANGE 12		

Submission points to be addressed are:

1. Concerned about visibility for traffic entering and exiting subdivision from both proposed entrances on Puketitiri Road. Suggest speed controls in the form of a reduced speed limit or turning lanes, roundabout or modification of road to improve visibility at both entrances proposed on Puketitiri Road.
2. Would like speed and accident problem on the section of road between Poraiti Road and the new entranceway addressed through road widening and modification of corner. Suggests speed problem be addressed through reduced speed restrictions and/or roundabouts.
3. Suggests road connection with Puketapu Road to avoid congestion on Church Road.

Response:

1. The submissions suggest that speed controls be implemented along with a number of safety interventions. Both accesses to the sub-division will be designed to the relevant design standards and checked by Napier City Council's Transportation team to ensure that the safe movement for all road users on Puketitiri Road is provided. In addition to this Napier City Council has programmed a number of safety improvements to Puketitiri Road including seal widening and improvements to the horizontal and vertical alignments.
Napier City Council are currently reviewing the speed limit on Puketitiri Road and it is intended for it to be reduced to 80km/h.
2. The submission suggests that the access road be connected to Puketapu Road, rather than via the Puketitiri Road/Church Road roundabout but this would cause significant congestion at peak time in Taradale centre and is not deemed to be a practical alternative. Puketitiri Road and its roundabout with Church Road has sufficient capacity to accommodate the increased traffic numbers.

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Appendix C – Relevant Statutory Provisions

National Policy Statement: Urban Development Capacity

OA1: Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.

OA2: Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.

OC1: Planning decisions, practices and methods that enable urban development which provides for the social, economic, cultural and environmental wellbeing of people and communities and future generations in the short, medium and long-term.

OD1: Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other.

OD2: Coordinated and aligned planning decisions within and across local authority boundaries.

Supporting policies PA1, PA2, PA3, PA4, PC1, PC4, PC11

New Zealand Coastal Policy Statement

Objective 1

To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;
- protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and
- maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.

Refer also supporting policy 11 and policies 21-23

Objective 2

To preserve the natural character of the coastal environment and protect natural features and landscape values through:

- recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;

- identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and
- encouraging restoration of the coastal environment.

Objective 3

To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:

- recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;
- promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;
- incorporating mātauranga Māori into sustainable management practices; and
- recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.

Refer also supporting Policy 2

Objective 5

To ensure that coastal hazard risks taking account of climate change, are managed by:

- locating new development away from areas prone to such risks;
- considering responses, including managed retreat, for existing development in this situation; and
- protecting or restoring natural defences to coastal hazards

Refer also supporting policies 23 – 25

Policy 7 Strategic planning

(1) In preparing regional policy statements, and plans:

(a) consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level, and:

(b) identify areas of the coastal environment where particular activities and forms of subdivision, use and development:

(i) are inappropriate; and

(ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process;

and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.

Policy 15 Natural features and natural landscapes

To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:

- (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and

(b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment;

Regional Policy Statement

OBJ UD1 Establish compact, and strongly connected urban form throughout the Region, that:

a) achieves quality built environments that:

- i. provide for a range of housing choices and affordability,
- ii. have a sense of character and identity,
- iii. retain heritage values and values important to tangata whenua,
- iv. are healthy, environmentally sustainable, functionally efficient, and economically and socially resilient, and
- v. demonstrates consideration of the principles of urban design;

b) avoids, remedies or mitigates reverse sensitivity effects in accordance with objectives and policies in Chapter 3.5 of this plan;

c) avoids, remedies or mitigates reverse sensitivity effects on existing strategic and other physical infrastructure in accordance with objectives and policies in Chapter 3.5 and 3.13 of this plan;

d) avoids unnecessary encroachment of urban activities on the versatile land of the Heretaunga Plains; and

e) avoids or mitigates increasing the frequency or severity of risk to people and property from natural hazards.

OBJ UD4 Enable urban development in the Heretaunga Plains sub-region, in an integrated, planned and staged manner which:

a) allows for the adequate and timely supply of land and associated infrastructure; and

b) avoids inappropriate lifestyle development, ad hoc residential development and other inappropriate urban activities in rural parts of the Heretaunga Plains sub-region.

OBJ UD5 Ensure through long-term planning for land use change throughout the Region, that the rate and location of development is integrated with the provision of strategic and other infrastructure, the provision of services, and associated funding mechanisms.

OBJ UD6 Ensure that the planning and provision of transport infrastructure is integrated with development and

settlement patterns and facilitates the movement of goods and people and provision of services throughout

the Region, while:

a) limiting network congestion;

b) reducing dependency on private motor vehicles;

c) reducing emission of contaminants to air and energy use; and

d) promoting the use of active transport modes.

POL UD4.3 Within the Heretaunga Plains sub-region, areas where future residential greenfield growth for the 2015-2045 period has been identified as appropriate and providing choice in location, subject to further assessment, are: (c) Taradale Hills.

POL UD8 In the Heretaunga Plains sub-region, residential subdivision and development shall seek to achieve the following minimum net densities, where appropriate, within greenfield growth areas – an average yield of 15 lots or dwellings per hectare in each greenfield growth area developed post 31 December 2015.

POL UD9.1 In the Heretaunga Plains sub-region, district plans shall provide for the strategic integration of infrastructure and development through the staged release of new greenfield growth areas.

POL UD10.1 In the Heretaunga Plains sub-region, development of urban activities within greenfield growth areas shall occur in accordance with a comprehensive structure plan. Structure plans shall be prepared where it is proposed to amend the district plan, and shall be included in the district plan to provide for urban activities.

POL UD10.3 Notwithstanding Policy UD10.1, structure plans for any area in the Region shall:

- b) Be prepared as a single plan for the whole of a greenfield growth area;
- c) Be prepared in accordance with the matters set out in POL UD12
- d) Show indicative land uses, including:
 - Principal roads and connections with the surrounding road network and relevant infrastructure and services;
 - Land required for stormwater treatment, retention and drainage paths;
 - And land to be set aside for business activities, recreation, social infrastructure, environmental or landscape protection or enhancement, or set aside from development of any other reason; and
 - Pedestrian walkways, cycleways, and potential public passenger transport routes both within and adjoining the area to be developed;
 - Identify significant natural, cultural and historic or heritage features;
 - Identify existing strategic infrastructure; and
 - Identify the National Grid (including an appropriate buffer corridor).

POL UD10.4. Notwithstanding Policy UD10.1, in developing structure plans for any area in the Region, supporting documentation should address:

- a) The infrastructure required, and when it will be required to service the development area;
- b) How development may present opportunities for improvements to existing infrastructure provisions
- c) How effective provision is made for a range of transport options and integration between transport modes;
- d) How provision is made for the continued use, maintenance and development of strategic infrastructure;
- e) How effective management of stormwater and wastewater discharges is to be achieved;
- f) How significant natural, cultural and historic or heritage features and values are to be protected and/or enhanced;
- g) How any natural hazards will be avoided or mitigated; and
- h) Any other aspects relevant to an understanding of the development and its proposed zoning.

Also see supporting policies UD11, UD12 and UD13.

OBJ 6 The management of coastal water quality to achieve appropriate standards, taking into account spatial variations in existing water quality, actual and potential public uses, and the sensitivity of the receiving environment.

OBJ 7 The promotion of the protection of coastal characteristics of special significance to iwi, including waahi tapu, tauranga waka, taonga raranga, mahinga kai and mahinga mataitai.

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.

OBJ 11 An ongoing reduction in the extent and severity of hill country erosion

OBJ 14 The avoidance of loss in the productive capability of land, as a result of reduced soil health.

OBJ 15 The preservation and enhancement of remaining areas of significant indigenous vegetation, significant habitats of indigenous fauna and ecologically significant wetlands.

OBJ 22 The maintenance or enhancement of groundwater quality in unconfined or semi-confined productive aquifers in order that it is suitable for human consumption and irrigation without treatment, or after treatment where this is necessary because of the natural water quality.

OBJ 31 The avoidance or mitigation of the adverse effects of natural hazards on people's safety, property, and economic livelihood.

OBJ 34 To recognise tikanga Maori values and the contribution they make to sustainable development and the fulfilment of HBRC's role as guardians, as established under the RMA, and tangata whenua roles as kaitiaki, in keeping with Maori culture and traditions.

OBJ 36 To protect and where necessary aid the preservation of waahi tapu (sacred places), and tauranga waka (landings for waka).

OBJ 37 To protect and where necessary aid the preservation of mahinga kai (food cultivation areas), mahinga mataitai (sea-food gathering places), taonga raranga (plants used for weaving and resources used for traditional crafts) and taonga rongoa (medicinal plants, herbs and resource).

Napier District Plan

Objective 3.6 To facilitate and enable the exercise of tino rangatiratanga and kaitiakitanga by tangata whenua and by hapu holding manawhenua.

Policy 3.6.1 Seek, through an integrated regime, efficient and robust processes with tangata whenua, Council and other parties as required.

Policy 3.6.3 Facilitate the compilation of a database of 'sites', ancestral lands, water, and other taonga.

Objective 4.2 To enable the diverse housing needs and preferences of the City's residents to be met while ensuring that the adverse effects on the environment of residential land use, development and subdivision are avoided, remedied or mitigated.

Policy 4.2.1 Enable the development of a range of housing types within the urban area and where appropriate, more intensive forms of housing such as papakainga housing and multi-unit development.

Policy 4.2.3: Manage land uses and subdivision to ensure any adverse effects on outstanding natural features and significant landscapes are avoided, remedied or mitigated.

Policy 4.2.4: Require specific consideration of the landscape and visual effects of development proposals where they are located on landscapes identified as outstanding or significant in the Napier City Landscape Assessment Study.

Objective 4.3 To accommodate growth through residential intensification in appropriate areas and planned development of identified residential greenfield growth areas, and to create a City-wide settlement pattern that maintains the vitality of the City's commercial and community nodes, supports public transport and reduces private vehicles use in accordance with OBJ UD1 of the Hawke's Bay Regional Policy Statement.

Policy 4.3.5 A Structure Planning process must be undertaken where areas for future urban development are identified in District or Regional growth strategies before a plan change is initiated to avoid, remedy or mitigate adverse effects on the environment associated with ad hoc development and infrastructure provision. The Structure Planning process shall be undertaken in accordance with Policy UD10.1 and UD10.3 of the Hawke's Bay Regional Resource Management Plan.

Objective 4.7: To maintain and enhance residential amenity through the retention and planting of trees within the residential environment.

Policy 4.7.3: Encourage the planting of trees, especially mature trees, within residential areas to mitigate the effects of urban intensification, urban-fringe development and any loss of existing significant vegetation.

Objective 33.2: To protect the City's outstanding natural features, significant landscapes, and its rural land from the adverse effects of inappropriate subdivision, use and development of land.

Policy 33.2.3 Manage land uses and subdivision to ensure any adverse effects on outstanding natural features and significant landscapes are avoided, remedied or mitigated.

Policy 33.2.4 Avoid the location and siting of structures on skylines, ridges, hills, and prominent places and natural features.

Policy 33.2.5 Require specific consideration of the landscape and visual effects of development proposals where they are located on landscapes identified as outstanding or significant in the Napier City Landscape Assessment Study.

Policy 33.2.8 Establish defined urban limits to retain and protect the versatile and productive soils from ad hoc urban subdivision and development in accordance with the recommendations of the adopted Heretaunga Plains Urban Development Strategy (HPUDS).

Policy 33.6.3 Ensure that adverse effects on identified cultural and heritage sites are avoided, remedied or mitigated

Objective 56.4 To facilitate and enable the exercise of Tino Rangatiratanga and Kaitiakitanga by the tangata whenua

Policy 56.4.1 Identify and define sites of significance to tangata whenua for inclusion in the Plan.

Policy 56.4.2 Avoid the loss of sites that are significant by establishing a process for considering land uses that affect these sites.

Policy 56.4.3 Recognise the importance of heritage to tangata whenua and to establish an ongoing process of tangata whenua consultation and participation.

Policy 56.4.4 Consult with tangata whenua where land uses are to occur in areas identified as significant.

Objective 62.3 To manage the effects of natural hazards on land uses throughout the City

Policy 62.3.4 Control the subdivision, use and development of land to ensure that risks to the community are avoided, remedied, or mitigated.

Objective 62.4 To control the effects of land uses and development on areas subject to natural hazards throughout the City.

Policy 62.4.1 Direct development away from areas known to be subject to natural hazards.

Policy 62.4.2 Control existing development in areas subject to natural hazards.

Heretaunga Plains Urban Development Strategy

2.1.3 Density: the Strategy seeks to achieve the following minimum net densities within greenfield growth areas in a staged manner by 2045: An average yield of 15 lots or dwellings per hectare in each greenfield growth area developed post 31 December 2015.

2.1.5 Amendments to the Settlement Pattern: ... the Western Hills area of Napier has been expanded more in line with its potential for development for a comprehensive design led greenfield option with higher densities, rather than for rural residential.

2.1.9 Long Term Development Capacity: Western Hills ~ 600 dwellings

2.2.2 Greenfield Growth areas: Western Hills ~ 43ha. A significantly larger area than 43ha is identified on the settlement pattern Map 3, with the larger area including land set aside for low impact stormwater treatment, and also including land that will be available for rural residential development below the 43ha of ridges and spurs that will accommodate full urban residential development.

4.3.4. Assessment of Growth Option Sites: Western Hills - This area is the area of land that immediately adjoins includes the Mission Special Character Zone District Plan Change fronting Puketitiri Road. This area can be readily serviced, and is beyond also if developed in association with replanting of the Western Hills backdrop to the City so there are no landscape issues can be addressed. The area is in close proximity to established residential areas for energy efficiency considerations. It is an appropriate location for a future greenfield growth area 2015-2045.

